THE NEXT IRAQI WAR?

SECTARIANISM AND CIVIL CONFLICT

Middle East Report N°52 – 27 February 2006

International Crisis Group
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EXECUTIVE SUMMARY AND RECOMMENDATIONS

The bomb attack on a sacred Shiite shrine in Samarra on 22 February 2006 and subsequent reprisals against Sunni mosques and killings of Sunni Arabs is only the latest and bloodiest indication that Iraq is teetering on the threshold of wholesale disaster. Over the past year, social and political tensions evident since the removal of the Baathist regime have turned into deep rifts. Iraq's mosaic of communities has begun to fragment along ethnic, confessional and tribal lines, bringing instability and violence to many areas, especially those with mixed populations. The most urgent of these incipient conflicts is a Sunni-Shiite schism that threatens to tear the country apart. Its most visible manifestation is a dirty war being fought between a small group of insurgents bent on fomenting sectarian strife by killing Shiites and certain government commando units carrying out reprisals against the Sunni Arab community in whose midst the insurgency continues to thrive. Iraqi political actors and the international community must act urgently to prevent a low-intensity conflict from escalating into an all-out civil war that could lead to Iraq's disintegration and destabilise the entire region.

2005 will be remembered as the year Iraq's latent sectarianism took wings, permeating the political discourse and precipitating incidents of appalling violence and sectarian "cleansing". The elections that bracketed the year, in January and December, underscored the newly acquired prominence of religion, perhaps the most significant development since the regime's ouster. With mosques turned into party headquarters and clerics outfitting themselves as politicians, Iraqis searching for leadership and stability in profoundly uncertain times essentially turned the elections into confessional exercises. Insurgents have exploited the post-war free-for-all; regrettably, their brutal efforts to jumpstart civil war have been met imprudently with ill-tempered acts of revenge.

In the face of growing sectarian violence and rhetoric, institutional restraints have begun to erode. The cautioning, conciliatory words of Grand Ayatollah Ali al-Sistani, the Shiites' pre-eminent religious leader, increasingly are falling on deaf ears. The secular centre has largely vanished, sucked into the maelstrom of identity politics. U.S. influence, while still extremely significant, is decreasing as hints of eventual troop withdrawal get louder. And neighbouring states, anxious to protect their strategic interests, may forsake their longstanding commitment to Iraq's territorial integrity if they conclude that its disintegration is inevitable, intervening directly in whatever rump states emerge from the smoking wreckage.

If Iraq falls apart, historians may seek to identify years from now what was the decisive moment. The ratification of the constitution in October 2005, a sectarian document that both marginalised and alienated the Sunni Arab community? The flawed January 2005 elections that handed victory to a Shiite-Kurdish alliance, which drafted the constitution and established a government that countered outrages against Shiites with indiscriminate attacks against Sunnis? Establishment of the Interim Governing Council in July 2003, a body that in its composition prized communal identities over national-political platforms? Or, even earlier, in the nature of the ousted regime and its consistent and brutal suppression of political stirrings in the Shiite and Kurdish communities that it saw as threatening its survival? Most likely it is a combination of all four, as this report argues.

Today, however, the more significant and pressing question is what still can be done to halt Iraq's downward slide and avert civil war. Late in the day, the U.S. administration seems to have realised that a fully inclusive process – not a rushed one – is the sine qua non for stabilisation. This conversion, while overdue, is nonetheless extremely welcome. Ambassador Zalmay Khalilzad's intensive efforts since late September 2005 to bring the disaffected Sunni Arab community back into the process have paid off, but only in part. He is now also on record as stating that the U.S. is "not going to invest the resources of the American people to build forces run by people who are sectarian". Much remains to be done, however, to recalibrate the political process further and move the country on to a path of reconciliation and compromise.

- First, the winners of the December 2005 elections, the main Shiite and Kurdish lists, must establish a government of genuine national unity in which Sunni Arab leaders are given far more than a token

role. That government, in turn, should make every effort to restore a sense of national identity and address Iraqis' top priorities: personal safety, jobs and reliable access to basic amenities such as electricity and fuel. It should also start disbanding the militias that have contributed to the country's destabilisation. The U.S. has a critical role to play in pressuring its Iraqi war-time allies to accept such an outcome. States neighbouring Iraq as well as the European Union should push toward the same goal.

- Secondly, substantive changes must be made to the constitution once the constitutional process is reopened one month after the government enters office. These should include a total revision of key articles concerning the nature of federalism and the distribution of proceeds from oil sales. As it stands, this constitution, rather than being the glue that binds the country together, has become both the prescription and blueprint for its dissolution. Again, the U.S. and its allies should exercise every effort to reach that goal.
- Thirdly, donors should promote non-sectarian institution building by allocating funds to ministries and projects that embrace inclusiveness, transparency and technical competence and withholding funds from those that base themselves on cronyism and graft.
- Fourthly, while the U.S. should explicitly state its intention to withdraw all its troops from Iraq, any drawdown should be gradual and take into account progress in standing up self-sustaining, non-sectarian Iraqi security forces as well as in promoting an inclusive political process. Although U.S. and allied troops are more part of the problem than they can ever be part of its solution, for now they are preventing – by their very presence and military muscle – ethnic and sectarian violence from spiralling out of control. Any assessment of the consequences, positive and negative, that can reasonably be anticipated from an early troop withdrawal must take into account the risk of an all-out civil war.
- Finally – and regrettable though it is that this is necessary – the international community, including neighbouring states, should start planning for the contingency that Iraq will fall apart, so as to contain the inevitable fall-out on regional stability and security. Such an effort has been a taboo, but failure to anticipate such a possibility may lead to further disasters in the future.

RECOMMENDATIONS

To the Winners of the December 2005 Elections:

1. Strongly condemn sectarian-inspired attacks, such as the bombing of the al-Askariya shrine in Samarra but also reprisal attacks, and urge restraint.
2. Establish a government of national unity that enjoys popular credibility by:
   (a) including members of the five largest electoral coalitions;
   (b) dividing the key ministries of defence, interior, foreign affairs, finance, planning and oil fairly between these same lists, with either defence or interior being given to a respected and non-sectarian Sunni Arab leader, and the other to a similar leader of the United Iraqi Alliance;
   (c) assigning senior government positions to persons with technical competence and personal integrity chosen from within the ministry; and
   (d) adopting an agenda that prioritises respect for the rule of law, job creation and provision of basic services.
3. Revise the constitution's most divisive elements by:
   (a) establishing administrative federalism on the basis of provincial boundaries, outside the Kurdish region; and
   (b) creating a formula for the fair, centrally-controlled, nationwide distribution of oil revenues from both current and future fields, and creating an independent agency to ensure fair distribution and prevent corruption.
4. Halt sectarian-based attacks and human rights abuses by security forces, by:
   (a) beginning the process of disbanding militias, integrating them into the new security forces so as to ensure their even distribution throughout these forces' hierarchies, at both the national and local levels;
   (b) continuing to build the security forces (national army, police, border guards and special forces, as well as the intelligence agencies) on the basis of ethnic and religious inclusiveness, with members of Iraq's various communities distributed across the hierarchies of those forces as well as within the governorates;

(c) ensuring that the ministers of defence and interior, as well as commanders and senior officers at both the national and local level are appointed on the basis of professional competence, non-sectarian outlook and personal integrity; and

(d) establishing an independent commission, accountable to the council of deputies, to oversee the militias' dismantlement and the creation of fully integrated security forces.

5. In implementing de-Baathification, judge former Baath party members on the basis of crimes committed, not political beliefs or religious convictions, and establish an independent commission, accountable to the council of deputies, to oversee fair and non-partisan implementation. Both former Baathis and non-Baathis suspected of human rights crimes or corruption should be held accountable before independent courts.

To the Government of the United States:

6. Press its Iraqi allies to constitute a government of national unity and, in particular, seek to prevent the defence and interior ministries from being awarded to the same party or to strongly sectarian or otherwise polarising individuals.

7. Encourage meaningful amendments to the constitution to produce an inclusive document that protects the fundamental interests of all principal communities, as in recommendation 3 above.

8. Assist in building up security forces that are not only adequately trained and equipped, but also inclusive and non-sectarian.

9. Engage Iraq's neighbours, including Iran, in helping solve the crisis by taking the measures described in recommendation 11 below, and actively promote the reconciliation conference agreed to in Cairo in November 2005, encouraging representatives of all Iraqi parties and communities, as well as of governments in the region, to attend.

To Donors:

10. Allocate funding to ministries and government projects, as well as civil society initiatives, strictly according to their compliance with principles of inclusiveness, transparency and competence.

To States Neighbouring Iraq:

11. Help stabilise Iraq by:

(a) expressing or reiterating their strategic interest in Iraq's territorial integrity;

(b) encouraging the winners of the December 2005 elections to form a government of national unity and accede to demands to modify the constitution (as outlined in recommendation 3 above);

(c) strengthening efforts to prevent funds and insurgents from crossing their borders into Iraq; and

(d) promoting, and sending representatives to, the planned reconciliation conference in Baghdad.

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I. INTRODUCTION: ESCALATING SECTARIAN VIOLENCE

Following the advent of its first elected government in April 2005, Iraq has witnessed an alarming descent into sectarian discourse and violence. Centred on the principal divide between Sunnis and Shiites, this development has prompted increasingly inflammatory rhetoric, indiscriminate detention, torture and killings on the basis of religious belief, attacks on mosques and families' induced departures from towns and neighbourhoods based on their religious identity.

While there has been tension, and some violence, between ethnic groups (for example, Arabs and Kurds) or among Shiite militias (such as the Badr Organisation and the Mahdi Army) that could similarly contribute to Iraq's disintegration, this report focuses on the most significant centrifugal forces that are tearing the country apart.[1] These forces, while religious in inspiration and identification, are profoundly political in origin and character. Their main representatives are the Supreme Council for the Islamic Revolution in Iraq (SCIRI) – and its military arm the Badr Organisation (formerly the Badr Corps, *al-Faylaq al-Badr*) – that formally came to power as part of a Shiite-Kurdish coalition after the January 2005 elections, and insurgent groups seeking to jumpstart civil war and foment chaos by targeting Shiite populations, especially but not exclusively the insurgent outfits known as *Tandhim al-Qa'ida fi Bilad al-Rafidayn* (al-Qaeda's Organisation in Mesopotamia) and *Jaysh Ansar al-Sunna* (Partisans of the Sunna Army).[2]

The event marking the onset of their increasingly ruthless fight was the car bombing of a crowd exiting the Imam Ali Mosque in Najaf on 29 August 2003 that killed more than 85 worshipers, including Ayatollah Muhammad Baqr al-Hakim, SCIRI's powerful and charismatic leader, the attackers' target.[3] Since then, an unremitting battle between insurgents and government forces (backed by U.S. troops) has spawned a much more pernicious sectarian conflict – Sunni on Shiite, Shiite on Sunni – in which the most radical elements on each side are setting the agenda. Thus, attacks on Shiite crowds by suicide bombers allegedly acting on orders of certain insurgent commanders are countered by sweeps through predominantly Sunni towns and neighbourhoods by men dressed in police uniforms accused of belonging to commando units of the ministry of interior (controlled, since April 2005, by SCIRI and its Badr Organisation).

[1] Iraq's national security adviser, Mowaffak al-Rubaie, put it this way, summarising the conclusions of a study prepared under his supervision by the National Joint Intelligence Analysis Centre: "The report says that a war between Arabs and Kurds, or between Turkomans and Kurds, is unlikely. Should civil conflict break out, it is more likely to be a war between Sunnis and Shiites, mainly in the mixed areas: Tel Afar, Diyala governorate, Baghdad. There is also the possibility of an intra-Shiite civil war". Crisis Group interview, Baghdad, 2 September 2005.

[2] *Tandhim al-Qa'ida fi Bilad al-Rafidayn* (Al-Qaeda's Organisation in Mesopotamia, or Al-Qaeda in the Land of the Two Rivers, i.e., Iraq) is the group created by a Jordanian, Ahmad Fadhel Nazzal al-Khalaila, better known as Abu Musab al-Zarqawi. It was known previously as *Tawhid wa Jihad* (Monotheism and Holy War). As the suicide attacks on three hotels in Amman on 9 November 2005 show, the group, while non-Iraqi in origin, has gained Iraqi recruits over the past two years; both its spokesman and military commander claim to be Iraqis. See Crisis Group Middle East Report N°47, *Jordan's 9/11: Dealing with Jihadi Islamism*, 23 November 2005, and Crisis Group Middle East Report N°50, *In Their Own Words: Reading the Iraqi Insurgency*, 15 February 2006. *Jaysh Ansar al-Sunna* appears to be a reincarnation of *Ansar al-Islam*, a group comprising jihadi Kurds and Afghan Arabs (including Zarqawi) that was decimated by a combined force of U.S. troops and Kurdish Regional Government fighters in north eastern Iraq in March 2003. For background, see Crisis Group Middle East Briefing N°4, *Radical Islam in Iraqi Kurdistan: The Mouse That Roared?*, 7 February 2003. All insurgent groups, including Zarqawi's, deny intending to foment a sectarian civil war, even if evidence on the ground suggests the opposite. See the section on Zarqawi further below. For an analysis of the insurgents' discourse in this respect, see Crisis Group Report, *In Their Own Words*, op. cit.

[3] The attack is generally attributed to Abu Musab al-Zarqawi. His jihadi followers in Zarqa (Jordan) have claimed that the attacker was Yassin Jarad, the father of Zarqawi's second wife, who had gone to Iraq to fight with his son-in-law. See Hazem al-Amin, "Jordan's Zarqawists visit their sheikhs in prison and await the opportunity to join Abu Musab in Iraq", *Al-Haya*, 14 December 2004.

Sectarian passions are inflamed on both sides with each gruesome suicide attack or discovery of mutilated bodies, an almost daily occurrence. Most frequent have been the egregious bombings of crowds of worshipers, mourners in funeral processions, shoppers or job-seekers queuing to join the police[4] in predominantly Shiite towns and neighbourhoods.[5] Most attacks take place in Baghdad and towns ringing the capital, a majority of which have mixed populations, or on roads leading from Baghdad to the Shiite holy cities of Najaf and Karbala, which traverse a string of Sunni-inhabited towns – Latifiya, Mahmoudiya, Iskanderiya, Yusefiya, Musayyeb – in the so-called Triangle of Death.[6] In the Shiites' litany of outrages, attacks targeting religious leaders (Baqr al-Hakim) or festivals (*Arba'in*, 2004) stand out.

Mass casualties occur even when no political target is involved but the attackers seek to spread fear, anger and discord (*fitna*), for example the suicide bombings in Hilla on 28 February 2005 (some 125 dead)[7] and in a bus leaving a Baghdad station for the southern (Shiite) town of Naseriya on 8 December 2005 (at least 32 dead).[8] There also have been brazen armed attacks in broad daylight against Shiites walking in the street, passing a checkpoint while driving or simply being in their own homes or places of work. One particularly notorious incident, in late September 2005, involved the execution-style killing of five (Shiite) teachers and their driver in Muwelha, a (Sunni) suburb of Iskanderiya, by armed men dressed as police officers.[9]

So pervasive has become the fear of attacks that crowds respond to the merest suspicion of one having taken place or about to occur. Thus the rumour that a suicide bomber was about to blow himself up in the midst of a procession on the occasion of a Shiite religious festival on 31 August 2005, triggered a mass stampede on a bridge in Baghdad's (Shiite) Kadhemiya neighbourhood in which hundreds of worshippers – men, women and children – were either trampled underfoot or drowned in the Tigris. Coming on the heels of a mortar barrage in the vicinity of the crowd earlier that morning that reportedly killed as many as seven, the alarm was sufficient to cause mass death in the absence of any physical attack.[10]

For a year and a half, from August 2003 until February 2005, such attacks met with barely a response from most Shiites, except deepening anger and calls for revenge. The only ones accused of meting out revenge from the outset were members of the Badr Organisation, allegedly responsible for the assassination of former regime officials and suspected Baath party members, in addition to suspected insurgents, but for a long time these actions did not reach critical mass. The Shiite religious leadership repeatedly and insistently called on the masses to exercise restraint and on survivors to refrain from avenging themselves for the deaths of their close relatives. This, and the expectation that they, the Shiites, were about to come to power through the U.S.-engineered transition, mollified the community and left the attacks both one-sided and dramatically unsuccessful: if the aim was to jumpstart sectarian war, the provocations failed to yield the intended response.

[4] Some insurgent propagandists draw a distinction between civilians (illegitimate target) and candidates queuing up at police recruitment centres (legitimate). Under international humanitarian law, both groups are considered civilian and therefore cannot be attacked.

[5] To be sure, car bombings have occurred in non-Shiite towns as well, such as Ba'quba, which has a mixed Sunni/Shiite population. (Sunni) Kurds, too, have been a target, for example in suicide bombings against Kurdish parties, police, politicians and government installations in the territory of the Kurdistan Regional Government (KRG). In Khanaqin, outside the KRG, attackers killed two birds with one stone on 18 November 2005 when they hit two Shiite mosques in the predominantly (Shiite) Kurdish town. In Sunni towns, bombings appear mainly to have targeted police stations.

[6] "Even before Zarqawi became a star", said an Iraqi who used to visit Karbala and Najaf in 2003 and 2004, "there were attacks on Shiite travellers on this road". Crisis Group interview, Amman, 9 December 2005. Crisis Group interviewed an Iraqi from Sadr City, the large Shiite slum area of Baghdad, who had travelled to Najaf to bury a relative in May 2005. The funeral party was ambushed by seven armed men wearing military uniforms who were running a checkpoint on the road between Mahmoudiya and Latifiya. "They screamed, 'Get out, you dirty Shiites!', and took six of my relatives". The six (young) men turned up at the Mahmoudiya morgue two days later, reportedly showing signs of torture. As a further horrifying example of the attack's sectarian nature, the killers cut off part of one of the victims' arms that sported a tattoo of the (Shiite) Imam Ali's sword. Crisis Group interview, an elderly relative who survived the attack, Sadr City, 29 August 2005.

[7] The incident caused an upset in Iraqi-Jordanian relations when the dead attacker's Jordanian family reportedly celebrated their son's "martyrdom" in Iraq. For more on this incident, see Crisis Group Report, *Jordan's 9/11*, op. cit., p. 8, fn. 56.

[8] The lethal December 2005 attack at the bus station, carried out by a suicide bomber who had boarded the bus, followed a triple car bombing at the same station in August 2005 that killed at least 43 people. Associated Press, December 2005.

[9] The men reportedly burst into a primary school in Muwelha, rounded up five teachers and their driver, then shot them execution-style in an empty classroom. A local police officer claimed the men were disguised Sunni Arab insurgents. Sabrina Tavernise, "Five teachers slain in an Iraq school", *The New York Times*, 27 September 2005.

[10] See Borzou Daragahi and Ashraf Khalil, "Hundreds Die in Baghdad Bridge Stampede", *The Los Angeles Times*, 31 August 2005.

However, once the Shiite parties, brought together in the United Iraqi Alliance, won a simple majority of votes in the January 2005 elections and, in alliance with the Kurdish list, gained power three months later, the picture changed dramatically, especially after SCIRI took over the Interior Ministry, allowing the Badr Corps to infiltrate its police and commando units. Soon, Iraqis witnessed a steep rise in killings of Sunnis that could not be explained by the fight against insurgents alone. Carried out during curfew hours in the dead of night and reportedly involving armed men dressed in police or military uniforms arriving in cars bearing state emblems, raids in predominantly Sunni towns or neighbourhoods appeared to cast a wide net. Those seized later turned up in detention centres[11] or, with a disturbing frequency, in the morgue after having been found – hands tied behind their backs, blindfolded, teeth broken, shot – in a ditch or river. These raids prompted suspicions that they were carried out by Badr members operating under government identity and targeted the Sunni community rather than any particular insurgent group or criminal gang.

In a well-publicised incident, men dressed in green camouflage uniforms identified by witnesses as members of the Volcano Brigade detained some 30 (Sunni Arab) men in Baghdad's (mostly Shiite) Hurriya neighbourhood one night in August 2005 around 1 a.m. Several days later, their mutilated corpses were found in a dry riverbed near the Iranian border. Surviving relatives denied they had had any role in the insurgency and accused government forces of targeting Sunni tribes (in this case the Dulaim and Mashahada) as revenge for their past support of Saddam Hussein's regime.[12]

In late October, militia men of the Mahdi Army raided the (Sunni) village of Madayna in Diyala governorate in an apparent attempt to free hostages captured by local highway robbers. Meeting resistance and suffering casualties, they reportedly returned with commando units of the interior ministry and took reprisals, burning down homes and executing a number of villagers. "This is the beginning of a sectarian war", Diyala's deputy governor, a member of the (Sunni) Iraqi Islamic Party (IIP), declared afterwards.[13] Disturbing evidence has also emerged of a methodical effort to assassinate senior officers of the ousted regime's military, including air force pilots who fought in the war against Iran. These killings have been attributed to Iranian-sponsored Shiite parties that, with the tables turned, are bent on settling scores.[14]

As such attacks accumulate, Iraqis' perceptions are increasingly shaped along sectarian lines, with Sunnis and Shiites seen not only as victims but as the intended targets. Public and political discourse has followed apace, frequently taking on an unabashedly sectarian colouration, even as sectarianism is denounced.[15] Amidst the many political slogans painted on Baghdad buildings, for example, one can find sectarian specimens, such as: "Long live the Sunni area!"[16] Political leaders often resort to

[11] The exposure by U.S. forces of an underground makeshift detention facility in Baghdad in November 2005 that held 173 undernourished detainees – some of whom may have been tortured – and was run by the Interior Ministry evoked memories of the Baathist regime's methods.

[12] Crisis Group interviews with surviving relatives, Baghdad, 4 September 2005.

[13] Quoted in Mariam Fam, "Militias growing in power in Iraq", Associated Press, 7 November 2005.

[14] According to Tareq al-Hashemi, secretary general of the (Sunni) Iraqi Islamic Party, some 55 pilots were killed in the six months before September 2005: "There is a sense of revenge. They have a list of former pilots in Saddam's regime, and they are looking for them. It is part of a strategic Iranian plan to push the Sunnis out". Crisis Group interview, Baghdad, 5 September 2005. The assassinations are attributed specifically to SCIRI, a group that was established in and financed and armed by Iran, and that fought on the Iranian side during the Iran-Iraq war in an effort to put an end to the Baathist regime. Some reports suggest that the victims also include Shiite pilots not sympathetic to Iran. If true, the killings may be part of an Iranian effort to create a pro-Iranian Iraqi air force, one unlikely to attack Iran, as happened in September 1980.

[15] For example, Adnan Dulaimi, leader of the Iraqi Consensus Front, declared in July 2005: "If we are attending this conference in the name of the Sunnis, it does not mean that we embrace sectarianism….We are only talking about realities on the ground. We find that the Sunnis, since the start of the occupation, have suffered from detentions, marginalisation, killings….It has become worse in the last few days….This week we arranged the funerals of more than twenty youths who used to frequent the mosques… and the imams are detained without any arrest warrant from a judge, taken from their homes during curfew". Speech given during a "public emergency conference" for Sunnis held at the al-Nida' Mosque, Baghdad, 14 July 2005.

[16] To be fair, one can also find unabashedly anti-sectarian slogans, such as: "No to Shiites, no to Sunnis, yes to Iraqi unity" (on al-Wahda primary school in the Dura neighbourhood in August 2005). More commonly, rival slogans cohabit a contested space and refer to the conflict's principal protagonists, including: undefined "mujahidin" (literally holy warriors, i.e., resistance fighters), Prime Minister Ibrahim al-Jaafari (of the Islamic Daawa party), "Falluja" (the town in al-Anbar governorate that some see as the heart of the insurgency and others as a symbol of resistance and suffering), Abu Musab al-Zarqawi, Saddam Hussein, Muqtada Sadr and the Mahdi Army, and SCIRI and the Badr Corps. For example, in Dura one can find "Long live Falluja! Long live the mujahidin!", "Victory for Saddam Hussein and Iraq!", "Long live Muqtada Sadr!", and "Long live the mujahidin! Down with the USA!" (on a Sadrist mosque); in Ghazaliya neighbourhood, "Down with Jaafari and the Badr Corps!", "Long live al-Anbar governorate, the Americans' grave!", "Long live Zarqawi!", and "Long live Saddam!"; in Ameriya neighbourhood, "Long live Falluja, symbol of the resistance!"; in Sadr City, "Yes, yes, Muqtada!

code, understood by all, to injure members of the opposite community.[17] Moreover, in their speeches and sermons some politicians and religious leaders have highlighted the fate and good deeds of members of their own community while excoriating the opposite community's political leadership for having either perpetrated or done too little to prevent perceived sectarian outrages. Thus, some Shiite leaders immediately cast the above-mentioned Kadhemiya bridge disaster in sectarian terms, accusing Sunnis of having precipitated, if not caused, the deaths of hundreds of Shiite worshipers.

Sheikh Jalal-al-Din al-Saghir, for example, a Shiite cleric who belongs to SCIRI, bewailed the "beloved" victims' fate in a sermon on the first Friday following the event; berated the kind of "jihad" that would rocket men, women and children congregating for religious purposes;[18] contended that the ministry of defence (headed by Saadoun al-Dulame, a Sunni) rather than the ministry of interior (under Bayan Jaber, a SCIRI colleague) had been responsible for security in the neighbourhood and queried why Dulame had permitted his ministry to be "penetrated by Wahhabi[19] and criminal elements";[20] demanded to know why the ministry of health (whose minister, Abd-al-Mutaleb Ali, is a follower of Muqtada Sadr and thus a rival to SCIRI) had been unprepared to handle the disaster with only three ambulances on the scene; thanked the (Shiite) members of the Iraqi National Guard on duty in Kadhemiya on the day of the disaster; and expressed "surprise" at the fact that some officials and clergy, "especially the clerics with olive-green turbans", failed to condemn "this criminal act".[21]

By contrast, at a Sunni mosque, Sheikh Ahmad Abd-al-Ghafour al-Samarraie, a member of the (Sunni) Muslim Scholars Association (MSA), dwelled only briefly on the Kadhemiya incident in his Friday sermon, to observe that (Sunni) residents of neighbouring Adhemiya had risked their lives to save some of the (Shiite) victims from drowning. He then launched into a tirade against those who sought to pin responsibility for the incident on "members of a certain sect" (the Sunnis), placing the onus on (Shiite) security forces instead:

> Why does the world talk of masked terrorism and not of organised terrorism? Why does the world talk of terrorists and ignores state terrorism? There are gangs that exploit state instruments and kill and execute people with government-issued weapons driving government cars, with the government either unaware or choosing to overlook this.

Sheikh Abd-al-Salam al-Qubaysi, speaking next, then homed in on what he saw as the real problem: "Who would have believed that SCIRI and Daawa would do such things – take people from their homes, kill them and set fire to them? There are entities now in Iraq pushing toward sectarian war because they realise that their influence is shrinking in the Iraqi and Shiite street and now they want to win the Shiite street's compassion by these actions".[22]

The Iraqi media magnify the problem by their daily portrayal of violence, with especially politically-affiliated stations and papers ladling out a partisan broth that polarises the Sunni and Shiite communities. The abovementioned Hurriya killings, for example, received prime billing (with a gruesome picture of one victim and inflammatory headlines) on the front page of *Al-Basa'er*, a newspaper associated with the Muslim Scholars Association – its effect, if not its intent, to further inflame

No, no, Abd-al-Aziz [al-Hakim, the SCIRI leader]!", "Down with SCIRI!", and "Down with the Ghadr Corps!" (The latter is a play on the word "Badr" in Arabic. Badr is the name of the first battle fought in the name of Islam, led by Imam Ali in 624, whereas "ghadr" – substituting the Arabic letter "gh" for "b" – is the word for perfidy.)

[17] In a typical use of code words, some Sunni Arab politicians dismiss their Shiite opponents as Iranians. For examples, see Crisis Group Middle East Report N°38, *Iran in Iraq: How Much Influence?*, 21 March 2005, pp. 4-6. To some Shiite politicians, the epithet "terrorist" easily fits all Sunnis, not only insurgents committing outrages against civilians.

[18] "What kind of jihad is this that happened in Kadhemiya"?, he asked. "Is this a jihad for the sake of Islam, Arabism, national unity or Iraq?" The words "Arabism" and "national unity" are often seen as code words for positions held by Sunni Arabs (although Muqtada al-Sadr has also larded his speeches with Arab nationalist rhetoric, one reason why he is viewed with considerably sympathy by many Sunni Arabs). Sunni Arab political leaders raised these slogans in their campaign against a draft constitution they saw as imposed by Kurds and Shiites to break up the country.

[19] Wahhabism is the variant of Salafism championed by the Al-Saud dynasty in Saudi Arabia.

[20] Saadoun Dulame, a former exile in the UK, has come under intense criticism from Sunni Arabs for his decision to join the Shiite-Kurdish government. Among other accusations flung at him, he has been called an Iranian agent (*tawwab*, see below). Crisis Group interviews, Baghdad, December 2005.

[21] Sermon at Bratha Mosque, Baghdad, 2 September 2005. "Clergy with olive-green turbans" refers to clerics sympathetic to Saddam Hussein, whose Baathi loyalists routinely wore olive-green military fatigues. Again to be fair, al-Saghir also praised residents of neighbouring Adhamiya, which has a majority Sunni population, for having shown "their full support and sympathy for the victims and the injured, to the extent even that one resident faced martyrdom after he saved several injured people and then drowned when he tried to save another victim".

[22] Sermons at Um al-Qoura Mosque, Baghdad, 2 September 2005.

sectarian passions.[23] Moreover, satellite TV stations such as al-Jazeera and al-Arabiya, both based outside Iraq, are seen as supporting the insurgents' cause through partisan broadcasts betraying a Sunni vantage point.[24] As for the new crop of Iraqi channels, neutral ground has receded to give way to partisan reporting, if not in fact then in predominant perception. A relatively independent channel such as al-Sharqiya is seen as Baathist by many Shiites and watched mostly by Sunnis.[25] Al-Iraqiya, which the Shiite-led government took over from U.S. control, is considered pro-Shiite and indeed threw its support behind the Shiite list in the December 2005 elections.[26]

On top of this, political parties have established "human rights" departments that churn out a literature of victimisation concerning the groups, or broader community, they profess to represent. The Muslims Scholars Association, for example, uses a standard questionnaire to compile basic data on Sunnis claiming to have suffered abuse at the hands of government agents or militias. It then publishes lists with no more than the victim's name, date and place of the incident and reported (often presumed) perpetrator, with titles such as: "Names of Those Assassinated for Sectarian Reasons" and "Incidents of Sectarian Killings of Sunnis". Organisations like the MSA, the Sunni Waqf, the University Teachers Union (*Rabetet-al-Tadrisiyin al-Jamaiyin*) and the Iraqi Lawyers Union (*Naqabet-al-Muhamin al-Iraqiya*) also release abundant documents detailing atrocities.[27]

Anecdotal evidence suggests that, prompted by seemingly arbitrary assassinations – understood as sectarian because lacking any obvious alternative motive – hostile rhetoric and spreading fear, growing numbers of Iraqis living in mixed towns[28] or neighbourhoods in which they are a minority are moving to areas where their religious kin predominate, often trading places with members of the other community, who find themselves in the same predicament.[29] In doing so, reported *The New York Times* in November 2005, these people "are creating increasingly polarized enclaves and redrawing the sectarian map of Iraq, especially in Baghdad and the belt of cities around it".[30] These pre-emptive but nonetheless involuntary departures are all the more tragic in that they polarise and tear apart extended families, given the pervasive phenomenon of Sunni-Shiite inter-marriage.

[23] The headlines screamed: "We Are Not Sheep To Be Slaughtered … Relatives of the Hurriya Victims Are Calling For the Murderers To Be Punished", and "Interior [Ministry] … Commits a New Nazi Crime in Its Series of Horrific Crimes", *Al-Bas'er*, 31 August 2005.

[24] "These satellite channels look at the Iraqi crisis as harmful to the Palestinian cause. They think in terms of conspiracy theory. They are convinced that they will soon see a turbaned man [i.e., a Shiite cleric] shaking hands with a Jew", Crisis Group interview, Sheikh Fateh Kashaf al-Ghitta, himself a "turbaned man", Baghdad, 24 November 2005. In December 2005, Iraqi demonstrators criticised al-Jazeera for hosting a politician who denounced Shiite clerics for taking part in politics and accused Ayatollah Sistani of collaborating with the U.S. occupation. Associated Press, 15 December 2005.

[25] The channel is owned by Saad al-Bazzaz, a former Baathist based in London who also owns the daily *al-Zaman*. Some Shiites believe that al-Sharqiya is a mere continuation of al-Shabbab, the channel run by Uday, Saddam Hussein's elder son, until the fall of the regime. Crisis Group interviews, Baghdad, November-December 2005.

[26] A Daawa-affiliated station placed the number 555 on the screen as a logo, a reference to the UIA list in the December 2005 elections.

[27] Crisis Group received copies of the MSA questionnaire, lists and media releases in September 2005.

[28] While the phenomenon of sectarian "cleansing" seems to predominate in Baghdad and towns around it, the city of Basra in the south has not remained unaffected. Anecdotal evidence suggests that members of its minority Sunni community have left under pressure. One refugee was quoted as saying: "For a Sunni family like mine that was swimming in a lagoon of Shiites, it was almost impossible to continue living in Basra", *Newsweek*, 4 October 2005.

[29] Members of smaller minorities – Christians, Yazidis, Shabak, Sabean-Mandeans, Bahai and others – seek to remain beneath the Sunni-Shiite sectarian (or Arab-Kurdish ethnic) radar, hoping to avert immediate harm due to their otherness or, if necessary when moving through contested terrain, by concealing their denominational or ethnic identity. For example, Baghdad-born Christian professionals working in the relative safety of the Kurdish region traverse the dangerous Mosul area on their weekends home by replacing their license plates (to reflect Arab rather than Kurdish towns of registration) and their identity cards (to assume Muslim Arab names) once they leave the Kurdish region. Crisis Group interview, one such professional, an Assyrian Christian, Dohuk, 26 September 2005.

[30] Sabrina Tavernise, "Sectarian hatred pulls apart Iraq's mixed towns", *The New York Times*, 20 November 2005. For an earlier report on sectarian tit-for-tat killings and minority families' involuntary departure from Baghdad's Ghazaliya neighbourhood, see Alissa J. Rubin, "Revenge killings fuel fear of escalation in Iraq", *The Los Angeles Times*, 11 September 2005. See also Ghaith Abdul-Ahad, "Iraq's deepening sectarianism", *The Hindu*, 4 May 2005.

II. ROOTS OF SECTARIANISM

A. BEFORE APRIL 2003

Like all societies in which adherents to two or more religions, or branches of the same religion, live together, Iraq has not been free of sectarianism (*ta'efiya*) during its modern history. "It was always there", said a middle-aged Iraqi, speaking of his youth. "Everybody knew what everybody else was. After leaving a Sunni home, the Shiite visitor would wash his mouth. If you, as a Shiite, had a bad dream, you would say this was because you had eaten at a Jew's or a Sunni's house".[31] Sunnis and Shiites readily married each other, usually maintaining their own religious identity (unless one partner was forced by the spouse's more influential family to change it as part of the marriage agreement) but bequeathing the father's to the children.[32] Sectarianism, in other words, was largely social and cultural, endemic but relatively benign.[33] It became virulent only when it was politicised by actors who sought to exploit religious and ethnic identities for political gain, for example as a mobilisation tool with which to acquire a larger following – a phenomenon also observed in other armed conflicts, such as in the former Yugoslavia.[34]

Sectarianism was employed as a political instrument at different times during Iraq's modern history but rarely to the extent of triggering significant violence, much less civil war. In the 1920s, the British mandatory authorities did not shrink from using sectarian categories in their attempt to bring order to the countries they and the other victorious powers had forged from the ruins of the Ottoman Empire. Favouring one sectarian group over another proved an effective divide and rule strategy, including in Iraq.[35] Social factors facilitated this policy. In the 1920s and 1930s, Sunni Arabs dominated the country's political and military institutions, reflecting in part their predominance as landed overlords, whereas the majority of Shiites were landless labourers on the Sunnis' domains, especially in historically Sunni areas.[36] By the end of the monarchy (1958), this situation had started to shift, however, with Shiites present, though still under-represented, in government, inter-marriage becoming acceptable and Shiites (in many cases replacing the Jews who left in 1951) moving into a position of economic dominance, especially in commerce.[37]

When the Baath party seized power in 1968, its ideology was self-professedly secular.[38] In fact, whatever else can

[31] Crisis Group interview, Amman, 30 November 2005.

[32] Sunni-Shiite inter-marriage is particularly extensive among Iraq's urban elites. One Baghdadi reported that 50 per cent of the children in his middle-school class in the 1970s came from mixed marriages. Crisis Group interview, Amman, 16 February 2006. As a percentage of the total population, mixed marriages appear more limited. One family court in Baghdad reported that mixed marriages it had recorded constituted at most 5 per cent of all unions in 2002; by late 2005, there were virtually none. *The New York Times*, 18 February 2006.

[33] One Iraqi put it this way: "Sects exist in Iraq. This is a fact. But there is a difference between sect and sectarianism. Sectarianism never existed in Iraq before, and now we should get rid of it". Crisis Group interview, Wamidh Nadhmi, deputy secretary general of the Iraqi National Founding Congress (*al-Muatammar al-Taasisi al-Watani al-Iraqi*) and secretary general of the Arab Nationalist Trend in Iraq, Baghdad, 6 September 2005.

[34] Laura Silber and Allan Little, "The Death of Yugoslavia", BBC documentary (London, 1996), revised edition.

[35] The British Mandatory authorities saw the Shiite clergy (*mujtahids*) as a particularly backward element of Iraqi society in the 1920s that retained a hold over the Shiite masses, thereby keeping them from integrating into the new Iraqi identity. According to Toby Dodge, this is one reason why Gertrude Bell, the powerful Oriental Secretary to the UK High Commissioner, kept (Sunni) Mosul inside Iraq and gave the role of governing Iraq to Sunni politicians. Otherwise, she wrote, Iraq would exist as "a mujtahid-run, theocratic state, which is the very devil". Toby Dodge, *Inventing Iraq: The Failure of Nation Building and a History Denied* (New York, 2003), pp. 67-69. "We all know that the British came to Iraq for its strategic location and its oil", said Muzaffer Arslan, the adviser for Turkoman affairs to President Jalal Talabani. "They did not come to bring democracy. They installed a king from outside, put Sunnis in government although Shiites were the majority and manipulated the Kurds to serve their own, not the Kurds' interests". Crisis Group interview, Baghdad, 27 November 2005.

[36] For a fascinating glimpse at the intersection of confessional and class differences in Iraq during the first half of the twentieth century, see Hanna Batatu, *The Old Social Classes and the Revolutionary Movements of Iraq* (Princeton, 1978), pp. 44-50. According to Batatu (p. 45), "the Sunni-Shi'i dichotomy coincided to no little degree with a deep-seated social economic cleavage….Of course, Sunni social dominance had its immediate roots in the preceding historical situation" – Ottoman rule.

[37] According to Batatu, ibid, p. 49, the Shiites' economic advance "was on the whole encouraged rather than hindered politically, because it suited the balance-of-power interests not only of the English but also – from the forties onward – of the [Hashemite] monarchy which, like the English, was an extraneous political factor, the kings being of non-Iraqi origin". Moreover, "[a]ccess to state offices being more difficult for them than for Sunnis – now not so much by reason of calculating prejudice as on account of their lower educational qualifications, the result, really, of their fewer opportunities in earlier times – the Shi'is had turned their energies toward commerce, and thus come to excel in this line of activity".

[38] Kanan Makiya takes issue with the notion that Baathist doctrine was secular, arguing that its pan-Arabism was deeply rooted in Islam, and in particular in Sunni Islam: "The party found its ultimate justification in a broadly defined Arab-Islamic tradition of politics", even if its "moral absolutism…is directed

be said of the regime of Saddam Hussein (which gradually shed much of its Baathist ideological baggage), it was an equal-opportunity killer at most times, its principal criterion being Iraqis' loyalty to the regime, not their ethnic or religious background. Although Shiites and Kurds were routinely under-represented in the most senior executive positions, and the very core of Saddam Hussein's security apparatus (for example, his bodyguards and the Special Republican Guards) was drawn from (Sunni Arab) tribesmen, especially members of his own Albu Naser clan, the primary criterion for cooptation was blind loyalty to the president. This, combined with professional proficiency, could lead to impressive careers regardless of ethnic or confessional background.[39]

In fact, the consolidation of Saddam Hussein's personal power and the realisation of his personal ambitions came at the expense of segments of the population most readily associated today with the notion of Sunni Arab rule. Right up to its downfall, the regime gave ample proof, by executing numerous Sunni Arab personalities and even members of Saddam Hussein's own tribe and family (for example, his sons-in-law Hussein and Saddam Kamel in 1996[40]), that no specific lineage offered any protection whatsoever to anyone perceived as a threat.[41]

It was at times of intense national crisis that repression assumed a more sectarian hue. Shiites became the regime's prime target, first during the Iran-Iraq war[42] and then especially in the aftermath of its 1991 defeat in Kuwait, when an uprising spawned in the ranks of the retreating army swiftly assumed Shiite overtones (encouraged by SCIRI/Badr elements pouring across the border from Iran). Even if the principal butcher in the bloody repression that followed, Muhammad Hamza al-Zubeidi, was one of their own, in the Shiites' collective memory the perpetrators were a Sunni Arab-based regime.[43] This goes a long way toward explaining current animosities toward Sunni Arabs and the provisional government's resistance to the notion of inclusiveness during the political transition in 2005.

However, if the current outbreak of sectarianism does not flow directly from the sectarian policies of the previous regime, it arguably follows from that regime's very nature. Its violently repressive authoritarianism eradicated old (non-sectarian) social forces and their political representatives – for example the Iraqi Communist Party

at a nonreligious end: the demarcation of national identity in a world that insists upon frontiers". To Iraqi Shiites, Makiya contends, pan-Arabism goes hand in hand with Sunnism and, because Sunnis constituted only about one-fifth of Iraq's population in the twentieth century, "[m]uch of the violence in modern Iraqi politics is attributable to the structural incompatibility between political goals [pan-Arabism] and the confessional distribution of Iraqi society….Arabism was in the end bound to be perceived as the hegemony of a minority of Sunnis over Kurds, Shi'ites, and non-Muslims on terms set by this minority and designed to secure for it a new eventual majority". Kanan Makiya, *Republic of Fear: The Politics of Modern Iraq* (Berkeley, 1998), pp. 211-215. Others disagree, pointing at the party's historical roots in the anti-colonial struggle which brought together Sunnis and Shiites. The party's traditional leadership faded only after the 1963 coup and counter-coup, which marked the beginning of the Tikriti-led takeover of the party. E-mail communication from a historian, 23 January 2006. As Saddam Hussein strengthened his hold over the country in the 1970s and 1980s, the importance of Baathist ideology receded in the face of the ruthless, violent power politics that came to define his rule.

[39] Thus, some of Saddam Hussein's close collaborators and confidants were not Sunni Arab (for example, Sabah Mirza, a Shiite Kurd, and Kamel Hanna, a Christian); the upper echelons of the Army had plenty of officers who were not Sunni Arabs; and several of the Republican Guards' and Special Forces' most prominent officers were also not Sunni Arabs, including Abd-al-Wahid al-Ribat, Hussein Rashid, Yaljin Omar Adel and Bareq al-Haj Hunta.

[40] For a vivid description of this bloody episode, see Andrew Cockburn and Patrick Cockburn, *Out of the Ashes: The Resurrection of Saddam Hussein* (New York, 1999), chapter 8.

[41] The best sources on this dimension of Saddam Hussein's rule are David Baran, *Vivre la Tyrannie et lui survivre: L'Irak en transition* (Paris, 2004), and Amatzia Baram, "The Ruling Political Elite in Ba'thi Iraq, 1968-1986: The Changing Features of a Collective Profile", *International Journal of Middle East Studies*, vol. 21, no. 4 (September 1989), pp. 447-493. The Muslim Brotherhood counted among the Baath regime's first victims. Well-entrenched in Ramadi, Falluja, Samarra and Baghdad's Adhamiya neighbourhood, its members faced arrest, torture and execution from 1968 on. The first religious leader killed by the regime was the Brotherhood's Sheikh Abd-al-Aziz al-Badr, who died under torture in 1969. See essays in Faleh Abdul-Jabar (ed.), *Ayatollahs, Sufis and Ideologues: State, Religion and Social Movements in Iraq* (London: 2003), especially pp. 98 and 173.

[42] Said one Iraqi commentator, "after the Iranian revolution, Saddam Hussein became anxious about radical Shiism. This is one of the reasons why he attacked Iran [in September 1980]: to stop the spread of radical Shiism to Iraq". Crisis Group interview, Amman, 30 November 2005. The Daawa party's anti-regime activities, especially after 1977, gave the Iranian revolution a direct internal Iraqi dimension. While targeting Islamist Shiite parties, especially Daawa, the regime also carried out an aggressive policy of cooptation during the Iran-Iraq war, funding and arming Shiite tribes in the south.

[43] In the predominantly Shiite town of Hilla, the Shiite tribe of Albu Alwan played a key role in suppressing the insurgency. Another feature of the regime was that in most Shiite towns the secret police was staffed primarily by Shiites – from Hilla to Basra to al-Amara. Muhammad Hamza al-Zubeidi reportedly died in U.S. captivity in Baghdad on 2 December 2005.

and the National Democratic Party – and generated new ones, especially religious and tribal forces, as a way of extending the regime's control.[44] "The present sorry state of Iraqi politics", contends the noted Iraqi social scientist Sami Zubaida, "dominated by religious authority and sectarian interests, is not the natural state of Iraqi society without authoritarian discipline. It is the product precisely of that authoritarian regime and the social forces that engendered it, greatly aided by the oil wealth that accrued directly to the regime".[45]

In sum, the Baath regime's ethnic/sectarian legacy is mixed. The potential for the outbreak of ethnic and sectarian violence certainly existed in Iraq's past, but nothing suggested it would be the inevitable result of the regime's removal. Such a development required the ability of political actors with express ethnic and sectarian agendas to operate in a permissive environment. This is precisely what followed the arrival of U.S. and allied forces. Exile parties, such as SCIRI and Daawa, which thrived on a sectarian identity (as well as the Kurdish parties with their ethnically-based political agenda), eagerly jumped at the opportunity and, in the absence of internal rivals, pressed ahead and transformed Iraq's secular tradition beyond recognition. Iraq's new foreign rulers, furthermore, arguably reinforced ethnic and sectarian identities through their misconceptions and resulting actions, especially by the way they went about establishing the institutions of the new state.

B. CPA POLICIES

Among the first steps taken by Paul Bremer, the freshly appointed chief of the Coalition Provisional Authority (CPA), were the orders banning the Baath party and abolishing the security apparatus, including the army.[46] Both measures were seen as essential to the country's stabilisation: the continued presence of key elements of the former regime, so it was feared, could set the stage for the emergence of a fifth column that would subvert and then seize control of the new order.[47] Importantly, the old regime was perceived as based in the Sunni Arab community, a view that meshed with the predominance of opposition parties rooted in the other two principal communities, the Shiites and Kurds. The destruction of these key institutions therefore had a sectarian aura. In the words of a former CPA official:

> Senior CPA advisors and the political leadership in both Washington and Baghdad saw Iraq as an amalgam of three monolithic communities, and as long as you kept the Shiites and Kurds happy, success was guaranteed, because they were not Baathists, formed the majority and essentially had the same ideas as liberal Americans. This simplistic mindset explains most of the mistakes of U.S. policy, including the disbandment of the army and Baath party, which they also saw in sectarian terms. Today we have the sectarian and ethnically-based politics that the U.S. always claimed existed, a self-fulfilling prophecy.[48]

Iraqi perceptions of the army, security forces and Baath party are a good deal more complex, however. To most Iraqi Arabs, Sunni or Shiite, the army was a national institution, one (as Crisis Group wrote previously) "whose origins predated Saddam Hussein's rule, whose identity was distinct from that of his Baathist regime, and which has been intimately linked to the history of the Iraqi nation-state since the 1920s".[49] They would readily agree, however, that the Republican Guard Corps and the Special Republican Guard Corps consisted primarily of Sunni Arabs, especially in the upper ranks, and were, by design, sectarian institutions.

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[44] In the 1990s the regime reinforced the power of the tribes (offering them money in exchange for loyalty) and, despite its avowed secularism, began to encourage Sunni clerics, thus facilitating a drift toward Salafism.

[45] Sami Zubaida, "Democracy, Iraq and the Middle East", openDemocracy, 18 November 2005, p. 5, available at http://www.openDemocracy.net. Zubaida explains (pp. 4-5): "The years of wars and sanctions in the 1980s and up to the demise of the regime in 2003 witnessed the increased localisation and communalisation of Iraqi society….Local society and communal organisation tends to be 'traditional', religious and tribal. These forces were actually encouraged and fostered by the Saddam regime as means of social control when the reach of the Ba'ath Party contracted".

[46] CPA Order Number 1, "De-Baathification of Iraqi Society", 16 May 2003, available at http://www.cpa-iraq.org/regulations/20030516_CPAORD_1_De-Ba_athification_of_Iraqi_Society_.pdf; and CPA Order Number 2, "Dissolution of Entities" (revised), 23 August 2003, available at http://www.cpa-iraq.org/regulations/20030823_CPAORD_2_Dissolution_of_Entities_with_Annex_A.pdf.

[47] The de-Baathification order offers the following rationale: "By this means, the Coalition Provisional Authority will ensure that representative government in Iraq is not threatened by Ba'athist elements returning to power and that those in positions of authority in the future are acceptable to the people of Iraq".

[48] E-mail communication, 23 January 2006. In the words of a constitutional scholar, the CPA engaged in a "reductionism that has dominated 'analyses' and reinforced (and even reified) [sectarian] divisions. The subsequent real experience has only deepened them, with virtually no countervailing force to bind in a cross-cutting fashion". E-mail communication, 29 December 2005.

[49] Crisis Group Middle East Report N°20, *Iraq: Building a New Security Structure*, 23 December 2003, p. i.

Kurds and Islamist Shiites view the army quite differently, namely as a selectively repressive institution that, along with the rest of the regime's security apparatus, thwarted their political aspirations. Nationalist Kurds, for example, who suffered greatly from an army-led counter-insurgency campaign in the 1980s (and even earlier eras), hold little sympathy for this "national" institution. Likewise, many Islamist Shiite militants have expressed hostility toward an institution that they, as Crisis Group wrote in 2003, "associate with fierce domestic repression and discrimination in favour of Sunnis".[50]

The dissolution of the regime's entire security apparatus – army, special forces, intelligence agencies, and ministry of defence, among others[51] – arguably hurt the Sunni Arab community hardest. Even if the army was non-sectarian, its dismissal meant to Sunni Arabs the loss of its principal protector, as well as its guarantee for the future. It is Sunni Arabs who have most explicitly – especially during the constitutional negotiations in 2005 – embraced the notion of Iraqi unity,[52] a quality that, in their view, the army embodied.[53]

By encouraging the insurgency, the CPA's decision indirectly contributed to the sectarian rift in another way. The army's humiliating summary disbandment put up to 350,000 men in the street without pay, the promise of a pension or, for senior officers, the prospect of recruitment into the new security organisations.[54] Given the predominance of Shiites in the army's rank and file, the decision led to mass protests throughout Iraq (minus Kurdistan), in Shiite areas no less than in Sunni ones. In the absence of comprehensive research, anecdotal evidence collected over the past two-and-a-half years suggests that many former soldiers and officers joined (and perhaps even gave rise to) the incipient insurgency during the hot summer months of 2003 or, in even greater numbers, resorted to crime as a way of making ends meet.

In the resulting chaos and disaffection, the emerging insurgency could blossom and sprout. But, although the insurgency comprised both Sunnis and Shiites at the beginning, over time it assumed a predominantly Sunni (Arab) character because it fed especially on the disaffection of Sunni Arabs who felt disfranchised and marginalised. This community's fears intensified when the regime's removal brought to power parties that based themselves on ethnic and confessional identities and began to pursue similarly based policies, such as the building of new security forces dominated by Shiites and Kurds.

The de-Baathification order had a similar impact. The Baath party was one of the regime's principal instruments of control in which, over time, as the regime's composition and character changed, Sunni Arabs came to dominate – though not monopolise – the most senior echelons, while Shiites gravitated toward the rank and file. Its "disestablishment", in CPA terminology, and the removal of "senior party members"[55] from "positions of authority and responsibility in Iraqi society" and those of lower rank from the top three layers of management, in one swoop deprived Iraq of its managerial class, regardless of those managers' character or past conduct.[56] The CPA then set up a de-Baathification Council to supervise this process.[57] It was controlled by Ahmed Chalabi, a former exile who used it to eliminate potential rivals and, in the run-up to

[50] Ibid., p.4.

[51] The list of "dissolved entities" included the following security agencies, ministries and other regime pillars: the ministries of defence and information, the ministry of state for military affairs, the intelligence service (*Mukhabarat*), the national security bureau, the directorate of national security (*al-Amn al-Aam*), the special security organisation (*Murafiqin*), the special protection force, the army, air force, navy, air defence force and other regular military services, the Republican Guard, the Special Republican Guard, the directorate of military intelligence (*Istikhbarat*), the Al-Quds Force, the emergency forces, Fidayin Saddam, the Baath party militia, Friends of Saddam, Ashbal Saddam, the presidential diwan, the presidential secretariat, and the revolution command council.

[52] For example, a prominent Sunni Arab leader, Adnan Dulaimi, said: "We do not believe in sectarianism but in Iraqi unity, even if we insist on speaking in the name of the Sunnis, because they form an important part of society….We want Iraq to remain undivided, one country….We are the heart of Iraq, the centre of Iraq….We are the builders of Iraqi civilisation….We will keep carrying the banners of Islam and Arabism". Speech given during a "public emergency conference" for Sunni Arabs, held at the al-Nida' Mosque, Baghdad, 14 July 2005.

[53] "The army was not sectarian but a national army for all groups that defended the country", said Nabil Younis, a lecturer at Baghdad University. Crisis Group interview, Baghdad, 30 August 2005.

[54] For an analysis of the early consequences of these decisions, see Crisis Group Middle East Briefing N°6, *Baghdad: A Race Against the Clock*, 11 June 2003, pp. 7-11.

[55] Defined as those holding the ranks of regional command member (*Udhu al-Qiyada al-Qutriya*), branch member (*Udhu Far'a*), section member (*Udhu Shu'ba*) and team member (*Udhu Firqa*).

[56] The order provides that persons "holding positions in the top three layers of management in every national government ministry, affiliated corporations and other government institutions (e.g., universities and hospitals) shall be interviewed for possible affiliation with the Ba'ath Party….Any such persons determined to be full members … shall be removed from their employment. This includes those holding the more junior ranks of Udhu (Member) and Udhu 'Amil (Active Member), as well as those determined to be Senior Party Members".

[57] CPA Order Number 5, "Establishment of the Iraqi De-Baathification Council", CPA/ORD/25 May 2003/05.

the January 2005 elections, to rally (sectarian) support as he gambled on the Shiite card to gain power. Moreover, the Shiite parties that rose to prominence helped "sectarianise" the de-Baathification process by giving Shiite Baath party members within their own community the opportunity to repent. The standard approach toward Sunni Arab members, however, was to exclude them from senior posts in government and the security forces.

In the eyes of many Sunni Arabs, de-Baathification has become a blunt weapon wielded by the new Shiite-led government to exorcise its demons – these being not the former regime alone, but Sunnis as such. The Shiite parties "claim that the Sunnis are responsible for all of Saddam's mistakes", said Tareq al-Hashemi, secretary general of the Iraqi Islamic Party. "But we are not. We are also his victims. And now they are talking about terrorism, about Baathism, about Wahhabism, but at the end of the day, they mean Sunnis".[58] "De-Baathification is turning out to be de-Sunnification", agreed Nabil Younis, a lecturer at Baghdad University. "This is why Sunnis are afraid".[59] Sunni Arabs further fear that, by enshrining de-Baathification in the new constitution,[60] future Shiite-dominated governments could use it to selectively keep Sunnis out of public sector jobs, offering these to Shiites, who, ironically, were a majority in the Baath and, just as ironically, in many cases had joined simply to secure public sector jobs that otherwise would have been unavailable.

Before the long-term sectarian impact of these decisions could become clear, the CPA, with the help of the United Nations, established the Interim Governing Council in July 2003, a ruling body whose composition has been at the heart of an ongoing controversy. On the face of it, the council appeared inclusive, comprising representatives of all of Iraq's principal communities – Arabs, Kurds and Turkomans, as well as Muslims (both Sunnis and Shiites) and Christians.[61] In reality, it was neither inclusive in a true political sense, nor representative. As many critics have pointed out, it was heavily weighted toward the only existing political parties – those of the former exiles – but in most cases[62] they had little indigenous support; it especially represented Sunni Arabs inadequately, since its Sunni members were former exiles such as Adnan Pachachi and Ghazi al-Yawar, who lacked significant constituencies.[63] Worse, the parties that were favoured – the only parties that existed, as a result of having been raised in exile during a regime that tolerated no domestic politics outside the Baath party – almost invariably had overtly ethnic (the Kurds) or sectarian (the Shiite religious parties) agendas.[64]

More pointedly, it was, in fact, in the council's purported inclusiveness that the problem lay, since selection was based on supposed representation of Iraq's amalgam of communities.[65] For the first time in the country's history, sectarianism and ethnicity became the formal organising principle of politics.[66] In the rush to give an Iraqi face to the U.S. occupation, the CPA fell to default mode, empowering ethnic and sectarian groups whose presence in any event accorded with – and may have reinforced –

[58] Crisis Group interview, Baghdad, 5 September 2005.
[59] Crisis Group interview, Baghdad, 30 August 2005. As Crisis Group advocated in June 2003, de-Baathification should have been "de-Saddamisation", i.e., a careful targeting of the institutions and personalities of the ousted regime, those who had committed crimes and had blood on their hands or were corrupt. Crisis Group Briefing, *Baghdad*, op. cit., p. 10.
[60] Art. 134 (1) of the constitution reads: "The High Commission for de-Baathification shall continue its functions as an independent commission, acting in coordination with the judiciary and executive branches within the framework of the laws regulating its functions. The Commission shall be attached to the Council of Representatives".
[61] The term "Christians" is used here as a shorthand for ethnic Assyrians, Chaldeans and Syriacs.
[62] The Kurdish parties, which since May 1992 governed the Kurdish region and can therefore not be considered exile parties, excluded.
[63] It also left out representatives of the populist movement of Muqtada Sadr, who promptly denounced the Council as an illegitimate, foreign-imposed body.
[64] One of the exceptions was the Iraqi Communist Party (ICP), whose leader, Hamid Majid Mousa, was a council member. However, his appointment was reportedly due not to the fact that he was the ICP leader but his prominence as a (secular) Shiite, so filling out the Shiite quota on the council. Crisis Group interview, Amman, November 2005.
[65] As the Council itself declared, "The council is representative of the makeup of the Iraqi people". "Text of statement by Iraqi Interim Governing Council", 13 July 2003, available at http://www.cpa-iraq.org. CPA administrator Bremer lauded the Council for bringing together, "for the first time in Iraq's history, a balanced representative group of political leaders from across this country. It will represent the diversity of Iraq: whether you are Shi'a or Sunni, Arab or Kurd, Baghdadi or Basrawi, man or woman, you will see yourself represented in this council". CPA, "Text of Ambassador Bremer's Weekly TV Address", 12 July 2003, available at http://usinfo.state.gov.
[66] As Crisis Group observed in August 2003, "The principle behind the Interim Governing Council's composition … sets a troubling precedent. Its members were chosen so as to mirror Iraq's sectarian and ethnic makeup; for the first time in the country's history, the guiding assumption is that political representation must be apportioned according to such quotas. This decision reflects how the Council's creators, not the Iraqi people, view Iraqi society and politics, but it will not be without consequence. Ethnic and religious conflict, for the most part absent from Iraq's modern history, is likely to be exacerbated as its people increasingly organise along these divisive lines". Crisis Group Middle East Report N°17, *Governing Iraq*, 25 August 2003, p. ii.

its simplistic view of a society consisting, broadly, of Arabs and Kurds, Shiites and Sunnis. "The Americans played a big role in this new sectarianism", said Ismael Zayer, the editor of the daily *al-Sabah al-Jedid*. "They characterise the Iraqi people by their sect. They will ask you: 'Are you a Sunni or a Shiite?' Why are they asking this question? Now it has become a trend".[67] Thus, just over half of the Interim Governing Council's members were Shiites and about 40 per cent were Sunnis (and one Christian); 68 per cent were Arabs and 24 per cent were Kurds, the remaining 8 per cent reflecting one Assyrian and one Turkoman.

In Sunni Arab discourse today, the onset of all their ills lies with the appointment of the Interim Governing Council. In the words of Tareq al-Hashemi, the IIP's secretary-general, "All these problems started with Bremer imposing a quota when he set up the Interim Governing Council. He created a segregation between the communities, favouring some religious groups over others".[68] The key winners were Shiite religious parties like SCIRI and Daawa, whose ideology many Sunnis in Iraq associate with the regime in neighbouring Iran. "Bremer's quota", charged Nabil Younis, allowed these parties to grab the power that had long eluded them and to which they felt entitled. "If you ask these people, they will say: 'It was our time to regain power'. They are either Persians or persons who lived in Persia. By contrast, if you speak to [true] Arab Shiites, such as Muqtada Sadr, you will find that they do not see differences between Sunnis and Shiites".[69] As if to confirm this, a politician close to Sadr, Sheikh Fateh Kashaf al-Ghitta, said:

> The Americans brought with them the exiles. Most of these were Shiite Arabs and Sunni Kurds. Because of this, and because of the regime's rapid collapse, most of the Sunni Arabs felt threatened. The Kurds said: "We were persecuted by the former regime". The Shiites say the same. And when the Interim Governing Council was established on a sectarian basis, the others – the Sunni Arabs – said: "Where are we"?[70]

During the following months, a growing insurgency with emerging Sunni Arab overtones increasingly destabilised the country, even as the political process, with fits and starts, proceeded. This only reinforced the U.S. notion that the Sunni Arabs were a problem that ought to be isolated and fought rather than included through negotiation and persuasion. "The Americans", contended Wamidh Nadhmi, "found resistance in the Sunni [Arab] areas and said that the Sunnis are the problem. But all Iraqis are against the occupation, except perhaps for the Kurds; the first spark of resistance occurred in [Shiite] Kufa and Najaf".[71]

There were no Sunni Arab political leaders who could mediate, only an insurgency that increasingly fed on Sunni Arab disaffection. A heavy-handed counter-insurgency effort created a self-fulfilling prophecy: raids on towns and villages alienated a Sunni Arab community that then started to express growing sympathy with the insurgents. In this environment, the CPA invested its political hopes in the former exiles on the Interim Governing Council, thereby giving the political transition a distinctly Kurdish and religious Shiite colouration. Yet there was nothing inevitable about the Sunni Arabs' political alienation. U.S. forces arguably found less resistance in their areas than elsewhere during the invasion. Senior army officers could have been brought into the new army early on and political and tribal leaders without blood on their hands could have been actively courted. This was not done.

The Interim Governing Council proved to be a weak and dysfunctional institution that lacked popular legitimacy and support. Yet it was responsible for drafting the interim constitution (the Transitional Administrative Law), which contained the transition timetable. In June 2004 it was replaced by an interim government, also handpicked by the CPA, to which nominal sovereignty was transferred at the end of that month. During this entire period from July 2003-January 2005, the Kurdish and Shiite religious parties were able to use their institutional advantage to entrench themselves and, through ad hoc alliances (the

[67] Crisis Group interview, Baghdad, 25 August 2005.
[68] Crisis Group interview, Baghdad, 5 September 2005. Other Sunnis agreed. Wamidh Nadhmi (a Baghdadi Sunni of Kurdish origin) said: "One of the first mistakes the Americans made was to form a governing council based on sectarian quotas without a referendum or consensus. It was just imposed. I don't deny that Shiites are the majority but by how much? We don't know; there has been no census. The Americans say that the Sunnis are under 20 per cent. I don't think that's right". Crisis Group interview, Baghdad, 6 September 2005. Huda Hidaya al-Nu'aimi, an academic, agreed that sectarianism started with the Council's appointment by sectarian quota and the empowerment of religious parties, which she termed "a divisive approach" to governance. Crisis Group interview, Baghdad, 4 September 2005. Baher Butti, a psychiatrist and member of the country's Syriac minority, concurred with the Sunni viewpoint: "You know, Bremer made a big mistake by using that quota system. It was not balanced". Crisis Group interview, Baghdad, 7 September 2005.
[69] Crisis Group interview, Baghdad, 30 August 2005. Likewise, Sheikh Hassan Zeidan, leader of the National Front for Iraqi Tribes, blamed growing sectarianism on "parties that came from outside Iraq with the cooperation of foreign intelligence to execute the project of dividing the country … especially Iranian intelligence and Israeli intelligence". Crisis Group interview, Baghdad, 27 August 2005.
[70] Crisis Group interview, Baghdad, 24 November 2005.
[71] Crisis Group interview, Baghdad, 23 November 2005.

Kurdistan Coalition List and the United Iraqi Alliance) and close adherence to the self-designed timetable, to project themselves as the only significant political actors in the January 2005 elections.

C. CONSTITUTION-MAKING

Rather than keeping latent ethnic and sectarian tendencies in check in its reconstruction efforts, the CPA and its Iraqi allies exacerbated and hardened them, so much so that by the first general elections in January 2005, a perception had taken shape of sharply delineated and roughly homogeneous communities – Sunnis, Shiites, Kurds and sundry minorities – with which Iraqis had begun to identify almost despite themselves. The structure of the elections – a system based on proportional representation (with Iraq treated as a single electoral district) – reinforced the assertion of communal identities.[72] At this point, discourse began to revolve around the size of the expected Shiite and Kurdish victory and the electoral and political consequences of the announced Sunni Arab boycott.[73]

It was because of this boycott which was called by the community's political and religious leaders – along with insecurity in predominantly Sunni Arab areas – that the Sunni Arab population by and large stayed away from the polls, a decision they soon came to regret bitterly, as it led to their near-total exclusion from building and governing the new Iraq. If the appointment of the Interim Governing Council marked the onset of institution-building by ethno-sectarian logic, the January 2005 elections, by their sectarian outcome, gave it popular legitimacy – with "popular" also defined in sectarian terms. The result was the establishment of a Shiite-Kurdish government that promptly intensified a campaign against the insurgency, a dirty war fought by units operating with evident impunity in which distinctions between fighters, political opponents, sympathisers and neutral bystanders blurred dangerously.

This combination of Sunni self-removal and Shiite victory, said Wamidh Nadhmi, spawned the sectarian tensions the country has witnessed ever since.[74] After all, in sectarian terms the Shiite ascendancy marked a reversal of historic magnitude that instilled in Sunni Arabs a fear of revenge for decades, if not centuries, of discrimination, repression and a litany of other injustices, both real and imagined. The growing conflation of the insurgency with the Sunni Arab community and the indiscriminate sweeps of predominantly Sunni Arab towns and neighbourhoods that became the hallmark of forces operating under the SCIRI-controlled Interior Ministry subsequently vindicated their belief that the tide of history had decisively turned against them – with painful consequences. "Many bad things have happened since Ibrahim Jaafari became prime minister", said Nabil Younis. "The problems have increased by 200 per cent".[75]

In two previous reports Crisis Group has analysed how the constitutional process set in motion by the January 2005 elections went awry.[76] Whatever factors contributed to this, it must be understood additionally that this process had a significant sectarian dimension, in both its failure to be inclusive and its focus on a particular brand of federalism as the solution to Iraq's past woes. Largely absent from the Transitional National Assembly, and therefore from the constitutional committee, Sunni Arabs were unable at first to participate in the drafting of this foundational document and thereby secure their community's interests. Vigorous diplomatic efforts led by the U.S. brought fifteen unelected Sunni Arab politicians into the drafting process in July. But a month later, when negotiations moved from the committee to the political leaderships of the key Kurdish and Shiite parties, they were marginalised again.[77]

In the end, Sunni Arab leaders rejected the product of these negotiations, which in their view was a "sectarian text"[78] that reflected a Kurdish-Shiite consensus against them but also, more broadly, against Iraq's national interest – against Iraq itself. The new constitution, they argued with ample justification, prescribed a form of federalism that would facilitate the dissolution of the state, through not only Kurdish secession but also the possible creation of a Shiite

[72] As one constitutional scholar put it: "The January election was a huge mistake in design, surely known to anyone who understood anything about electoral design: Systems based purely on proportional representation prize communitarianism", Crisis Group email communication, 29 December 2005.

[73] Iyad Allawi's non-sectarian coalition, the Iraqi List, also participated, collecting about 14 per cent of the vote (40 seats).

[74] Crisis Group interview, Baghdad, 23 November 2005.

[75] Crisis Group interview, Baghdad, 30 August 2005.

[76] Crisis Group Middle East Report N°42, *Iraq: Don't Rush the Constitution*, 8 June 2005; and Crisis Group Middle East Briefing N°19, *Unmaking Iraq: A Constitutional Process Gone Awry*, 26 September 2005.

[77] According to Jonathan Morrow, who observed the constitutional process close-up, "meetings of the Kurdish/Shia Leadership Council or, as it was known more informally, 'the kitchen' (*matbakh*) took place at irregular intervals at private residences and compounds in the International Zone. Sunni Arab negotiators had no seat at the table, and were presented later in August with a fait accompli constitution in which they had played no significant drafting or negotiating role". Jonathan Morrow, "Draft constitution gained, but an important opportunity was lost", United States Institute of Peace (USIP) Briefing, October 2005, available at http://www.usip.org.

[78] This is the term used by Nabil Younis, a senior lecturer in international relations at Baghdad University. Crisis Group interview, Baghdad, 30 August 2005.

super-region in nine southern governorates that would leave the Sunni Arab community landlocked and without oil.[79] Their appeals to Arab nationalism and Iraqi unity, however, were seen by other Iraqis as a desperate bid to preserve some of their power and privileges, if not to lay the groundwork for a future return to power.

The constitution's profoundly sectarian nature was emphasised by its endorsement by Kurds and Shiites and its massive rejection by Sunni Arabs in the 15 October 2005 referendum.[80] There is no doubt that some Iraqis may have crossed ethnic and sectarian lines, but by and large they did what they had also done in the January elections, which was to vote for parties that traded on their ethnic or confessional identities. The constitution passed by a hair, with Sunni Arabs failing to defeat it in more than two governorates – claiming fraud in the third, swing governorate of Ninewa (Mosul).[81]

Rather than dampening sectarian tensions by forging national consensus, the referendum, and the constitution it endorsed, gave new impetus to the centrifugal forces that have been tearing the country apart. This document, warned Hatem Mukhlis, a secular Sunni Arab politician, in an opinion editorial in *The New York Times* immediately after the referendum, "is nothing more or less than a time bomb….Rather than unifying Iraqis, this constitution would only increase the rift between our ethnic and religious groups. It could also lead to the Balkanisation of the nation".[82]

The ineluctable conclusion at the end of this process, as the country prepared for the last general elections of the U.S.-engineered transition in December 2005, was that sectarianism had entrenched itself politically and socially. Sectarian identification, previously a taboo, became de rigueur, with Iraqis seeking to discover – in subtle and sometimes not so subtle ways – the ethnic or confessional background of friends, neighbours and visitors.[83] "It used to be very shameful to say: I am from this sect and you are from that sect", lamented Baher Butti, a psychiatrist. "We did not have this feeling between the people".[84] A Kurdish politician, once the target of an assassination attempt by agents of the former regime, concurred: "We never had this even under Saddam….This is very dangerous".[85]

[79] Adnan Abu Odeh, a Jordanian analyst (and member of Crisis Group's Board), contended: "The Sunni Arabs … are not only losing power but are uncertain about the future. They could tolerate a federal Kurdistan but not a federated Shiite, Kurdish, Sunni Arab Iraq. With such a formula they fear they will lose not only their political power but also their wealth and their identity, Iraq's Arab identity". Crisis Group email communication, 3 October 2005. Although there are reports of major oil deposits in al-Anbar, an almost exclusively Sunni Arab governorate, no exploration has taken place, and investors have shown no appetite in the absence of security and in light of the abundance of well-known, easily accessible oil resources in other parts of the country.

[80] The Bush administration made strenuous efforts to convince Sunni Arabs to participate in the referendum and to vote "yes". It had staked much on the constitution, and on the political process more broadly, and could not afford the constitution's defeat. See Joel Brinkley and Thom Shanker, "Officials Fear Chaos if Iraqis Vote Down the Constitution", *The New York Times*, 30 September 2005. The Shiite-led government tried in its own way to secure a positive outcome. In the days before the referendum, the Transitional National Assembly passed a regulation that interpreted the term "majority of voters", which appears twice in one paragraph of the interim constitution referring to different constituencies, differently each time in order to ensure an easy victory in predominantly Shiite and Kurdish governorates and a Sunni Arab defeat in governorates in which the latter predominate. The assembly members' double-standard attempt to fix the outcome was so brazen that U.S. and UN officials persuaded them to reverse their decision. See Tom Regan, "Civil war, not terrorists, greatest danger in Iraq", *Christian Science Monitor*, 7 October 2005.

[81] See, for example, Maki al-Nazzal, "Deep divisions follow Iraq referendum", Aljazeera.net, 25 October 2005, who quotes Shiite politicians as welcoming the results and Sunni Arab politicians decrying them as resulting from fraud.

[82] Hatem Mukhlis, "Voting 'yes' to chaos", *The New York Times*, 18 October 2005. For an equally scathing critique of the constitution, see Kanan Makiya, "Present at the disintegration", *The New York Times*, 11 December 2005. This critique is all the more remarkable for coming from one of the war's prime advocates in 2002-2003, whose views were taken seriously by the Pentagon as it prepared for war. Another Iraqi used Article 9 as Exhibit A of the constitution's sectarian inclination. Art. 9 reads: "The Iraqi armed forces and security services comprise the *components* of the Iraqi people". This, he said, should have read instead: "composed of Iraqi citizens", because "this article could be misinterpreted and lead to the division of Iraqi security forces into separate Kurdish, Shiite and Sunni Arab brigades". Crisis Group interview, Amir Hassan Fayad, professor of political science at Baghdad University, Baghdad, 4 December 2005.

[83] Yahyia Said, an Iraqi living in London, recounted that "[a]lmost without exception people I met during my last trip to Iraq in October 2005 expressed their loathing of sectarian politicians on all sides….Yet there is no mistaking the fact that sectarianism is beginning to take root. This was the first time in my travels to Iraq over the last three years that most people I spoke to tried to find out – one way or another – whether I was Shia or Sunni". Yahia Said, "Iraq in the shadow of civil war", *Survival*, vol. 47, no. 4 (Winter 2005-2006), p. 87.

[84] Crisis Group interview, Baghdad, 7 September 2005. Another Iraqi said: "People did not use to ask each other what they were – Sunni or Shiite. This was considered a taboo". Crisis Group interview, Amman, 9 December 2005.

[85] Quoted in *Newsweek*, 4 October 2005.

III. THE NEW SECTARIANISM

A. ZARQAWI'S SECTARIAN AGENDA

A principal factor in this descent into sectarian war has been Abu Musab al-Zarqawi, a Jordanian jihadi Salafi who moved his operations to the predominantly Sunni Arab areas of Iraq after the war, having been routed first from Afghanistan in 2001 and then from a corner of Iraqi Kurdistan in March 2003.[86] Inserting himself uneasily into the local population, he traded on their resentment at their new fate to create areas from which he could launch his efforts to defeat the U.S., a goal he apparently felt could best be achieved by fomenting chaos, which, in turn, could best be achieved by driving a wedge between Sunnis and Shiites. Bags of cash reportedly helped. These provided "project support" to insurgents whose own resources depleted over time. Allegedly funded by private sources in the Arab and Muslim world, including from *zakat* (alms), Zarqawi's group, *Tandhim al-Qa'ida fi Bilad al-Rafidayn* (al-Qaeda's Organisation in Mesopotamia), could be counted upon to finance the operations of other insurgent groups; in the process he was able to spread his influence from the tribal areas on the border with Syria into the Iraqi urban heartland.[87]

Ever since attacks killing over 100 Shiite worshippers in Baghdad and Karbala during the Shiite festival of Ashoura in March 2004, a number of operations have taken place, including suicide bombings of Shiite crowds, that generally have interpreted as sectarian and almost invariably attributed to foreign jihadis even as they pinned ultimate responsibility for the lack of security on the U.S. Accurately or not, the attackers were assumed to be operating under orders of, or in coordination with, Zarqawi. He himself, while claiming attacks against members of SCIRI and Badr and other political parties and militias, as well as Iraqi police and those hoping to be recruited into the police – all legitimate targets in his view – has rarely in his public pronouncements, which are conveyed either by audiotape or insurgent websites, admitted to targeting Shiites per se; indeed, he repeatedly has denied it.[88]

On at least one occasion, though, he has more openly shown his agenda. In an audio statement released on 14 September 2005, as U.S. and Iraqi forces were in the midst of an offensive against insurgents in Tel Afar, a town in Ninewa governorate, Zarqawi railed against the attackers, whom he accused of having declared "a comprehensive war against the Sunni people" and announced in turn "a comprehensive war against the *Rawafidh* all over Iraq, wherever and whenever they are found". Zarqawi's use of the term *Rawafidh* is seen by some as an attempt to create the ideological justification for the killing of Shiites. Regardless of the theological subtleties inherent in the term – literally "those who reject" (the Caliphates of Abu Bakr and Omar after the Prophet Muhammad's death) – it is understood, both in Iraq and abroad, to mean the Twelver Shiites, who hold that Ali was the Prophet's legitimate successor.[89] Twelver Shiites form the vast majority of Shiites in Iraq (as well as in Iran and Pakistan).

"Everybody knows that when Zarqawi talks about killing the *Rawafidh* he is talking about killing the Shiites. He is trying to create discord (*fitna*)", a Sunni Iraqi academic told Crisis Group.[90] By using this term, he and others say, Zarqawi is seeking to deflect criticism from his many detractors, both among Iraqi insurgents and from within his own jihadi community.[91] Zarqawi's followers appear to have little doubt as to his meaning. "He is calling for the killing of Shiites to trigger civil war", one told Crisis

[86] See Crisis Group Briefing, *Radical Islam in Iraqi Kurdistan*, op. cit., and Crisis Group Report, *Jordan's 9/11*, op. cit.

[87] For a sketch of Zarqawi's remarkable make-over from petty criminal and small-time jihadi operative to jailhouse thug and eventually "emir" (prince) of *Tandhim al-Qa'id*a, see Hazem al-Amin's three-part series in *al-Haya*, 14-16 December 2004, available in Arabic and informal English translation upon request from amman@crisisgroup.org. If Zarqawi is emir, then Osama bin Laden, in jihadi discourse, is the movement's sheikh, a more senior position. See also Juan José Escobar Stemmann, "¿El Sustituto de Bin Laden?", *Política Exterior*, vol. 19, no. 107, September-October 2005, pp. 137-146.

[88] See Crisis Group Report, *In Their Own Words*, op. cit., pp. 19-20 and 22-23.

[89] Crisis Group has written that the term's "various meanings are important as Zarqawi plays on them simultaneously to attack Shiites and deflect criticism that he seeks to ignite sectarian conflict….[T]he word increasingly is used as a pejorative designation for all Shiites". Ibid., p.19. According to Adnan Abu Odeh, Zarqawi engages in a modern-day interpretation of the Salafi notion of "takfir wa hijra", involving a two-step process whereby one first declares all others – Muslims or non-Muslims – as blaspheming heretics and apostates (*takfir*), and secondly, separate oneself (*hijra*) from these unbelievers (*kuffar*). To the jihadi Salafis, the term *hijra* now denotes killing the unbelievers as the best way to separate oneself from them. Crisis Group interview, Amman, 14 November 2005. On the characteristics of Shiite political involvement generally in the Islamic world and differences with Sunni activism, see Crisis Group Middle East Report N°37, *Understanding Islamism*, 2 March 2005, in particular the section on "Shiite Islamic Activism", pp. 18-23.

[90] Crisis Group interview, Amman, 9 December 2005.

[91] Crisis Group interviews with a range of Iraqis, December 2005-February 2006.

Group. "A civil war will give him a broader base, freedom of movement and more recruits".[92]

In many more recordings and written texts, Zarqawi has repeatedly denounced *Rawafidh*, as well as their political organisations.[93] His discourse, even though it stops short of advocating physical violence against Shiites, is interpreted by many Iraqis as proof of authorship of the anti-Shiite suicide bombings that have taken place, none of which Zarqawi has individually claimed.[94] Many Iraqis, including some Sunnis, dismiss the notion that anyone other than Zarqawi or kindred jihadis is behind these attacks, and especially at the accusation, proffered by insurgents and some Sunni Arabs, that the Badr Corps, acting as an agent provocateur, is responsible.[95] "[Zarqawi's group's] central policy is to kill Shiites to trigger off a sectarian war", Mowaffak al-Rubaie, Iraq's national security adviser, told Crisis Group.[96] Zarqawi, said Wamidh Nadhmi, "started operations against Shiites from a Wahhabist ideology that is inspired by the ideas of Ibn Taymiya, which are alien to Iraqi culture".[97]

Some non-Iraqi jihadi ideologues have decried Zarqawi's sectarian bent, underlining that his outlook and methods do not enjoy full-hearted support in the international jihadi community. One person in particular seems to have taken it upon himself to be Zarqawi's critic, namely his former mentor and fellow prison inmate Abu Muhammad al-Maqdisi.[98] During an interview on Al-Jazeera TV in early July 2005, while briefly out of (a Jordanian) jail, Maqdisi criticised Zarqawi's methods. Soon Zarqawi responded with a circular in which he combined praise for his former mentor's learning with a pointed reminder that he does not have a monopoly on knowledge.[99] Zarqawi specifically noted that with respect to "martyrdom operations", he was basing himself on a cleric who, unlike Maqdisi, found them permissible. He then noted that he had never targeted "sects that are far removed from Islam", such as "Sabeans, Yazidis who worship the devil, Chaldeans and Assyrians", because they did not fight "alongside the Crusaders against the Mujahidin", unlike the *Rawafidh.*[100] Here he came to the core of Maqdisi's charges:

> The Sheikh expressed his reservations about our fighting the *Rawafidh* and said that the ordinary *Rawafidh* are like the ordinary Sunnis. To this I say: As for our fighting the *Rawafidh*…we did not begin the conflict with them, nor did we direct our arrows at them. Rather, it was they who began liquidating the Sunnis, uprooting them and invading their mosques and homes. The crimes of the Badr Corps are evident to all, not to mention their hiding in the uniforms of the police and pagan guards, and most importantly their allegiance to the Crusaders….Moreover, those who are well aware of their condition in Iraq know full well that they are not ordinary people such as you [Maqdisi] intend, for they have become the soldiers of the infidel occupier who spy on the true mujahidin. Did not al-Jaafari, al-Hakim and others come to power through their votes?[101]

[92] Crisis Group interview, Baghdad, 5 December 2005.

[93] In a letter written by Zarqawi and circulating in Baghdad in September 2005, the author says, referring to Shiites: "By evoking the experiences of history, the testimony of past eras, the indications of contemporary reality and the current experience that we are living, we truly recognise the meaning of his [Allah's] words [in the Koran]: 'They are truly the enemy, so beware of them, may Allah smite them'". The author also engages in a prolonged rant against Shiism, "a religion that does not meet with Islam", whose followers "were throughout history a twig in the throats of the people of Islam, a dagger that strikes them in the back, the cavity that destroys the structure, and the bridge over which the enemies of Islam pass". A copy of the letter in Arabic, as well as an informal translation into English, are available upon request from amman@crisisgroup.org.

[94] "After Abu Musab al-Zarqawi declared war on one of the many Iraqi sects", said an editorialist in Al-Zaman, "people began to realise that the country is smouldering….Sunnis and Shiites were shocked by Zarqawi's statement…." Hadi Chalu Marai, "Beware, people of Iraq!", *Al-Zaman*, 5 October 2005.

[95] Crisis Group interviews with Iraqis in Baghdad and Amman, December 2005. In interviews in Baghdad in November and December 2005 it became clear that during an earlier period Shiites used to accuse foreigners (including Americans) of being behind the bombing of Shiite crowds but that they had started pointing the finger at Zarqawi, or "Wahhabis" more generally, as well as Baathists (read: Sunni Arabs). Most Sunnis, by contrast, suggest it could be any of the following: Zarqawi, Badr/Iran, or the U.S./Israel.

[96] Crisis Group interview, Baghdad, 27 November 2005. The group is *Tandhim al-Qa'ida fi Bilad al-Rafidayn* (al-Qaeda's Organisation in Mesopotamia). For more on it, see Crisis Group Report, *In Their Own Words*, op. cit.

[97] Crisis Group interview, Baghdad, 23 November 2005.

[98] See the investigative series by Hazem al-Amin in *al-Haya*, fn. 86 above.

[99] "A statement and clarification by Abu Musab al-Zarqawi regarding what was stated by Sheikh al-Maqdisi in his interview on the Al-Jazeera channel", undated (thought to be September or October 2005). The Arabic original and informal English translation of this Zarqawi letter can be obtained by writing to amman@crisisgroup.org.

[100] To Zarqawi, the Shiites are worse than the Sabeans, Chaldeans and Yazidis, because the latter were never Muslims, whereas he considers the Shiites to be betrayers of the faith.

[101] The argument that voters are responsible for the actions of the leaders they elected was also used by some jihadi ideologues as justification for the bombing of London's public transportation in July 2005. See Reuven Paz, "Islamic legitimacy for the London bombings", Occasional Paper of the Project for the Research of Islamist Movements at the Global Research in International Affairs Centre, vol. 3, no. 4, July 2005.

The implicit conclusion, in other words, was that the Shiites forfeited their civilian immunity by massively voting for the principal Shiite list, the UIA, whose leaders, in government since April 2005, have authorised and sent forces to conduct, alongside the U.S. military, offensives against insurgents or, as Zarqawi sees it, the Sunni community.

The Zarqawi-Maqdisi debate is a dialogue of the deaf. Maqdisi mixes religious arguments with tactical considerations to question the wisdom of attacking Shiite civilians at this time. Zarqawi's goal, on the other hand, is to create chaos, thereby to gain greater freedom of movement and more recruits.[102]

Zarqawi's tactics also have created unease among Sunni Arab politicians who have expressed sympathy for the insurgents in the past, as the attacks cast doubt on their nationalist credentials and narrow their support base. Sunni Arab political organisations, such as the Muslim Scholars Association (MSA), have denounced attacks against Shiite civilians and specifically criticised Zarqawi. For example, in response to Zarqawi's September 2005 audiotape, an MSA spokesman declared: "Zarqawi speaks from the position of revenge. This position by Zarqawi is aimed at provoking sectarian war. If he wants a war, he should fight the occupation forces and not innocents".[103] Some Sunni Arab politicians have drawn a clear distinction between "the resistance" (*al-muqawama*), which attacks the U.S. occupation and its proxies, and "the terrorists" (*al-irhabiyin*), who target innocent civilians.[104]

The position of insurgent groups, including even those that claimed responsibility for attacks that killed civilians, has been more ambiguous. Interestingly, and as shown in a recent Crisis Group report, they do not publicly attack Zarqawi or his group, displaying a surface unity that is all the more remarkable given reports of significant tension among them.[105] Indeed, even as *Tandhim al-Qa'ida* has made major inroads in recruiting Iraqi Salafis to its cause,[106] there are repeated, albeit unconfirmed, reports of growing rifts between this group and other insurgents over the wisdom of indiscriminately attacking Shiites.

According to one Iraqi journalist, for example, three insurgent commanders had explained to him that while at first they had embraced Zarqawi's operations because they targeted U.S. troops, government forces and Shiite militias, they began to have second thoughts when he expanded his target list to include Shiites. This, they purportedly told him, was harmful to the insurgency, because it encouraged squabbling Shiite factions to unify; it gave credibility to the Shiites' political role, which now enjoyed international support; and it would make it difficult to live with the Shiites in the future. For example, the journalist said, an Iraqi jihadi Salafi had told him: "Zarqawi never lived with the Shiites. Like him, I think they are *kuffar* [unbelievers], but I have been living with them and I want to be able to continue living with them".[107] Just so, said Wamidh Nadhmi, echoing one of the insurgent commanders' points: Zarqawi's attacks against Shiites "brought the Shiites together behind their religious leaders, and this has poisoned the political process".[108]

For now, and despite these tensions, insurgent groups appear willing to paper over their differences for the sake of a common, immediate cause. It is doubtful they would take serious action against Zarqawi's group before its utility as a lever against Shiite dominance in government has run out. Over the longer term, however, and particularly if and when U.S. forces withdraw, these divisions over tactics and longer term objectives are likely to weigh more heavily. "Who will dissolve [*Tandhim al-Qa'ida*]"?, asked a politician close to the Sadrist movement. "The Sunni tribes? Iraqi security forces? The Americans? This is a big issue".[109]

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[102] Like many other insurgent leaders and groups, however, Zarqawi and his *Tandhim al-Qa'ida* organisation have not announced any political platform for such a post-victory period. See Crisis Group Report, *In Their Own Words*, op. cit.

[103] Quoted by Associated Press, 15 September 2005. The same spokesman declared after an earlier Zarqawi threat, in February 2005: "We have nothing to do with the terrorist al-Zarqawi. He is a foreigner and an enemy of Iraq. Our liberation struggle against the occupation is a completely different matter from his barbarous terrorism". Quoted in, "A Face and a Name", Human Rights Watch, 2005, p. 32, available at http://www.hrw.org/reports/2005/iraq1005/iraq 1005.pdf. Zarqawi made his threat on 23 January 2005.

[104] Mijbel Sheikh Issa, a Sunni Arab politician who was assassinated by unknown gunmen an hour after being interviewed by Crisis Group in July 2005, contended that the attacks against civilians were "not the work of the resistance. The resistance doesn't kill civilians. This is the difference between the resistance and the terrorists". Crisis Group interview, Baghdad, 19 July 2005.

[105] Crisis Group Report, *In Their Own Words*, op. cit.

[106] The suicide bombings in three Amman hotels in November 2005, which were claimed by Zarqawi's group, were carried out by Iraqis, and other reports also suggest the group has actively recruited Iraqis. See Ibid.

[107] Crisis Group interview, Amman, 6 December 2005.

[108] Crisis Group interview, Baghdad, 23 November 2005. For a story on Wamidh Nadhmi's background, see Anthony Shadid, "Tracing Iraq's painful arc, from the past to the future", *The Washington Post*, 12 December 2005.

[109] Crisis Group interview, Sheikh Fateh Kashaf al-Ghitta, director of the Thaqalayn Strategic Studies Centre, Baghdad, 24 November 2005.

Although there is no empirical proof linking each and every suicide bombing in the midst of a Shiite crowd or in a bus carrying Shiites with *Tandhim al-Qa'ida*, the dominant perception among Iraqis is that Zarqawi and jihadis like him, be they foreigners or home-grown, are the perpetrators, and that their aim is to target Shiites as Shiites. One (Shiite) Iraqi told Crisis Group:

> The terrorists are targeting the Shiites. This is a sectarian war against the Shiites. Our government lied to us when it promised to protect us Shiites. We were persecuted under Saddam, and we are still being attacked today. The Americans said they came to liberate us, but the situation is getting worse. It is because we are Shiites that we are being attacked and beheaded. They say we are traitors and that we are with the Americans. They forget that they [the Sunnis] had a lot of deals with the British while we were fighting the British [in the 1920s]. Civil war is already happening; it has already started. No one will be capable of stopping this until we get a powerful government, with a president like Saddam, but a Shiite.[110]

Such perceptions have caused a backlash, which may well have been intended: a violent and largely indiscriminate response from within a certain sector of the Shiite community that has further alienated Sunni Arabs and raised the spectre of Iranian hegemony.

B. SCIRI AND BADR SEIZE CONTROL

One target that both Zarqawi and Iraqi insurgents agree on is the Shiite militia associated with SCIRI, the Badr Corps (now the Badr Organisation). Since their founding in Iran in 1982, SCIRI/Badr have been viewed by many Iraqis as part of an Iranian effort to bring Iraq under its influence. The Iranian regime allowed these exiles to recruit in the refugee camps and among Iraqi prisoners captured during the Iran-Iraq war. Those who switched their allegiance to SCIRI/Badr were called "Tawwabin" (the Repenting), a term pregnant with historical meaning to Shiites. It denotes those who fought against Imam Hussein in 680 but then expressed regret, turned around and killed those who had murdered the imam. To SCIRI and its Iranian backers, the Tawwabin were Iraqis who had fought against Iran and its imam, Ayatollah Ruhollah Khomeini, but now, as prisoners of war, had decided to share the fate of their Iranian captors and fight the regime of Saddam Hussein. As Tawwabin, they placed themselves in a position inferior to other Shiites, requiring forgiveness; as such, they could easily be manipulated by SCIRI and Iran, who played on their guilt.[111] "[SCIRI leader] Muhammad Baqr al-Hakim began using the term Tawwabin for these people", recalled an Iraqi who was similarly targeted for recruitment at the time. "He did this to set them above the rest. But the Tawwabin were all *Ittilaat* [Iranian intelligence] agents and they tortured many other POWs".[112]

After the collapse of the Baathist regime in April 2003, SCIRI followers and Badr fighters hurried back to the newly liberated land. What they lacked in popularity they made up in resources, military organisation and patronage. Ayatollah Hakim's brother, Abd-al-Aziz al-Hakim, Badr Corps commander during his exile in Iran, represented SCIRI on the Interim Governing Council established in July 2003. By the time of the January 2005 elections, SCIRI and Badr were well ensconced in the political transition, effectively manoeuvring to obtain the number one spot on the United Iraqi Alliance (UIA) list. When that list won the elections and, with the Kurdish list, proceeded to create the interim government, SCIRI leaders, taking advantage of the security and administrative vacuum that was the CPA's legacy,[113] assumed senior positions.

The most powerful among them was probably Bayan Jaber Solagh, a Shiite Turkoman who served as SCIRI's representative in Damascus in the 1990s and now was given the post of interior minister. Along with the commander of the Badr Corps, Hadi "Abu Hassan" al-Amiry, a leader of the Tawwabin, and Abu Karim al-Wandi, Badr's head of intelligence, he set out to reshape dramatically the 110,000-strong police and paramilitary forces established by his predecessor, Faleh al-Naqib, the interior minister in the 2004 Allawi government.[114] Their aim was to crush the insurgents, both Saddam's former

[110] Crisis Group interview, Baghdad, 24 August 2005.

[111] Crisis Group interview, an Iraqi familiar with this history, Amman, 27 January 2006.

[112] Crisis Group interview, Amman, 24 November 2005.

[113] In the words of a former CPA official, "the huge security and administrative vacuum that exists until this day helped SCIRI immensely when seizing control". Crisis Group email communication, 23 January 2006.

[114] Osama al-Najafi, the minister of industry and minerals, criticised his colleagues who had filled senior positions in their ministries with "new people that belong to political or sectarian parties or with whom they have a personal link, without any attention for experience, prior work performance or qualifications. Of course, this has led to a deterioration in government performance. At the interior ministry, for example, there are people without a university degree who got very high ranks in the police or security units. A sergeant can take the position of a general. It was the same during the previous regime. Ali Hassan al-Majid, known as Chemical Ali, became a marshal and minister of defence, even though he was just a sergeant". Crisis Group interview, Baghdad, 4 December 2005.

allies with whom they had old scores to settle, and the Salafis whose political outlook and dim view of Shiites were anathemas.

Solagh's reign from the end of April 2005 until today has been marked by accusations of "death squads" operating in predominantly Sunni towns and neighbourhoods and the discovery of secret prisons holding alleged Sunni insurgents, many of whom had been subjected to torture. The rise of crack commando units deployed to fight the insurgency has been particularly notable. These units – the Wolf (*Liwaa al-Dheeb*), Volcano (*Liwaa al-Burkan*), Hawk (*Liwaa al-Saqr*),[115] and Two Rivers Brigades (*Liwaa al-Rafidain*) – are reported to circulate in unmarked or police cars during night curfew, raiding homes and rounding up suspects who are detained in their separately-run prisons.[116] They gained notoriety for abusive behaviour from the time they were created in 2004, but under the new SCIRI-led dispensation they were infiltrated and commandeered by Badr fighters, who gave their composition and operations a distinctly sectarian edge.

A resident of the Hurriya neighbourhood in Baghdad claimed that Iraqi forces wearing green camouflage uniforms and carrying pistols raided his family's house one day in August 2005, at one o'clock in the morning. "They came in cars that had 'Volcano Brigades' written on the side. That was the first time we had seen those". Guided by a civilian wearing a mask who pointed out men to be seized, the forces went through his and adjacent houses, eventually leaving with some 30 young men, all of whom later turned up dead. "The Shiites say that during Saddam's time they suffered and had no power. So now they are trying to get their revenge. We want the raids on Sunnis to be stopped. They are only attacking the Sunnis".[117]

In some Baghdad neighbourhoods and villages surrounding the capital, roaming checkpoints manned by either Badr fighters (operating as Badr or as interior ministry units) or insurgents of the (Sunni) Islamic Army check the identity of passers-by to determine (usually from the name) whether they are Sunni or Shiite and detain people at will.[118]

One knowledgeable Iraqi attributed the sweeps' indiscriminate nature to poor intelligence. Particularly vulnerable, he said, are Sunnis who go to the mosque for the first of their five daily prayers before dawn:

> Devotion is often interpreted, wrongly, as affinity with insurgents. One of my friends, an elderly man, used to go to the mosque early in the morning as a way to socialise. Then he and his two sons were arrested, and one of them, called Omar, was beaten in front of his family simply because he was called Omar [a name from Islamic history with strongly Sunni connotations[119]]. After two months they were released; they told us they had not even been interrogated. Now the imams have started calling on worshippers not to come to the early-morning prayers any more.[120]

Other Iraqis are less charitable in their assessment of the motive for the sweeps, accusing Badr and, behind that organisation Iran, of fighting a dirty war against Sunnis to take revenge for years of brutal repression under the former regime. These killings, said Tareq al-Hashimi, leader of the Iraqi Islamic Party, are part of

[115] An apparently separate unit called the Night Hawks was initially set up by U.S. forces as an "off the books" intelligence operation, according to a U.S. citizen familiar with the unit. Its Iraqi fighters (hired as "labourers" by a senior U.S. intelligence officer to circumvent his bosses' prohibition) participated in U.S.-led operations, such as the assault on Falluja in November 2004, and carried out arrests and interrogations. The unit was handed over to the new Iraqi government in 2005. Crisis Group interviews, Baghdad and Washington, September 2005.

[116] Faleh Hassan al-Naqib, the interior minister in the 2004 Allawi government, alleged that each commando unit now runs its own detention centre. He also acknowledged "some mistakes" made during his tenure. See Edward Wong and John F. Burns, "Iraqi rift grows after discovery of prison", *The New York Times*, 17 November 2005, who also quote the head of Iraq's central criminal court as saying that special units could make arrests without warrants and did not have to file court paperwork. In a raid on 8 December 2005, U.S. forces found 625 (mostly Sunni Arab) detainees crammed into a facility run by the Wolf Brigade, a number of whom they found to have been tortured. This was the second U.S. raid on a detention facility run by units under the interior ministry. See John F. Burns, "To halt abuses, U.S. will inspect jails run by Iraq", *The New York Times*, 14 December 2005.

[117] Crisis Group interview, Baghdad, 4 September 2005.

[118] Crisis Group interview, an Iraqi journalist, Amman, 6 December 2005.

[119] Omar was the second caliph (*khalifa*) in Islam. He, along with his predecessor Abu Bakr and successor Othman, are considered usurpers by Shiites. Moreover, Zarqawi's group set up a special "Omar Brigade" to track down and kill key Badr operatives.

[120] Crisis Group interview, Amman, 9 October 2005. Another Iraqi said: "When they say, 'we captured terrorists', they are lying. Their forces cannot enter the area where the insurgents are. So what they do is capture innocent people. Of course this is making everyone very nervous". Crisis Group interview, Nabil Younis, a teacher at Baghdad University, Baghdad, 30 August 2005.

"a strategic Iranian plan" to push the Sunnis out of Iraq.[121]

The Wolf Brigade is a commando unit that has acquired particular notoriety. Reportedly armed and financed by the U.S.,[122] it was established during the Allawi government by Adnan Thabet, an army general who had been imprisoned by the previous regime. According to an Iraqi familiar with the brigade's history, the Mosul branch was placed under the command of Gen. Khaled Abu al-Walid al-Obeidi, a secular Shiite, while Col. Muhammad al-Azawi, a secular Sunni, commanded the branch in Baghdad. After SCIRI took over the interior ministry in May 2005, Azawi was removed for alleged incompetence (he fled the country) and Obeidi promoted and put in charge of the entire operation. Badr fighters penetrated it, and it then fell into Sunni and Shiite parts, each of which is reported to target members of the opposite community. "It all had a sectarian whiff about it", the Iraqi said. "The interior ministry is actively involved in sectarian warfare. Civil war has already started".[123]

Interior Minister Bayan Jaber has denied that commando units under his ministry have been running secret detention facilities or operating as death squads, claiming that killings were carried out by men driving stolen police cars and wearing police uniforms purchased at local markets.[124] Solagh's explanation fails to address the question of how these supposedly fake police officers are routinely able to operate during curfews policed by forces under his ministry. As one Sunni Arab leader, Tareq al-Hashimi, put it:

> There are orders to shoot anyone found violating the curfew. But these killers are driving around during curfew hours, with transportation, with convoys, with official cars, using walkie-talkies, wearing police uniforms, using the same official guns [as the police]. When I met with the interior minister yesterday I asked him about [the aforementioned] Hurriya case. He replied to me, "Please accept my apologies, but we were not involved in that incident". So I told him: "You are the minister of the interior. If your men are not involved, you should find out who is behind it. Otherwise, you should resign".[125]

Persistent reports of death squads operating out of the Interior Ministry have prompted raids on two ministry-run detention facilities by U.S. forces late in 2005, investigations into charges that Interior and Justice Ministry employees had committed torture in those facilities, and an investigation into a specific allegation concerning a death squad of 22 men wearing police uniforms who were about to kill a Sunni Arab man.[126]

If the problem of sectarianism became particularly pronounced at the interior ministry after SCIRI commandeered it to advance its agenda, other ministries and institutions have not stayed free of it either. This is not to say that the sectarian logic began to dictate the staffing and work of new ministries. Most became party fiefdoms, first and foremost. But to the extent that these parties are religious parties sounding sectarian themes, the ministries and other government institutions were affected as well.[127] The health and transportation ministries, for example, became the domain of the Sadrist movement after the 2005 elections, witnessing a make-over in their senior ranks that was first of all sectarian (Sunnis out) and then political in character (top positions reserved for Sadrists and only then consideration for applicants from SCIRI and Daawa), enforced by a Sadrist cleric.[128] The defence ministry saw the appointment of

[121] Crisis Group interview, Baghdad, 5 September 2005. Another (Sunni) Iraqi said: "The problem is with the Shiites who came from outside the borders. They are the ones who took most of the Baath party headquarters and turned them into *Husseiniyas* [Shiite mosques]….Once they reached the government, they started taking revenge on Sunnis who used to be with Saddam. They are supported by the Iranians, obviously". Crisis Group interview, Baghdad, 24 August 2005.

[122] See John F. Burns, "To halt abuses", op. cit.

[123] Crisis Group interview, Amman, 9 October 2005. He added that SCIRI leader Abd-al-Aziz al-Hakim presented Obeidi to the Iraqi people in a specially arranged meeting in which he dressed the general in a traditional Arab outfit, the *abaa*, and called him "our son". The SCIRI leader's intention was "to convey a sense of inclusiveness. Saddam Hussein used to indulge in the same tactic, for the same reasons. We Iraqis understand this very well as part of our cultural practices".

[124] Quoted in *The New York Times*, 29 November 2005.

[125] Crisis Group interview, Baghdad, 5 September 2005. An Iraqi academic took a similar view: "Let's assume, in the Hurriya case, that the government was not involved. But when you see a government that is not capable of dealing with this situation, that is not capable of controlling vehicles at checkpoints, that is not capable of identifying a fake brigade, if it was a fake brigade, this just means that there is no government. Personally I think the Badr Corps is behind this, and behind most incidents, and that Iran is behind them, to seize control of the south". Crisis Group interview, Huda Hidaya al-Nu'aimi, Baghdad, 4 September 2005.

[126] Associated Press, 16 February 2006.

[127] Crisis Group interviews, Baghdad, November-December 2005.

[128] Crisis Group interviews, Baghdad and Amman, December 2005. Most ministries required job applicants to present a *tazkiya* (attestation of good conduct), from the party whose official was the minister. For example, the

a Sunni Arab as minister (Saadoun Dulame) but has otherwise been dominated by Kurdish and Shiite parties.[129]

One particularly sensitive institution is also threatening to fall victim to sectarian tendencies. The rebuilding of the army, called the Iraqi National Guard (ING) during its embryonic stage under the 2004 Allawi government, has been pursued professedly on the basis of inclusiveness,[130] but de facto this 80,000 strong force has favoured officers who, in the absence of a unified state, are loyal to their political leaders. They predominantly have come from the Kurdish peshmerga forces and SCIRI's Badr Corps, or are Kurdish and Shiite officers from the disbanded army. Better disciplined and trained, they have tended to be concentrated in ethnically or confessionally homogeneous units. "If you go to Army headquarters", said a critic, "you will find one section for the Kurds, a second for the Shiites and a third for Sunni Arabs".[131] In the December 2005 elections 45 per cent of votes cast by members of the security forces (as well as hospital patients and prison inmates) were for the Kurdish list, against 30 per cent for the Shiite list and only 7 per cent for the three Sunni Arab lists – figures that are disproportionate to the size of these communities and were inconsistent with overall results.[132] In a close-up view of the new army's First Brigade of the Sixth Division that is deployed in counter-insurgency operations, a U.S. journalist found that officers:

> increasingly…look and operate less like an Iraqi national army unit and more like a Shiite militia….[Military commanders] said they worry that a mostly Shiite military unit will follow religious clerics before national leaders, risking a breakdown in the army along sectarian lines….Instead of rising above the ethnic tension that's tearing their nation apart, the [army's] mostly Shiite troops are preparing for, if not already fighting, a civil war against the minority Sunni population.[133]

The deployment of predominantly Kurdish or Shiite units in predominantly Sunni Arab areas for counter-insurgency purposes has heightened ethnic and sectarian tensions, even where these units have registered successes. This was the case, for example, in Falluja and Mosul in 2004 and in Tel Afar in September 2004 and September 2005 (see below). In the run-up to the December 2005 elections in Ramadi, community leaders called on the visiting defence minister to replace the Seventh Army Division stationed there with a new unit based on local officers and troops; the reason: most of the Seventh Division's soldiers were Shiites, who, among other practices, used the election campaign to announce loudly their support for the Shiite coalition list (555, the UIA).[134] The army's mainly Shiite forces deployed in Falluja have been criticised for brutalities and sectarian provocations.[135]

The case of Tel Afar presents a microcosm of what can go wrong when non-integrated units with ethnic or sectarian agendas are sent to suppress insurgent activity. It is a town west of Mosul in Ninewa governorate on the road to the Syrian border, an area rich in oil.[136] Almost entirely Turkoman in population, with a slight preponderance of Sunni Muslims, the town is heavily rooted in its tribal system and not

interior ministry required such a document from SCIRI, the health ministry and transportation ministry from the Sadr movement, and the oil ministry from the Fadhila party. The Sadr movement placed a cleric in the ministries of both health and transportation to supervise their operations.

[129] An Iraqi officer charged: "The Kurds are running the MoD. The first thing they ask you when you want to become an officer is, 'are you an Arab or a Kurd'"? And a U.S. officer said: "It is very frustrating, the sectarianism. Everyone has something for himself. The head of the staff is a Kurd, the commander of the division is a Kurd. I always try to understand what everyone has for himself, so I can use it against them". Both men quoted in Ghaith Abdul-Ahad, "New blood", *The Guardian*, 19 July 2005.

[130] A U.S. Army spokesman declared that the U.S. is building an army "that represents all of Iraq" and that "there are no ethnically pure divisions, nor do we seek ethnically pure divisions". Yet, he admitted, "clearly there are real challenges with sectarianism and tribal issues. Every Iraqi has mixed loyalties, and they are overcoming it". Quoted in "Bush's strategy, Iraq's new army challenged by ethnic militias", Bloomberg, 13 December 2005.

[131] Crisis Group interview, Nabil Younis, Baghdad, 30 August 2005.

[132] Richard A. Oppel Jr., "Iraqi vote shows lack of Sunnis in army", *The New York Times*, 27 December 2005. The figures were preliminary. The inclusion of votes from prison inmates and hospital patients may conceal even greater Kurdish over-representation in the security services.

[133] Tom Lasseter, "Sectarian sentiment extends to Iraq's army, undermining security", *Knight Ridder Newspapers*, 12 October 2005.

[134] Reported by Jonathan Finer, "Iraqi official's visit to Sunni province underscores depth of distrust", *The Washington Post*, 13 December 2005.

[135] Crisis Group interview, an Iraqi from Anbar governorate, Baghdad, 30 November 2005.

[136] Moreover, the area is crossed by the trade road linking Iraq to Turkey and the oil pipeline that runs from the refinery in Baiji with the export hub of Ceyhan on Turkey's Mediterranean coast.

known for ethnic or sectarian divisions.[137] According to witnesses, shortly after the fall of the regime, foreign fighters reportedly arriving from Syria established a base in Tel Afar, began distributing Salafi literature to young Sunnis and started threatening, and then attacking, individuals working with the occupation forces and administration (and later the Iraqi government and forces).[138] Many residents left, especially those who had relatives or businesses in Mosul, Baghdad or elsewhere. In September 2004, U.S. forces and Kurdish fighters carried out a campaign in Tel Afar to dislodge the insurgents, precipitating a humanitarian crisis and outflow of townspeople, and provoking strong criticism from Turkey.[139]

When the new government was formed in April 2005, Tel Afar's Shiite Turkomans, who were feeling particularly threatened by the insurgents' actions and the radicalisation of local Sunni youths, organised themselves around a former POW in Iran – a Tawwab – as well as a local (Shiite Turkoman) tribal leader, and sought the assistance of U.S. and Iraqi government forces. In response the Iraqi army deployed its (Shiite) Scorpion Brigade (*Liwaa al-Aqrab*). "The situation rapidly got out of hand", recounted a witness, and battles between government forces and insurgents "turned into a fight between Sunnis and Shiites within the Turkoman community".[140]

That was not all. Tel Afar is on the road between Mosul and Sinjar, a largely Kurdish town close to the Syrian border (and the region of Syrian Kurdistan beyond). Sinjar is separated from the rest of Iraqi Kurdistan by the area of Tel Afar and Mosul, which has a mixed population of Turkomans, Arabs, Kurds, Shabak and Assyrians.[141] Since the Baathist regime's collapse, and especially after the formation of the Shiite-Kurdish government in 2005, the Kurdish parties – KDP and PUK – have extended their writ westward across the Tigris river (which bisects the city of Mosul), establishing party offices and peshmerga barracks in Tel Afar and placing checkpoints on roads leading out of town.[142] "This was strongly resented by local Turkomans", a resident told Crisis Group. "The parties failed to gain any local support or even to break through the traditional mistrust and discomfort that the Turkomans felt".[143]

KDP and PUK offices and barracks soon became targets of armed attacks. At first intra-Kurdish rivalries were blamed, but then the two Kurdish parties, along with their Shiite allies, claimed they were targeted by Sunnis, thus recasting the primary conflict in Tel Afar from an anti-occupation fight to "one in which minority Shiites were being attacked by the majority Sunnis". In so doing, they built on rifts initially created by the insurgents. The battles that ensued were claimed to justify the government's large military offensive in August and September 2005 (codenamed "Operation Restoring Rights"), which in turn exacerbated sectarian and ethnic schisms, in addition to generating a refugee crisis.[144] The deployment of the Iraqi army's Third Division, in particular, was ill received by the town's Sunni population. It is heavily Shiite and Kurdish, with

[137] As in other parts of Iraq, cross-confessional inter-marriage has been the rule rather than the exception in Tel Afar, but nevertheless people, and tribes, are known as either Sunni or Shiite.

[138] Crisis Group interview, Baghdad, 30 November 2005.

[139] See Crisis Group Middle East Report N°35, *Iraq: Allaying Turkey's Fears over Kurdish Ambitions*, 26 January 2005.

[140] Crisis Group interview, Baghdad, 30 November 2005. As an indication of the sectarian dynamic fuelled by tribal vengeance, the witness explained: "I am not involved in this, but my cousin is with the mujahidin. When government forces attack my neighbourhood and kill him as well as other members of his family, I will get angry at the Shiites".

[141] The Assyrians are Syrian-Orthodox Christians who claim ancestry in the old Assyrian empire of Ninewa and accuse other communities, especially the Kurds, of being interlopers who displaced them from their ancestral lands. A number of Iraqi towns still have ruins of ancient Assyrian fortresses, including Erbil, Kirkuk and Tel Afar. The Shabak are an ethnic minority speaking a dialect of Kurdish (though their leaders claim they are not Kurds) and following certain Shiite rites.

[142] Because of insurgent activity, the road from Mosul to Sinjar had turned too dangerous for Kurds, who became used to taking a detour via Rabia, doubling the one-and-a-half-hour journey. Crisis Group interview, a Sinjar native, Amman, 9 December 2005.

[143] Crisis Group interview, a Tel Afar resident, Baghdad, 18 December 2005. Turkomans accuse the Kurds of harbouring designs on Tel Afar. During the constitutional negotiations, the Kurdish parties presented a map with the boundaries of the desired Kurdistan region that included Tel Afar (copy on file with Crisis Group). "The Kurds want to change the demography in Tel Afar, because the town divides the Kurds of Iraq from the Kurds in Syria", said Muzaffer Arslan, the adviser on Turkoman affairs to President Jalal Talabani. Crisis Group interview, Baghdad, 27 November 2005.

[144] Crisis Group interview, a Tel Afar resident, Baghdad, 18 December 2005. The Iraqi Islamic Party accused U.S. and Iraqi army forces of seeking to abort Sunni participation in the December elections. Quoted in Nermeen Al-Mufti, "Nowhere to run", *Al-Ahram Weekly On-Line*, 15-21 September 2005. In the event, turn-out was high in Tel Afar, with reports indicating some 76,000 voters, four times more than during the October referendum. *The Washington Post*, 16 December 2005. Most of the displaced reportedly returned to Tel Afar in the weeks following the offensive.

only few Sunni Arabs. In addition, a Kurdish brigade and overwhelmingly Shiite interior ministry troops participated.[145] By the end of December 2005, Tel Afar's Sunnis were complaining bitterly of persecution and ethnic/sectarian cleansing, even as U.S. commanders held up the district as a success story of fighting the insurgency.[146]

C. RELIGION AS THE PRINCIPAL SOURCE OF POLITICAL MOBILISATION

For a variety of reasons, mosques have become the focal point of political mobilisation. Once the Baathist regime was removed and its institutions disbanded or discredited, no other viable centre of mobilisation survived. For Shiite parties that returned from exile – SCIRI and Daawa in particular – and those that emerged from the shadows inside the country – such as Muqtada Sadr's movement – religious identity was the prime organising principle of politics. They seized upon the mosque, an institution untainted by the past, as their main vehicle for assembly, propagation and recruitment. Indeed, *husseiniyat* (Shiite mosques) are the embodiments of Shiite past suffering, a theme that resonates powerfully in the community and therefore has great recruitment potential. In the words of Mufid al-Jaziri, minister of culture in the Allawi government: "To attract followers, Shiite politicians draw on the Shiites' history of oppression. They need to increase sectarian feelings" in order to win votes.[147] Ayatollah Ali al-Sistani, the pre-eminent Shiite *marjaa* (object of emulation), further enhanced mobilisation by strongly urging his followers to participate in the elections, first in January 2005 and again in December.[148]

If Shiites initiated the move toward mobilisation via religious identity, Sunni Arabs, left leaderless after the regime's removal, followed suit – almost by default. The problem, a follower of *Tandhim al-Qa'ida* told Crisis Group, is that "in all the world Sunnis tend to follow their government. When their president or leader is a Muslim, they feel they have to follow him", rendering politics redundant.[149] In the immediate post-war vacuum, without a Sunni leader to follow, the turn to the mosque, therefore, was natural for them as well.

Sunni and Shiite mosques alike became staging grounds for political marches and demonstrations, and Friday sermons began to be used as channels of political communication. On both sides this encouraged extremism. In the January 2005 elections, Mufid al-Jaziri said, Shiite clerics and politicians used "to terrorise people by saying: 'If you vote for 169 [the Shiite coalition list], you will go to heaven'; or: 'It is *haram* [forbidden by religion] for you to sleep with your wife if you don't vote for 169; Allah will never forgive you'. And so on. It really was a kind of terror".[150]

On the Sunni side, National Security Adviser Mowaffak al-Rubaie charged, the same people who used to run the local Baath party offices have turned religious, falling back on mosques as their political headquarters. He said:

> When they go to the mosque, they pray and meet for political reasons….The Salafis have a particularly powerful message. If you embrace it and apply it selectively, religion can become a weapon of mass destruction. When used selectively, the Koran, like any other holy book, can become that.[151]

In an environment in which extremism is encouraged, the secular middle ground recedes and national politics gives way to sectarian or ethnic agendas. People do not vote for political programs, noted a Shiite politician. "Kurds vote for Kurds, Shiites vote for Shiites, and Sunnis vote for Sunnis. In other words, everyone votes for those they believe will best defend their interests".[152] Even some politicians known for their secular tendencies have draped themselves in religious garb for political cover. A secular Iraqi said:

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[145] The offensive triggered a harsh public response from one of its prime targets, Abu Musab al-Zarqawi, in a speech cited above.

[146] See Ferry Biedermann, "Tel Afar's ethnic tug of war puts Iraq army to the test", *The Financial Times*, 17 January 2006.

[147] Crisis Group interview, Baghdad, 4 December 2005.

[148] http://www.sistani.org/messages/entekhab01.html (11October 2004) and http://www.sistani.org/messages/entekhabat_46.html (9 December 2005).

[149] Crisis Group interview, Baghdad 5 December 2005.

[150] Crisis Group interview, Baghdad, 4 December 2005. A Sunni politician accused Shiites of turning religious celebrations into provocations: "During [the Shiite festival of] Muharram, these people decided to stage a march from the heart of a Sunni area in Adhamiya. They did not need to start from there. We called on the people in the neighbourhood to respect them and give them water. But instead of moving out, they staged a demonstration in front of our main mosque, the Abu Hanifa. In the evening, some of them were still there, and some people from the neighbourhood became nervous and attacked them". Crisis Group interview, Iyad Samarraie of the Iraqi Islamic Party, Baghdad, 15 August 2005.

[151] Crisis Group interview, Baghdad, 2 September 2005.

[152] Crisis Group interview, Sami Askari of the United Iraqi Alliance, Baghdad, 27 November 2005.

> The problem of sectarianism increased after the religious Shiites took power [in January 2005]. The problem is that religious groups base their popularity on sectarian differences. Take the example of Ahmed Chalabi: [In the run-up to the January 2005 elections] he changed overnight from a liberal politician to a religious man to obtain the support of the clerics. This is a dangerous political game.[153]

Secular politicians unwilling to make this shift are marginalised, also because mosques become centres for fund-raising among worshipers.[154] "Mosques are playing a very negative role", said Ismail Zayer, a newspaper editor, referring to both Sunnis and Shiites. "Public ignorance has been fed in political speeches given in mosques. If there is going to be civil war, the mosques will be the main instruments of that war".[155]

IV. ERODING RESTRAINTS

A. WEAKENING OF THE U.S.-BACKED CENTRAL STATE

Although sectarianism has become significant, other loyalties and affiliations continue to play important roles, including ethnic loyalty, tribalism and nepotism. Additional factors, analysed below, also have acted as powerful brakes on the spread of sectarianism. But these have begun to erode in the face of unremitting outrages against civilians and a political process that has encouraged polarisation over reconciliation.

In principle, the institution most capable of preventing communal identities from taking precedence over national ones is the central state but in Iraq it was gutted in the wake of the war. During the period of direct occupation (April 2003 to June 2004) the U.S. and its allies had insufficient time, and arguably interest,[156] to establish inclusive state institutions, with appointment criteria valuing professional qualifications over allegiance to political leaders. Today's ruling parties – most of whom suffered tremendously during the Baathist regime's long reign and blame this on an overly powerful central state – appear intent on ensuring the state remains weak.

To that end, Kurdish and Shiite religious parties made sure that the new constitution accorded few powers to central authorities, devolving most authority, as well as access to vital resources, to federal regions and governorates. In establishing a decentralised state, these same parties are also favouring their own regional militias over the national army. With no central apparatus that can rely on its own non-partisan security forces to stand in the way of parties and militias holding ethnic, sectarian and even separatist agendas, the most likely outcome is the gradual erosion or perhaps disintegration of the state.

With over 130,000 troops on the ground, the U.S. has been instrumental in keeping militias from attacking each other. It has done so in part unwittingly, as these troops – rather than opposite sectarian groups alone – became targets of armed operations. Moreover, in taking action against not only insurgents (in Falluja and elsewhere) but also the Mahdi Army militia (in Najaf), as well as the Badr Corps (in the uncovering of underground prisons run by interior ministry units),

[153] Crisis Group interview, Munqeth Dagher, manager of the Independent Institute for Administration and Civil Society Studies, Baghdad, 30 August 2005.
[154] See Edward Wong, "Sunni candidates in Iraq find enemies on all sides", *The New York Times*, 5 December 2005.
[155] Crisis Group interview, Baghdad, 25 August 2005.

[156] According to a former CPA official, the CPA "did not see building administrative institutions as a major priority". Crisis Group email communication, 23 January 2006.

U.S. forces have not taken overt sides in the sectarian conflict. Paradoxically, both Shiite religious parties and Sunni Arab leaders have sought U.S. support even as they publicly decry the occupation.[157] Along with the Kurds, Shiite parties have been the principal beneficiaries of the Baathist regime's removal and of the subsequent political process promoted and protected by U.S. troops. Likewise, Sunni Arabs increasingly count on the U.S. to counter-balance the Shiite parties' growing political weight. U.S. efforts to broker a constitutional compromise in October 2005, coupled with U.S. raids on Badr-run prisons and ongoing attempts to include Sunni Arabs in the new government, all are seen as signs of a new willingness by Washington to curb the Shiite parties' excesses.[158]

"Sunnis and Shiites are not yet in an all-out fight", asserted an Iraqi journalist, "because the Americans are still there. A huge part of the insurgency is fuelled by the American presence. If the Americans leave, or announce a timetable for their withdrawal, the insurgents will start an all-out fight with the Shiites. And the Shiites will know they no longer have the Americans to protect them".[159] Left without their protectors, the Shiite parties will have no choice but to face the insurgents directly – with the aim to crush them. "We will take care of the problem" once U.S. forces leave, a member of the Sadr movement predicted confidently.[160]

A prolonged presence, of course, is not cost-free, as it mobilises anti-American sentiment and support for the insurgency. Indeed, some Iraqis argue that the Bush administration is using the threat of civil war as an excuse to maintain its troops. Having found no weapons of mass destruction and unable to prove a link between the Baathist regime and al-Qaeda, "what alternative argument do the Americans have for not leaving?", asked Wamidh Nadhmi. "This is why they are using the pretext of civil war to stay".[161] Nonetheless, there is every reason to fear that a precipitous U.S. withdrawal, or a withdrawal before establishment of an inclusive government and creation of a largely self-sustaining, non-sectarian military and police force, likely would unleash a full scale civil war.

In the end, the question of a troop drawdown is likely to be determined by domestic U.S. concerns. But any assessment of the consequences that can reasonably be expected from such a move should take into account the risk of an all-out civil war

B. AYATOLLAH SISTANI'S WANING INFLUENCE

One consequence of growing religiosity has been the tremendous political power gained by clerical leaders. In the case of Grand Ayatollah Ali al-Sistani, the overall impact has been remarkably positive, as he has counselled restraint to Shiites enraged by sectarian violence and called on Shiite clerics to refrain from direct involvement in politics. His power is such that his advice is sought on every aspect of daily existence, from social mores to questions of state.[162] A native Iranian who moved to Iraq in his early twenties to study at the religious seminary in Najaf, Sistani is regarded as the *marjaa* (source of emulation), the first among equals within the Shiite religious leadership. His philosophy puts him in the quietist branch of Shiite Islam, and throughout the Baath regime Sistani and his mentor, Abd-al-Qasem al-Khoei devoted their time strictly to the conduct of their faith, tolerating a secular leadership regardless of its brutal practices and suppression of religious rituals.[163] The regime's

[157] Shiite leaders are on record as opposing a withdrawal before viable security services have been created. For example, Sabah al-Musawi, the head of SCIRI's political bureau, told Crisis Group: "There isn't a soul in Iraq who supports the occupation of his country. This is how we feel as well. But we must deal with the American presence according to current conditions. So while we believe that American forces should withdraw, they should not do so right away. In our view Iraq should have a strong military and police force capable of protecting it from terrorists and Saddamists. We will have these very soon. Once we believe that the country is no longer in need of American forces, we'll ask them to leave". Crisis Group interview, Baghdad, 5 December 2005.

[158] Likewise, U.S. Secretary of State Condoleezza Rice's visit to Mosul, in particular, during a trip to Iraq in November 2005, could be interpreted as a signal to Sunni Arab parties that they were back in the game. Mosul is home to a mosaic of communities, with Sunni Arabs predominant. Rice sounded a unifying theme by suggesting that divisions between Iraqis "may be differences of history or tradition, culture or ethnicity, but in a democratic process these differences can be a strength rather than a handicap". Quoted by Associated Press, 11 November 2005.

[159] Crisis Group interview, Amman, 6 December 2005.

[160] Crisis Group interview, Sheikh Abd-al-Zahra Suwardi, Baghdad, 24 November 2005.

[161] Crisis Group interview, Baghdad, 6 September 2005.

[162] See Ayatollah Sistani's website, http://www.sistani.org/, for the kinds of questions he is asked, as well as his responses.

[163] This did not prevent al-Khoei's house arrest in the wake of the 1991 uprising. In the regime's view, even a quietist could not be trusted to refrain from sending signals that might be read as political cues by his followers. By contrast, Ayatollah Muhammad Sadeq al-Sadr, an adherent of *velayet-e-faqih*, the concept of "the rule of the Islamic jurist"

removal catapulted him to a position of political importance he may not have sought but could not easily shirk, given the chaos and uncertainty that befell the country.[164] In the absence of strong political leadership, Sistani was forced to play the part, however reluctantly and always within the parameters of his support of democracy.

Although he sought to avoid an overtly political role, his support in 2003 for early elections as a way of maximising the legitimacy of the new government effectively favoured the majority Shiite population. Moreover, in late 2004 he instructed his followers to create a single Shiite electoral list, thereby implicitly endorsing it.[165] "I cannot say that Sistani is responsible" for sectarian rifts, said a Sunni Arab politician, "but to the extent that he sponsors a political party, yes, of course, this is problematic".[166]

His record as an ecumenical rather than a sectarian leader is, therefore, mixed, though he has done much to burnish his credentials among Sunnis by consistently, repeatedly and explicitly calling on his followers not to respond to attacks with violence.[167] Likewise, following the Kadhemiya bridge disaster in August 2005, Sistani counselled restraint, lest those seeking to sow discord succeed.[168] By barring revenge, Sistani may single-handedly have prevented the outbreak of all-out civil war. For this reason, said Mowaffak al-Rubaie, the national security adviser, "we should do everything in our power to protect him. He is our insurance policy against civil war".[169]

However, in the face of continuing car bombs and other attacks causing mass casualties, and now also attacks against major Shiite shrines, such as the al-Askariya Mosque in Samarra on 22 February 2006, Sistani's influence seems to be diminishing. Two principal factors account for this. One is that the attacks have become so frequent and massive, and occur during a political process that is so inflamed, that Shiites in general, and Shiite tribal elders in particular, have started pressing hard for the right to retaliate.[170] "Sistani is sleeping", warned a slogan daubed on the wall of a Baghdad secondary school. "Where is the red line"?[171] Much of Sistani's support rests on Shiite tribes in the south; ignoring them could be politically costly. "I hope the criminals will receive the death penalty", said the bereaved father of a victim of a sectarian attack in May 2005, referring to the suspected killers who were arrested shortly afterwards. "If not, I plan to resolve the matter via my tribe. I will have my

developed by Ayatollah Khomeini in Iran, was murdered by the regime in 1999, along with two sons. A younger son, Muqtada Sadr, is one of Iraq's most popular political leaders today, riding on the coat tails of his late father's legend.

[164] In the words of a former CPA adviser, "the great problem is that Sistani has been promoted as the central force but that he has not been willing to play that role, allowing others to speak for him", including leaders of sectarian parties. Crisis Group email communication, 23 January 2006.

[165] The Shiite coalition, the United Iraqi Alliance (UIA), was put together by Hussain al-Shahristani, a nuclear scientist and independent politician who spent a decade in detention (most of it in isolation) for his refusal to work on the regime's nuclear weapons program. He was appointed deputy speaker of parliament after the January 2005 elections.

[166] Crisis Group interview, Nabil Younis, Baghdad, 30 August 2005. A secular Shiite commented: "Sistani himself has not been sectarian, but he represents the Shiites, not Iraq. He has done a lot of good, but the people around him less so. Iraqis who follow the *marjaaiya* [the Shiite religious leadership] will blindly follow Sistani, and they are thus manipulated". Crisis Group interview, Amman, 30 November 2005.

[167] In a ruling on 25 September 2005, for example, Sistani said in response to a question from Muqtada Sadr's movement about how Shiites should address the threats they face after Zarqawi declared war on them: "The fundamental aim of these threats…is to sow sedition…and ignite the flames of civil war….We call on the believers…to continue to exercise restraint accompanied by increased caution… [and] to strive toward what strengthens the nation's unity and amity among its sons and daughters". At http://www.sistani.org/messages/sadr.html.

[168] In a ruling on 31 August 2005, Sistani called upon Iraqis "to unify their stand and close ranks in order to thwart the attempt to cause discord". At http://www.sistani.org/messages/kadhmia.html. Sistani received powerful support from the Sunnis' main religious leader, Sheikh Muhammad Said al-Tantawi, the mufti of the al-Azhar Mosque in Cairo, who urged Iraqis to take a unified position against insurgents and shun sectarian conflict. Reported in *Al-Sabah al-Jedid*, 15 November 2005.

[169] Crisis Group interview, Baghdad, 2 September 2005. He used the same words in an earlier interview with Reuters, 19 August 2005. The death of Sistani, who is in his seventies, could remove the last internal barrier to the spread of sectarian conflict in Iraq.

[170] Heads of Shiite clans, in particular, regularly visit Sistani to ask permission to exact revenge for those killed on the dangerous roads leading from Baghdad to Karbala and Najaf. Crisis Group interviews, Baghdad, December 2005. Ayatollah Muhammad Yaqoubi, a lesser cleric than Sistani in religious terms but a powerful force behind the Fadhila party (a member of the United Iraqi Alliance), issued a religious edict in September 2005, a day after Sistani's fatwa urging restraint, calling on Shiites to "kill terrorists before they kill". *The New York Times*, 27 September 2005.

[171] Slogan found on a wall of the Tatwan secondary school in the Dura neighbourhood, August 2005.

tribe kill members of theirs if the government doesn't do anything".[172]

Another reason is that the government, in the form of interior ministry units and in response to popular demands for revenge, has actively undermined his prohibition by its arbitrary practices against Sunni Arabs under the rubric of counter-insurgency.[173] The notion that Shiite parties were standing up to the insurgents may at least partly explain the success of the Shiite list (the UIA) in the December 2005 elections, despite its poor performance on most other key indicators, such as the provision of basic services, especially a steady power supply, and despite Sistani's much more lukewarm stance toward it compared with the January elections (see below). In the battle for Shiite hearts and minds, it seems that the active combat of ruthless insurgents, irrespective of the means used, is playing far better than the moral imperative to abjure revenge or the tactical consideration not to play into the hands of those who seek to ignite civil war.

C. THE ABSENCE OF VIABLE NON-SECTARIAN ALTERNATIVES

As religion has invaded politics, and parties with sectarian agendas have floated to the top, non-sectarian alternatives are increasingly marginalised. Attempts to organise Iraqis around platforms of national unity have signally failed during the past year. The Iraqi List of former Prime Minister Iyad Allawi, for example, lost badly in the January 2005 elections but then tried to capitalise on the perceived unpopularity and sectarian tendencies of the Jaafari government. In the run-up to the December elections, Allawi appealed to nationalism and secularism, also projecting himself as a U.S.-supported strongman who could put an end to violence. At a "reconciliation conference" in October, he told those gathered that, "what has been missing until now is a national program, based on democracy and strengthening national unity".[174] "His goal", commented a *New York Times* reporter, "is to create a political centre that would displace the sectarian agendas of the competing religious parties".[175] There is no doubt that Allawi's pronouncements found an audience among secular Iraqis. A school teacher told Crisis Group:

> As a Sunni Arab and as a teacher, I felt better under Allawi's government [than Jaafari's]. My salary improved and I saw no sectarian problems during his time in office. Allawi was a fair dictator, which is the opposite of Saddam Hussein, who was an unfair dictator.[176]

Yet Allawi's list performed even more dismally in the December elections than during the earlier round, collecting only 25 seats against 40 in January. This can be attributed in part to his record in office (accusations of wide-spread corruption), as well as his personal reputation: He is seen by many as an unreconstructed Baathist who had a falling-out with Saddam Hussein and then nurtured a close relationship with the CIA. Distrusted by secular Shiites for his perceived proximity to the Baath, he also lost a good deal of the support he once enjoyed among secular Sunnis by authorising the U.S. assault on Falluja in November 2004.[177]

However, Allawi's record and reputation already were known in January 2005, so the problem clearly goes beyond his personality and performance. Moreover, attempts by other nationalist-minded Iraqis to construct non-sectarian political movements also have failed to attract significant popular interest, let alone votes. The coalition headed by Jawad al-Khalisi, a non-sectarian Shiite cleric, that included nationalist Sunnis such as Wamidh Nadhmi, did not resonate politically (and did not participate in the elections).[178] Nasseer Chaderchi's National Democratic Party turned out to be an electoral non-entity, despite his, and his late father's, reputation

[172] Crisis Group interview, Sadr City, 29 August 2005.
[173] Sistani's influence is seen as so significant by Sunnis that Tariq al-Hashimi, secretary general of the Iraqi Islamic Party, called on him to "condemn these acts [the alleged torture of inmates in interior ministry-run jails] and stop covering" for Interior Minister Bayan Jaber Solagh. Quoted by Associated Press, 16 November 2005.
[174] Quoted by Reuters, 19 October 2005.
[175] Robert F. Worth, "Former Iraqi prime minister is seeking allies who can help him return to power", *The New York Times*, 2 October 2005. According to Worth, "Perhaps the greatest potential advantage for Mr. Allawi and his allies is the broad-based animosity to sectarianism among Iraqis, and the widespread sense that the religious parties have only made it worse".
[176] Crisis Group interview, Sabah al-Ani, an Arabic teacher, Baghdad, 24 August 2005.
[177] In the view of Nabil Younis, Allawi did not court Sunnis and Shiites during his short-lived interim government in 2004 as much as "he tried to use them. He tried to use the army and the Baathists as well. But once he attacked Falluja, he lost everything. He lost people's trust. Nobody will forgive him". Crisis Group interview, Baghdad, 30 August 2005.
[178] The coalition is called the Iraqi National Founding Congress (mentioned above). It should be noted that the two principal Kurdish parties, the PUK and KDP, have a secular outlook. Of course, they mobilise around ethnic identity. The Kurdish question is separate from the sectarian debates that currently rage in Arab Iraq.

as staunch secular nationalists. A similar fate befell Ahmad Chalabi's list; it collected insufficient votes to earn the former exile and past Washington favourite even a single seat. Some of the secular Sunni Arab parties also garnered minimal results in the December elections.[179]

In addition to Jawad Khalisi, other clerics and Islamist-leaning politicians of a decidedly non-sectarian bent have sought to organise political parties, but they too failed to reach critical mass. Furthermore, efforts by Ghassan Atiyyah, a former diplomat with tribal connections, to organise a political party led by tribally-based politicians similarly came to nought.[180] Atiyyah acted on the insight that most tribes comprise both Sunnis and Shiites and as such could rise above sectarian squabbling.[181] "Tribal connections are very important", noted an official of the Iraqi Islamic Party. "When we are part of the same tribe, we are like a piece of fabric that no one can cut, and this is preventing civil war".[182] But the tribes, weak during the early period of Baathist rule but then revived by Saddam Hussein to bolster his regime during the 1990s sanctions decade, clearly have again lost much of their lustre. They continue to play a role on local issues but fail to impress at the national level, in part because they lack unity.

Potential exists for a cross-sectarian political movement involving Muqtada Sadr's (Shiite) trend and the (Sunni) Iraqi Consensus Front (which incorporates the Iraqi Islamic Party, as well as Adnan Dulaimi's group). By combining Sunni Islamists and their Shiite counterparts, such a coalition theoretically would be non-sectarian. Muqtada Sadr has had broad appeal among Sunni Arabs because of his strong nationalist, anti-occupation stand, his apparent opposition to federalism, and his open solidarity with Sunnis during times of crisis, for example, the November 2004 U.S. assault on Falluja.[183] Sadr's office also pointedly reminded Iraqis that residents of the predominantly Adhamiya neighbourhood of Baghdad had gone out of their way, during the Kadhemiya bridge disaster in August 2005, to rescue (Shiite) victims from the river, showing that "Sunnis and Shiites are brothers".[184] Yet altercations between Sadrists and Sunni Arabs have occurred, probably because many Sadrists see Sunni Arabs as Baathists and terrorists. The fact that Sadr's movement is so inchoate may have led to armed attacks on Sunni Arabs regardless of Muqtada's official stance.

Nationalism could trump religious identity if an alliance between the Sadrists and Sunni Arab parties is consummated. But such an alliance would be forged strictly for tactical political purposes in order to counter Sadr's nominal allies but de facto rivals in the UIA, especially SCIRI. That rivalry exists not because Sadr's ideology is not sectarian – it is – but because Sadr has been able to subjugate his sectarian outlook to the firebrand nationalism that has been his trademark and source of political success. His nationalism, in sum, is politically expedient. Whether it can outlast his sectarian inclinations is an open question.

What accounts for the poor electoral showing of secular Iraqis, formerly the backbone of society and the political system, aside from possible fraud,[185] is a

[179] These include Saleh Mutlaq's Iraqi Front for National Dialogue (eleven seats), Mishan al-Jubouri's Reconciliation and Liberation Bloc (three seats) and Mithal al-Alousi's Iraqi Nation List (one seat). Saleh Mutlaq was one of the fifteen Sunni Arabs appointed to the committee that drafted the new constitution.

[180] Crisis Group interviews with Ghassan Atiyyah in 2004 and 2005. He is the editor of a journal, *The Iraqi File* (*al-Malaf al-Iraqi*). He complained that his initiative was unable to attract the funding needed for an effective electoral campaign.

[181] Iraqi tribes (*qaba'el*) are loose confederations of clans (*asha'er*), which themselves consist of extended families (*awa'el*). Predominant in rural Iraq, they form communities under a leader or chief. Schisms, however, are frequent, and tribes, therefore, are rarely unified under a single leader. Iraqi tribes have bridged confessional differences, comprising both Sunni and Shiite members (who rather are divided by clans, sub-clans or families). Tribes are separated by ethnicity (there are, for example, distinct Arab and Kurdish tribes), although some have been known to have "changed their ethnicity". For a nuanced history, see Batatu, op. cit., chapters 2-4.

[182] Crisis Group interview, Baghdad, 8 September 2005.

[183] The Sadrists also celebrated the feast marking the end of Ramadan in 2005, the Eid al-Fitr, on the date set by Saudi Arabia rather than Iran in a show of solidarity with the Sunnis. Crisis Group interview, Western diplomat, Amman, 5 January 2005.

[184] Hashem al-Hashemi of Sadr's Baghdad office was quoted as saying: "The strenuous efforts of the residents of Adhamiya to rescue Shiites from the river clearly showed that Sunnis and Shiites are brothers". Quoted in *Al-Ahram Weekly On-Line*, 8-14 September 2005, at http://weekly.ahram.org.eg/2005/759/re5.htm. A young Sunni Arab who died while trying to save Shiites from drowning in the Tigris flowing under the Kadhemiya bridge has been lionised as a hero and icon of communal harmony. See Ashraf Fahim, "Iraq: The looming threat of civil war", *Middle East International On-Line*, 15 September 2005, at http://meionline.com/features/400.shtml.

[185] Some have claimed that widespread fraud designed to favour governing parties hurt secular parties particularly, given that they are the most unorganised and least influential in the Independent Electoral Commission of Iraq (IECI).

combination of factors: the country's turn toward religious and ethnic identities in troubled times, the head-start religious parties enjoyed following the Baathist regime's ouster, and the absence of non-sectarian leaders who are credible, effective organisers and with access to significant funding. If there still is a mass of secular Iraqis, unorganised and disaffected with the politics of the new order, it has yet to find a political voice. "Iraqis are not normally extremist or militant in their religious feelings", observed Mufid al-Jaziri, a former member of Allawi's cabinet. "This is the basis for their tolerance vis-à-vis each other".[186] Pointing at the aftermath of the Kadhemiya bridge disaster, Wamidh Nadhmi also said he saw an enduring social cohesion.[187]

D. CHANGING POSTURE OF NEIGHBOURING STATES?

The behaviour of the neighbouring states ultimately could prove decisive for Iraq's survival as a united entity. If they continue to support the principle of territorial integrity and refrain from destabilising intervention (in whatever form), the sectarian conflict may be contained. If their position shifts, they may precipitate the country's disintegration.

So far, it has been in the strategic interest of all these states that Iraq remain intact. Fiddling with one post-Ottoman border raises the spectre of changes to all such borders and may give impetus to ethnic or religious minorities to make common cause with brethren in neighbouring states. A U.S. commitment to protect Iraq's unity was critical in securing Arab support, or at least tolerance, for its 2003 invasion.

But, for many, growing Shiite influence is fast becoming the paramount concern. This perception triggered Jordan's King Abdullah II's warning in December 2004 that if Iraq were to be controlled by pro-Iranian parties, the result might be a "crescent" of dominant Shiite movements and governments stretching from Lebanon through Syria, Iran and Iraq to the Gulf (encircling Jordan).[188] Arab fear of spreading Shiite and Iranian influence is deep and, since the first Iraqi elections, has become acute. As one Arab commentator noted, "when Shiite Islamist parties won…it was the first time in more than 800 years that Shiites had taken power in a core Arab country".[189] Following the Jordanian monarch's alarums, Saudi officials took the lead in alerting the public to the U.S. government's dangerous course, especially after the governing parties agreed to a new constitution that threatened to marginalise Sunni Arab concerns and raised the spectre of an Iranian-controlled federal region in oil-rich southern Iraq. In a speech at the Council on Foreign Relations in Washington on 23 September 2005, the Saudi foreign minister, Saud al-Faisal, warned:

> If you allow for this – for a civil war to happen between the Shiites and the Sunnis, Iraq is finished forever. It will be dismembered. It will…cause so many conflicts in the region that it will bring the whole region into turmoil….The Iranians would enter the conflict because of the south, the Turks because of the Kurds, and the Arabs…will definitely be dragged into the conflict.[190]

Should neighbouring states conclude either that Shiite influence has become a strategic threat or that Iraq's break-up is inevitable, they are likely to take steps that will accelerate the country's disintegration. In other words, increased sectarian polarisation in Iraq will be viewed menacingly by neighbouring states and could draw them into Iraq and hasten its break-up, a development in which, ironically, they have no interest.

For now, Sunni Arab states are supporting Sunni Arab participation in the political process as a bulwark against either excessive Shiite influence or Iraq's disintegration. Thus, Arab fear of spreading Iranian influence prompted the Arab League's initiative to

Crisis Group email communication from an independent Iraqi, 4 January 2006.

[186] Crisis Group interview, Baghdad, 4 December 2005.

[187] Crisis Group interview, Baghdad, 23 November 2005.

[188] For an analysis, see Crisis Group Report, *Iran in Iraq*, op. cit., pp. 1-3. While some decried the comment as undiplomatic and exacerbating tensions, others saw it as a needed warning of things to come if the U.S. did not change its approach. Adnan Abu Odeh, for example, characterised the monarch's statement as "a serious early alarm of the divisive impact of the sectarian Sunni-Shiite fault line on the whole Arab region". Crisis Group email communication, 3 October 2005.

[189] Samia Nakhoul, "Iraq revives Sunni-Shi'ite tensions among neighbours", Reuters, 4 October 2005.

[190] Prince Saud al-Faisal, answer to a question from the audience following his speech, 23 September 2005. Transcript available from Federal News Service, Washington DC. A day earlier he had noted that "there is no dynamic now pulling [Iraq] together. All the dynamics are pulling the country apart….This is a very dangerous situation". Quoted in *The New York Times*, 23 September 2005. Faisal's comments in Washington were received as intended by SCIRI in Baghdad. Bayan Jaber responded by telling Faisal that the Iraqi government would not be lectured by "some Bedouin riding a camel". Quoted by Reuters, 4 October 2005.

organise a reconciliation conference, the first instalment of which took place in Cairo in late November 2005. The time may soon come, however, when the limits of Sunni influence will become evident, for example if their efforts to amend the constitution run aground.[191] This may spur further violence between Iraq's principal communities which, in turn, may shape Arab perceptions that centrifugal forces are inexorably tearing the country apart. Riyadh, for example, would view with alarm the emergence of a strongly Iranian-influenced entity in southern Iraq sitting on more than 80 per cent of the country's proven oil resources,[192] as would other Arab states, such as Jordan and the Gulf sheikhdoms, many of which have significant Shiite populations.[193]

Iran so far clearly is benefiting from events in Iraq where friendly parties have come to power, and the U.S. finds itself embroiled. For now, it seems content to maintain the status quo, including the continued presence of U.S. forces. In Tehran's view, the Americans advance Iranian interests in Iraq by doing the right thing (helping Shiites gain power) – but incompetently so as to incur broad resistance, both peaceful and violent, that ties them down.[194] As a result, Iran has supported Iraq's unity (as long as the country remains comparatively weak) and has made no apparent effort to undermine it.[195] An independent Iraqi said:

> Iran prefers a united Iraq over the uncertainty of a divided one, also because of the problems this would cause among its own Kurdish and Arab populations. It does not want the region to be destabilised. It can have everything it wants if Iraq stays one.[196]

However, Tehran's calculation may change. Should the nuclear question come to a head and force international intervention of some kind (including sanctions), the regime may want to fight the U.S. where it is most vulnerable, namely in Iraq. In addition, a growing Sunni Arab-based insurgency against an Iranian-backed regime might spin out of control, leading to outright civil war and forcing direct Iranian intervention, which in turn could break Iraq apart. Should Iran determine that the situation has reached a tipping point, it may even encourage Iraq's break-up to secure its own interests in the country's oil-rich south, supervising its proxies in running a largely Shiite entity there.

[191] Article 142 of the constitution contains a special provision (added at the eleventh hour in October 2005, less than two weeks before the referendum) allowing the charter to be amended as early as 2006 following a four-month review process by a committee to be established by the new assembly. Any amendment must first be approved by a simple majority in the assembly and then by a majority of votes in a popular referendum (so long as it is not rejected by two-thirds of the voters in three governorates).

[192] This was the very outcome Saudi Arabia believed it was preventing by supporting Saddam Hussein during Iraq's eight-year war with Iran in the 1980s. Whatever his original motivation in sending his troops across the border, that war, in the Arab view, aimed to curb both revolutionary Shiism and Iran's perceived appetite for Gulf oil. To this end, several Arab states provided financial and material support to Iraq, which was the buffer protecting them from a putative Iranian military onslaught. The future may see a new round in this confrontation, but with Iraq itself becoming the battlefield. An Iraqi commentator, Mustafa Alani, contends that the U.S. "gave Iraq to Iran on a gold plate free of charge. They did what Khomeini failed to achieve. He must be celebrating in his grave, thanking the Americans". Quoted by Reuters, 4 October 2005.

[193] Jordan has no Shiites, but in Saudi Arabia they are 11 per cent of the population (and are concentrated in the oil-rich Eastern Province), in Bahrain 70 per cent and in Kuwait 25 per cent.

[194] Crisis Group interview, Iraqi journalist, Amman, 17 January 2006.

[195] See Crisis Group Report, *Iran in Iraq*, op. cit.

[196] Crisis Group interview, Amman, 27 January 2005.

V. THE DECEMBER 2005 ELECTIONS

The outcome of the December elections underscored the political prominence of religion and ethnicity. The winners were, as at the beginning of the year, the Kurdish parties (that, while secular, have an ethnically-based agenda)[197] and the coalition of SCIRI, Daawa and the Sadrist movement (a recasting of the earlier United Iraqi Alliance) on the Shiite side, now joined on the Sunni Arab side by the Iraqi Consensus Front (ICF),[198] a grouping of three Islamist parties. The non-sectarian "middle", the putative mass of secular Iraqis opposed to and upset by religion's growing role, was nowhere to be found. Its principal flag bearer, Iyad Allawi's National Iraqi List (NIL), performed so poorly (25 seats) as to throw into doubt its effectiveness even as an opposition grouping in the next parliament. "Something changed in the public mood after the elections", recalled an Iraqi journalist. "All my secular friends grew despondent, saying that Iraq will go to hell, now that the majority voted for 555 [the UIA]".[199]

The results also apparently showed that whatever erosion Ayatollah Sistani may have suffered in his role as a moral authority cautioning restraint in the face of violent anti-Shiite attacks, his ability, and that of the other senior Shiite clerics, to shape an election remained undiminished. Reportedly upset with the performance of the governing Shiite politicians,[200] Sistani did not endorse any particular list. Yet, his recommendation that his followers not spread their ballots [201] was read by most Shiites as an indication that he wanted them to vote for the UIA – which they did in overwhelming numbers (128 seats in the 275-seat assembly).[202] Even secular Shiites appear to have voted for the UIA rather than for the available alternatives, Iyad Allawi and Ahmad Chalabi.[203] In the words of a Western diplomat, they may well have voted "against the hijacking of a historical opportunity for the Shiites".[204]

[197] As in January 2005, the December elections again showed the Kurdish role as kingmakers in Iraqi politics – a profound irony given their desire to separate. With 53 seats, no government can be formed without the Kurdish alliance's participation, nor will the constitution be changed significantly without Kurdish consent. This gives the Kurds leverage to extract major concessions on the issue about which they care most: the status of Kirkuk. The Kirkuk question will be the subject of a future Crisis Group report.

[198] The *Jabha-t-al-Tawafuq al-'Iraqiya* has been variously translated as the Iraqi "Accord" or "Accordance" or "Concord" Front in the international media. Crisis Group uses the translation "Iraqi Consensus Front" as more accurately reflecting the alliance's pretension at representing Iraq's Sunni Arab community.

[199] Crisis Group interview, Amman, 17 January 2006.

[200] Crisis Group interview, an Iraqi who had recently met in Najaf with Sistani's son, Muhammad Ridha, London, 27 October 2005.

[201] Sistani said: "These elections are no less important than the preceding ones, and citizens – men and women – should widely participate so as to ensure a significant, strong presence for those who support their [the Shiites'] basic principles and will protect their main interests in the next parliament. For this purpose, splitting the vote and risking its waste must be avoided". Decree issued in early December 2005 and available at http://www.sistani.org/messages/entekhabat_46.html. Shiites tend to listen to their *marjaa* of choice for advice on a range of matters. Muqtada Sadr explicitly told his followers to listen to their *maraaji'* (plural) for guidance on what to do on election day, and most other senior Shiite clerics also endorsed the UIA, or at least were perceived to have done so. These include Bashir al-Najafi, Muhammad Ishaq al-Fayad, Muhammad Said al-Hakim, Muhammad Taqi al-Mudarrasi, Sadeq al-Shirazi, Kadhem al-Haery and Muhammad al-Yaqoubi. Jawad al-Khalisi, who has his own political movement, was the only senior cleric not to endorse the UIA. Crisis Group interviews, Baghdad, December 2005.

[202] One Sistani follower, an engineering student, said: "We voted for lists, not individuals, and the UIA represents our religion. By contrast, the secular list [of Iyad Allawi] represents the impious West or, put differently, America and Israel, which stand for global Zionism". Crisis Group interview, Baghdad, 17 December 2005. An editorialist in a Saudi-owned paper lamented Sistani's ruling, saying: "We are all shocked by the edict attributed to Grand Ayatollah Ali al-Sistani to vote for the United Iraqi Alliance. This contradicts his previous announcement that he would not favour one party over another and that he would stay out of political competitions. It is a big mistake to include the highest cleric in electoral battles, because this will widen the split and conflict in the country". Abd-al-Rahman al-Rashid, *Sharq al-Awsat*, 8 December 2005. The earlier Sistani statement alluded to by the writer was a message conveyed by a Sistani associate in October that Sistani called on Iraqis to participate in the December vote but that he did not endorse any particular party or list. "Sistani ends Shia party backing", BBC News, 28 October 2005.

[203] One Iraqi told Crisis Group about her decision to vote for the UIA: "I wanted to vote for Ahmad Chalabi, but then I listened to the song in the street and changed my mind". Crisis Group interview, Baghdad, December 2005.

[204] Crisis Group interview, Amman, 5 January 2006. Already in early 2004, a secular Shiite academic had told Crisis Group that at the end of day, confronted with the choice to vote for a secular or an overtly Shiite party, he would vote for the latter out of "Shiite solidarity" – to ensure the realisation of the Shiite majority's dream of ruling Iraq. Crisis Group interview, Baghdad, 13 January 2004.

Sunni clerics also exhorted their followers to vote,[205] with evident results. Sunnis who bucked the boycott of the January elections are thought to have voted mostly for the only viable alternative to the UIA at the time, Iyad Allawi. This time they, along with their many compatriots who had stayed away from the earlier poll, appear to have cast ballots for either of the two primary Sunni Arab lists: the religiously-based ICF of Adnan al-Duleimi and Tareq al-Hashimi (44 seats) and Saleh Mutlaq's secular Iraqi Front for National Dialogue (eleven seats). The fact that insurgent groups refrained from attacking polling stations and in some cases actively protected them (and in some locations even encouraged people to vote) contributed to a massive Sunni Arab turnout.[206]

The conclusion, therefore, must be that this was an identity-driven election in which people voted on the basis of religious or, in the case of the Sunni Kurds and Turkomans, ethnic affinity.[207] According to Adnan Abu Odeh, it was not about democracy but about winners and losers among Iraq's principal communities – Shiites, Kurds and Sunni Arabs. For all three "the main issues are wealth, power and identity, and the crucial question is how to compensate the losers and curb the greedy ambitions of the winners".[208]

The election results will complicate the planned early review of the constitution. The next government may well be a retread of the Shiite-Kurdish alliance that emerged from the January elections and proved so polarising – and therefore destabilising.[209] Although there is ample talk, and considerable pressure, especially from Washington, to establish a national unity government, numbers speak for themselves. They suggest a UIA-PUK/KDP government, based on their combined 181 seats, with the possible inclusion of Risaliyoun,[210] a smaller Shiite list (two seats), and either the Assyro-Chaldean (Christian) Rafidayn list or Mithal al-Alousi's list (each with one seat), to reach the two-thirds majority (184 seats) required for its confirmation in the council of deputies, and some token Sunni Arabs brought in to try to appease both that community and the U.S.

This is certainly the unstated preference of the UIA, which by internal vote in mid-February 2006 chose Ibrahim al-Jaafari to lead the new government. While a different outcome can and should not be excluded, it will take a major U.S. initiative to bring Sunni Arab parties into the government in a meaningful way. President Jalal Talabani has echoed the call for a national unity government but publicly has only insisted on the inclusion of Allawi's list.[211] This is

[205] Sheikh Ahmad Abd-al-Ghafour al-Sammarai of the Muslim Scholars Association said on al-Arabiya TV that 1,000 Sunni clerics had signed a decree urging Sunnis to vote so as to "avoid being marginalised". Reported in *Daily Star*, 14 December 2005.

[206] Ellen Knickmeyer and Jonathan Finer, "Iraqi vote draws big turnout of Sunnis", *The Washington Post*, 16 December 2005. The Islamic Army in Iraq declared in an internet posting three days before the elections that "orders have been issued to avoid polling stations to preserve the blood of innocent people". Reported in *Daily Star*, 14 December 2005.

[207] Many Sunni Turkomans appear to have voted for the Iraqi Turkoman Front, which acquired a single seat in the new parliament. Shiite Turkomans most likely voted for the UIA or smaller Shiite lists that failed to garner more than one seat. Many Shiite Kurds, who live predominantly outside the Kurdish region, may also have voted for the UIA. The larger coalitions exerted pressure on smaller parties representing minorities to join them. Crisis Group interview, Baghdad, 23 November 2005.

[208] Crisis Group interview, Amman, 14 November 2005. However one chooses to read it, of course, this was an open election, apparently with a tolerable degree of fraud (insufficient to affect seat allocation). Officials of the Independent Electoral Commission of Iraq announced that the IECI had annulled the results of 227 out of 31,500 ballot boxes and that "the number of votes annulled is not sufficient to change the overall results". Wire reports, 17 January 2006. A Western diplomat noted that the multiple fraud accusations should also be read as the losing parties' political tool to secure future benefits, such as ministerial positions. Crisis Group interview, Amman, 5 January 2006. "One cannot reject a freely elected authority", noted a constitutional scholar. "The wisdom of the population is beyond challenge, even when it is lacking". Crisis Group email communication, 29 December 2005.

[209] The interior minister, Bayan Jaber, whose status in the new cabinet remains uncertain, announced that his office was going through a newly compiled list of 16,000 former military and intelligence officers in order to "capture, neutralise or reform" them. Quoted in *The Washington Post*, 21 December 2005. It is precisely such policies that, in the absence of a strong judiciary or other impartial mechanisms of transitional justice, enrage Iraq's Sunni Arabs because of their tendency to be either indiscriminate (lacking proper review) or applied selectively against their community. It is for this reason that U.S. Ambassador Zalmay Khalilzad warned that "the head of the security ministries [should] be trusted by all communities and not come from elements of the population that have militias". Zalmay Khalilzad, "After the elections", *The Washington Post*, 15 December 2005.

[210] Risaliyoun (Messengers) is a split-off from the Sadrist movement that ran by itself, basing its support in Sadr City. There has been some speculation among Iraqis that this list was designed by the Sadrists to garner the votes of those who resented their participation in the United Iraqi Alliance. If so, the strategy was successful, as the Sadrists gained two additional seats.

[211] Quoted by Associated Press, 12 February 2006.

likely to be unsatisfactory to Sunni Arabs, who are fighting hard to have their parties represented in government. Sunni Arab exclusion clearly would deepen the sectarian rift, in particular once constitutional negotiations open.[212] Prior to the elections, a secular politician predicted that if the UIA were to win, "there will be a great sectarian division in the Iraqi population. This may encourage terrorism, and the country may fall apart as a result".[213] Others spoke of an outright "catastrophe".[214] Celebrating its electoral victory, SCIRI's leader, Abd-al-Aziz al-Hakim, immediately made clear that the constitution would not be changed and repeated his call for the creation of a Shiite super-region in the south.[215]

In an effort to make up for the surprising non-appearance of the secular vote, which, in the days leading up to the polls, U.S. experts had confidently predicted would erode the UIA's electoral strength**,** the Bush administration pressed vigorously for an inclusive government.[216] In an election-day op-ed, Ambassador Khalilzad had forecast a "far more representative" assembly than the previous one and prescribed a "broad-based and effective government", as well as an assembly that "will have the opportunity to amend the constitution, with the goal of broadening support for the document and turning it into a national compact".[217] In the elections' aftermath, Khalilzad noted ruefully: "It looks as if people have preferred to vote for their ethnic or sectarian identities. But for Iraq to succeed there has to be cross-ethnic and cross-sectarian cooperation".[218] In a subsequent editorial in *The Wall Street Journal*, he insisted that the constitution would "likely need to be amended in the coming year to broaden support", referring especially to a compromise on southern federalism.[219]

Then, in a Baghdad press conference on 20 February 2006, Khalilzad reiterated these points and added that the ministers of interior and defence and the chiefs of the national intelligence and national security "have to be people who are non-sectarian, broadly acceptable, non-militia related, [who] will work for all Iraqis". Given that the U.S. is investing "billions of dollars" in building up security forces, he warned, "we are not going to invest the resources of the American people to build forces run by people who are sectarian".[220]

Khalilzad came to Iraq in August 2005, inheriting existing U.S. policy on the constitution, which was to include Sunni Arabs in the drafting process but to brook no delay in its completion. Pressure exerted by Khalilzad and other senior administration officials led to popular adoption of a document they subsequently insisted should be amended to produce the national compact they had sacrificed earlier for the sake of punctuality. Already in late September, some two weeks before the national referendum, Khalilzad made an about-turn as it became clear that a threatened Sunni Arab boycott might scuttle the political process and fuel the insurgency. In a compromise hammered out over a few days, Sunni Arabs were promised an early review of the constitution if they agreed to participate in the referendum and elections. In the pre-election period, U.S. raids on two interior ministry-run prisons put SCIRI on warning that U.S. tolerance of its practices had reached a limit and sent a signal to Sunni

[212] These negotiations are already taking place, informally, as part of efforts to establish a government, just as key constitutional questions were ironed out by the UIA and Kurdish alliance following their election victory in January 2005 and well before a constitution drafting committee had been established. These were contained in a governing accord signed by both sides in April 2005, "Foundations and Principles Agreed by the UIA and KLC Concerning the Operation of the Interim Government". Posted on 13 April 2005 and available in Arabic at http://www.iraq4allnews.dk/.

[213] Crisis Group interview, Usama al-Najafi, minister of industry and minerals and a candidate on Allawi's list, Baghdad, 4 December 2005.

[214] Crisis Group with Mufid al-Jaziri, an official of the Iraqi Communist Party running on the Allawi list, Baghdad, 4 December 2005.

[215] "We will stop anyone who tries to change the constitution", he was quoted as saying. "Many of the people who voted for us were promised federalism in the south". *The New York Times*, 12 January 2006. In the days before the elections he had already made clear that "our region shall be formed at the desire and request of the people through a referendum as enshrined in the constitution". Quoted in *The Washington Post*, 9 December 2005.

[216] Crisis Group email communication from a U.S. NGO elections expert, 14 December 2005.

[217] Khalilzad, "After the Elections", op. cit.

[218] Quoted in Patrick Cockburn, "Iraq's election result, a divided nation", *The Independent*, 21 December 2005.

[219] Zalmay Khalilzad, "The challenge before us", *The Wall Street Journal*, 9 January 2006. Khalilzad later reiterated his call for a national unity government, saying "getting the next government right is far more important than getting it formed fast", as well as for the appointment of technocrats to key ministerial posts, demobilisation of the militias, a revision of the constitution that will yield "a true national compact", and strict limits on de-Baathification. Zalmay Khalilzad, "A political blueprint for Iraq", *The Los Angeles Times*, 12 February 2006.

[220] Transcript of press conference with U.S. Ambassador Zalmay Khalilzad, Baghdad, 20 February 2006.

Arabs that they remained in the game and could depend on a measure of U.S. support.[221]

Khalilzad's – and Washington's – conversion reflects both increased concern about Iranian influence[222] and apprehension that continued Sunni Arab exclusion could lead to the country's break-up. The realisation came late but nonetheless is welcome. Sunni Arab politicians participated in the elections with the express objective of salvaging their community's role via constitutional revisions.[223] Regrettably, these same leaders, and many Sunni Arabs generally, hold a fanciful notion of their own numbers, with claims ranging from 35 per cent to an outright majority, and they expected the elections to confirm this. Instead, results demonstrated what are probably their true numbers: around 20 per cent.[224] It may take a generation or more for this community to adjust to its new status. For now, it will have to rely on its three remaining levers: violence, control over water resources, and, ironically, Washington's relative backing.

The U.S. faces domestic pressure to draw down its forces ahead of mid-term Congressional elections in November 2006 but has every interest in stabilising Iraq before it starts any significant force reduction. Assuming this still can be done, it will require reassuring all communities that their fundamental interests will be protected.

[221] See, for example, John Lee Anderson, "American viceroy: Zalmay Khalilzad's mission", *The New Yorker*, 19 December 2005, pp. 54-56.

[222] Crisis Group interview, a U.S. official, Washington, February 2006.

[223] An official of the Iraqi Islamic Party noted that "This is the main reason why we want to participate. If they give us a chance to change the constitution, we will take it". Quoted in *The Washington Post*, 28 October 2005. IIP leader Tareq al-Hashimi put the following conditions for the Iraqi Consensus Front's participation in a government of national unity: exclusion from ministerial posts of "anyone who participated in human rights violations" (an allusion to the interior minister, Bayan Jaber), an end to corruption, a "charter of honour" that renounces ethnic and sectarian strife, an agreement to set a timetable for the withdrawal of U.S. forces, and a promise not to impede constitutional changes. Quoted in *The Los Angeles Times*, 23 January 2006.

[224] "The Sunni Arab leaders promised the insurgents real Sunni influence if their community participated in the elections. But they think they are 45 per cent of the population; some say even 60 per cent! After the elections, Adnan Duleimi publicly cried out: What should I tell the resistance now? How can I deliver on my promise"? Crisis Group interview, an Iraqi journalist, Amman, 17 January 2006.

VI. CONCLUSION

Developments in 2005 have unleashed a wave of sectarian attacks and recast crucial questions of identity, allegiance and political governance in sectarian terms. Before 2005, said an Iraqi government official, "sectarianism was a sleeping volcano. Now it has erupted and the question is whether it has gone out of control and how much damage it will do".[225] The critical question today is what can be done to prevent a dirty war being fought by sectarian elements from escalating into all-out civil war? "You don't slip into civil war overnight", asserted Mowaffak al-Rubaie. "You don't go to sleep and the following day there is civil war. Civil war creeps forward insidiously in very subtle ways, and we need to detect its early signs". The key, the national security adviser says, is to secure Baghdad, "because if there is a sectarian war, this is where it will start".[226]

Security solutions, while necessary, will not suffice. "We should sit together and create a new national consensus", said Ismail Zayer, a newspaper editor. "We have to take into account each other's fears and should not exclude anyone. We cannot let the Sunnis feel that they are the losers".[227] Without such a consensus, a civil war stoked by parties with sectarian agendas could trigger the country's dissolution, as Kurds, Sunni Arabs and Shiites step up the swapping of populations and retreat to areas in which they are strongest, thus establishing ethnically and confessionally "pure" zones that, as the central state collapses, in effect would become independent. No such break-up could possibly be peaceful. Indeed, it would come at terrifying human cost given the country's many areas of mixed population, including its three largest cities, and given the Kurds' and Shiites' ambitions to expand their presence into areas in which they are a minority. Such turmoil would also pose serious dangers to Iraq's many smaller minority groups that thus far have lived in relative peace, and, by inviting outside intervention, could well spiral into a broader regional conflict.

Rather than predict the demise of Iraq, urgent steps should be taken to prevent it. It is in the interest of neither Sunnis nor Shiites that Iraq fall apart, and this common perspective can form the basis for an agreement. The principal dispute concerns control over oil and revenues accruing from its sale. Given current

[225] Crisis Group email communication, 9 December 2005.

[226] Crisis Group interview, Baghdad, 2 September 2005.

[227] Crisis Group interview, Baghdad, 25 August 2005.

uncertainty and the struggle between social and political forces in what essentially is a security vacuum, the oil question has become particularly incendiary and divisive with great risk to the country's unity.

In reopening the constitution, Iraq's principal communities, guided by the U.S., should negotiate a new formula for oil revenue distribution in which the central government, checked by an independent supervisory agency, allocates oil income equitably across the governorates. They also should redefine federalism as it applies to Arab areas as decentralisation to the level of governorates so as to prevent the emergence of multi-governorate regions that either control or lack major gas and oil fields.[228]

Other steps should be taken to prevent civil war and the break-up that would almost certainly follow. The first key step would be the establishment of a government of national unity that comprises leaders of the principal parties belonging to the full political spectrum, with the so-called sovereignty ministries (defence, interior and foreign affairs), as well as the ministries of finance, planning and oil divided fairly between them. If a Kurd is elected president, as is likely, and the Shiites designate the new prime minister, it would make sense to allocate the parliamentary speakership, and either the defence or interior ministries, to Sunni Arab leaders (primarily those of the Iraqi Consensus Front that gained the most seats). This would help allay Sunni Arab fears of being institutionally disfranchised from the new order and thus would help in preventing civil war. The U.S. should make clear to Shiite and Kurdish leaders that its continued financial and military support will depend on their willingness to agree to reasonable proposals put forth by Sunni Arab leaders to accomplish a broadly-based government and turn the constitution into a genuine national compact. And it should make clear to Sunni Arab leaders that it will have little choice but to continue its support of a new Shiite-Kurdish-led government if their proposals prove unrealistic and their stance intransigent.

The new government should make every effort to meet the most urgent needs, which remain: security, respect for the rule of law, employment and reliable access to basic services such as electricity and fuel. It also should abandon the nefarious habit of staffing ministries with party faithful rather than competent technocrats. And it should make a priority of reining in, and eventually disbanding, militias, focusing instead on building integrated security services, including a national army, in which qualified officers with clean records and of all ethnic or religious backgrounds can play their rightful part.[229] To this end, the government should establish an independent oversight body that reviews the process of building the security forces and reports publicly about the state of progress. Finally, in implementing de-Baathification, the government should ensure that former party members are judged on their past behaviour rather than on political belief or sectarian identity.

The international community should encourage such an approach, promoting non-sectarian mobilisation and institution-building by steering financial aid to non-sectarian initiatives and sanctioning overtly sectarian governance by withholding aid from culpable sectors. It also should condition aid on transparency and accountability, support programs that promote these principles, and thereby discourage corruption and nepotism. Finally, it should support a broad-based conference of national reconciliation, as decided during the November 2005 Cairo conference, by encouraging attendance from representatives of all political currents. At the same time, and however hard it works to prevent this outcome, it would need to start a private discussion about what to do in the event of Iraq's descent into civil war. The discussion, until now, has been taboo for understandable reasons. But the potential is too real, and the consequences of unpreparedness too great, to ignore this scenario.

For its part, the U.S. should continue to build up Iraqi security forces, making sure that all communities are included and that members of those communities are fairly distributed throughout the hierarchies of the security forces as well as across governorates. And it

[228] See Crisis Group Report, *Unmaking Iraq*, op. cit., for the current formula, which assigns revenues from exploitation of new fields to the regions in which they are located, rather than to the central government for equitable distribution across all regions. In revising this formula, efforts should be made not to discriminate against any population group and to give the authority to distribute oil and gas revenues to the central government (with safeguards put in place against abuse). The principal Sunni Arab complaint about the constitution was that it threatened to cut them off from oil resources. This, they feared, would result from the provision granting governorates the right to join to form regions, as this could lead to the creation of a Shiite super-region in the south that would control the vast majority of proven oil reserves. Federalism defined as decentralisation along administrative (governorate) boundaries – except for the three-governorate Kurdish region, which all Iraqis have come to accept – could, along with a fair formula for oil-revenue sharing, allay the Sunni Arabs' existential fear of effectively being reduced to perpetual poverty.

[229] See, for example, Hatem Mukhlis, op. cit.

will need to engage Iraq's neighbours, Iran included, in the search for a stable outcome.

As some see it, the Bush administration's project of nation-building already has failed, an incipient civil war rages, the Kurds have virtually seceded, and the bonds of trust between Sunnis and Shiites have irrevocably been broken. In that view, it would be better to allow all three communities to go their own way. While such pessimism is understandable, it is, as yet, unwarranted. The consequences of such an outcome would be extraordinarily dangerous and destabilising. There is still time for Iraq's leaders to enter into a genuine national compact. For that, however, they will need all the help and the pressure that the international community can muster.

Amman/Baghdad/Brussels, 27 February 2006

APPENDIX A

MAP OF IRAQ

APPENDIX B

INDEX OF NAMES

Baath Party (*Hizb al-Ba'th*), Iraq's ruling party, 1968-2003

Badr Corps (*Faylaq al-Badr*), armed militia of SCIRI

Badr Organisation (*Tandhim al-Badr*), the post-2003 name of the Badr Corps

CPA, Coalition Provisional Authority, the U.S.-led administration of Iraq, April 2003-June 2004

Daawa Party (*Hizb al-Da'wa al-Islamiya*), a Shiite Islamist party since the late 1950s that has splintered, with the main party now headed by Ibrahim al-Ja'fari, the prime minister

Daawa Organisation in Iraq (*Hizb al-Da'wa - Tandhim al-'Iraq*), one of the Daawa splinter groups, headed by Abd-al-Karim al-'Anisi

Fadhila Party (*Hizb al-Fadhila*), Virtue Party, a Shiite Islamist party headed by Nadim al-Jabiri

ICF, Iraqi Consensus Front (*Jabhat al-Tawaffuq al-Wataniya*), a coalition of Sunni Arab parties, including the IIP, headed by Adnan al-Dulaimi

ICP, Iraqi Communist Party (*al-Hizb al-Shuyu'i al-'Iraqi*), a secular party headed by Hamid Majid Mousa

IECI, Independent Electoral Commission of Iraq, independent Iraqi agency charged with organising and supervising elections

IIP, Iraqi Islamic Party (*al-Hizb al-Islami al-'Iraqi*), a Sunni Arab Islamist party, the political manifestation of the Muslim Brotherhood (*al-Ikhwan al-Muslimun*) in Iraq, headed by Tareq al-Hashimi

ING, Iraqi National Guard (*alHaras al-Watani al-'Iraqi*), the new Iraqi army

Iraqi Front for National Dialogue (*al-Jabha al-'Iraqiya lil-Hiwar al-Watani*), a Sunni Arab coalition headed by Saleh Mutlaq

Iraqi List (*al-Qa'ima al-'Iraqiya*), a coalition of mostly secular parties, headed by Iyad Allawi, which ran in the January 2005 elections

Iraqi National Accord (*al-Wifaq al-Watani al-'Iraqi*), a secular party headed by Iyad Allawi, prime minister in 2004

Iraqi National Congress (*al-Mu'tamar al-Watani al-'Iraqi*), a secular party headed by Ahmed Chalabi

Iraqi National Founding Congress (*al-Mu'tamar al-Ta'sisi al-Watani al-'Iraqi*), an opposition coalition of secular parties headed by Jawad al-Khalisi and Wamidh Nadhmi

Iraqi Nation List (*Qa'imat Mithal al-Alusi lil-Umma al-'Iraqiya*), a small secular party headed by Mithal al-Alousi

Iraqi Turkoman Front (*al-Jabha-t-al-Turkmani al-'Iraqi*), a coalition of small Turkoman parties

KDP, Kurdistan Democratic Party (al-*Hizb al-Dimuqrati al-Kurdistani*), a secular Kurdish nationalist party headed by Masoud Barzani, president of the Kurdistan Region

KRG, Kurdistan Regional Government, the regional Kurdish government in Erbil

Kurdistan Coalition List, a Kurdish coalition of parties, including the KDP and PUK, which ran in the January 2005 elections

Kurdistani Coalition (*al-Tahaluf al-Kurdistani*), a Kurdish coalition of parties, including the KDP and PUK, headed by Jalal Talabani, Iraq's president

Kurdistan Islamic Union (al-*Ittihad al-Islami al-Kurdistani*), a Sunni Islamist party, the political manifestation of the Muslim Brotherhood (*al-Ikhwan al-Muslimun*) in Iraqi Kurdistan, headed by Salah al-Din Bahauddin

Mahdi Army (*Jaysh al-Mahdi*), the militia of the Sadr Movement

MSA, Muslim Scholars Association (*Hay'at al-'Ulama' al-Muslimin*), a Sunni Arab political organisation

National Democratic Party (*al-Hizb al-Dimuqrati al-Watani*), a small secular party headed by Nasseer Chaderchi

NIL, National Iraqi List (*al-Qa'ima al-'Iraqiya al-Wataniya*), a coalition of mostly secular parties and personalities, including the Iraqi National Accord and the ICP, and headed by Iyad Allawi, prime minister in 2004

Partisans of the Sunna Army (*Jaysh Ansar al-Sunna*), an insurgent group

PUK, Patriotic Union of Kurdistan (al-*Ittihad al-Watani al-Kurdistani*), a secular Kurdish nationalist party headed by Jalal Talabani, Iraq's president

al-Qaeda's Organisation in Mesopotamia (*Tandhim al-Qa'ida fi Bilad al-Rafidayn*), an insurgent group headed by Abu Mus'ab al-Zarqawi

Rafidayn List (Two Rivers List, i.e., Mesopotamia, or Iraq), a small Assyro-Chaldean (Christian) coalition headed by Yonadam Kanna

Reconciliation and Liberation Bloc (*Kutlat al-Musaliha wa al-Tahrir*), a small Sunni Arab party headed by Mishan al-Jubouri

al-Risaliyoun (Messengers), a small Shiite Islamist party split from the Sadr Movement

Sadr Movement (*Harakat al-Sadr*), a Shiite Islamist political movement headed by Muqtada Sadr

SCIRI Supreme Council for the Islamic Revolution in Iraq, a Shiite Islamist party headed by Abd-al-Aziz al-Hakim

Tawhid wa Jihad (Monotheism and Holy War), the precursor of al-Qaeda's Organisation in Mesopotamia

UIA, United Iraqi Alliance (*al-I'tilaf al-'Iraqi al-Muwahhad*), a coalition incorporating a number of Shiite Islamist parties, including SCIRI, Daawa, the Sadr Movement and the Fadhila Party, as well as independents (including supporters of Ayatollah Ali Sistani); in the January 2005 elections it did not include the Fadhila Party and the Sadr Movement

Virtue Party, see Fadhila Party

Yazidi Movement for Reform and Progress (*al-Haraka-t-al-Izidiya li al-Islah wa al-Taqaddum*), a Yazidi party

APPENDIX C

SEAT ALLOCATION FOLLOWING DECEMBER 2005 ELECTIONS

United Iraqi Alliance	128
Kurdistani Coalition	53
Iraqi Consensus Front	44
National Iraqi List	25
Iraqi Front for National Dialogue	11
Kurdistan Islamic Union	5
Reconciliation and Liberation Bloc	3
Al-Risaliyoun	2
Iraqi Turkoman Front	1
Rafidayn List	1
Iraqi Nation List	1
Yazidi Movement for Reform and Progress	1
TOTAL	**275**

APPENDIX D

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with over 110 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

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