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IRAQ'S SECTARIAN CRISIS

A Legacy of Exclusion

Harith Hasan Al-Qarawee

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Contents

About the Author	v
Summary	1
Introduction	3
Deep Divisions	4
Shia Consolidation of Power	6
Sunnis on the Defensive	8
The Tension Between Centralization and Federalism	12
The Question of National Identity	15
Conclusions and Policy Recommendations	18
Notes	21
Carnegie Middle East Center	24

About the Author

Harith Hasan Al-Qarawee is a political scientist whose research focuses on the state, sectarianism, and political transitions in Iraq and the Middle East. He has written extensively for various English and Arabic publications including *Al-Monitor* and *Al-Alam*, and is the author of *Imagining the Nation: Nationalism, Sectarianism and Socio-Political Conflict in Iraq*.

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Summary

One decade after the fall of Saddam Hussein's regime, violence and tensions between Sunnis, Shias, and Kurds continue to threaten Iraq's stability and fragile democracy. The political elite have failed to develop an inclusive system of government, and internal divides have been reinforced by the repercussions of the Arab Spring, especially the effects of the largely Sunni uprising against the Syrian regime and the reinforcement of transnational sectarianism. To prevent further fragmentation or the emergence of a new authoritarian regime, Iraq needs a political compact based less on sectarian identities and more on individual citizens.

The Many Identities of Iraq

- The approach to nation building in Iraq has focused more on finding communal representatives than on overcoming communal divides.
- Sectarianism is entrenched in the rules and practices of the political process. The state apparatus is dominated by Shias, and institutions are fiefdoms of conflicting parties competing for power, resources, and status.
- Shia Prime Minister Nouri al-Maliki has consolidated power, which has alarmed his Shia rivals but has not led them to break sectarian ranks.
- Sunnis feel increasingly marginalized and are radicalizing, providing extremist groups with an ideal environment for mobilization and action.
- Tensions are increasing between those who want to consolidate power in a strong executive branch (led by Maliki) and those who want more decentralization (first and foremost the Kurds).
- Both Maliki and Sunni leaders remain focused on mobilizing their constituencies rather than bridging the gap between communities. Identity politics and sectarian differences take center stage, with the Sunni-Shia divide deepening.

Implications for Iraq's Future

Addressing Sunni feelings of alienation is crucial. To build legitimacy and stability, the Shia-dominated state needs to launch a serious reconciliation plan.

The flaws in the political system must be addressed. The current electoral system, which favors competition in large constituencies, could be replaced with one based on small districts. Also needed are significant amendments to the constitution, new laws for political parties and resource management, and decentralization of power based on geography rather than sectarian and ethnic identities.

The political transformation that Iraq needs is unlikely in the near term. Maliki's opponents have not articulated a clear vision for the future, and no powerful international broker is pushing for change. If Maliki stays in power after the April 2014 general election, the transformation will be especially slow, with sectarian divisions bound to deepen and authoritarianism based on rentierism and the politics of exclusion likely to become further entrenched.

Introduction

Rivalry between the Shia majority and the Sunni minority in Iraq has been at the center of political conflict in the state since then president Saddam Hussein fell in 2003.¹ Sectarian tensions have hindered state-building processes and destabilized the country. But the Iraqi government has not made a clear attempt to overcome these divides and build a common national identity. In fact, many actions taken to date have only served to further fragment the struggling state.

Historically, the Sunni-Shia divide was caused by disagreements on political, theological, and doctrinal issues, but its modern expression is driven by competition for power, resources, and status. Political relations have increasingly been dominated by the idea of communal representation as opposed to citizens' representation, which has exacerbated rather than eased existing divisions.

The institutionalization of sectarian identities has led to conflicts over the status, size, borders, and power of each community. These conflicts have had a destabilizing effect, especially when they have legitimized the actions of violent groups that claim to represent their communities. Iraq's significant dependence on oil as its main source of revenue has further exacerbated these conflicts because there is no clear formula for managing the resource.

Sectarian conflicts are accompanied by a type of systemic polarization caused by the rising authoritarianism of Prime Minister Nouri al-Maliki. The prime minister has managed to consolidate his power, marginalize the parliament and independent institutions, control the military and security apparatuses, subjugate the judiciary, and expand his political patronage at the expense of his rivals. While this has alarmed his Shia detractors, it has not led them to break sectarian ranks. Maliki still commands the largest Shia constituency and is expected to maintain that position after the election, although it is unclear how large his constituency will be.

Without question, Iraq remains divided. Sectarianism has become an instrument used by political entrepreneurs, with mutual suspicions and communal mobilization influencing the behavior of a political elite looking to create constituencies and rally popular support. This is particularly true during electoral seasons, when leaders adopt confrontational discourse to win over supporters. The division of political constituencies into the three major sectarian and ethnic communities—Shia, Sunni, and Kurdish—will characterize the upcoming parliamentary election on April 30 as well.

The Iraqi government has not made a clear attempt to overcome sectarian divides and build a common national identity.

More than eighty years after the creation of the modern Iraqi state, some sense of Iraqi nationalism has developed among the majority of the country's Arab population. But the mere idea of national community has not been sufficient to unite the country, which still lacks a truly national narrative that can bridge sectarian divides. Different segments of society have different historical memories and narratives about what Iraq is or should be. The leadership's failure to combine these strands into a single and inclusive national principle reinforces sectarian divisions and inter-communal boundaries.

Maliki still commands the largest Shia constituency and is expected to maintain that position after the election, although it is unclear how large his constituency will be.

To address the country's major divisions, Iraqis need to undertake a significant review of the rules governing the country's current political system. Emphasis must be shifted to citizens and away from communities. Real change will require significant amendments to the Iraqi constitution and electoral system as well as new laws on political parties and resource management. Power should become less elitist, more decentralized, and more reflective of people's needs.

But this transformation is unlikely to happen in the near future, especially if Maliki stays in power. The lack of a clear vision among his opponents and the absence of a powerful international broker will also hamper progress. If current trends continue, the more likely scenario is a continuation of sectarian divisions and the emergence of a new authoritarianism in Baghdad based on the politics of exclusion.

Deep Divisions

The Sunni-Shia divide in Iraq stems from multiple geopolitical, social, and cultural transformations.

The establishment of the Islamic Republic of Iran in 1979 introduced a new system of government based on Shia theology and altered the balance of power in the region, creating an ideological umbrella for disenfranchised Shia communities. This helped consolidate the Shia community in Iraq and its sense of a distinct identity.

Among Iraqi opposition groups, Shia Islamist organizations have grown stronger, more organized, and more ideologically equipped to mobilize social sectors. Political and social dynamics in the last four decades, such as the extremely oppressive and exclusivist nature of former president Saddam Hussein's regime and increasing religiosity, have weakened secular and liberal parties.

Iraq is now viewed as a society composed of ethnic and sectarian communities, which calls into question the very idea of "Iraqism." Under the U.S. occupation, which began in 2003, institutions were developed to administer

the transitional period between the regime of Saddam Hussein and the establishment of a new government. But attempts to form a state faced many challenges. A conflict emerged about which “group” would have the biggest share of power, which community would be dominant, and which national narrative would prevail.

For those who adhered to the idea of nationalism as the highest political value, the new nation-building process was unfavorably interpreted as aimed at fragmenting the country. For others, it was a return to the “original sin,” an attempt to “rebuild” the nation through a stronger base of legitimacy than by drawing lines on a map.

The new political system was a compromise between the idea that an Iraqi nation exists independently of its subcommunities and the idea that the Iraqi nation is nothing but the total of its subcommunities. The contradictory effects of these two currents influenced the constitutional process, political conflicts, and social dynamics.

The prevailing nation-building paradigm has portrayed Iraq as a multicultural society whose communities need to develop an inclusive system of governing. This runs contrary to the classical concept of nation building, which was dominated by a nationalist, integrationist, top-down approach that entails strengthening a hegemonic center and marginalizing local and communal identities.

Although the constitution did not explicitly stipulate that power would be distributed according to communities, the practices that have prevailed in Iraq have further validated sectarian identity as a political category. The approach has focused more on finding communal representatives than overcoming communal divides. The three main political positions in the country were split up among the three major communities, with the position of president reserved for the Kurds, the position of prime minister (the most powerful in Iraq) for the Shia, and the position of speaker of the parliament for the Sunnis. And the electoral systems, which are based on proportional representation and party lists, have enhanced political sectarianism.

The constitution was negotiated by the Shia United Iraqi Alliance and the Kurdish parties, with nominal Sunni representation. Shia Islamists and Kurdish ethnonationalists set the tone and portrayed Iraq as three separate and homogeneous communities. This tendency was encouraged by the fact that Saddam’s regime was dominated by Sunnis, and it oppressed and excluded Shias and Kurds, which nurtured the narratives of Shia and Kurdish victimhood and has led their parties to seek to consolidate power.

To address the country’s major divisions, Iraqis need to undertake a significant review of the rules governing the country’s current political system. Power should become less elitist, more decentralized, and more reflective of people’s needs.

Shia Consolidation of Power

The Shia community is not a monolithic force. Groups within the community compete with one another for power. Shia parties returning from exile, such as the Islamic Supreme Council of Iraq (ISCI, previously known as the Supreme Council for Islamic Revolution) and Dawa, had a limited support base in Iraq, which led them to use sectarianism and communal fears to create new constituencies. Their discourse emphasized majority rule, devictimization, and preventing the emergence of a new dictatorship.²

Shia mainstream political actors have been concerned with securing proportional representation in the leadership and within state institutions. But Nouri al-Maliki very successfully consolidated his power and the power of his supporters.

Maliki was selected as prime minister in 2006, and for two years, he seemed like a weak prime minister who headed a deeply divided government. In those years, violence was rampant and the Iraqi Security Forces (ISF) were unable to enforce the rule of law.

In 2008, Maliki led a military campaign against the Mahdi Army, a paramilitary force created by Shia cleric Moqtada al-Sadr, which at the time controlled Basra, Iraq's main port and oil-producing province. He managed to force Sadr to withdraw his militia and, as a result, appeared to be a strong leader, which most Iraqis desired. This coincided with the success of the U.S.-backed Awakening groups, which were provincial security-building coalitions formed in 2008 among tribesmen in Sunni areas, in defeating al-Qaeda in Anbar and several Sunni areas, consequently deescalating sectarian violence.

Investing in these gains, Maliki started repositioning himself as a "state builder" whose main concern was to establish the rule of law and restore the state's power. He adopted a more defiant and confident discourse, criticizing the ethnic and sectarian apportionment of power and, particularly, those who "opposed the government from within." In 2009, he formed the State of Law Coalition, distancing himself from the broader Shia community and managing to achieve a momentous victory in provincial elections.

The prime minister emphasized Shia dominance in state institutions and has changed the dynamics of Shia politics. In his second term, Maliki took advantage of deficits in power-sharing agreements. Using the powerful patronage available to him as chief executive, he pursued a policy of "divide and rule" in dealing with other parties. He filled vacant positions in the military and administration with his loyalists and augmented the powers of his office and of networks related to him personally, thereby creating a kind of "shadow state" within the government. He gave more influence to independent commissions such as the de-Baathification committee, the Communication and Media Commission, the Iraqi Media Network, the Central Bank of Iraq, and the

Commission of Integrity. He managed to greatly subjugate the federal court and forge an alliance with its chief that helped him encircle his opponents and weaken their ability to check his power through the parliament. The fact that Iraq is a rentier state and the Iraqi economy is largely dependent on oil revenue has also tended to empower the executive branch and those forces that seek to establish a more centralized state.

Maliki's ability to consolidate power sent warning signals to his Shia rivals and forced Ammar al-Hakim, the leader of the ISCI, and Sadr to overcome the traditional competition between their families and work together to face Maliki. Sadr has become a fierce critic of the prime minister and described Maliki's actions as "dictatorial." In 2012, Sadr expressed unusual defiance when he aligned with the Kurdish leader Massoud Barzani and Sunni forces to initiate a move to unseat Maliki through a vote of no confidence. However, even then, Sadr kept within the communal power-sharing framework by announcing that Kurds and Sunni Arabs accepted that the new prime minister should also come from the Shia alliance.³ Although the move to force Maliki out of power was aborted due to Iranian opposition and the reluctance of Iraqi President Jalal Talabani to support it, Sadr continued his criticism of the Shia prime minister and promised his followers that he would not support the prime minister's efforts to win a third term.⁴

Sadr withdrew from political life in early 2014. That seems to have served Maliki's efforts to stay in power by removing one of the prime minister's main rivals, but it is not yet clear how Sadr's followers will behave or if Sadr's decision is permanent.

After the 2013 provincial elections, the ISCI and Sadrists entered into coalitions with Sunni parties and formed new provincial governments in Baghdad and Basra; both are strategically important because having control of these two cities means having sway in the national political arena.⁵ Meanwhile, Maliki's new political alliances include some of the most radical Shia groups, such as Asaib Ahl al-Haq, which broke away from the Sadrist Movement, and the Badr Organization, which cleaved from the ISCI and became part of Maliki's State of Law Coalition.

The fact that Shia groups are rivals indicates that faction-based alignments could at some point in the future take precedence over sectarian groupings. However, these rivalries must not be mistaken for an indicator of the weakness of the sectarian division within Iraq. In fact, they are a result of the increasing confidence that Shia parties have gained on a national scale—their position of power in Iraq allows them to pay more attention to their factional interests. Shia forces have managed to balance the need to maintain communal unity with their intensifying intracommunal rivalry.

The increasingly sectarian and pro-Iranian attributes of Maliki's alliances are likely to constrain his ability to bridge the sectarian gap in the country.

Indeed, communal mobilization is still an effective instrument for maintaining control, used more frequently by Maliki's supporters in defense of his government's policies. But the increasingly sectarian and pro-Iranian attributes of Maliki's alliances are likely to constrain his ability to bridge the sectarian gap in the country.

Meanwhile, within the community, Maliki's insistence on staying in power might only deepen divisions between Shia groups and cause a radical change in the dynamics of Shia politics. One party to watch is the *marjiya*, the Shia religious authority, and its leader, Ali al-Sistani. The *marjiya* still possesses a significant spiritual power that can be turned into political action when necessary. It has been reluctant to intervene in political affairs in recent years, and Sistani has refused to meet any of the Iraqi political leaders. At the same time, his representatives have kept urging people to participate in elections and have continued to criticize the problems of the political process, such as rampant corruption, politicians' exaggerated benefits, and poor public services. The *marjiya* is still able to set the mainstream Shia discourse.

The *marjiya's* future political role will largely depend on the dynamics of Shia politics. Shia parties always try to exhibit loyalty to the *marjiya's* principles and guidance. At the same time, each group seeks to build special ties with Sistani's successor or have a role in selecting him. The conflict between pro-Iranian clerics and the *religious* traditional school, currently represented by Sistani, is mounting. It is widely believed that the Iranian authorities are promoting the former head of the Iranian judiciary, Mahmoud Hashemi al-Shahrudi, to become the new grand *marja*.⁶ The Dawa Party is thought to have backed him in an effort to please the Iranians.⁷

If the most sectarian trends dominate Shia politics, this is likely to further exacerbate sectarian tensions in the country, potentially driving already-radicalized Sunni communities to further extremes. The political system has consolidated subnational identities, creating a power structure that has reproduced sectarianism. Within such a system, increasing Sunnification has become a natural consequence.

Sunnis on the Defensive

Historically, the Sunni Arab community did not adhere to an explicit sectarian identity. Instead, Arab nationalism was the identity of choice in major Sunni provinces such as Mosul and Anbar. Arab nationalism was a perfect construct to conceal Sunni dominance in former regimes and affirm the "commonness" with the Shia majority.

Unlike Shias, Sunni Arabs did not have significant political groups outside of the Baath Party, so after Saddam, they lacked an effective leadership with a clear sense of direction and were predominantly defensive and rejectionist. Most

Sunni Arabs have tried to distance themselves from the former regime and have refused to label it Sunni. But they also distance themselves from the current state. Sunni Arabs have felt that the Shia-dominated government and the Shia militias that emerged during the period of civil war in 2006–2007 in response to al-Qaeda’s attacks against Shia civilians have targeted Sunni communities. Reflecting the deep alienation felt by Sunnis, during the 2005 constitutional referendum, every area populated by a Sunni majority voted against the new constitution.

A narrative of communal victimhood has come to dominate the Sunni perception of the new Iraq. This perception was deepened by discriminatory policies enacted by the government of Nouri al-Maliki, such as efforts to target Sunni leaders with accusations of terrorism and mass arrests of Sunni citizens, and the selective and biased application of de-Baathification measures, which were less strictly applied to Shia ex-Baathists who shifted their loyalty in favor of Maliki.

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The Iraqiya Experiment

In their initial engagement with the political process, Sunni Arabs were divided into two main trends. The first was an Islamist-sectarian trend, led by the Iraqi Islamist Party that founded Jabhat al-Tawafuq (the Concord Front), which dominated Sunni representation from 2006 to 2010. The second was a nationalist-secular trend, initially represented by the National Dialogue Front (NDF) and other formations of Arab nationalists and ex-Baathists.

In preparation for the 2010 general election, the NDF and other Sunni factions joined the Shia liberal Ayad Allawi to form a new nationalist, cross-sectarian coalition, al-Iraqiya. The new grouping competed with Maliki’s coalition and the Sadr-Hakim alliance.

For many Sunni Arabs, al-Iraqiya brought hope that their perceived marginalization would end and sectarian polarization would be weakened. The new coalition adopted a discourse that was nostalgic for the “nonsectarian past” and critical of de-Baathification and Iranian influence. Yet, the fact that the coalition was dominated by Sunni parties constrained its appeal among Shias.

In 2010, the coalition managed to win most of the Sunni votes and enough Shia votes to secure first place in the election, with 91 out of 325 seats. It also benefited from the fragmentation of Shia votes between the Maliki-led State of Law Coalition (which received 89 seats) and the Sadr-Hakim National Coalition (70 seats).

Al-Iraqiya’s victory did not translate into the real change that most Sunni Arabs had in mind. Maliki incited Shia fears that al-Iraqiya’s rise represented a return of the Baath and managed to gain Iranian support in the process, exerting strong pressure on Shia parties to accept a second term for him. A multi-party agreement in Erbil, the capital of Iraqi Kurdistan, led to the formation

of the new government, in which al-Iraqiya was compensated with important positions, such as minister of defense and the presidency of a proposed national security council.

But Maliki did not deliver on these promises. He rejected all candidates that al-Iraqiya nominated for the position of defense minister and, instead, assigned it to one of his Sunni allies, arguing that the position was for the Sunni “component” and not necessarily for al-Iraqiya. He also refused to compromise his powers in the proposed national security council, leading to its abandonment.⁸

In addition, Maliki did not make serious efforts to integrate the members of the Awakening groups. This has further deepened Sunni suspicions of his government and caused the loss of Sunni allies who played an important role in ending the civil war.⁹

Al-Iraqiya started to fragment after it failed to obtain the position of prime minister, which was the main aspiration of its leader Ayad Allawi. Maliki accelerated its fragmentation by using carrot-and-stick policies. He won over some of its dissenting wings, who turned into fierce critics of al-Iraqiya’s leadership. He also accused one of its leaders, Tariq al-Hashimi, who was a vice president, of being involved in plotting terrorist attacks. As a result, Hashimi fled the country and was sentenced to death in absentia.¹⁰ One year later, similar accusations were made against Rafi al-Issawi, the minister of finance and a leader in al-Iraqiya. This particular incident incited mass protests in Anbar, Issawi’s home province, leading to a one-year-long mobilization in most Sunni regions to protest against government policies.

Following the failure of the Sunni-backed al-Iraqiya coalition to change the policies of the Shia-led government, the Sunni community and Sunni politics began a process of increasing Sunnification. The Syrian uprising against the Alawite-dominated regime of President Bashar al-Assad inspired Sunni Arabs in Iraq, especially those who saw both the Syrian uprising and the Iraqi Sunni protests as part of one broader struggle against Iranian-backed regimes.

The two conflicts played significant roles in the “reinvention” of Sunni identity and its narrative of victimhood. Predominantly in Sunni areas of Iraq, sit-in camps were established, and protests became a weekly event that often followed Friday prayer, an imitation of the Arab Spring movements and a sign of the connection between communal identity and religious rituals.

But Sunni divisions prevented the protest movement from developing clear demands and forming a broad-based team to negotiate with the state. Islamists and clerics found in the demonstrations an opportunity to make a comeback to the political scene. Their discourse was defiant and uncompromising, which further marginalized the moderate figures.¹¹

The sectarian polarization has deepened al-Iraqiya’s crisis and has exacerbated its fragmentation. Most Sunni lawmakers have joined a new coalition, Mutahiddun (United), led by Osama al-Nujeifi, the speaker of parliament,

who aspires to become the communal leader of Sunni Arabs in Iraq. In the last provincial election, held in April–July 2013, this coalition came first in both Mosul and Anbar and second in Saladin. However, this victory was not bold enough to establish the coalition as the Sunni counterpart to the State of Law Coalition.

Sunni Insurgency and Increased Militarization

Outside of the political process, a more extremist Sunni insurgency has been brewing in Iraq. The U.S. occupation, Shia empowerment, measures to purge members of the former ruling Baath Party from the state apparatus, and the dissolution of Sunni-dominated military and security organs have all encouraged a radical rejectionist attitude, which legitimized and fed the Sunni insurgency. The insurgency was both communal and ideological; Salafi jihadists found a common cause with ex-Baathists and other Islamist and nationalist groups in fighting both the foreign occupation and the new authorities.

An al-Qaeda breakaway faction, the Islamic State of Iraq and the Levant (commonly known by the acronym ISIS), was formed in April 2013. The group tried to take advantage of the feelings of disfranchisement among Sunni Arabs and the increasing Salafization of Sunni identity. It has presented itself as a transnational movement that does not recognize national borders and seeks to establish an Islamist Sunni state.

Helped by the instability and distrust common among the Sunni population and the ISF, ISIS initially became very active in Mosul and western Iraq, and from there moved to occupy areas of eastern Syria. As its influence in Syria increased, its operations in Iraq grew in quantity and quality. The number of car bombs and improvised explosive devices detonated in Baghdad and other cities has reached unprecedented levels since 2008. As a result of ISIS's activities, other groups such as Jaysh Rijal al-Tariqa al-Naqshbandia, comprised of ex-Baathists, were reenergized.

Tensions between the state and these radical factions have only been escalating. In April 2013, the ISF raided a protest camp in the city of al-Hawija, leading to clashes in which more than 30 people were killed and hundreds were injured. Leaked videos of the dead bodies of protesters and Iraqi soldiers insulting them have only exacerbated Sunni rage. Some Sunni insurgents responded by attacking Iraqi army and government institutions and calling for armed rebellion.¹²

Following the killing of the commander of the Seventh Division of the Iraqi Army, General Mohammed al-Karawi, in December 2013, Maliki initiated a military campaign against ISIS in Anbar called "Revenge of Commander Mohammed." The campaign soon shifted its attention to the squares in Anbar in which protests were taking place, which Maliki considered "dens for terrorists."¹³ The prime minister proved incapable of separating the war against

terrorists from his political calculations, and the list of targets in his crackdown was expanded. On December 31, the ISF started to dismantle the sit-in camps while a special unit raided the house of a Sunni lawmaker known for his inflammatory speeches, Ahmed al-Alwani, and arrested him and killed his brother.¹⁴

As a result of these events, many tribal leaders in Anbar declared their opposition to the Iraqi army's "invasion" of the city and called for resistance. New groupings were formed, including military revolutionary councils, to fight the ISF.¹⁵ ISIS militants took control of several towns in the province, including Ramadi and Falluja, but they were forced to leave some of these areas by the Awakening groups, led by Ahmed Abu Risha, who realigned with the government to face the common enemy.¹⁶

As violence and political polarization escalates, it has become clear that Maliki and his Sunni rivals are focused on mobilizing their communal constituencies rather than bridging the gap between Sunni Arabs and Shias. Identity politics and sectarian differences take center stage, with the divide between Shia and Sunni constituencies deepening. In this context, nonsectarian groups have very limited opportunities to cultivate support.

The Tension Between Centralization and Federalism

Today, the Iraqi political system is unstable. And recent developments indicate that the system might be closer to the brink of collapse than many observers imagine. The rivalry over who controls the state or the largest share of it has continued and escalated because of competition within the central government and between the central government and regional and provincial authorities. The parties to this conflict resort to mobilizing support through ethnic

or sectarian narratives and institutions, and this generates further social fragmentation. Meanwhile, tensions are increasing between those who want to consolidate power in the hands of a central executive branch and those who want to further decentralize power.

Political conflict in Iraq is increasingly shaped by competition between centripetal and centrifugal forces, and it is largely related to the management of oil revenues, which represent 93 percent of the public budget and nearly 65 percent of gross domestic product.¹⁷ The centripetal forces, today led by Maliki, seek to concentrate resource management in the hands of the government and oppose granting regions and provinces more say in this management. This attitude also has a security dimension.

Maliki has justified his consolidation and centralization of power as necessary to rebuild the state and make the government more effective. But political conflict has influenced perceptions and reproduced sectarian polarization

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through a political process that largely depends on communal mobilization. Many Shias who were convinced there was a Sunni desire to “retake” power tolerated Maliki’s efforts. His attempts to portray himself as a strong and determined leader appealed to those who wanted a government that would restore stability and would not compromise with “Sunni insurgents.” Many Sunni Arabs, meanwhile, felt that Maliki’s authoritarianism was linked to his sectarian tendencies and would only result in more Sunni marginalization.

The prime minister’s actions indicate that he confuses state power with his own personal power, the augmentation of which is actually weakening the institutions that were formed to prevent the emergence of a new authoritarian regime and to secure more inclusive politics. This trend has occasionally encouraged new counteralignments that are defined not by ethnic and sectarian motives but by political goals. Maliki’s Shia, Sunni, and Kurdish rivals passed a law limiting the prime minister to two terms, but he managed to strike down this law by appealing to the federal court, which decided it was unconstitutional.¹⁸ Another challenge to his authority was the amendment on the powers of provincial governments, which granted the provinces more powers in managing their resources independently from the federal government.¹⁹

Despite the initial Sunni rejection of the constitution, Sunni politicians seem to have discovered that the document includes some important guarantees that can help in the fight against abuses of power. For example, in October 2011 the Saladin provincial council declared itself to be a region,²⁰ which is legal under the constitution, whose Article 115 stipulates that every province has the right to organize a referendum should two-thirds of its provincial council’s members decide to request the status of region. Maliki did not accept the declaration, in violation of the constitution, and opted instead to meet with provincial officials privately.

The constitution defines Iraq as a federal state, but no consensus exists about the nature and scope of this federalism. Upon its return from exile, the ISCI demanded the foundation of a Shia region in the south, while Sunni groups were suspicious of federalism, which they considered an attempt to divide the country. After 2008, Maliki became the main defendant of the central authority and an opponent of the “excessive” decentralization that “leads to division.”²¹

The broad autonomy of the Kurdistan Region Government (KRG), which exceeds most existing models of federalism, seemed to back Maliki’s argument. As the KRG fully controls its internal security, there is a concern that copying the same model in other areas will turn Iraq into a state with multiple armies, leading to a de facto partition. Maliki and most Shia groups are not ready to shift security responsibilities to Sunni regions that might be controlled by anti-Shia factions.

The constitution defines Iraq as a federal state, but no consensus exists about the nature and scope of this federalism.

But the example of the KRG carries weight for Sunnis. Indeed, it made many Sunni leaders change their previous attitude and embrace federalism as a solution.

The KRG is the main advocate for centrifugal forces in Iraq. Its leader, Massoud Barzani, has criticized “dictatorial tendencies” in Baghdad. Some Kurds wanted very little to do with Baghdad’s deep troubles, and the fact that the Kurds were able to wall themselves off to a degree because of their autonomy lessened Kurdish resistance to Maliki’s consolidation of power. The Kurds tolerated his power as long as it did not threaten their interests. The Kurds have never articulated a vision for a national Iraqi identity. They have never presented a clear vision of the type of Iraq they wanted to be part of, as opposed to the type of Iraq that Kurdish officials have repeatedly warned against.

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Tensions between the federal government and the KRG over the control of disputed areas and oil production and exportation have occasionally reinforced Iraqi Arab nationalism, which has expressed itself through an attachment to a strong center. In fact, Maliki has tried to make inroads into Sunni constituencies by posturing as an Iraqi nationalist facing Kurdish encroachment in the disputed areas. However, deepening sectarianization in Iraq and the region

has prevented these attempts from bringing about a significant change in political alignments. Few Sunni leaders are prepared to ally with Maliki, as they fear that such a position will cost them public support in their constituencies.

The Kurds have managed to resist succumbing to sectarian polarization. Although most Kurds are Sunni, they identify with the Kurdish cause, not a religious identity. In addition, the fact that Kurds have clashed with Sunni Arabs in Kirkuk and other mixed areas has made a Kurdish–Sunni Arab alliance less feasible.

Indeed, it is Sunni Arabs who are going through a deeper identity crisis and have to develop their own mainstream, consistent vision of their place in Iraq. While most Sunni Arabs have historically adhered to the centralist state, this perspective has changed due to the radical shift in the power structure of post-Saddam Iraq. Having gone in only a few years from ruling the country to feeling marginalized and victimized, Sunni Arabs have become more open to new possibilities that shy away from the centralist tradition. Hence, there is an increasing eagerness on the part of some Islamists, local chieftains, and provincial officials to form Sunni regions.

While more autonomy from the center has become desirable today, there is a difference between a single Sunni region and multiple regions in a predominantly Sunni area. The former might emphasize the Sunni-Shia split and greatly empower centrifugal forces. The latter could create a decentralized Arab Iraq in which sectarian identities are not the only major force—especially if the

creation of Sunni regions is accompanied by a similar process on the Shia side, where provinces are now demanding more autonomy and complaining about the federal government's centralizing policies.

However, most Shia and Sunni forces have not yet elaborated consistent positions regarding relations between the center and the regions or between the center and the provinces. Current demands by some Sunni sectors for regional autonomy are driven by their complaints about Maliki's policies and might lose momentum if a new prime minister comes to power.

Maliki currently supports some Sunni figures in Anbar and Mosul as part of antiterrorism operations, but his opponents think that these tactics are politically motivated and aimed at buying off tribal chieftains, a policy that recalls the tribal patronage network created by Saddam's regime.²² This does not come as a surprise in a country such as Iraq that has a long legacy of patronage politics and nepotism. The problem is that this kind of politics has recently become widespread and is likely to weaken institutions and constitutionality even further. As the chief executive, Maliki seems to have a bigger advantage in achieving political ends through informal patronage. If this continues, it will entrench the shadow state he has established, which will be a further step away from democracy and inclusivity.

Then there is the question of oil revenues and related policies. The concentration of this wealth in the hands of a few could create a more central and powerful state that can undisputedly control the territory and create its cultural hegemony. This direction might be favored by many who think that Iraq's national community cannot exist without a strong state that has an efficient center. However, it risks reinforcing the authoritarian state and its exclusionary policies. A state that rules through great dependence on coercive means and less on consensual policies is likely to produce more discrimination and exclusion.

Distributing oil revenues among political elites that claim to be "communal" representatives would perpetuate a consociationalist system of ethnosectarian power sharing. While it might be considered useful to appease communal fears, it is reductive in the sense that it regards "fears" as "communal" only and disregards heterogeneity inside these "communities." It could also perpetuate communal fears through constant conflict about shares and resources.

The Question of National Identity

The Sunni and Shia communities were not mutually exclusive or irreconcilable by default, nor were they as homogeneous as they might have seemed. But over time, intercommunal boundaries have solidified and communal narratives have been bolstered at the expense of national identity. All the while, the government has not made a clear effort to construct a national narrative or build an Iraqi identity that could help bring together a fragmented state.

Many Shias before 2003 accepted the simple idea that Saddam's rule was Sunni, disregarding the fact that all of the reasons his state was led by Sunnis were not necessarily sectarian. Similarly, many Sunnis after 2003 accepted that Iraq had become a state dominated by Shias. And defining the "other" in sectarian terms led to defining the "self" the same way.

The oppression and discriminatory policies of Saddam's regime resulted in the construction of a Shia narrative of victimhood. The policies of Maliki's government and its security forces have played a similar role in constructing a Sunni narrative of victimhood.

Many Sunni Arabs feel that there is systematic discrimination against them. Radical groups embrace—and often exaggerate—such feelings as tools for mobilization. Many Sunnis tolerated the violence of ISIS and other radical groups in the belief that it was a way to counterbalance the heavy-handedness

of the ISF. This, in turn, instigated a feeling among Shias that the Sunni population was providing a safe haven for terrorists to attack Shia civilians, and many Shias therefore tolerated the ISF's abuses in these areas.

Violence and counterviolence only reinforce this vicious circle. Indeed, the violence that broke out after the 2003 war in Iraq and escalated in 2006–2007, leading the country into civil war, has made the state even more frag-

mented. It hardened sectarian boundaries, imposed the will of militants over their communities, deepened mutual feelings of victimhood, and strengthened the separation between the two communities in previously mixed areas. The process of sectarianization has been further accelerated because violence has pushed out moderate voices. Violence has brought about new communal narratives in which the enemy is the "sectarian other," and the "heroes" are those who defended the community and defeated the "enemy." While such social and cultural polarization can be contained if intercommunal communication is enhanced and a legitimate national government is established, it is equally susceptible to becoming part of historical memories that shape collective identities.

Today, the government continues to rely on divisive approaches rather than seeking to build bridges between communities. The ISF concentrates its "antiterrorism" operations in Sunni areas, and many reports confirm that the force resorts to suppressive and arbitrary measures such as random arrests and abusive and humiliating treatment of prisoners.²³ One of the most repeated demands by Sunni protesters last year was the release of prisoners, especially women, whose mistreatment is perceived as a collective insult to communities that have a strong tribal culture, such as Anbar's. Although the government responded to some of these complaints and released hundreds of women and men who were under arrest,²⁴ these measures were not part of a more comprehensive plan for reconciliation. In fact, the Iraqi government has recently increased the number of executions of those convicted of terrorism, most of

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whom are Sunni.²⁵ According to one Shia former lawmaker, these executions have become an electoral tactic used by some parties to win Shia votes. Some of those executed were former insurgents who fought against al-Qaeda.²⁶

In a country that has undergone a civil war, universal amnesty for ex-combatants is usually an important step toward reconciliation. However, after years of negotiation, the political elite have failed to agree on such legislation. In addition, there is clear evidence of rampant corruption and systematic torture by law-enforcement bodies. In some cases, people have been imprisoned or even executed without a fair trial; most of these people were Sunni.²⁷

Another factor that has reinforced the sectarian bias within the ISF is the dominant background of the force's personnel. Maliki was not inclined to integrate ex-Sunni combatants who joined the Awakening groups into security structures, and sometimes he did so only because of U.S. pressure. In the last few years, Shia dominance among the ranks and officers of the ISF has become more obvious. Although there are Sunni commanders, officers, and soldiers, the conduct of some members of the ISF is characterized by sectarian bias. Some servicemen participate publicly in Shia ceremonies and rituals while in uniform or while carrying Shia emblems and signs on their vehicles in Sunni-majority areas, which can be seen as a provocation. Some Sunni sectors have been antagonized by abuses attributed to a special antiterrorism unit that is directly accountable to the prime minister. Most Sunni Arabs view the Iraqi army as a Shia army, hence their demands to transfer security powers in Sunni areas to local police, which the Iraqi government does not trust.²⁸ Security officials believe that insurgent groups have heavily infiltrated the local police in Sunni areas.

Shia traits are increasingly present in other state institutions, including official media such as the al-Iraqiya television channel, which is accused of being a tool controlled by the government and of failing to represent an inclusive Iraqi identity.²⁹ The media landscape in general is polarized along sectarian lines. Due to their expanding financial resources, most major political parties have opened satellite television channels, which represent the most popular media outlet in Iraq. These channels often spread messages that reflect the sectarian bias of their funders. Sectarian prejudices and stereotypes have also been reproduced through non-Iraqi media, especially the so-called pan-Arab channels, which are mostly funded or sponsored by Middle Eastern governments or influential political elites. Some religious outlets have presented explicit sectarian messages and become tools that radical sectarian groups use to mobilize followers. Social networks such as Facebook, Twitter, and YouTube have become important instruments for sectarian extremists to communicate messages that cannot find a place in the mainstream media.

The sectarian gap has been widened by an excessive use of identity politics and a lack of considerable intercommunal communication. Few civil initiatives have expressed the kind of cross-sectarian solidarity that could weaken reciprocal suspicions. The most recent example was the warm welcome that Shia

inhabitants of Karbala gave to Sunni refugees who had fled Anbar as a result of the fighting in which the ISF was pitted against ISIS and other Sunni rebels. However, these initiatives have been occasional and not effective enough to create a social consensus that prevents abuses and violent acts carried out by militants or security forces. Neglect of the other's suffering is still hindering such consensus.

External rivalries and heightened sectarianism across the Middle East have also influenced Shia-Sunni relations in Iraq. With sectarian bonds reinforced across national boundaries, it has become even more difficult to build a unifying Iraqi identity. Iran has become the key regional player in Iraqi politics, given its complex connections with Shia Islamist forces and the backing of the Shia-dominated government.

The Syrian conflict has also deepened sectarian tensions in Iraq and bolstered transnational sectarian solidarity. Many Iraqi militants, Sunni and Shia alike, joined the ranks of militias fighting in Syria for or against the regime of Bashar al-Assad. Some Iraqi Salafist jihadists who previously fought in Iraq

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moved to Syria. ISIS managed to gain control of parts of Syria, such as the city of al-Raqqqa, and has declared that its goal is to establish an Islamic state in Iraq and the Levant.³⁰

Shia militants formed their own jihadist version, Kata'ib Abu Fadl al-Abbas, which joined other pro-Assad paramilitary groups that included Syrian, Lebanese, and Iranian combatants. These militants argue they have to defend the shrine of Sayyida Zainab in Damascus, which is a holy

place for Shias, and at least one Iraqi Shia group, Asaib Ahl al-Haq, has publicly celebrated its role of defending the shrine. Public funerals for "martyrs" in the Syrian conflict have been organized in some Shia neighborhoods.³¹

Transnational communal solidarities are increasingly threatening the notion of national identity, while regional regimes appear ready to use such solidarities as internal and external instruments, regardless of their fragmenting effects.

Conclusions and Policy Recommendations

In Iraq, the continuity of the the Sunni-Shia divide is a result of the failure to undertake successful nation-building processes and the exclusionary politics that have characterized the country's modern history. A highly contentious environment, weak state institutions, the effects of political Islam, and geopolitical rivalries have heightened sectarianism in Iraq in the last decade. Increasing terrorist attacks against Shia civilians and the ISF's operations in Sunni areas have exacerbated the risk of an outright sectarian conflict reminiscent of the 2006–2007 civil war.

The tensions in Iraq have evolved over time. Initially, following the U.S. occupation of the country, Iraq's civil war was an attempt by a range of actors to claim control over the state and shape its identity. With state power consolidated in the hands of Shia parties, Sunnis feel increasingly marginalized and are becoming radicalized. To date, many state actions have reinforced this feeling rather than following a more unifying approach.

Addressing Sunni feelings of alienation is crucial to achieving more legitimacy for the regime and stability for the country. Iraq needs to undertake credible steps to build confidence and reassure its various communities of their place in the state through a serious reconciliation plan. Partial or selective remedies, especially those aimed at achieving short-term interests, will not achieve this reconciliation. Maliki's increasing authoritarianism, accompanied by his electoral tactics of playing off sectarian sentiments, do not provide a good basis for genuine reconciliation, which requires building institutions that protect citizens' rights and a level of power distribution that prevents further centralization and personification of politics.

The Iraqi government must also draw a clear line between its antiterrorism operations and political calculations. The government should realize that winning the war against al-Qaeda and radical Sunni groups requires a genuine effort to isolate these groups and delegitimize their claim of representing the Sunni community. Currently, the state's efforts are only reinforcing the appeal of these groups by targeting Sunnis too broadly.

In the long term, the Iraqi leadership has to undertake serious efforts to bridge the gap between its Shia majority and large Sunni minority. The political emphasis must be placed on Iraqi citizens rather than sectarian communities. One way to do that is by replacing the current electoral system, which favors competition in large constituencies, with one based on small districts. This will help underline local concerns and could produce more genuine representatives who can be held accountable by their direct constituencies, rather than representatives chosen by political leaders to represent the interests of large sectarian parties.

The state in Iraq preceded the nation, and it was the main embodiment of the Iraqi political community. If a single sectarian identity becomes dominant and visible within public institutions, it will be more difficult to revive some kind of state nationalism to justify the continuation of Iraq as one country.

The results of the upcoming general election will be crucial in determining the path that Iraq will take: divisive authoritarianism or an inclusive compact that appeases sectarian fears. The legacy of Maliki's eight years makes it difficult to achieve the objective of building national consensus and reforming

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the political system if he stays in power. While Maliki must not be blamed for everything that has gone wrong in Iraq, his departure and the way it will be managed is the main challenge facing Iraq's fragile "democracy."

Maliki is doing his best to ensure that he stays in power after the general election on April 30, and many of his rivals think that his efforts to maintain the status quo are supported by both the United States and Iran. Despite their disagreements, both Washington and Tehran adhere to the idea that Iraq is a country of three ethno-sectarian groups, a notion that will keep legitimizing Maliki's leadership as long as he claims the representation of the Shia majority. The prism of an "Iraq of communities" provides elites with instruments of communal mobilization that set these "communities" against one another, with few incentives to create a national constituency.

Maliki's rivals usually neglect the fact that the increasing authoritarianism of the prime minister is also a result of their failure to formulate an appealing alternative vision. They might come together to prevent Maliki from securing a third term in office, but they too struggle with democracy and are far from providing any strategic plan for the future. If they forge another agreement to distribute positions and resources among parties associated with prominent family names (Barzani, Sadr, Hakim, Nujeifi, and the like), these forces will only re-create the conditions that led to the current situation. Maliki and his coalition have to be part of the solution and to be convinced that this solution will take their concerns into consideration as much as those of other groups. If they are not, Maliki and his supporters are likely to attempt to maintain the control of the system that they have thus far built up.

International efforts, especially those of United Nations secretary general's representative and U.S.-Iranian cooperation, are crucial to securing a consensus that will lead to a new compact. Experience has shown that Iraqi elites do not favor long-term institutional arrangements and are more comfortable with personal politics, patronage, and nepotism. But in a society where kinship and traditional loyalties play a dominant role in shaping attitudes, this conduct will only enforce new hierarchies and exclusionary politics. International assistance can help prevent this tendency by supporting an institutionalized framework that addresses power sharing in the country, without reinforcing the formula of ethno-sectarian apportionment. International efforts can push for a political road map for Iraq's future that outlines systematic changes.

Any new compact should not only be driven by the desire of Maliki's rivals to put a new face on a deeply corrupt and inefficient regime. It has to be the beginning of a new vision for the country, its identity, and future path.

Notes

- 1 The term “Sunni” is used to refer to the Sunni Arabic-speaking population of Iraq. The term “Sunni Arabs” is used in contexts that require distinguishing that population from non-Arab Sunnis. There are no official statistics that determine the demographic weight of each community, but most credible sources estimate that Shias represent around 55–60 percent of the population and Sunni Arabs 20 percent.
- 2 An early example of this discourse is the speech of the ISCI’s former leader, Mohammed Baqir al-Hakim, after his return from exile in 2003: www.youtube.com/watch?v=qjWFNPUSEAo.
- 3 Mustafa Habib, “Interview With the Secretary General of Al-Ahrar Block, Dhia Al-Asadi,” June 2012.
- 4 The Special Office of Al-Shaheed Al-Sadr, “Leader Moqtada Al-Sadr comments on Maliki’s Effort to Obtain a Third Term.” For more details on Sadr’s criticism of Maliki see Harith Hasan, “New Shi’a Politics and the Maliki-Sadr Competition,” MENASource, Atlantic Council, November 17, 2013.
- 5 Hamza Mustafa, “Sadr and Hakim Break the Shi’a Monopoly of Baghdad’s Authority,” *Asharq Al-Awsat*, June 16, 2013; Mustafa Al-Kadhimi, “Political Alliances Shift in Baghdad,” *Al-Monitor*, June 17, 2013.
- 6 Interview with Ayad Jamal Addin (a Shia politician and religious cleric), Washington, DC, February 22, 2014.
- 7 Oday Hatem, “Conflict on Sistani’s Succession Threatens Strife Inside the Hawza,” Erem News, February 8, 2014.
- 8 International Crisis Group, *Iraq’s Secular Opposition: The Rise and Decline of Al-Iraqiya*, Middle East Report no. 127, July 31, 2012.
- 9 Anthony Cordesman, Sam Khazai, and Daniel Dewit, “Shaping Iraq’s Security Forces,” Center for Strategic and International Studies, December 16, 2013.
- 10 “Iraq Vice-President Sentenced to Death Amid Deadly Wave of Insurgent Attacks,” *Guardian*, September 9, 2012.
- 11 In this video, a cleric in Falluja criticizes the failure of Sunni politicians to represent the Sunni community, in which he details communal grievances and politicians’ failures to address them: www.youtube.com/watch?v=79UZdWHQp_M.
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- 13 Prime Minister Nouri al-Maliki, "The Weekly Speech," December 25, 2013.
- 14 "Seven Killed as Iraqi Troops Arrest Sunni Lawmaker," *Wall Street Journal*, December 28, 2013.
- 15 Statement of the military council of Anbar's tribes, read by Sheikh Ali Al-Hatem: www.youtube.com/watch?v=JAOmCSesJPI.
- 16 Institute for Study of War, "Showdown in Anbar," Iraq Update no. 1, January 2014.
- 17 United Nations Development Program statistics: www.undp.org/content/iraq/en/home/countryinfo.
- 18 "Federal Court Annuls Law Limiting Prime Minister's Terms," *Assabah*, August 27, 2013.
- 19 Mushriq Abbas, "Iraqi Provincial Law Renews Debate Over Centralization," *Al-Monitor*, July 8, 2013.
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- 21 "Maliki Warns of Dividing Iraq and Turning It Into Scattered Shreds," Alsumariya News, January 12, 2009.
- 22 Several interviews conducted on Skype with Sunni citizens, March–November 2013; "Maliki Reveals the Causes Behind Arming Tribes in Mosul," Asia News, January 14, 2014.
- 23 Prashant Rao, "Iraq Forces Under Fire Over Abuse as Unrest Surges," Agence France-Presse, December 29, 2013.
- 24 "Releasing 3000 Prisoners in Iraq," *Al-Arab Alyawm*, February 2, 2013.
- 25 Prashant Rao, "Increase in Iraq Executions Draws International Ire," Agence France-Presse, December 31, 2013.
- 26 Interview with a former lawmaker from the State of Law Coalition.
- 27 Human Rights Watch, "Iraq: A Broken Justice System," January 31, 2013; Human Rights Watch, "Iraq: Security Forces Abusing Women in Detention," February 6, 2014.

Because of bloody attacks against Shia civilians by Sunni extremists, many Shias supported harsh punishments for "terrorists" as a deterrent. In few cases, civilians conducted punishments by themselves against suspects. On September 2013, Shia electronic media celebrated a video showing angry civilians setting fire to the body of a "terrorist" who was about to detonate a bomb in a crowded neighborhood in Baghdad. On January 2014, videos showing the murder of five Iraqi unarmed soldiers, all Shia, in a tribal area in Anbar incited a furious reaction and calls for revenge against tribes inhabiting this area. General Abul Amir Al-Zaidi, chief of Tigris Operations Forces, argued that wanted men should be killed not arrested, and pledged publicly that he would "kill any terrorist ... not deliver him to justice ... [and] show him no mercy." Giving the green light to conduct on-site executions will further weaken the justice system and the rule of law and enhance the image of the ISF as a paramilitary Shia group. Random revenge usually leads to an unstoppable circle of violence and spreads mistrust and suspicion among the public, which creates a psychological environment that generates the dominance of sectarian militias. For more details, see "Angry Citizens Set on Fire the Body of Suicidal Terrorist," Bratha News, September 12, 2013; "Tribes of the Assassinated Five Soldiers Demand to Be 'Allowed to Fight Terrorists in Anbar,'" *Kul Al-Akhhbar*, January 2014; Abdel Sadah, "Iraqi Orders Are to Kill, Not Capture, Terrorists," *Al-Monitor*, February 4, 2014.

- 28 Several interviews conducted on Skype with Sunni citizens, March–November 2013.
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- 30 Harith Hasan, “ISIS Foreign Fighters Spur Backlash in Iraq, Syria,” *Al-Monitor*, January 9, 2014.
- 31 “Abu Fadhl Al-Abbas Brigade, Iraqi Militia Fight in Syria to Prevent the Fall of Al-Mahdi’s Banner,” *Al-Sharq*, May 4, 2013. On AAH’s Facebook page titled Al-Sadiquun, there are photos of the group’s militants who were killed in Syria: www.facebook.com/pages/%D8%A7%D9%84%D8%B5%D8%A7%D8%AF%D9%82%D9%88%D9%86/337762589700022?fref=ts.

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