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STATE-BUILDING AND ETHNIC PLURALISM IN IRAQ AFTER 2003

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Abstract. The research article deals with the process of building or rebuilding the state in Iraq after 2003 in its various dimensions, in light of the vision and foundational procedures that were developed and supervised by the United States in cooperation with the new leaders of Iraq based on the mechanism of sectarian-ethnic representation, and diagnosing the imbalances that arose out of that vision and the accompanying procedures, which led to the emergence of new variables in the political process, especially in the post-ISIS* phase, which produced important challenges to the political system and the Iraqi state.

The political dynamics and balances emerging after ISIS* represented at the same time opportunities and risks in the process of building the Iraqi state, as opportunities arose to transcend the identity policies adopted by the political system, and address the failures of the political process, and thus strengthen the path of state building, but the risks of those transformations seeking reform may push towards more state fragility, given the weakness of the political administration of the system in the face of the complexities of the political environment and its effects that were rooted in the political system.

Keywords: state-building, ethnic pluralism, Iraq after 2003, political system, identity politics

Introduction

The process of state-building in Iraq after 2003 is one of the most complex experiments in practical and theoretical terms. In fact, it is a process that was primarily a reconstruction of a troubled political legacy, in other words, democracy appeared before basic state institutions were built or rebuilt. First, democracy was not accompanied with or based on a comprehensive political system that helps state-building, but rather it was based on partisan divisions, meaning that social pluralism was not represented in a fundamental way and was merely used in the context of political employment. Second, democratization was a process that resulted from the conflict and external intervention. Third, it also requires, in theory, a perspective that combines all these dimensions, which is lacking in the literature on state building.

Therefore, this research focuses on state-building by examining political dynamics that results from the conflict settlement within the context of sectarian-ethnic balance, and the developments that took place later to reformulate that settlement from a more comprehensive perspective, after the political process reached a dangerous crossroads.

The analytical framework and historical paths

[1] Tilly 1975: 70.

State-building. The term *state-building* is generally used to describe the emergence of the modern state in Europe, which involved the emergence of a specialized bureaucratic cadre, and the control of unified territories by a central authority that held a monopoly on legitimate violence[1].

However, the concept of state-building has developed in recent years to include an approach indicating how to strengthen the rule of weak states, improve their democratic legitimacy, and strengthen their institutions so that they are self-sufficient, especially in the post-conflict or international intervention phase[2]. In this context, we will address the relevant models.

[2] Fukuyama 2007: 174.

Francis Fukuyama's model focuses on the institutional aspect, of state-building. Fukuyama has identified three phases for state-building within the framework of what is known as post-armed conflict reconstruction, and it applies to countries where state power has collapsed, and it needs to be rebuilt from scratch, which are referred to as failed or fragile states due to a war or imperial disintegration. According to this model, the first phase focuses on the time period after the collapse of state power, which entails providing stability — imposing order — through the deployment of security forces, in addition to providing necessary humanitarian and technical assistance to repair public facilities, and delivery of some basic services such as water and electricity, which may be performed by foreign players or with their assistance, often directly or indirectly, as it happened in the current cases. The main objective of the second phase is to establish governmental institutions that are capable of survival and self-sufficiency, which is a more difficult and important development, given that there are foreign powers that intend to leave the country in the future with honor from the concerned state. Here, the second stage overlaps with the third stage, at which it is necessary to strengthen the power of the state, which is still unable to carry out all its functions and suffers from problems in providing services with low control[3].

[3] Ibid.: 176—178.

In the second stage of state-building Robert Dahl's perspective on democracy is relevant. Dahl's definition has dominated discussions of democracy since the publication of his book "Polyarchy" in 1971. Dahl set out four criteria that must be met before a political system can be called democratic: free and fair elections; full adult suffrage; protection of human rights; and the absence of unelected authorities that could restrict the power of representatives elected by the people. Critics of America's efforts to promote democracy abroad have claimed that the application of this minimalist "Polyarchic Model" is a deliberative attempt to create a "low-density democracy" that demobilizes the target population and creates elite consensus to support de facto economic inequality[4].

[4] Dodge 2013: 243.

Context of the emergence of the nation-state and colonial strategies. Historians and political researchers have identified a number of general paths for the emergence and development of the nation-state that traditionally appeared in Western and Eastern Europe and took a form recognized in the Treaty of Westphalia in 1648. This process took two different paths in Europe. The first path goes from the state to the nation "Statehood", and the second path goes from the nation to the state "Nationhood", which could be explained by the difference in the historical experiences. In the first model, a group of constructors (lawyers, officers, diplomats) who worked in the king's administration undertook the task of establishing the state bureaucracy — the state apparatus — and this applies to the historical experience in Eastern and Central Europe at that time[5].The second model can be illustrated by the cases of Germany and Italy, where the intellectual and philosophical aspect has advanced in building a prospective awareness of the nation-state, which writers, historians and scholars have contributed to, and have laid a basis for the diplomatic and military unification of the state at a later stage[6].

In the post-World War II phase, the third generation of states emerged as a result of the process of decolonization in Asia and Africa, where the new states were established within the geographical boundaries set by the colonial countries. Those countries gained their independence before they went through the process of establishing the state and their national identity, which produced mostly artificial states[7].

Iraq belongs to this generation of states as a whole, although it obtained its official independence earlier. Similarly to the rest of the colonial countries, especially the colonies of the British Empire, it witnessed a pattern of colonial rule that was based on building colonial states. The process is based on the control that is achieved by establishing an aristocratic-feudal elite as the easiest way to build a relatively stable political rule in traditional societies. This requires building a network of loyal local leaders via granting them feudal privileges and rights in exchange for preserving the system and the emerging state[8].

State-building in Iraq after 2003 — the pre-ISIS* phase

The repercussions of the American occupation, and the bad legacy of the successive republican regimes, led to the collapse and undermining of what remained from the pillars of the previous state in an effort to rebuild the state on the basis of the representative doctrines. It was an experiment, during which some goals were accomplished, while others were not. We will address some of the aspects of this experience during the pre-ISIS* phase.

Stage Background. The Sectarian-ethnic divisions in the establishment of the Iraqi state in 1920, which were politically latent during the monarchy, began to emerge and reach the increasing level in the subsequent decades of the republican era, especially during the period of the totalitarian rule in 1968—2003, which led to the fall of the power structure, but the disastrous British "playbook" of 1920 was almost accurately repeated by the United States in 2003[9]. It was these distinctions that formed the basis

[5] Griffish and Callaghan 2008: 217.

[6] Ibidem.

[7] Ibidem.

[8] Banerjee and Iyer 2005: 1195.

[9] Anderson 2014.

of the modern Iraqi state. After 2003 they were thought to produce a model of "elite inclusiveness" based on the mechanism of sectarian-ethnic representation and to legitimize the new political administration of the state, but that inclusiveness was largely limited to the new leadership of the state. This gradually led to the state institutions becoming an exclusive investment for that elite based on ethnic polarization, instead of reproducing institutional structures on the basis of inclusion, integration and equal opportunities, accompanied by the repercussions of occupation, chaos and insecurity resulting from the CPA's actions. Then the local government structure collapsed as a result of the dissolution of both the Iraqi armed forces and the security services, as well as the purging of the civil service bodies, which was part of their de-Baathification campaign, and this has led to a political vacuum. What exacerbated the tension is the political stalemate of the Iraqi governments. In parallel, the external factor after 2003 led to an escalation of the tension and internal conflict in Iraq after it became an arena for conflict and the sharing of influence between regional and international powers for reasons associated with the new political arrangements in Iraq, such as the presence of foreign forces in the vicinity of those countries, and as a result of the institutional vacuum, which made it possible to invoke ethnic divisions in the course of the conflict. Such situation opened the way for "spoilers" that undermined the state of relative stability by bypassing and undermining the emerging institutional arrangements for state administration and building, and employing the government's security, administrative and financial capabilities in political conflicts, through the widespread administrative and financial corruption that was dominated by sectarian and ethnic quotas. As a result, Iraq witnessed a phase of internal armed conflict, especially in the years 2006—2007, which decreased in its intensity in the subsequent years. However, it did not coincide with addressing its internal and external causes, which prepared the ground for the return of extremism and terrorism. This matter reinforced the issue of the US withdrawal from Iraq in December 2011, which left dire effects on internal security and governance, which contributed to undermining the Iraqi political system and sweeping ISIS* over the Sunni Arab regions in 2014[10].

[10] *Jeffrey 2018.*

The Builders. The simple truth indicates that states are founded by leaders, and that the successful establishment of a sustainable self-reliance system of government requires recognition and general acceptance of its leadership by its nation, and then the institutionalization of leadership and order, which includes democratic legitimacy.

However, the experience of the states that emerged under the influence of the intervening foreign powers often indicates that these powers often lack an elite or a strong leader who will be supported by the population and will be able to deal with all the complications that result from the intervention or occupation. On the other one, such situation is desirable by the national leaders, because expanding the leadership base represents an unwanted burden on those leaders as it involves more difficult negotiations with local or

[11] Banerjee and Iyer 2005: 1201.

regional leaders, some of whom may have the ability to become new competitors for the national authority[11].

The goal of the US-led invasion of Iraq in 2003 was to bring about regime change i.e., change of Saddam Hussein's regime, but not change of the country per se. As the National Security Adviser at that time, Condoleezza Rice, said: "You will be able to bring in new leadership but... we would have kept the body in place". Instead, the "body" quickly collapsed, and the US leadership found itself engulfed in the more complex task of nation-building. Although the American intervention caused the destruction of the country, the subsequent Iraq's leaders were unable thereafter to rebuild a viable country when given the opportunity to do so[12].

[12] Mansour 2017.

This is related to the United States' approach to establishing democracy in Iraq, as the Coalition Provisional Authority could have started establishing local democracy by holding local elections throughout Iraq and then assigning the elected leaders responsibility for the rebuilding process, in which the United States failed and wasted a lot of efforts and resources. Such approach should have led to the emergence of a number of successful local leaders, among whom prominent candidates for high positions could have emerged after the restoration of sovereignty. Instead, the Coalition Provisional Authority has given priority to negotiating with Iraqi leaders, who were chosen with sectarian-ethnic considerations in mind, to administer the state and draft the constitution before any real introduction to local democracy in Iraq. While the local leaders were often neglected, the insurgency and violence took root and polarized internal and external actors[13]. As long as the violence rages, the distrust that characterizes politics and sectarian relations will persist in favor of extremist parties of all components. This is reinforced by other factors, including the emergence of a network of political favoritism and the privatization of official corruption by diverting public resources towards building partisan influence rather than building State[14], and this is related to the exclusive leadership selection method.

[13] Bremer and Connell 2006: 203.

[14] Skelton and Saleem 2020.

[15] The composition of the Interim Governing Council (52% for Shiites, 44% for Sunnis — equally between Sunni Arabs and Kurds and one seat for Sunni Turkmen — and 4%, i.e. one seat for Christians), and the composition of the Council of Ministers came in the form of the composition of the Interim Governing Council (25 ministers, including 13 Shiites, five Sunnis, five Kurds, one Christian and one Turkoman).

To determine the founding leaders of the political process or the new leaders of Iraq according to the post-2003 political arrangements, we will examine three successive administrations that Iraq witnessed during the period of 2003—2005. The first administration is the Governing Council, most of whose members were appointed by the Coalition Provisional Authority in 2003, and consisted of 25 members and a cabinet associated with it, which was formed like the Governing Council on the basis of the sectarian-ethnic composition[15]. In June 2004, sovereignty was returned to Iraq and a new interim government was appointed. In January 2005, elections were held to select the Transitional National Assembly, on the basis of which a new transitional government was formed in May 2005[16], based on the same composition as the previous one. According to the insider/outsider classification, the three governments consisted of about 38% of the expatriates, 19% of the Kurds from the "free" zone in northern Iraq, and only 8% from the internal parties that have not yet acquired an influential leadership position by that time, while others were not specified, which is an indication of the difficulty of merging the three groups

[16] The composition of the transitional government (35 ministers): 18 Shiites, including Turkmen Shiites, 16 Kurds and Sunnis, and one Christian.

[17] Marr 2006: 7—8.

and insiders / outsiders, which will have an impact on the dynamic Iraqi political activity[17].

The January 2005 elections and the subsequent December 2005 elections were marked by the fact that the rivalry was primarily along identity lines between Shiite Islamic groups that had come together in the United Iraqi Alliance (UIA), and Kurdish nationalist groups, which had united in the Kurdistan Alliance (KA), with the absence of a political party or central authority expressing the views of the Sunni groups due to the recent boycott of the elections. This led to the lack of their institutional political representation, and consequently their absence during the years of state building in 2004 and 2005[18]. Later on, the Iraqi Accord Front, which expresses the Sunni power bloc in parliament, was formed.

[18] Mansour 2019.

However, the real political weight of the new leadership belonged to the leaders of the main parties of the Iraqi opposition, and then the members of the Governing Council (Islamic Da'wa Party, Supreme Council for the Islamic Revolution in Iraq, Kurdistan Democratic Party, Patriotic Union of Kurdistan, Iraqi National Congress, National Accord, Sadrist movement, Iraqi Islamic Party)[19]. Using the insider/outsider criterion, at least 70% of them, according to our estimates, are among the expatriates and Kurdish leaders, and their leaderships are often centered around ethnic divisions.

[19] Otterman 2005.

Given the described developments, sectarianism does not seem inevitable in Iraq after 2003, but the way of changing the previous regime and rebuilding the state led to the acceleration of empowerment of new actors centered around the sects. The political will, vision and skills needed to avoid sectarianism were absent among the decision-makers in Iraq and the United States at that time, and the failure of the occupation forces and the new political elite to build a functioning state that could provide basic services exacerbated the sectarian problem[20].

[20] Haddad 2016.

In short, the United States combined the colonial context with Robert Dahl's model of democracy.

Political framework. The party system in multiple societies can be classified according to the nature of their membership. One can distinguish between the sectoral party system and the overlapping membership party system. Sectoral societies usually have the former i.e., sectoral parties, which are desirable and favorable to consensual democracy if several conditions are met, the most important of which is a limited number of parties, their moderate nature, and similar size[21].

[21] Lijphart 2006: 100—104.

[22] Elections 2018 — 204 parties, 54 coalitions; elections 2014 — 277 parties, 36 coalitions; elections 2010 — 167 parties, 12 coalitions; elections 2005 — 307 parties, 19 coalitions; National Assembly elections 2005 — 223 parties, 35 coalitions.

This political structure emerged in the post-2003 period, according to the data of the elite. The new leaders worked with the US-led coalition to establish an identity-based political system. In light of the above, we can classify the party system that arose in Iraq after 2003 as the system of excessive multiplicity of sectoral (conflicting) parties. Since 2005 until today, 1178 political parties or entities have participated in national elections, including 156 political coalitions[22]. Likewise, there is a great likelihood (approximately 50% + 1) for the alliance or Shiite party forces, and the parties, interest groups and the

media were coordinated — to a large extent — within ideological-sectoral orientations with exclusive membership represented by personal leaders. As for their political scope, they were either ethnic-international parties (Kurdish nationalist parties), or Islamic-international parties (Shiite and Sunni parties), while the liberal and leftist centrist forces (such as the National Accord Movement, the Iraqi National Congress, the Iraqi Communist Party, etc.) were of a small size and were not influential[23], In such context no influential political party emerged, and no party emerged at the national level in Iraq. Hence, homogeneity faded. It is a precondition for democratic governance as well as nation and state building that also requires national integration, which is based on creating a cultural-ideological consensus with a certain degree of inclusiveness. In other words, these parties do not represent structures capable of political development, as most of these parties still maintain a closed system in their organization and party work, and these parties, especially their leaderships, enjoy strong external links based on the axes of the sectarian-ethnic division in the region, and these parties put foreign priorities over local priorities, especially in times of regional tensions[24]. Despite these characteristics, there are some positive signs of the emergence of the party system in the recent times, albeit to a limited extent, and some of the parties are approaching the center or the centre-right ideology, which will help reshape the political dynamics in Iraq. We will address it in the context of the post-ISIS* phase.

Institutional framework. The feasibility and cost of the state-building process depend critically on the method of power division within the political system, and various communities' loyalty to institutions , especially when there are foreign forces that help preserving state power, as this contributes to the presence of many incentives for national leaders to centralize power in an exclusive framework, as mentioned above, which could lead to the removal of key local leaders.

Accordingly, state-building planners need an analytical framework that includes questions about the constitutional distribution of power, because successful stabilization process depends on the establishment of a new system that establishes a political network that distributes power and benefits to all parts and components of the nation in a balanced way, otherwise no system will continue to exist except through external support.

It is important to note that multi-ethnic states inevitably necessitate such a constitutional division of power. The United States and its Iraqi allies decided to replace the unitary and centralized state that Britain established in 1920 with a decentralized federal system that was approved by the 2005 Constitution. However, the new state, which in large part reflected a compromise between the Shiite and Kurdish leaderships, without almost any convenient arrangement for the Sunnis (most of whom initially refused to recognize the political process) has since been unable to gain control, instead the new state has experienced repeated cycles of failure and reform[25].

On the other hand, the victors in Iraq after 2003 — the Shiites and the Kurds — associated the central state under Saddam Hussein with dictatorship,

oppression, and the painful memory of the ousted regime. Therefore, the new Iraqi leadership tended to prefer a weak central government, which is referred to as "federalism", as a protection against a return to the old state. In other words, distrust of the strong state led to the deliberate building of a weak state[26].

[26] Ibid.: 7.

In addition to the above, the nature and form of the federal system and the administrative decentralization of the governorates are still incomplete. There are still sharp political, constitutional and legal disputes over the sharing of resources and powers, the form, nature and limits of local administration for regions and governorates that are not organized in a region. Decentralization exposed the unity and independence of the state to a threat on several levels, weakened loyalty to its institutions, and opened the door to foreign interference. The best example of this is the escalation of the ongoing political crisis between the federal government and the Kurdistan regional government, and the frequent popular protests in various parts of Iraq about poor services and inequity in the distribution of resources, which is not attributed to political conflicts only, but its roots lie in the constitutional vision of federalism and local bodies, which is characterized by ambiguity in many aspects, and caused by the different political perceptions of the structure and management of the state between the main political forces, or the builders, in other words, the positions and interests of those builders in the decentralized system. Parties and militias have consistently used various forms of violence and capture to secure control. Instead of relying on local acceptance through the provision of services and effective governance, political blocs have seized everything, from local administrative bodies to border crossings, in order to secure sources of revenue and expand patronage networks[27].

[27] Skelton and Saleem 2020: 24.

Sociological framework. The Coalition Provisional Authority laid some of the foundations for the state-building process in Iraq, which included plans to develop a free market economy, establish the rule of law, achieve security, build democracy, and support transitional officials. These practices are primarily concerned with state-building and are designed to create institutional and foundational elements of "Statehood". On the other hand, there were often relatively few nation-building activities[28]. The United States has focused on rebuilding a democratic state while lacking an insight into the cultural, historical and religious complexities of Iraq, as the study of cultures and semiotic studies explains and provides insight into the political culture and history of the nation[29].

[28] Azeez 2010: 80.

[29] Ibid.: 81.

The lack of interest in the complex relationship between rebuilding state institutions and rebuilding some aspects of the nation in Iraq has led to the rise of religious and tribal actors or their representatives who filled the power vacuum in the transitional phase. Hence, the process of social control moved from the state to traditional structures, and political actors were reoriented and repositioned by those forces, which led to the establishment of what was described as a "shadow state — informal structures"[30].

[30] Ibid.: 83.

However, such an experience in Iraq represents only one side of the picture. There is a different story on how some local religious and tribal leaders

used religion and tribal bonds as a source of solidarity and national tendency to save the Iraqi state from disintegration, and at the forefront of them is the almarjieia in Najaf, which has contributed to the process of building the state and to another extent the nation through the civil society, by mobilizing the masses to support reconstruction, providing assistance, guidance, advice, and fatwas so that the people refrain from practicing violence, especially sectarianism or revenge, and the urge to participate in democratic processes in order to express the general will[31], which led to these actors becoming a source of self-production for solidarity, legitimacy, and state-building.

31 Al-Khafaf 2007.

On the other hand, clerics and Sunni tribal sheikhs cooperated with the Iraqi government and coalition forces within the framework of the Awakening Movement, which was established in 2007 with the aim to eliminate terrorism, sectarian violence and the insurgency against the state[32]. Therefore, some influential forces in Sunni and Shiite societies attempted to build a social consensus based on a form of moderate Islam and inclusive tribal ties that the state should adopt. In other words, these forces have been involved in building the nation[33]. In parallel, the repercussions of the post-ISIS* phase have led to the emergence of a number of Kurdish political movements and tendencies of a moderate or relatively moderate character, which have contributed to the Kurdish political repositioning with less intense polarization at the national level, and with approaches that meet the emerging trends of other Iraqi political forces, which we will refer to in the next section.

32 Al-Zubaidi 2008: 350—359.

33 Azeez 2010: 84.

State Building in Iraq — Post-ISIS* Phase: Opportunities and Risks

Stage Background. The fall of Mosul and one-third of the country's territory being in the hands of ISIS* in June 2014, and the subsequent war against this organization, and its defeat in December 2017, led to the reorientation of the political process and its main forces towards different balances, albeit unstable so far. Among the most prominent features of this political process are the disintegration of major alliances such as the UIA and KA, preceded by the disintegration of the Iraqi Accord Front, and the emergence of political alliances with a transient appearance of sectarian-ethnic lines (which is a reflection of the major challenges that resulted from the ISIS* phase), and the overall negative consequences of the post-2003 political process. These events brought the Iraqi political system to a near dead end, after the political forces had exhausted most of their options[34]. However, that process, i.e. political repositioning on various bases, represented both opportunities and risks in the process of building the Iraqi state. Overcoming sectarian political divisions was the most important opportunity, taking into account the continued dominance of the religious and nationalist forces at the institutional level, in contrast to the emergence of moderate forces, and to a lesser extent, tendencies towards the democratic left. The risks of these transformations manifested in developments that may push towards greater state fragility, given the weakness of the political administration of the state in the face of the complexities of the internal and external environments and their effects that are rooted in the political system.

34 Clausen 2019: 21—22.

One can add to these complications the emergence of a new actor in the political system, the Popular Mobilization Forces (PMF), which includes about 60 Shiite armed factions that participated in the fight against ISIS*, which represents the most dangerous defense of the Shiite-centered state-building versus the Sunni extremism movement represented by ISIS* as of 2014. Some of the popular crowd factions belong to the traditional forces of the regime, and other factions represent military factions that splintered or were established during the ISIS* phase, and after the defeat of ISIS*, the size of the crowd grew to approximately 150,000 soldiers, including Kataib Hezbollah, the Badr Organization, and Asa'ib Ahl al-Haq. In 2019, there was pressure to formally integrate the Popular Mobilization Forces into the Iraqi Security Forces. However, most of the militias did not agree to the merger, and their actions were left largely unchecked[35].

The Popular Mobilization Forces can be divided into two parts, loyal "walaiya" and non-loyal factions. The former enjoys direct Iranian sponsorship and support, and the other follows other religious authorities, the foremost of which is the Sistani authority, and clearly obeys government orders. In short, those factions that are part of the Popular Mobilization Forces, especially the "walaiya" factions, have great influence in the field, but they have not emerged as political forces represented in the parliament or in the government, with the exception of the Sadiqoun parliamentary bloc affiliated with Asa'ib Ahl al-Haq, as well as the Badr Organization as an existing political organization, but they all exert their political influence through the main political forces allied with them, such as the albina block and specifically Al-Fatah Alliance[36]. Nevertheless, the path of building the Iraqi state after ISIS* will not mean starting completely from nil, as happened after 2003, because a lot of the institutional structure already exists.

The Builders. In the beginning, it must be pointed out that the electoral competition, political conflicts, foreign interference, and the great challenges that the Iraqi political system faced over the course of a decade and a half of the political process, especially the repercussions of the ISIS* phase, have changed the positions of some of the forces and leaders, but that change is still framed by the main political elites, despite the emergence of factors that may open up prospects for greater change.

Since the 2018 elections, Iraq has witnessed many changes in the level of political leadership. The voter turnout in these elections decreased to its lowest since the first elections in 2005, where the drop in the level of participation was approximately one third compared to the level of participation in the 2005 elections[37], according to the official sources, while unofficial sources estimated the participation rate at 30% at best[38], which represented a threat to the legitimacy of the democratic system and its leaders alike, and an expression of the desire to renew the political class. Therefore, the leaders of the political system realized that they had clearly lost their capacity for electoral and political mobilization and that the previous mobilization mechanisms based on identity politics are no longer useful to a large extent. At the same time, the consequences of the ISIS*

35 Hannah 2019.

36 Hassan 2020.

37 Mohamed 2018: 19.

38 Mustafa 2018.

39 Khalaf 2018.

phase were very costly at all levels[39], so the ruling elite's monopoly on presidential positions in the state has become a great risk in the post-ISIS* phase, the majority of the regime's top leaders are unwilling to bear it.

This strengthened the results of the 2018 elections, which led to the change of nearly 80% of the members of the previous parliament, and produced the most divided parliament since 2003, despite the widespread fraud in the elections with the approval of the former prime minister Haider al-Abadi and the ministerial committee formed for the purpose of investigating allegations of fraud[40].

40 Hussein 2018.

Faced with this impasse, the political leaders had no choice but to follow new tactics, some of which were for containment and others for maneuver, or limiting change through change, with the aim of reproducing the political class in one way or another. Among the most prominent tactics is the establishment of an alliance that includes the hawks of the Shiite and Sunni blocs and some minorities through building the block led by Fatah, State of Law, in contrast to the pentagonal alliance or the Islah bloc (Sa'airun, Al-Hikma, Al-Fateh, Al-Wataniya, Al-Nasr), which included many moderate forces from the Shiite and Sunni parties with a symbolic Kurdish representation, and small Kurdish blocs of the democratic left approached this alliance, such as the Coalition for Democracy and Justice, which is chaired by the current President of the Republic, Barham Salih[41].

41 Al-Khafaji 2018.

Other tactics include choosing moderate representatives for the three presidential posts, as well as choosing an independent, partisan figure for prime minister, Mr. Adel Abdul Mahdi, as an expression of the deeper crisis in the country's largest political bloc, the Shiite bloc. It is for the first time that the most important executive position in the Iraqi state has been granted to a person from outside the leaders of the first row at that time, and from outside the winning Shiite blocs[42].

42 O'Sullivan 2018.

Despite these steps, the political class failed again to restore public confidence in the political process, and soon — after one year — mass demonstrations toppled the government due to mismanagement and corruption, which resulted in choosing another person, who the local Iraqi parties, the United States, and Iran could have agreed upon, Mustafa Al-Kadhimi. He has brought indications of relative popular acceptance to run a government whose main task is to prepare for early elections in an attempt to absorb the public anger and get out of the political deadlock[43].

43 MacDonald 2020.

The leaders of the political system are now facing a dangerous crossroads in the upcoming elections. The best evidence for this is the division between the political forces regarding international supervision of early elections, where the leader of the State of Law Coalition, Nuri al-Maliki, and some prominent leaders in the Al-Fateh Alliance reject any direct supervision as a violation of the sovereignty of the state and its institutions, and a push towards "internationalization". They support the participation of the United Nations in learning about the conduct of the electoral process, by visiting the polling stations and counting the votes, without interfering with the mechanism of calculating results. On the other hand, the leader of the Sadrist Movement, Muqtada

al-Sadr, defends international supervision, under the pretext of preventing election fraud by the competing parties. Parties of the pentagonal alliance support his view. As for the government, headed by Al-Kadhimi, it also supports the UN supervision, but — until now — it has not expressed a clear and explicit position. The government was given a green light by the religious authority, Ali al-Sistani, in December 2019, to hold early legislative elections under the supervision of the United Nations, to protect the votes from "fraud and theft", as it seems that fraud in the early elections is possible. Otherwise, many political forces will lose their opportunity to obtain advanced positions in the elections, or perhaps toppling their current positions[44], which puts us in front of two possibilities. The first is an opportunity to partially reconfigure the political class as an entry point for rebuilding the state if the elections are transparent and fair to an acceptable extent. On the contrary, the second possibility is that the remaining weak acceptability of the political system in the event of fraud elections will come to an end and return to confronting inflammatory popular rejection, which predicts the collapse or further disintegration of the state and the system that no longer possesses any ability to perpetuate its effectiveness and acceptability. This is the danger that threatens everyone.

Political framework. The post-2003 Iraqi regime has become very similar to the competitive authoritarianism described by Steven Levitsky and Lucan A. Way[45], and less similar to the procedural democracy described by Robert Dahl[46]. Therefore, under the pressure of the aforementioned popular protests, the political forces found themselves facing difficult choices, and the only way out was in line with the demands for political change.

Therefore, the Iraqi parliament approved on December 5, 2019 a new law for the Independent High Electoral Commission, which was one of the most important goals demanded by the demonstrators, after the previous commission was dissolved due to its lack of independence, and its submission to partisan quotas, as well accusations of fraud. The text of the new law in Article 25 calls for the removal of all former directors and the change of some positions within the Commission by moving some heads of departments and divisions to lower locations, and defining a more transparent and fair mechanism in selecting the new Board of Commissioners[47]. However, the restructuring of the new elections commission offices or its administrative structure has been criticized by some political forces that claim that these cadres are still members of the influential parties that seek to control the offices of the commission in the governorates, with the aim of controlling the process of monitoring ballot boxes and falsifying the results, especially in the case of adopting methods of manual counting and sorting, which was denied by the commission[48].

This was also accompanied by the parliament's approval of a new election law on December 24, 2019, but the law was not completed until 11 months later, due to the raging debate within the Parliament over a number of paragraphs, the most important of which is the shape and distribution of multiple electoral districts, which were added in an annex to the law. Individual candidacy and multiple departments in the Iraqi governorates, as well as reducing

[44] A Split 2021.

[45] Levitsky and Way 2010.

[46] Dodge 2013: 244.

[47] Law 2019.

[48] Elections Law 2020.

the age of candidacy to 28 years[49], are supposed to be a blow to the big parties, because it reduces the chance of winning the elections, gives small blocs and independents the opportunity to obtain seats in parliament, and allows the rise of new generations of young people — including leaders of the protest movement — to the political arena, and thus the change of the ruling class in the country, in one measure or another.

Despite this, the new law includes many problems, as it adopted a delusional division of electoral districts that takes into account to some extent the distribution of the influence of political forces, and the greatest beneficiaries of this law, according to the opinion of a number of researchers, are candidates with tribal and even religious backgrounds, because they possess social capital in their regions, in addition to the presence of the Sadrist movement led by Muqtada al-Sadr in the political arena[50]. This led one of the political commentators to say that "the elections in light of the current chaos and armed militias will not be fair, and we will witness organized assassinations of the most prominent candidates from the civil movement"[51]. On the other hand, competition in multiple electoral districts will push a large number of political leaders not to nominate candidates, or limit them in case they run the risk of losing, and this is a good thing because many of them will lose their parliamentary immunity. The political leaders secured their votes when the province was one district. The surplus votes obtained by the political leaderships were distributed among the other members of the electoral list, as a result of the adoption of the semi-open list system[52].

Institutional framework. The political and administrative decentralization adopted by the 2005 Constitution is one of the main pillars in building a political system that is comprehensive and efficient in managing a pluralistic society such as Iraq, which has faced many failures, and given the "bad" reputation of local councils, including accusations of a large-scale corruption, bribery and obstruction of reconstruction projects in the provinces as a result of grinding conflicts between the competing political parties and blocs represented in those councils. On October 26, 2019, the Iraqi Council of Representatives issued a decision to suspend the work of the provincial, district-level, subdistrict-level and municipal councils under the pressure of the popular movement in October 2019, despite the fact that this decision contradicts the Constitution and the democratic system. However, the political parties want to place the responsibility for the decline in services and the deterioration of the infrastructure on the shoulders of the local governments. It seems that it is no longer acceptable to re-experiment with the provincial councils without making fundamental changes to the local election law in a way that guarantees popular acceptability and administrative effectiveness, which is related to the overall political performance of the political forces[53]. However, it may represent a new starting point in the path of building the state and managing pluralism, or another slide for the political process.

Besides, the relationship is still difficult between the federal government and the Kurdistan regional government, but the premiership of Al-Kadhimi

could open a new era, because the current prime minister believes in federalism and decentralization as effective governance policies to ensure the sovereignty and unity of the Iraqi state. On the one hand, this vision and understanding of the regional and local situation can provide a strong starting point for negotiations between Erbil and Baghdad. On the other hand, the intractable internal problems of the Kurdish government, affected by the failure of the Kurdish independence referendum in September 2017,and the harsh repercussions on the region, have contributed to the Kurdish leadership recently reducing its demands for autonomy and focusing its efforts on one major issue, which is the share of the Kurdistan regional government from the national budget. The Kurdish leadership has moved away from contentious issues, and has accepted the need to postpone chronic and complex problems, such as Article 140 of the Constitution, so that the new government can strengthen its political stance and governance policies[54].

Indeed, the federal government reached an agreement with the Kurdistan regional government on August 15, 2020 to unify the procedures of the air, sea and land border crossings, agree on customs accounting, and install a technical team of employees of the two governments to monitor the implementation of the agreement. The agreement also included unifying customs procedures and ports in the Kurdistan region, setting up accounting systems to fulfill customs imports collected at the outlets of the Kurdistan region and dispose of them in accordance with the Federal Financial Management Law No. 6 of 2019, as well as laying down controls that the two parties are obligated to control the entry of import materials into Iraq, and that the two governments adhere to the oil production policy within the OPEC Plus agreement according to the proportions[55].

These steps were followed by the talks on the national budget for 2021, and based on the outcome of these discussions in the event that they produce acceptable solutions, the two governments will have a clear framework for negotiating over longstanding grave problems such as disputed areas, including Kirkuk, and the oil and gas law etc. Hence, the dissolution of the federal state is at stake not only for the Kurdistan region, but also for other governorates outside the region in case the political forces did not succeed in developing an effective framework for local governance, as many provinces have witnessed calls to shift towards the Kurdish federalism formula due to the permanent failure of local governments and the political system in general.

Sociological framework. In the post-ISIS* environment, Iraqis see the security situation improving significantly and placing the security forces at a high level, including the Popular Mobilization Units (PMU), and there are indications that the social fabric inside Iraq is strengthening with improved security conditions, where sectarianism — especially division among Sunni and Shiite Arabs — is diminishing, and a new generation of Iraqi youth has emerged[56], who have become politically aware and assign country's problems to the political leadership that has ruled since 2003 rather than Saddam Hussein's regime[57].

54 Al-Kli 2020.

55 Aziz 2020.

56 Iraq has witnessed tremendous demographic changes since 2003, and it now has the second fastest population growth in the Arab world, as the total number has increased by about a million every year, and nearly 60% of the Iraqi population is under the age of 25, and nearly half of them were born after 2000 year.

57 Hansen 2019.

We note that the surveys indicated a significant decrease in the level of sectarian sentiments in the Iraqi society. By comparing the indicators of the two time periods — before and after ISIS* — it was noticed that public opinion indicators prior to ISIS's* occupation of Iraqi lands in June 2014 showed that 67% of the respondents considered that the sectarian problem was getting worse, compared to only 21% who considered that the sectarian problem was improving, but in 2019 the 63% of respondents thought that the situation was improving, while only 31% answered that it was getting worse. In the same vein, public opinion indicators in 2019 showed that 65% of the respondents identified themselves as Iraqis, compared to 14% who defined themselves on the basis of religion or sect. This reflects the change in the priorities of thr Iraqi public opinion as well, as the indicators for the year 2018 showed that the priorities of the respondents were primarily jobs and unemployment, followed by fighting corruption and then security, while only 10% of the respondents' named sectarianism a priority[58].

58 Dagher 2020: 85—86.

Given these statistics, it is important to view the October 2019 protest movement from the sociological perspective. The October 2019 protest movement that broke out in most parts of the center and south of the country is considered the largest popular socio-political mobilization in the modern Iraqi history. The protests were primarily an anti-corruption movement with protesters calling for more jobs and supply of public services[59]. As the base of the protesters grew, their demands and rejection of the ruling elite increased, especially the ethno-sectarian political system (the quota system) that was imposed on the country in the aftermath of the American invasion in 2003. Therefore, the protests were characterized by non-sectarian slogans in their tone and message, and the demand for change developed, and a new political system subject to accountability and representation, into an increasing discussion about the identity of Iraq today, the identity that the protesters called for within the framework of a non-sectarian ideology, which posed a real threat to the way of division and balance of power that has developed in the political system after 2003[60].

59 Alaaldin 2020.

60 Halawa 2020.

There have been attempts to accommodate the protests, for example by the prominent Shiite cleric Moqtada al-Sadr (who periodically threatened the movement to remove or re-support it as a means to increase political capital). In addition, there were counter-protests led by factions of the Popular Mobilization Forces that aimed to divide and integrate into the protest movement. In contrast, Najaf's religious leadership, led by Ayatollah Ali al-Sistani, has thrown its support behind the protests — it was not a major departure from its political position in the previous protests over the years. The position of other powerful actors, such as tribal leaders and local government, is unclear and unstable. However, they appear to remain largely quiet, trying to preserve the power they gradually accumulated at the local level, while also acknowledging the participation of their youth in the movement[61].

61 Ibidem.

The demonstrators faced continuous violence that left more than 600 people dead and tens of thousands wounded — at least according to the official estimates, or what some call conservative estimates[62]. However,

62 On the Anniversary 2020.

the Geneva International Center for Justice documented that the death toll reached more than 800, with more than 25,000 wounded, of whom about 4,000 were permanently disabled[63].

In any case, the escalating momentum of the protests led to a complete halt in the governance structure in Iraq, in light of the political stagnation in the post-ISIS* era, and the demonstrators gained the right to explore a new identity for the country. But whether this social movement can turn into a coherent political force that can demonstrate its willingness and ability to take power is a question that remains unanswered for everyone, including current leaders who can find the political courage to stand from within. By supporting the movement to develop a more equal, transparent and accountable political system, they can avoid another conflict in the country, and begin to build a durable and strong society that governs its people in a fair, equitable and equal manner[64].

Conclusion

In this research article we have come to the following conclusions.

1. On the one hand, the colonial context and Robert Dahl's model of democracy in state-building and the political process in Iraq after 2003 proved its failure, Moreover, they hindered any developments that could lead to correcting the state-building and the subsequent political process. It seems that those who, in 2003, thought that the American mission in Iraq might become an expanded exercise in state-building were wrong. The exact opposite has happened.

2. The political representation has become linked to elite alliances rather than the results of elections, the performance of institutions, or the ability of the system to provide services and achieve development. This is because the elite has made political collusion the principle, on which political alliances and the division of power are based, more so than on electoral results or any other indicators. State institutions have thus become utensils for patronage.

3. The main feature of the post-ISIS* phase is that the rivalries have concentrated within the same components, that is, within the political components of sects and ethnicities, which led to the disintegration of the major alliances that established the political process.

4. The previous change led to the emergence of another type of alliances across ethnic identities in one way or another. Yet, the political tensions are still an important source of division within the country.

5. Basic social forces (tribal, religious, and civil) showed an increasing tendency to producing national solidarity, legitimacy, and state-building, while the youth segment led a socio-political mobilization that was the most prominent in the modern history of Iraq, and women played an important role in that protest movement, which became an expression of an alternative socio-political identity that pushes towards strengthening the state-building process.

6. The upcoming elections will represent a new process to strengthen the rebuilding of the state, with the aim of strengthening the country's institutions and reconceptualization the Iraqi nation in line with the vision of the winning political forces and the forces of popular protests, However, the success depends

on the ability of the civil protest forces to create a coherent political movement that can prove its willingness and ability to assume power, and/or the ability of the current leaders to seize the opportunity to invest in these developments by supporting the change movement to develop a more equal, transparent and accountable political system, and to build a state based on justice and the rule of law.

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* Organization banned in the Russian Federation.