



NATIONAL CENTRE OF EXCELLENCE FOR  
**ISLAMIC STUDIES AUSTRALIA**



2010 Melbourne Conference on  
US DEMOCRACY PROMOTION IN THE MIDDLE EAST  
21 – 22 October 2010

**The Obama Administration, the Shia Arabs of Iraq and the Current Political Impasse**

DRAFT ONLY

**Dr Benjamin Isakhan**

**Introduction**

Building democracies is hard goddamn internal work. It relates to institutions. It does not lend itself to military possibilities. But what it does do, if we end up with a stable Iraq, what it does, it sort of takes one sort of pinball out of the rattling that goes around here in the Middle East. (Biden, 2010)

With the realisation that the initial motives for the 2003 invasion of Iraq – Saddam's alleged stockpile of Weapons of Mass Destruction (WMD) and his links to Al-Qaeda – were grievous intelligence errors the Bush administration, with varying degrees of success, were able to spin the war's *raison d'être* and redefine the parameters of victory. A central tenet of this approach was to begin speaking about democracy as if it had always been one of the aims of the war itself. For example, in a speech presented before the National Endowment for Democracy in November 2003, President Bush claimed that although bringing democracy to Iraq would be a

massive and difficult undertaking – it is worth our effort, it is worth our sacrifice, because we know the stakes. The failure of Iraqi democracy would embolden terrorists around the world, increase dangers to the American people, and extinguish the hopes of millions in the region. Iraqi democracy will succeed – and that success will send forth the news, from Damascus to Teheran – that freedom can be the future of every nation. The establishment of a free Iraq at the heart of the Middle East will be a watershed event in the global democratic revolution. (Bush, 2003)

While the promotion of democracy across the globe has long served as a central pillar of US foreign policy, the notion that the US could use its enormous influence and military power to not only pre-emptively attack independent nation-states and overthrow existing regimes, but to also install democratic governments in their place is

Sponsors



Centre for Arab & Islamic Studies  
(Middle East and Central Asia)

 MONASH University

School of Political and Social Inquiry

exclusive to the former US Administration and has come to be termed the ‘Bush doctrine’ (Jervis, 2003). In addition, the Bush administration also held the overly simplistic view that by installing democracy in Iraq they would enable a ‘domino effect’ across the region where autocratic regimes would have no choice but to convert to robust democracies.

Despite such lofty ideals, the Bush administration demonstrated a startling gap between rhetoric and action on the issue of democracy in Iraq. On the one hand they have argued that the success of Iraq's democracy is central to their broader geo-political agenda, and on the other they have repeatedly tried to silence dissent, to limit democratic freedoms and to interfere in due process. In fact, the original plan of the Coalition Provisional Authority (CPA), which managed Iraq after the fall of Baghdad, was to install an interim Iraqi government that would write the constitution under American auspices and be pliable to their interests in the region. In addition, the US was quick to nullify the results of a whole series of spontaneous elections that sprang up across Iraq. Unfamiliar with such lively, grass-roots democracy, the US outlawed these elections and the officials who had been elected by their own constituents were promptly replaced. The US has also gone to great lengths to ban several political parties (of which the Baath are only one) and they have forcibly shut down several of Iraq's independent newspapers that proved too critical of the occupying forces and their military operations (Isakhan, 2009, 2011).

Despite – or perhaps because of – such efforts to limit the democracy that the US wanted in Iraq, the Iraqi people have proven themselves remarkably adept at utilizing democratic mechanisms and institutions to their advantage. Of the many ethno-religious and political factions in Iraq, it is arguably the Shia majority and their leaders who have been the most determined to put US rhetoric on democracy promotion to the test. Perhaps the most well known example came from the counties leading Shia cleric, Grand Ayatollah Ali Al-Sistani who broke with the quietist tradition in order to issue a number of politically motivated *fatwas* (religious edicts) that demanded elections in the lead up to the drafting of the constitution and called upon the faithful (including women) to vote (Ehrenberg, McSherry, Sanchez, & Sayej, 2010: 319-324). Sistani also organised massive protests of more than 100,000 Iraqis which forced the US to allow free and fair national elections that would enable the people of Iraq to nominate their own government. Along similar lines, Moqtada Al-Sadr has used some democratic mechanisms alongside his ardent militarism and fire-brand rhetoric. These have included major protests, civil disobedience campaigns and nation-wide petitions as well as the more formal involvement of the political faction of his organisation, the Sadrist trend, in elections which have brought Sadr a number of seats and delivered him significant political clout (Isakhan, 2010).

The two main Shia political parties – the *Hizb Al-Da'wa Islamiyya* (‘The Islamic Calling’, or more commonly referred to as *Da'wa*, the ‘Calling’) and the Supreme Council for the Islamic Revolution in Iraq (SCIRI, which was renamed the Islamic Supreme Council of Iraq [ISCI] in 2007) – have also garnered significant degrees of power since the toppling of Saddam. Under both the Iraqi Interim Governing Council (July 2003-June 2004) and the Iraqi Interim Government (June 2004-May 2005), several prominent Shia politicians including those from both *Da'wah* and ISCI played a leading role. Then, in the lead up to the January 2005 elections in Iraq, the divergent political factions of the Iraqi Shia population – including the Sadr Trend, ISCI and *Da'wa* – came together under the banner of the United Iraqi Alliance (UIA). The negotiations were notably facilitated and encouraged by Sistani who, along with other prominent Shia leaders, acknowledged that by brining the varying Shia factions together they stood a greater chance of winning at the polls and subsequently wielding

significant power (Duss & Juul, 2009: 11). This was to pay dividends. When the results were announced on 14 February the UIA had won 48% of the votes (Dawisha & Diamond, 2006: 93-94). The Iraqi Transitional Government (May 2005-May 2006), which was charged with the duty of drafting the Iraqi constitution, therefore included several prominent Shia's including the Prime Minister of Iraq, Dr Ibrahim Al-Jaafari (then of the D'wah party, now the leader of the National Reform Movement [NRM]) and Vice President Adel Abdul-Mahdi (ISCI). This was to continue at the December 2005 elections in which the UIA won 41% of the votes (Dawisha & Diamond, 2006: 99). This series of events have seen the Shia ascend the political hierarchy to not only dominate Iraq but to become the first ever Shia-led political authority in the modern Arab world.

Not surprisingly, a collection of scholarly studies have sought to address this phenomenon. Many of these works have focused on the relationship between the United States and their democracy promotion agenda and the Shiite religious establishment who have played such a crucial role in the unfolding story of democracy in Iraq. Most notably, several important works by Juan Cole survey the responses of the Shia clergy to the democratic developments of 2003-5 (Cole, 2003, 2006a, 2006b). In one such work, he concludes that this period witnessed

a remarkable development in Shiite religious and legal thinking about democracy in Iraq. The ideals of elections, representation of the people, the expression of the national will, and a rule of law are invoked over and over again by the most prominent religious leaders. Unlike Khomeini in 1979, they are completely unafraid of the phrase...“democracy,” and generally see no contradiction between it and Islam. (Cole, 2006a: 24-25)

Similarly, Ruel Marc Gerecht has argued that the Shia clerics are more likely to spread Islamic forms of democracy than Muslim moderates or reformists, or the regions secularists, all of whom lack street credibility (Gerecht, 2004a, 2004b). Focusing specifically on the religious edicts of Sistani, Babk Rahimi has argued that he was in effect cultivating “grassroots political participation to enhance civil society” that in turn could “produce a democratic order in which public Islam is compatible with not only the principles of inclusion, competition and accessibility but also with the basic logic of democratic governance—namely accountability and popular sovereignty” (Rahimi, 2004). Noah Feldman added that Sistani's fatwas were “pure democratic theory, with nary a reference to Islamic legal texts” but instead was based on his own reasoning which was “essentially indistinguishable from those of any competent international lawyer” (Feldman, 2005: 6). In his study of Moqtada Al-Sadr, Patrick Cockburn has added that despite consistent efforts to demonise him, Sadr is in fact the most important political figure to have emerged in post-Saddam Iraq and that his actions have long kept the US and the Iraqi government in check (Cockburn, 2008).

In terms of the Shia political parties and their rise to prominence since 2003, the Iranian dissident intellectual Abdol Karim Soroush has argued that they will likely swing global Shia sentiments towards democracy and away from the clerical and oppressive model adopted in Iran (Soroush, 2004). Dealing with this issue in greater length and depth, Vali Nasr has argued that Shia movements are gaining strength across the region after the fall of Saddam as they witness the crucial role that they are playing and the unprecedented power they have gained via democracy in Iraq. They are “injecting a robust element of real pluralism into the too-often Sunni-dominated political life of the Muslim world” and “are also finding democracy appealing as an idea in itself, not merely as an episodically useful vehicle for their power and

ambitions” (Nasr, 2007 [2006]: 180). This is brought into focus in two other books, Yitzhak Nakash’s *Reaching for Power: The Shi’a in the Modern Arab World* and Laurence Louer’s *Transnational Shia Politics: Religious and Political Networks in the Gulf*, both of whom build on Nasr’s assessment to further the notion that Iraqi Shiism since 2003 is playing a dramatic role in reforming the region (Louer, 2008; Nakash, 2007).

To a certain extent, this optimism concerning the Shia political elite and their engagement with democracy in Iraq is justified given the peculiar set of events that occurred from 2003 until early 2006, and the Shia reaction to these events. However, despite the strength and significance of this earlier body of work, there have been virtually no studies which have sought to question this optimism in the light of more recent events. Addressing this lacuna, this chapter documents the last few years (2006-2010) which have seen many elements within the Shia political elite of Iraq – most notable the Maliki government and his State of Law Coalition (SLC) – demonstrate increasingly authoritarian and anti-democratic tendencies. Leaving aside blatantly Orientalist and overtly racist arguments that would infer that Shia Islam – or any other sect of Islam or manifestation of Iraqi ‘culture’ – is antithetical to democracy; this chapter instead aims at a balanced assessment by focusing on the lead up to the 2010 elections and the current political impasse<sup>1</sup>. Finally, this chapter also includes something of an assessment of the Obama administrations handling of the current political deadlock and the difficulties they have encountered in navigating the complex political environment in Iraq. Overall, this chapter argues that the current state of Iraqi Shia politics does not bode well for this fledgling democracy.

---

<sup>1</sup> It must be noted here that, at the time of writing, Iraq’s political impasse continues. Indeed, Iraq’s deadlock had now officially broken the world record for the amount of time taken to form a new government (“Iraq breaks record for time taken to form a government,” 2010). This paper therefore very much reflects a work in progress and seeks to navigate a very difficult period in Iraqi history and cannot offer final conclusions or an authoritative summary of events that are fraught with a series of deep-seated and intractable problems, all of which continue today.

## Emerging Anti-Democratic Trends and the lead up to the 2010 Elections

In order to contextualise Iraq's current political impasse and the role of the Shia Arabs we must first consider the key events which occurred in the lead up to this deadlock. Indeed, the story of the fracturing of the Iraqi Shia political elite begins immediately after the December 2005 elections. The 128 (of 275) seats won by the Shia-dominated UIA were tightly divided between the Sadrist trend (28 seats), ISCI (30), Da'wa (25) and a handful of smaller parties and independents (Katzman, 2010: 21). It is at this point that the alliance began to fracture, opening up a series of long held divisions between the Shia political elite of Iraq. Sadr and Da'wa joined ranks and suggested that Jaafari retain his position as Prime Minister, while ISCI put forward their own candidate in the form of Mahdi. This saw a two-month deadlock set in with the various Shia factions divided over who should lead Iraq with debates raging, sometimes at the exclusion of Kurshish or Sunni concerns or consultation. The impasse was eventually resolved - with the help of Sistani – and Jaafari stepped down as leader. Little known Nuri Al-Maliki was then nominated as his replacement by Da'wa and this was quickly approved by the Iraqi parliament in April before the new government finally took office in May 2006, a full six months after the elections.

Although the many divisions on the path to forming a government were resolved peacefully, this short period of divisiveness set the tone somewhat for Shia infighting and was a fore-runner to the more recent political stalemate. It was not long before the incumbent UIA began to unravel. In March 2007, the *Fadhila* party (Islamic Virtue Party, Shia) withdrew, followed closely by the Sadrists in September who complained that despite the fact that they held a significant number of seats, the bloc was dominated by the members of Da'wa and ISCI ("Sadrist group quits ruling Shiite parliament bloc," 2007). The evacuation of these parties severely weakened the UIA and Maliki's government.

This deteriorating relationship – especially between Maliki and Sadr – was to culminate in the March 2008 "Basra Offensive", a series of military manoeuvres orchestrated by Maliki in which the Iraqi Security Forces (ISF) undertook their first operations since 2003. This *Saulat al-Fursan* ("Charge of the Knights") saw the Iraqi army pitted against Sadr's own militia, the *Jaysh Al-Mahdi* ("Mahdi Army") after Maliki's initial attempts to broker their disarmament failed. Although Sadr's forces were not easily beat, Maliki's plan was ultimately successful and the few short weeks of fighting saw him defeat Sadr and dramatically erode his organisational, military and political infrastructure. This Basra offensive was then followed by similar operations in other Sadr strongholds like Sadr City (Baghdad), Amara and elsewhere (Duss & Juul, 2009: 3, 14). Cleverly, Maliki utilised his (then) alignment to ISCI to recruit members of the *Badr Brigade* (the former armed wing of ISCI which changed its name to the *Badr Organisation* in 2003 in order to re-launch itself as a political organisation) to fight in the Basra offensive. Due to their victory and their subsequent respect for Maliki, many Badr members joined the ISF. To an extent, this move undermined both Sadr and ISCI; Maliki had successfully used ISCI's militia against Sadr's, while at the same time creating a force loyal to him.

Maliki was able to build up military support in other quarters too. Under his auspices, the Iraqi government devised new security apparatuses such as the Counter-Terrorism Force (nearly 9,000 personnel) and the Baghdad Brigade (Katzman, 2010: 3-4). In 2008, the ISF also absorbed thousands of members of the Awakening Council ("Sons of Iraq"), a Sunni alliance of tribal sheikhs mostly from the Anbar province who had fought off Al-Qaeda in Iraq throughout 2006 on US salaries. Although those that were

not given jobs held grievances against the state, Maliki's move was nonetheless perceived by some as a move towards greater diversity in the ISF – as long as that garnered further loyalty to Maliki.

Paralleling his increasing support among the rank and file of the ISF, Maliki was also working hard to broaden his political base. To do this, he initiated a series of independent tribe-based parliamentary units or “support councils”. These loose political units are generally not democratic in the sense that they are not constituted by the elected representatives of the people, but are an appeasement of tribal forms of governance where hereditary factions wield significant power over local politics. These “support councils” are spread out across key southern Shia provinces, northern Kurdish provinces and even in multi-ethnic Baghdad. They are ostensibly supported by Maliki in exchange for their loyalty and they answer directly to the Da'wa party elite (Duss & Juul, 2009: 3) Not surprisingly, the creation of these support councils has been controversial across Iraq, especially among key Shia and Kurdish political organisations who see it as a move to commandeer their political support base.

Contemporaneous to his military successes and his widening political support, Maliki was also able to demonstrate his abilities as a hard-nosed diplomat, especially in his negotiations with the United States. In the twilight of the Bush administration (2008), the United States and Iraqi governments laboured over the exact details of the Status of Forces Agreement (SOFA) which sets out the legal framework for the US withdrawal from Iraq, and the Strategic Framework Agreement (SFA) which is broader in scope and details the ongoing bilateral relationship between the two countries. In terms of the SOFA, Maliki was determined that it would set out a number of very specific dates for withdrawal, including the evacuation of all US troops by December 31, 2011. Despite much popular opposition to the SOFA and SFA in Iraq on the grounds that it legitimated and prolonged the occupation – including key Shia figures such as Sadr and Sistani (Duss, 2008; Sadr Supporters Protest Planned US-Iraqi Security Agreement," 2008) – Maliki was successful and the SOFA and SFA were confirmed by the Iraqi parliament on 27<sup>th</sup> November 2008.

All of this meant that throughout 2007-2008 and in the lead up to the 2009 provincial elections, Maliki had been able to successfully increase his popularity, develop his credentials as a nationalist non-sectarian leader (though still religiously a Shia), demonstrate his desire to heal Iraqi divisions and flag the strength of his central government and the ISF (Katzman, 2010: 3). Maliki emerged as a strong and determined leader who was even prepared to take on toxic elements within his own Shia Arab population if it meant bringing security and stability to Iraq. He was also prepared to stand up to the world's one remaining superpower. In retrospect however, 2007-2008 saw Maliki tighten his grip on power. He built up a number of state apparatuses loyal to himself and demonstrated his emerging authoritarian tendencies.

Indeed, there was much concern among Maliki's own UIA. Some even began to challenge his leadership, nominating fellow Da'wa member, Al-Jaafari, as the next leader of the coalition and nominee for Prime Minister. Despite the fact that Jaafari had won the internal UIA nomination by one vote, Maliki fought off the challenge and – in a sign of things to come – refused to stand aside. Instead, Maliki responded by splitting those loyal to him in *Da'wa* from the UIA while Jaafari formed his own party, the NRM in 2008 (Ottaway & Kaysi, 2010d).

Splitting from the UIA was a very clever move by Maliki as, without Da'wa, the UIA was in ruins and lacked adequate leadership. Maliki had effectively torn them apart and the constituent political parties were forced to contest the 2009 provincial elections

separately. This enabled Maliki to form a new coalition that would be virtually unstoppable at the 2009 elections, the SLC. Officially secular and multi-ethnic, the SLC sought to separate itself from Shia Islamism and ethno-religious politics to instead advocate a strong, united nationalism. To do this, it cobbled together an odd array of smaller Shia, Kurdish, Turkomen and Christian parties as well as Sunni independents. However, Maliki's list did not attract high profile leaders and lacked the genuine diversity needed to be truly representative. Nonetheless, the SLC emerged the clear winner of the 2009 provincial elections, winning 126 of 440 seats, as well as being the largest list in 8 of the 9 Shia provinces and in Baghdad. SLC had not only won the election, they had delivered a very strong blow to the other Shia political entities.

The Obama administration – who had thus remained largely silent on Iraq's internal politics – began to express some concerns. Firstly, it is important to note here that Obama inherited the SOFA and SFA as devised between the two countries during the Bush era. Interestingly, despite the fact that nothing quite energised the Obama campaign as much as his calls for a responsible end to the war in Iraq, in terms of actual policy Obama was very much following Bush's lead. This has been confirmed via a number of key speeches and documents issued by both the President and his Secretary of State, Hillary Clinton, in which they reiterated their commitment to the SOFA and SFA (Clinton, 2009; Obama, 2009b, 2010a).

In the lead up to the first milestone of the SOFA, the full withdrawal of all US combat troops from Iraqi cities by 30 June 2009, Obama made two moves of note. Firstly, he appointed the most senior member of his administration, Vice President Joe Biden<sup>2</sup>, to be his unofficial envoy to Iraq on the 26<sup>th</sup> June (Bailey, 2009). On the same day, Obama not only expressed his concern over rising levels of violence in Iraq, but also offered some stern words to the Iraqi government. He stated:

I think the Maliki government is not only going to have to continue to strengthen its security forces, but it's also going to have to engage in the kind of political give and take leading up the national elections that we've been talking about for quite some time. And I haven't seen as much political progress in Iraq, negotiations between the Sunni, the Shia, and the Kurds, as I would like to see. (Obama, 2009a)

---

<sup>2</sup> Biden, unlike Obama initially supported the war in 2003, but both Obama and Biden were against the troop surge in 2007.

## The 2010 Elections and Iraq's Current Political Impasse

With the break up of the UIA and the successes of the SLC at the 2009 elections, the various Shia political entities re-ignited negotiations in 2009 with the view to forming a new coalition ahead of the 2010 national elections. Although Maliki was initially invited to join, he insisted that the Da'wa party should receive half of the seats won by the coalition and that he should retain the position of Prime Minister ("Iraq PM set to break with Shiite coalition in January polls," 2009; A. Mohammed, 2009). However, this was unacceptable to many elements of the Shia, who had already tried to replace Maliki and were increasingly concerned about his tight grip on power. Thus, in September of 2009, the National Iraqi Alliance (NIA) was formally announced without Maliki or the Da'wa party. It is headed by Jaafari and is made up of ISCI, Badr, the Sadr Trend, Jaafari's NRM, and other smaller political entities. This was quite an uneasy alliance – particularly that between ISCI and Sadr whose forces had clashed violently only the year before.

However, it appears as if Maliki was not as concerned about the threat posed by the NIA as he was by that of former PM Ayad Allawi and his largely Sunni and secular Shia alliance, *Al-Iraqiya* (Iraqi National Movement [INM]). Allawi represented a credible alternative to Maliki and had far greater credentials as a unifying figure that was determined to root out pro-Iranian Shia Islamism and to promote a non-sectarian agenda. To combat the re-emergence of Allawi, Maliki utilized Iraq's 2008 "Accountability and Justice" law to expel former Baathists from politics. While this law had been the culmination of 18 months of political wrangling within the Iraqi parliament, it essentially represented a continuation of Iraq's earlier De-Baathification policies (Sissons, 2008). Under Maliki's auspices, the Justice and Accountability Commission (JAC) therefore attempted to ban around 500 Sunni and secular Shia candidates from running in the election, many of whom had only the most tenuous of links to the former regime (Bender, 2010). This had the unfortunate consequence of portraying the election as a sectarian contest and led prominent Iraqi factions – especially the Sunni to decry such blatant discrimination (Katzman, 2010: 10-11).

Such undemocratic moves also greatly troubled Washington and Biden arrived in Iraq on 23 January with the express purpose of meeting with Maliki and trying to encourage him to lift the ban in the lead up to the 2010 elections (Bender, 2010; Rubin, 2010). Indeed, the Obama administration's first real attempt to influence Iraqi politics came in the form of a model advocated by Biden in which the candidates could partake in the election and then be investigated for Baathist links after they won a seat. The (then) US Ambassador to Iraq, Christopher Hill joined in the chorus, arguing that by lifting the ban on Baathists, the Iraqi elections would gain credibility. Such advice was initially heeded by the Iraqi appeals court who lifted the ban on 3 February before Shia factions responded furiously, a Sadr representative denounced it as "a betrayal of the people and the blood which poured in Saddam's era and after the occupation" (cited in Cogan, 2010). Maliki went even further, claiming that Iraq would not bow to US pressure, he insisted that Biden and Hill had gone beyond their diplomatic duties in Iraq, were interfering in the nations elections and a Maliki spokesman referred to it as "illegal and unconstitutional" (cited in Cogan, 2010). He then used his executive powers to demand that Iraq's highest judicial authorities come to a decision and called a special parliamentary session to make sure it was enforced ("Maliki 'won't allow US meddling in election row'," 2010). In the end, the Independent High Electoral Commission (IHEC) of Iraq confirmed on 12 February 2010 – less than a month before the election – that a total of 458 candidates had effectively been barred from participating ("Iraq reinstates 59 election candidates," 2010; M. Mohammed, 2010). Many of these candidates were members of the INM and the move dramatically undermined Allawi

and his bid for the Iraqi leadership. Overall, Biden and Hill's attempts were completely ineffectual and the Shia plan to oust Baathists, and Maliki's plan to stay in power, remained in tact.

The elections went ahead as planned on March 7 2010 with millions of Iraqis risking their lives to take part in the polls. Despite the ban of many of its key candidates, INM won the greatest number of seats at the election (91 of 325). The SLC came a close second (89), the NIA followed (70, of which the Sadrist secured 39 and ISCI 18), then the Kurdistan List (43, comprising the Kurdistan Democratic Party [KDP] and the Patriotic Union of Kurdistan [PUK]) and then various smaller parties and independents (*Republic of Iraq: Legislative Election of 7 March, 2010*). However, none of these coalitions had won the 163 seats needed to form a government in the 325 member Parliament.

Despite these problems in the lead up to the election and its failure to produce a clear majority, the elections offered a glimmer of hope for the US administration. In comments he made at the White House, Obama hailed the election as an "important milestone in Iraqi history" (Obama, 2010d). He was adamant that "the United States does not support particular candidates or coalitions" and that "No one should seek to influence, exploit, or disrupt this period of transition" (Obama, 2010d).

However, despite US optimism, Maliki was determined to cling to power. He employed three key tactics towards such an end and in his attempt to further undermine the efforts of the INM to form a government: a renewed De-Baathification effort, the ordering of a vote recount and the manipulation of electoral law. The first of these began immediately after the elections when Maliki once again pushed the JAC to ban candidates somehow linked to Saddam's regime, forcing them to forfeit their seats (Ottaway & Kaysi, 2010c). Following this, Maliki (in a move that was supported by Allawi) ordered the re-count of the votes despite reassurances that there had been little evidence of corruption or interference. Not surprisingly, the IHEC announced on the 14<sup>th</sup> May that they had found no sign of fraud and that the results were to stay the same (Faraj & Karim, 2010; No sign of fraud after Iraq vote recount," 2010). The Supreme Court of Iraq then certified these results on the 1<sup>st</sup> June. This was met with both enthusiasm and caution in Washington. On the one hand, it was heralded as "an important step forward as Iraqis continue to take control of their own future" and, on the other, Iraq's political leaders were warned that they must now "accelerate their negotiations on the formation of an inclusive and representative government that is responsive to the needs of the Iraqi people" ("White House on Certification of Iraqi Election Results," 2010).

Thirdly, and with some likely interference from Maliki, Iraq's Supreme Court issued a preliminary ruling on March 28 that any coalition that emerged after the election and secured the 163 seats needed to form government would be able to do so. This directly contradicted the Iraqi constitution which clearly stipulates that the bloc with the largest number of seats has the prerogative to form the government and thereby entitled Allawi to that prerogative. This new ruling would enable Maliki to form government provided that he could forge a new coalition with the requisite number of seats (Katzman, 2010: 14). Maliki came one step closer to this goal in May when, after months of bickering, the SLC formed a very shaky coalition with the NIA. However, both ISCI and the Sadrists remain adamantly opposed to another term for Maliki. They therefore presented the SLC with a 50-article document that severely limited the role of the Prime Minister, reducing it to a type of managerial rather than executive role (Ottaway & Kaysi, 2010b). With such provisions, and in moves reminiscent of the UIA, the two coalitions formally merged into the National Alliance (NA) on the 11<sup>th</sup>

June. Delivering another major setback to Allawi, this new alliance now held 159 seats in the Iraqi parliament, catapulting the Shia political elite of Iraq to within realistic reach of the 163 seats needed to form a government.

Just days after forming this loose and tentative alliance, Iraq's parliament finally convened on the 14 June for their first session since the March elections. According to the constitution of Iraq, in their first sitting the Iraqi parliament is supposed to elect a speaker. Then, within 30 days, the parliament must nominate people to key positions and elect the next Prime Minister who is charged with the responsibility of forming the government ("COR Convention," 2010; Ottaway & Kaysi, 2010a). However, the first meeting of Iraq's parliament failed even to elect a speaker. The bickering was so intense that immediately after the members had been sworn in, the session was suspended indefinitely. It lasted for only 18 minutes and Iraq's parliament has not reconvened since<sup>3</sup>. This was not only gravely disappointing to the millions of Iraq's who had risked their lives to vote, it also set a dangerous precedent in Iraq as the nations newly elected leaders failed to meet the requirements of the constitution.

Interestingly, the disgraceful show at the first sitting of the Iraqi parliament prompted a response from Sistani who had thus far remained silent on Iraq's political crisis. He urged the political parties to make progress and form a government in order to ensure stability and security. One Sistani spokesman, Abdul Mahdi Al-Karbalai, issued a statement on the clerics behalf stating that the "negotiations and discussions must be stepped up, and the political blocs must know the importance of time in reaching an agreement" (Al-Karbalai cited in Zahra, 2010). He added that "the political blocs must show flexibility in their demands and must let all Iraqi groups take part in serious negotiations" and hoped that ministers would be chosen "according to adequacy and honesty, and the ability to do all the required duties, and not according to political allegiance" (Al-Karbalai cited in Zahra, 2010).

Although Sistani did not single out Maliki, it appeared to be a thinly veiled criticism of him and his determination to stay in power. To further demonstrate his point, Sistani then met with Allawi in June. It was a curious appointment between Iraq's most senior Shia religious figure and a West-leaning secular Shia who represents much of the Sunni minority and detests pro-Iranian Shia Islamism. According to his spokesman, Sistani stressed "that the formation of the government is subject to dialogue between political blocs according to the mechanism set by the constitution" (Al-Khaffaf cited in Zahra, 2010). With such high-level interventions by Sistani, the various Shia factions appeared to distance themselves increasingly from Maliki and pursue other options. For example, Sadr – who has long rejected another term for Maliki – also met with Allawi in July 2010 in Damascus. Despite the fact that the two men are known to dislike each other, Sadr is reported to have commented that Allawi was "ready to make concessions to put an end to Iraq's political crisis" and urged other parties to do the same "for the sake of the Iraqi public interest...so that the political process proceeds" ("Allawi seeks Iraq support from Sadr," 2010). With confidence in Maliki waning among the Shia political elite, it is little wonder that in early August the INA broke off talks with SLC, severely undermining the chances of the NA forming a government (Londono, 2010).

This could not have come at a worse time for Obama. According to the rules stipulated in the SOFA, the US was scheduled to withdraw all combat troops by the end of August

---

<sup>3</sup> It should be noted here that while Iraq's parliament has not reconvened since 14 June, the heads of the main parliamentary blocs held a meeting on the 27 July. However, they failed to agree on a single issue or nomination and the session was suspended to allow more time for negotiations to continue ("Iraq parliament session postponed," 2010). A similar session was then convened on 18 September, again including representatives of the major coalitions and again failing to agree on key issues (Myers, 2010b).

2010. This led the US to dramatically step up their diplomatic efforts to assist Iraq in overcoming the impasse and forming a government. This had actually begun in June when the US Assistant Secretary of State for Near Eastern Affairs Jeffrey Feltman held a number of talks with key figures in Iraq's main political blocs all to no avail (MacMillan, 2010). Then, over the July 4<sup>th</sup> weekend, a high-profile non-partisan delegation visited Iraq, including Biden, John McCain (Republican and former Presidential candidate), Joseph Lieberman (Independent) and Lindsey Graham (Republican). Aside from meeting with US troops to celebrate the holiday, all four staged separate meetings with Allawi, Maliki and other significant Iraqi political figures in a united effort to bring the stalemate to an end ("Biden Makes Surprise Visit to Iraq Amid Political Impasse," 2010; MacMillan, 2010). In the lead up to the meetings, Biden was upbeat, stating that "This is not a lot different than any other government...the parties are all talking. I remain extremely optimistic about a government being formed here that will be representative" (Biden cited in: MacMillan, 2010). Such optimism aside, Biden is said to have had some very stern words for both Maliki and Allawi. He reportedly proposed two models designed by the United States in order to bring about a Maliki-Allawi alliance. The first involved the two men rotating the position of Prime Minister in the new government. The second would see the two men installed as Prime Minister and President, but with a significant escalation in the powers vested in the latter (Raphaeli, 2010). However, these high profile efforts had no immediate result and when Obama made a key speech on the ending of the Iraq war at the Disabled American Veterans Conference on 2 August, he was left without a political success story; he noticeably made no reference to Iraq's political impasse, instead emphasising the fact that the war was soon coming to an end (Obama, 2010b).

However, Biden's visit did have some impact. Ali al-Dabbagh, a spokesman for the Iraqi government, stated that he had in fact "played a major role in closing the gap" between Allawi and Maliki (Al-Dabbagh cited in: Raphaeli, 2010). Indeed, the two men, after months of political bickering, held several dialogues throughout July and August and discussed options towards the formation of a government. Interestingly, Maliki and Allawi are said to have been in favour of a third model initially proposed by the US. This would see Allawi, in return for supporting another term for Maliki, lead a broad and powerful new "Council on National Strategy" which would mitigate against the office of the Prime Minister (Katzman, 2010: 14). However, as Reidar Visser has recently pointed out there are several significant problems with this model: Maliki would still have to form a government, most likely with the INA and the Kurds with whom the SLC has yet to agree; the "Council on National Strategy" does not exist in the Iraqi constitution and it would be difficult to define and limit its powers; if the council proves ineffective the INM might withdraw and then significantly undermine the stability of the government; and finally that Maliki and Allawi have yet to forge an amicable relationship (Visser, 2010). This latter point proved true as these talks lead to no official announcements and by 16 August, the talks were suspended due to Maliki's sectarian tone in describing INM as a "Sunni bloc" rather than as a nationalist, non-sectarian entity.

It was in the midst of this complex political milieu that the final US combat forces withdrew from Iraq, as stipulated by the SOFA, by the end of August, 2010. Only 50,000 troops remain in Iraq, by far the lowest number since 2003, and they are there in an "advise and assist" capacity designed to avoid combative operations. To commemorate this event, Obama gave a nationally televised address from the Oval Office on 31 August 2010. Unable to celebrate a military "victory" or to claim a robust and stable democracy, much of the speech emphasised the fact that Obama had kept his campaign promise to leave Iraq and focused on the renewed effort in Afghanistan as well as domestic issues like unemployment and the economy. He did, however, make

some reference to Iraq's political impasse by stating that "Tonight, I encourage Iraq's leaders to move forward with a sense of urgency to form an inclusive government that is just, representative, and accountable to the Iraqi people" (Obama, 2010c). As the President offered these words, Biden was once again leading another diplomatic effort in Iraq with the hope of reaching some agreement as the troops withdrew. This time, he was accompanied by Robert Gates (US Defence Secretary) and Admiral Mike Mullen (Chairman of the Joint Chiefs of Staff) who, along with Biden, attended the official handover of military command to the Iraqi forces (Tran, 2010). Ever optimistic, Biden claimed

I've met with every one of the groups that won portions of the vote in the elections and I'm absolutely convinced that they are nearing the ability of forming a government, that will be a government representing the outcome of the election which was very much divided. (Biden cited in: "Iraq government 'close' - Biden," 2010)

Central to Biden's claim was the fact that Allawi and Maliki had recently returned to negotiations. This time, the notion of a broad coalition government had been tabled, one which would see the SLC, the INM and the Kurdish alliance in power. Central to this plan was the creation of a "National Security Council" (a re-fashioned version of the earlier "Council on National Strategy") that would be given significant executive powers including the approval of military appointments, the review of the budget and the ability to shape security and oil export policy. Although there is some cause for concern given the fact that the new plan may create a government weakened by a bureaucracy that is too sluggish to deal with the pragmatic demands of good governance, both the SLC and the INM prepared competing policy papers detailing the compromises they would be prepared to make and the functions and parameters of the new body (Gordon & Shadid, 2010). In an interview on the 9<sup>th</sup> September in the New York Times, Biden remained optimistic, claiming that there was "a growing awareness that there is a need for something akin to our National Security Council" (Biden, 2010).

However, it appears as if the ongoing stalemate between Maliki and Allawi soon thwarted these ambitions. Indeed, around the end of September the INM issued several stern statements in which they have stepped up their vitriolic criticisms of Maliki, his constitutional violations and his efforts to undermine the INM's chances of forming the next government. They have also been adamant that they do not recognise the NA nor its "attempts to implement political sectarianism", that they "will not participate in any government headed by Mr Maliki" and that they will continue "negotiations with various political entities and especially the INA to form a national partnership government based on electoral and political mandates" ("Statement on Al Iraqiah's stance on the government formation crisis," 2010). It appears that around this time two competing images of Iraq's political future emerged. The first was reported by Charles W. Dunne around the 27 September, and includes a US favoured system which would see the INM merge with ISCI – Allawi would take the office of the President and Mahdi would become the new Prime Minister (Dunne, 2010). However, as with every other attempt to reconcile Iraq's political differences, Maliki remains obstinately and predictably opposed and refuses to acknowledge any conclusion that does not see him continue in power. The second model, was reported in the New York Times on the 1 October in which Maliki was reported to have re-ignited dialogues with the INA (minus ISCI) and had garnered the support of the Kurds. Although this has not been finalised, as the report put it, "Mr Maliki's success reflected his tenacity - tinged with authoritarianism - to retain power, despite widespread opposition to his leadership" (Myers, 2010a).

## Conclusion

This is a critical time for Iraqi democracy. The absence of an effective government, recent escalations in violence and an increasing emphasis on Afghanistan have meant that Iraqi democracy –once the centre of US foreign policy and of global attention – is facing perhaps its greatest challenge. These factors are compounded by the fact that the Obama administration has remained adamant that they will meet the remaining deadline of the SOFA for a complete withdrawal by the end of 2011. Unless unforeseen circumstances arise it is difficult to imagine that US forces would prolong their presence in Iraq into 2012. Despite this imminent withdrawal, the Obama administration has proven to be remarkably ineffective in their approach to Iraq's current political impasse and have failed to develop and deliver effective policy strategies to negotiate and resolve the deadlock. Indeed, while the invasion of Iraq marred the presidency of his predecessor, Obama's determination to withdraw from Iraq and his inability to foster democracy there may well prove to be his own troublesome legacy.

Whichever way Iraq turns from here, the Iraqi Shia political elite will be critical to the nation's stability and its ability to develop a robust and stable democracy. If the largely undemocratic trends that have occurred over the last few years continue and especially if Maliki's SLC is able to retain power and tighten its grip on the state, then the prospects for a positive and democratic future beyond occupation do not look good. Indeed, the initial optimism about the Shia political elite and their moves towards democracy seem at odds with recent developments and the lead up to and continuation of Iraq's political stalemate beg at best a more complex assessment, at worst raise doubts about their democratic credentials. While there may yet be many more chapters to write in the story of the Shia's role in Iraq's democracy, it is for the moment difficult to envisage a happy ending.

Dr Benjamin Isakhan is a Research Fellow with the Centre for Dialogue at La Trobe University. Ben is the author of *The Democratic History of Iraq: Culture, Politics and Discourse* (Ashgate, 2011) and the co-editor of *The Secret History of Democracy* (Palgrave Macmillan, 2011). In addition, Dr Isakhan has authored several publications including a book chapter in *Islam and the Australian News Media* as well as articles in *Middle East Policy*, the *International Journal of Contemporary Iraqi Studies*, the *Middle East Journal of Culture and Communication*, *Global Media Journal*, and *Australian Journalism Review* among others.

[b.isakhan@latrobe.edu.au](mailto:b.isakhan@latrobe.edu.au)  
<http://www.benjaminisakhan.com/>

## References

- Allawi seeks Iraq support from Sadr. (2010, 19 July). *Al-Jazeera*.
- Bailey, H. (2009, 26 June). Biden's New Brief. *Newsweek*.
- Bender, D. (2010, 18 February). Purple fingers alone don't point to democracy. *Foreign Policy*.
- Biden, J. (2010, 9 September). Vice President Biden on Progress and Lingering Threats in Iraq, Interview with Michael R. Gordon. *The New York Times*.
- Biden Makes Surprise Visit to Iraq Amid Political Impasse. (2010, 3 July). *Fox News*.
- Bush, G. W. (2003, 6 November). Remarks by the President at the 20th Anniversary of the National Endowment for Democracy. *The White House*.
- Clinton, H. (2009, 20 October). U.S.-Iraq Business & Investment Conference. *Wordpress*.
- Cockburn, P. (2008). *Muqtada Al-Sadr and the Battle for the Future of Iraq*. New York: Scribner.
- Cogan, J. (2010, 6 February). With US backing, court rejects candidate ban in Iraq. *World Socialist Website*.
- Cole, J. R. I. (2003). The United States and Shi'ite Religious Factions in post-Ba'thist Iraq. *Middle East Journal*, 57(4).
- Cole, J. R. I. (2006a). *The Ayatollahs and Democracy in Iraq*. Amsterdam: Amsterdam University Press.
- Cole, J. R. I. (2006b). The Rise of Religious and Ethnic Mass Politics in Iraq. In D. Little & D. K. Swearer (Eds.), *Religion and Nationalism in Iraq: A Comparative Perspective* (pp. 43-62). Cambridge: Harvard University Press.
- COR Convention. (2010). *The ISCI Bulletin*, 3(8), 12.
- Dawisha, A., & Diamond, L. (2006). Electoral Systems Today: Iraq's Year of Voting Dangerously. *Journal of Democracy*, 17(2), 89-103.
- Dunne, C. W. (2010, 27 September). The End of the Iraqi Government Impasse? *Middle East Institute: Policy Insight*.
- Duss, M. (2008, December 17). The Shia Religious State. *The American Prospect*.
- Duss, M., & Juul, P. (2009). *The Fractured Shia of Iraq: Understanding the Tensions within Iraq's Majority*. Washington: Centre for American Progress.
- Ehrenberg, J., McSherry, J. P., Sanchez, J. R., & Sayej, C. M. (Eds.). (2010). *The Iraq Papers*. Oxford: Oxford University Press.
- Faraj, S., & Karim, A. (2010, 19 April). Baghdad recount throws Iraq election wide open, Agence France Presse. *Agence France Presse*.
- Feldman, N. (2005). The Democratic Fatwa: Democracy in the Realm of Constitutional Politics. *Oklahoma Law Review*, 58(1), 1-9.
- Gerecht, R. M. (2004a, 1 September). Ayatollah Democracy. *The Atlantic Monthly*.
- Gerecht, R. M. (2004b). *The Islamic Paradox: Shiite Clerics, Sunni Fundamentalists, and the Coming of Arab Democracy*. Washington: American Enterprise Institute for Public Policy Research.
- Gordon, M. R., & Shadid, A. (2010, 9 September). U.S. Urges Iraqis to Try New Plan to Share Power. *The New York Times*.
- Iraq breaks record for time taken to form a government. (2010, 2 October). *BBC News*.
- Iraq government 'close' - Biden. (2010, 1 September). *Irish Times*.
- Iraq parliament session postponed. (2010, 27 July). *Al-Jazeera*.
- Iraq PM set to break with Shiite coalition in January polls. (2009, 13 August). *The Daily Telegraph*.
- Iraq reinstates 59 election candidates. (2010, 25 January). *AFP*.
- Isakhan, B. (2009). Manufacturing Consent in Iraq: Interference in the Post-Saddam Media Sector. *International Journal of Contemporary Iraqi Studies*, 3(1), 7-26.

- Isakhan, B. (2010). *Despots or Democrats?: Sistani, Sadr and Shia Politics in Post-Saddam Iraq*. Paper presented at the Australasian Political Science Association (APSA) Conference, University of Melbourne, Australia.
- Isakhan, B. (2011). The Streets of Iraq: Protests and Democracy after Saddam. In B. Isakhan & S. Stockwell (Eds.), *The Secret History of Democracy*. London: Palgrave Macmillan [Forthcoming].
- Jervis, R. (2003). Understanding the Bush Doctrine. *Political Science Quarterly*, 118(3), 365-388.
- Katulis, B. (2010, 16 February). Iraq's Elections Highlight Gap in U.S. Policy. *Arab Reform Bulletin*.
- Katzman, K. (2010). *Iraq: Politics, Elections, and Benchmarks*. Washington: Congressional Research Services Report for Congress.
- Londono, E. (2010, 2 August). Shiite bloc suspends talks, undermining Maliki's chances to remain Iraq's leader. *Washington Post*.
- Louer, L. (2008). *Transnational Shia Politics: Religious and Political Networks in the Gulf*. London: Hurst.
- MacMillan, A. (2010, 4 July). Biden 'extremely optimistic' about Iraq's democracy. *Middle East Online*.
- Maliki 'won't allow US meddling in election row'. (2010, 5 February). *MRS/RE*.
- Mohammed, A. (2009, 16 September). Maliki plots his next move. *Asia Times Online*.
- Mohammed, M. (2010, 13 February). Iraq election officials confirm Sunni candidate ban. *Reuters*.
- Myers, S. L. (2010a, 1 October). Accord Paves Way for Re-election of Iraq Premier. *The New York Times*.
- Myers, S. L. (2010b, 19 September). Iraqi Political Theater, Even as Democracy Struggles. *The New York Times*.
- Nakash, Y. (2007). *Reaching for Power: The Shi'a in the Modern Arab World*. Princeton: Princeton University Press.
- Nasr, V. (2007 [2006]). *The Shia Revival: How Conflicts Within Islam Will Shape the Future*. New York: W. W. Norton.
- No sign of fraud after Iraq vote recount. (2010, 14 May). *HN/HGH/MMN*.
- Obama, B. (2009a, 26 June). Obama and Merkel's Press Conference. *Council on Foreign Relations*.
- Obama, B. (2009b, 27 February). Remarks by the President Responsibly Ending the War in Iraq, Camp Lejeune, North Carolina. *The White House*.
- Obama, B. (2010a). *Executive Order: Temporary Organization to Facilitate a Strategic Partnership with the Republic of Iraq* (No. 13541): Presidential Documents.
- Obama, B. (2010b, 2 August). Remarks by the President at Disabled Veterans of America Conference in Atlanta, Georgia. *The White House*.
- Obama, B. (2010c, 31 August). Remarks by the President in Address to the Nation on the End of Combat Operations in Iraq, Oval Office. *The White House*.
- Obama, B. (2010d, 7 March). Remarks by the President on the Elections in Iraq, Rose Garden. *The White House*.
- Ottaway, M. (2010, 2 August). Leaving Iraq? *Carnegie Endowment for International Peace*.
- Ottaway, M., & Kaysi, D. (2010a, 14 July). The Chess Game Continues. *Carnegie Endowment for International Peace*.
- Ottaway, M., & Kaysi, D. (2010b, 26 May). Iraq's Long Road to a Government. *Carnegie Endowment for International Peace*.
- Ottaway, M., & Kaysi, D. (2010c, 30 April). Post-Election Maneuvering: Rule of Law is the Casualty. *Carnegie Endowment for International Peace*.
- Ottaway, M., & Kaysi, D. (2010d, 5 April). Who Will Be the Next Prime Minister of Iraq? *Carnegie Endowment for International Peace*.

- Rahimi, B. (2004). Ayatollah Ali al-Sistani and the Democratization of Post-Saddam Iraq. *Middle East Review of International Affairs*, 8(4).
- Raphaeli, N. (2010). *Vice President Joseph Biden Concludes a Three-day Visit to Baghdad* (No. 622): The Middle East Media Research Institute.
- Republic of Iraq: Legislative Election of 7 March*. (2010). Independent High Electoral Commission of Iraq: The Majlis.
- Rubin, M. (2010, 1 February). A Watershed Election. *Middle East Forum*.
- Sadr Supporters Protest Planned US-Iraqi Security Agreement. (2008, 30 May). *Voice of America*.
- Sadrist group quits ruling Shiite parliament bloc. (2007, 16 September). *China Daily*.
- Shanahan, R. (2004). Shi'a Political Development in Iraq: The Case of the Islamic Da'wa Party. *Third World Quarterly*, 25(5), 943-954.
- Sissons, M. (2008). *Briefing Paper: Iraq's New "Accountability and Justice" Law. 1*. New York: International Centre for Transitional Justice.
- Soroush, A. K. (2004). If Shiite Majority Comes to Power in Iraq, It Will Enhance Democracy in Iran. *New Perspectives Quarterly*, 20 February.
- Statement on Al Iraqiah's stance on the government formation crisis. (2010, 24 September). *Al-Iraqiah Bloc*.
- Tran, M. (2010, 1 September). Joe Biden: Iraq close to forming new government. *The Guardian*.
- Visser, R. (2010, 26 August). Armistice and Governance in the Iraqi Government-Formation Process: The US Position. *Historiae*.
- White House on Certification of Iraqi Election Results. (2010, 1 June). *The White House, Office of the Press Secretary*.
- Zahra, H. A. (2010, 18 June). Top cleric warns Iraq leaders on coalition talks. *AFP*.