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Department of Security Studies

Louis Benhamou

Challenges to the Weberian State: Hybrid State and Non-State Actors in Iraq

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Author: Louis Benhamou

Supervisor: Mgr. Tomáš Kučera, Ph.D.

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Abstract

This thesis examines the relationship between the Popular Mobilization Forces and the state in post-conflict Iraq. It critically assesses their link as mutually exploitative and derives back their agency to both actors. The concept of hybridity, to characterise a behaviour that is simultaneously cooperative and competitive, is applied to both terms of the dyad. Overcoming the Western conception of the state, the research offers to consider the Iraq as a post-Weberian system where hybrid state and non-state actors collaborate to offer an alternative political order.

Keywords

Declaration of Authorship

1. The author hereby declares that he compiled this thesis independently, using only the listed resources and literature.

2. The author hereby declares that all the sources and literature used have been properly cited.

3. The author hereby declares that the thesis has not been used to obtain a different or the same degree.

Prague 27.07.2021   Louis Benhamou

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"If 'fragile' post-conflict states are re-conceptualized as 'hybrid' political orders, new options for governance can be envisaged – ones where policing is not the prerogative of the state alone."

Bruce Baker, "The Future is Non-State,"
in *The Future of Security Sector Reform*, 2010.

Introduction

The security architecture in today's post-conflict Iraq is of particular interest to the Western observer. The rise of the Popular Mobilization Forces (PMF) and their subsequent solidification as a new actor in the Iraqi state scenery since 2014 constitutes its major cause. As an umbrella organisation of tens of militias, the PMF's growing strength has been seen as a grave impediment to the State's monopoly on violence, and hence as a fatal obstacle to its sovereignty. Many have called for the prompt dismantlement of the PMF and subsequent integration of the militias into the Iraqi Armed Forces (IAF). This is, after all, one of the silver linings of security sector reform (SSR), which itself is often shown as key in conflict resolution programs supported by the international community. The situation, however, evolved to the benefit of the PMF, originally a non-state actor, now a legal institution of the state.

Challenging the Weberian conception of the state, seen as the sole provider of legitimate violence, but also as the only legitimate body in charge of the distribution of public goods, Iraq's state functioning is now split between the government's actions and the PMF. Both actors find themselves indeed in a situation where they cooperate as much as they compete with one another. The PMF has grown out of its sole fighting role and is now engaged in activities that traditionally fall under the responsibility of the state only. By gaining a space inside the state's institutions, it has pursued the dynamic of establishing itself as a state actor, with the legitimacy that it guarantees. However, its many private interests that it keeps exploring and its tendency to avoid accountability from the state cast a new light on the PMF: a hybrid actor, both state-sponsored and autonomous.

This vision finds itself enriched when reverberated to the behaviour of the Iraqi state itself. The accreditation of a state licence, so to speak, to the PMF, can also be seen as a weak state strategy to maintain or expand its powers with limited resources. The local implementation of the PMF is of foremost advantage to the central administration, on a territory that large, and recovering from decades of conflicts. The state hence delegates key features of a traditional sovereign state to the benefit of this strategy. Where the PMF cooperates and competes, the Iraqi state allows and limits: it is a hybrid actor, too.

The thesis will look at the complex relationship between the Iraqi state and the PMF and try to establish the many interests that both actors pursue. The research question will ask: is the PMF an effective instrument in the Iraqi State's strategy to manage violence and enforce security in its borders? The idea of a management of violence opposes the Weberian characteristic of a monopoly on violence and meets the aim of finding how weak states can redefine stateness by accommodating their challengers. The instrumentalization of the PMF by the state means that we are bringing the optic of a principal and agent relationship, with the

state being the former and the PMF the latter. This should help us best to retrieve both meeting and conflicting interests of the two parties.

Methodologically, this research employs a qualitative approach. Our data comes from primary sources like news reports, and secondary sources like academic articles, reviews, and books. A literature review on critical state studies will allow us to centre our topic and derive first general assumptions on the roles of state and non-state actors in post-conflict environment. Secondly, these assumptions will allow us to operationalise the concept of hybridity. Finally, we will test the hybridity of our two actors, the Iraqi State and the PMF, through a threefold analysis rooted on the pillars of the Weberian state: the monopoly on violence; the relationship state / society; tax collecting and state politics. In the end, we will present our conclusions.

Literature Review

1. The Western Conception of The State

First, we need to establish the aspects of the modern nation-state in the Western perspective. This only will bring us to the further comprehension of the ways these are challenged.

Wulf writes that "implicitly and often explicitly, reference to an appropriate role of the state is based on the Weberian concept of the state. In Max Weber's political thought, the state lays claims to the monopoly of legitimate physical violence within a certain territory" (2007: 3). This conception of the state as the sole depository of a legitimate monopoly on violence is what the denomination of a Weberian state usually entails in political science. Sometimes summed up as "the monopoly on violence", the crucial part of the phrase is the forgotten term, *legitimacy*. Indeed, there is probably not one state in the world that could claim to have an effective monopoly on violence, meaning that the state is the only one actor to produce violence. No, the true characteristic of the modern nation-state, for Weber, is that the state has convinced

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its citizens that any private use of violence, by or between individuals or groups that do not belong to the state, is illegitimate. A robber can still commit a crime; organized criminal organisations resort to armed violence: but these acts will be identified and labelled as an illegitimate display of violence, and their perpetrators will have to face the state's justice. To arrest these individuals, as well as to wage wars outside of its borders, the state will be able to deploy armies, large squadrons of soldiers, that will go, if not unnoticed, accepted by most, as a legitimate production of force. The modern state is hence the sole owner of a legitimate monopoly on violence.

Two other elements can be brought up to complete this definition of the state by Weber, "who defined the state as a fixed territorial entity, ruled by a central authority that has a monopoly over the legitimate means of violence" (Mansour et al., 2019: 9).

First, "the British sociologist Michael Mann adds that the state cannot only include despotic power (over society), but must also include infrastructural power, which he defines as a 'cooperative relationship between state and society'" (*ibid.*). This is indeed an important criterion: the "infrastructural power" is how the state becomes a provider of public goods, and, we would be tempted to add, the sole legitimate one. In other words, this function would cover what is usually under the denomination of government: for the state to govern, it does not mean only to control the expression of violence on its territory, or to guarantee protection to its citizens; but also, to build a functioning society for them. Roads, bridges, schools, hospitals, markets: many components that befall to the prerogatives of the state, and through which it sits its legitimacy in the society.

Secondly, "American scholar Charles Tilly adds other criteria [...]: that the state must be able to go to war, to remove internal strife, to protect the population, and to collect taxes" (*ibid*). Here, it is the last term that catches our attention: the state collects taxes. The state protects its population, the state attacks its enemies, and the state rules over a territory on which

it collects taxes. This tax money fuels the state's capabilities, allows it in return to provide protection and infrastructure for its citizens. But a key point to underline here is the state's appetite not only for money or violence, but to rule and impose its rules over a territory and population. These objective elements will help us to consider where and when non-state actors are slipping towards activities that should fall under the state's (legitimate) monopoly.

However, it is important to remember that there is a history to the birth of the concepts of state and statehood, aligned with sovereignty, force monopoly, territory, and population. These came along with the slow rise of European nations that increased the power of their central states through decades of internal strife, through a process that was both undecisive and violent. It would be an illusion to imagine the birth of potent states without violence. As Boege, Volker et al. (2008: 5) argue:

> "The history of those regions of the world in which modern states originally emerged shows that the process of state-building (or better: state-formation) was inherently violent. In the pursuit of a monopoly of force, those agencies that came to stand as the state had to expropriate the means of violence from different social entities that competed with the emerging state (Weber 1988, 511). In the process, state agencies exerted violence themselves. The establishment of the 'monopoly over the legitimate use of foce' against local resistance was a highly competitive and violent endeavour."

And while "amassing the means of violence, control and coercion on a large scale" (*ibid.*) enabled to pacify the territory internally, it also created the ripe conditions for a security dilemma in the international system. Thus, building statehood through the monopoly of power is not devoid of other threats to peace and stability.

Moreover, as Wulf argues, while the Weberian concept gives a good idea of what a state could be, it should not be taken literally: "the Weberian criterion of a state's control over a given territory has probably never been fully implemented. The European nation-states never had tightly closed borders; they had interactions with neighboring countries and did not possess

full control over their territory" (2007: 18). The underlying issue is that in today's world dominated by Western states, thoughts, and standards; international aid, public development and state-building programs are built in reference and towards the characteristics of the Weberian state. As Boege, Volker et al. phrase it: "mainstream 'state talk' refers to various representations of the 'classical' model of the western Weberian sovereign state, and other states are presented as deviant cases, evaluated according to the degree to which they approximate the Weberian benchmarks" (2008: 4). There is hence a whole case to be made that goes beyond mere theoretical considerations on the Western conception of the state. Knowing what it entails and more fundamentally, what it does not, will prove critical to understand modern discourse on state-building.

State-building encompasses certain types of international assistance programs that aim to rebuild state capacity in conflict zones where either the years of war have dissolved the state's authority, or where a central state has either never existed or has never managed to be fully sovereign on its territory. We will now focus on the most intricate paradox of the formulation, which is the reality of this "state" that these programs are hoping to be "building".

Baker reminds us that: "from the Western perspective, post-conflict states are weak, fragile and ineffective" (2010: 211). This is usually indeed how Western observers perceive the issue: a state is deemed weak, fragile, or encountering serious dysfunctions when it fails on the scale of the "Weberian benchmarks". This wording is however faulty and brings its own negative effects, argue Boege, Volker et al. If "fragile states can be conceptualised along a continuum of declining state performance, from weak states through failing states to failed and finally collapsed states" (2008: 3), then the work of international partners should limit itself to social engineering, i.e., finding the right balance between the different state bodies, to the point

where each singular organ having been repaired, the newly healed organism could start functioning normally again. However:

> "This approach ignores (or conceals) the fact that state-building is not merely a technical exercise, limited to enhancing the capacities and effectiveness of state institutions. Rather, it is a highly controversial political endeavour which is likely to involve serious political conflicts as existing distributions of power are threatened." (2008: 16)

Indeed, the absence or weakness of states in post-conflict environments does not mean that no one is ruling, nor that no one is in a position of power. It simply means that these actors do not identify with the state. External help provision aiming to reinforce or build up the state's capacity will fatally result in the opening of power struggles and might well trigger another cycle of conflict rather than being the key to stability. That is why Baker argues that:

> "The question of who should deliver policing services, from a development point of view, should be based on the capacity of particular actors, whether formal or informal, to provide quality and effective policing to citizens. […] the question is a political and normative one, dependent upon local contexts, institutional capacities, popular demands, leadership, national trajectory and dominant ideology. It cannot be answered generically and, hence, policing reform should abandon any a priori state-centric bias." (2010: 220)

This idea of abandoning "state-centric bias" is dual-minded. First, it is an attempt to consider a post-Weberian environment, where the state would not have the only lever on which to play for international partners and development providers. It does not particularly bear a stance against the state itself, but rather invites a new look towards alternate providers of policing services. Second, it is a reconsideration of the universality of a Western concept:

> "State fragility discourse and state-building policies are oriented towards the western-style Weberian/Westphalian state. Yet this form of statehood hardly exists in reality beyond the OECD world. […] these states should not be considered from the perspective of being 'not yet properly built' or having 'already failed again.'" (Boege, Volker et al., 2008: 2)

Finally, we could extend this constructivist approach that led us to question the formulations of "failed" or "collapsed" states, to the deconstruction of the meanings surrounding the "Weberian" state. While Weber did produce a definition of the modern state as the sole legitimate actor that owns a monopoly on violence; he did not say that the modern democratic state constituted the sole legitimate authority possible.

> "Max Weber distinguishes three types of legitimate authority, namely legitimacy based on (1) Rational grounds – "resting on a belief in the 'legality' of patterns of normative rules and the right of those elevated to authority under such rules to issue commands (legal authority). (2) Traditional grounds – resting on an established belief in the sanctity of immemorial traditions and the legitimacy of the status of those exercising authority under them (traditional authority); or finally (3) Charismatic grounds – resting on devotion to the specific and exceptional sanctity, heroism or exemplary character of an individual person, and of the normative patterns or order revealed or ordained by him (charismatic authority) (Weber 1968, 46)" (Boege, Volker et al., 2008: 10, footnote)

The descriptive sociological standpoint establishing these three ideal-types of legitimate authority bears no prescriptive value as regards to which should be considered as the most legitimate one. "However, in today's modern state, according to the Western norms and the liberal value system, […] two forms of legitimacy are discredited. The authority to exercise legitimate force in the modern state rests, ideally, exclusively on the legality of the authority belonging to a democratically elected political leadership" (Wulf, 2007: 8). Surely, for Max Weber, the depersonalized, bureaucratic state draws its legitimate authority from rational grounds. Which is not the same than discrediting any other type of authority than the one from the state as state-building programs aim to, or, more precisely, consider as the only possible horizon of their action. Having situated the Weberian state in its core definition, context and inherent limits or paradoxes, we will see now what shapes could take challenges to the Western state.

2. Challenged and Redefined?

One of the reasons why it may not be adequate to keep the terminology of "failed states" as an operational concept for post-conflict reconstruction is that in some non-Western countries that have encountered serious instability, "the state" does not mean the same thing than it does in the West. Mainly, as Jackson underlines, "there are problems with the nation-state in many of the contexts in which states are failing" (2010: 122). This would be one of the roots of the issue: Western states are for the most part nation-states, where citizens, despite their differences, all share some common grounds like language, and most importantly, adhere to a common narrative of what their country stands for, what values, ideals, history they can prevail themselves from by belonging to this political entity. This is precisely nationalism.

Without this strong sense of purpose and trust in the national community, building a strong state will always prove challenging and meet many hurdles. Even more so when the state is in no capacity to provide effectively to the population what they require, and when other non-state actors, pertaining to other, more traditional forms of authority, are already holding the ground. This is why:

> "Lastly, a critical concern of any involvement in state building or post-conflict SSR has to be based on a thorough understanding of the relations of power and forms of violence. Any reform program needs to understand the specifics of violence and to focus on history, anthropology and politics of violence in order to reconstruct meaningful security." (*Ibid.*: 133)

It is hence needed to build up from the experiences of societies that have developed a connexion between different types of legitimate authority in order to get functioning institutions. To take Jackson's word for it, we would need to look at the anthropological structure of societies in which failing states are operating. As the most immediate reasons for the absence of capacity of a central state is usually encompassed in the vision of international development programs, which identify as "post-conflict reconstruction": hence, conflict and war; it is good to keep in

mind that deeper factors are also in place, such as the heritage of colonisation and decolonisation, in places where a foreign ruling administration took precedence over the accomplishment of a national consciousness from the indigenous population.

As Jackson underlines: "in much of the post-colonial world, the political order is very different from that of the Western experience; it consists of a clientelistic state and overlapping layers of formal and informal spheres of power with a long history" (*ibid.*: 212). While it is not the focus of our analysis here, it is a fact that parts of the literature that challenges the Weberian state also stems from the field of colonial or post-colonial studies. Here, we will rather insist on key distinctions and issues that can be raised immediately from the concepts of state sovereignty in regions of the world where a central state is not a given.

Boege, Volker et al., write that "statelessness, however, does not mean Hobbesian anarchy, nor does it imply the complete absence of institutions" (2008: 6): there are indeed, rather than substitutes, alternative institutions that rule, hold power and provide what we call public policing in areas that are beyond the reach of the state. Max Weber's sociology, but also ethnology have attached themselves to produce descriptions and analyses of these types of traditional environments.

> "Customary law, traditional societal structures (extended families, clans, tribes, religious brotherhoods, village communities) and traditional authorities (such as village elders, headmen, clan chiefs, healers, *bigmen*, religious leaders, etc.) determine the everyday social reality of large parts of the population in developing countries even today […] On many occasions, therefore, the only way to make state institutions work is through utilizing kin-based and other traditional networks. Thus the state's 'outposts' are mediated by 'informal' indigenous societal institutions which follow their own logic and rules within the (incomplete) state structures." (*Ibid.*: 7)

Although mainstream state theory does not accept to share authority in its sovereign capacity to customary or traditional echelons, it seems that weak states find themselves in a place where they could use the help where it is found. Negating and changing the distribution of power in

these regions would be hazardous as the population relies on it, and that there is simultaneously a distrust towards the state: "'the state' is perceived as an alien external force, far away not only physically (in the capital city) but also psychologically" (*ibid.*: 9). Local population that has never relied on the state's capacity and that would hear from it through an armed force brought to exert a new control on their lands, at the initiative of foreign powers, might not welcome this power with open arms.

Then, who are the local actors? "In this situation, the actors perceived as powerful and effective include warlords and their militias in outlying regions, gang leaders in townships and squatter settlements, vigilante-type organisations, ethnically-based protection rackets, millenarian religious movements, transnational networks of extended family relations, organised crime or new forms or tribalism" (*ibid.*). To these, one might add "the protagonists of the traditional societal entities such as lineages, clans, 'tribes' or religious brotherhoods" (*ibid.*). Sometimes, these are even mixed: "for example, warlord systems are embedded in the local societal structure of clans and tribes (as witnessed in Afghanistan or Somalia), and criminal gangs that control squatter settlements are tied back to kinship-based entities and common localities of origin" (*ibid.*).

While warlords do not exactly represent the kind of legitimate authority a competent state would usually accept to team up with, let alone be publicly associated to; these are still the actors of local governance. While all of these actors cannot be tolerated by a state actor, some customary authorities have found ways not only to talk with the state but to grant it certain levels of success in its policies, due to traditional kinship logics that a modern state is not built to support. One example of this is the link between state and clan elders council in Somaliland:

> "In its north-western part (the former British protectorate of Somaliland), however, a functioning, effective and legitimate political order has emerged over the past fifteen years. This order combines customary institutions – in particular councils of elders (*guurti*) – and modern state institutions based on free and fair elections, such as a

parliament and a president. [...] Clan elders and their councils were the decisive actors in the peacebuilding process, utilizing customary forms and mechanisms of conflict resolution." (*Ibid.*: 13)

Similarly, the example of Bougainville is often cited:

"As in the case of Somaliland, the political order in Bougainville combines elements of the western model of statehood (a president and parliament, a constitution, free and fair elections, a public service) and elements of customary governance (councils of elders and councils of chides, customary law and conflict resolution). This hybrid model is functioning well and enjoys a high degree of legitimacy – again, without a state monopoly on violence being in place." (*Ibid.*: 14)

A last example from Northern Kivu would achieve our goal of demonstrating the plurality of existence of these dual (or hybrid) processes where state and non-state local actors of governance associate themselves to rule post-conflict countries and societies:

"In Northern Kivu in the Democratic Republic of the Congo (DRC), for example, non-state institutions like churches and customary societal entities have filled the political void left by the withdrawal of the state. They have taken over state functions and thus become para-statal institutions; in particular, councils of elders have been established, comprising representatives of the various ethno-linguistic groups, who are responsible for conflict resolution and governance issues. In border areas of rural Kenya and Tanzania, a form of maintenance of order and conflict resolution has evolved that is called *sungusungu*, originally in opposition to state institutions (notably the police and the judiciary) and based on local customary law instead of state law. *Sungusungu* led to the development of 'hybrid forms or organisation (…), which are, strictly speaking, illegal but are officially authorised, neither part of the state nor totally rejected by it' (Heald 2007, 2)." (*Ibid.*: 14)

These three examples, in Somaliland, Bougainville and Northern Kivu cast a new light on the reign of the state in post-conflict environments. It shows that where the state allies itself with customary structures, internal politics can start working again, which is good for the country; but also, that the objectives mandated by the international community, like fostering peace, can

be obtained. As Baker phrases it, associating "state and non-state systems under a common set of principles and ground rules" (2010: 219) can be fruitful.

However, the definition of the state, when applied by development agencies, might be revised away from the Weberian standards.

> "To persist with the state-centric paradigm and its normative position concerning the necessity of a state monopoly on force, will only bring disappointment. It would build policing reform on two false assumptions: that the post-conflict state is able (or even willing) to deliver policing to a majority of its population and that it is the principal actor in policing provision." (*Ibid.*: 211)

Then, what new definitions could be adopted? Wulf proposes an original vision, asking that instead of "trying to re-establish a nation-state monopoly" on violence, the future would call for a "multi-level public monopoly of force […], an oligopoly since the powers of a monopoly need to be shared between authorities at the different levels" (2007: 19). He compares this with the security competency of federal states for instance, where the different levels of police (state police, federal police), rather than compete, delegate tasks to one another in a bottom-up fashion, when the issue they are facing is escaping their jurisdiction or their control. "The authorities at the other levels are intended to practice damage control by compensating for a dysfunctional level, thus preventing the partial or complete breakdown of the monopoly of violence" (*ibid.*: 20).

Finally, the words of Baker manage to catch that redefining the scope of the state does not necessarily mean a defeat for the state itself, rather than it indicates the growing strength of non-state actors. Acknowledging their role and importance is key as they bear all the skills that are required from reconstruction programs. Hence, his conviction is that:

> "The future of policing reform is non-state because non-state actors are typically well adapted to the post-conflict local environment, with its suspicion of the external, limited access to state funding, a shortage of professional skills and remoteness from national oversight bodies. This is an environment hostile to building effective national policing

systems, but one that is the natural home of non-state systems. Many non-state policing actors already possess (to varying degrees) the very things that others have sought with great difficulty to build into state actors, namely local ownership, use of local resources, low cost, high effectiveness and accountability."

3. The PMF, a PGM in Post-Conflict Iraq

In 2014, Iraq lost about one third of its territory and its second largest city, Mosul, to the Islamic State rapid conquest (Mansour, Jabar, 2017: 3). The Iraqi Armed Forces, overwhelmed, abandoned their positions, opening the way to the centre of the country and the capital city, Baghdad. According to the most common version of the events, the highest Shia authority in Iraq, Grand Ayatollah Al-Sistani, would have had a pivotal role in the formation of the Popular Mobilization Forces (PMF), also called Popular Mobilization Units (PMU), when declaring a fatwa encouraging every able man to defend their cities and religious sites (Kadhim, al-Khatteeb: 2014).

The PMF (Arabic: *al-Hashd al-Shaabi*), an umbrella organization of tens of militias, was able to gather an initial fighting force of around 60,000 combatant personnel, that is estimated to have now reached over 150,000, a larger number than the official Iraqi armed forces (Australian DFAT, 2020: 57). Their crucial role in battle as light infantry troops during the territorial war against the Islamic State from 2014 to 2017 had them enjoy vast popularity and support in the Iraqi society; a support that they capitalized on to maintain their existence even after the Islamic State was no longer a danger to the state's borders. Today, in post-conflict Iraq, the PMF are still involved in warfare and counterinsurgency tactics against Islamic State's remnants, as border guards or police forces. But their activities no longer limit themselves to security matters, as they have entered politics, developed businesses, and they also challenge the state on its prerogatives.

This section will allow us to get a deeper understanding of what is the PMF, by tracing its history and by confronting it to the existing literature on pro-government militias. Pro-government militias, or PGMs, "are organised armed groups aligned with the incumbent government but not part of the 'official' state armed forces" (Abbs, Clayton, Thomson, 2019: 3). They usually enjoy higher autonomy in the state security apparatus than other paramilitary corps outside of the armed forces, because of this "semi-official or informal status" (Böhmelt, Clayton, 2017: 198). They are sometimes created by the state itself, but "PGMs also form autonomously in response to local threats, only to latter be co-opted into joining the government cause" (Böhmelt, Clayton, 2017: 204). These first elements of definition should assure us that the PMF fits the description: militias that rose to fight a common enemy, later endowed with state legitimacy, acting today as a thorn in the side of the Iraqi government, mostly because of their informal status.

Their characterization as "pro-government" can suggest a false link of full endorsement by and to the regime that their actions are helping. Actually, this bridge between principal and agent derives more from a commonality of interests, while the militias aim at maximising the effects of the state's dependence: "their indispensability for the survival of the state elevate these groups to a position parallel to that of the state and place them beyond the state's control" (Aliyev, 2016: 499). There lays the breach that the PMF brigades are exploiting, using their influence to maintain the status quo of their militia existence outside the duties of the military, while using the cover of state-sponsorship that guarantees an immunity to its members (Australian DFAT, 2020: 58).

Today however, "the PMF is now as much part of the problem as part of the solution. Many who perceived the PMF to be a security asset and a savior in the struggle against the Islamic State in 2014, when the Iraqi army was in shambles, now view it as more of a liability and menace to the country's political and security status quo moving forward" (Mansour, Jabar,

2017: 4). How was the PMF able to rise from the ashes from the call of a religious leader in 2014 and become, in less than 10 years, a challenger to the state? The roots of the PMF run deep and can be slightly different than the story that is usually told.

As early as 2013, the PMF was already designating a small group of paramilitaries that Nouri al-Maliki (Prime Minister 2006-2014) had been supporting, aside from the IAF:

> "Maliki found the state's large bureaucracy inefficient, given its mandate under a sectarian quota system (*muhasasa ta'ifiya*), which included members from all major Kurdish, Shia, and Sunni political parties. Having loyal Shia militias, rather than the shaky cross-ethnic makeup of the Iraqi army, seemed a much more reliable way to secure a tighter command and control structure." (*Ibid.*: 6)

The PMF hence first designated these 7 militias: "the Badr Organization, Asaib ahl al-Haq, Kata'ib Hezbollah, Kata'ib Sayyid al-Shuhada, Harakat Hezbollah al-Nujaba, Kata'ib al-Imam Ali, and Kata'ib Jund al-Imam" (*ibid.*). Then, after the demise of the Iraqi army against the Islamic State in 2014, Maliki institutionalized his very own guard through the creation of the Commission of the PMF. The "decree to form the Commission for Popular Mobilization Forces […] was in direct violation of Article 9 Paragraph B of the Iraqi constitution, which states that 'the formation of military militia outside the framework of the armed forces is prohibited'" (*ibid.*).

Due to the large powers of their sponsor, the PMF hence spectacularly achieved, legally yet unconstitutionally, to become state-sponsored, to have a legal existence in the state. The generosity of the Prime Minister for his loyal militias went even further:

> "Maliki wanted the strongest groups within the PMF – notably the original seven paramilitaries that he had been working with for several years – to stay close to him. As such, he successfully granted the PMF an autonomous structure and jurisdiction. Working with Iran, he maintained his influence over the militias by providing funds, military hardware, and other equipment to the groups." (*Ibid.*: 9)

Channeling preexisting links between Iran and the Shia militias, Maliki hence made sure that the PMF was a competent force. Then, two elements from domestic politics assured an enlarged popular support to the group. The first was surprisingly played by the call from Grand Ayatollah Sistani:

> "Paradoxically, the legitimization this fatwa furnished was an unintended consequence of Sistani's order, which had called on all Iraqi citizens to volunteer to join the 'security forces,' a reference to the army and federal police, rather than the seven militias that had been operating alongside Maliki's government." (*Ibid.*: 7)

The second was an attack by the Islamic State against the Shia community: "some recruits cited the June 2014 Camp Speicher massacre, when Islamic State militants killed over 1,700 (mainly Shia) air cadets linked to the Ministry of Defense (MOD), a tragedy that was seen as a further evidence of the faulty nature of the state security apparatus" (*ibid.*: 11). These two events mostly precipitated the enrollment of many Iraqis into the PMF, as well as simple infrastructure conditions, that testify to the degree of readiness and presence throughout the territory of the militias even in 2014: "because the state itself did not have enough offices to register volunteers for the Iraqi army and police forces, volunteers joined paramilitary groups, many of which, including the original seven, enjoyed preexisting recruitment mechanisms" (*ibid.*).

This is how the PMF rose to preeminence to reach the current situation that we will study further. From the start, it has enjoyed state support from key individuals which have allowed the group to rise even beyond the usual characteristics or requisites of a pro-government militia. While PGMs usually enjoy silent approval during war times and fierce opposition during peace times, the PMF's embeddedness with the state has placed it beyond reconsideration. We will now work on conceptualizing this dual link that connects the PMF to the state and the state to the PMF.

Conceptualisation

1. Hybridity

As we have established, the international system is not only built by a community of nations, if we mean by these the modern nation-states in the conditions they developed in the West, exercising a strict sovereignty on their territory and population, holding a monopoly on security matters and that do not allow the provision of public goods by rival entities that would collect taxes independently. Certain states, either due to their own history, or/and through long periods of conflicts, have developed in a way that compared to the Western standards, they can be seen as "fragile", "weak", or even "failed". While these are still ways to characterize the qualities of the state institutions and how the population can rely on them, the process of considering the state as the only pertinent actor for change and action can be oblivious to the field conditions.

In these places, however, "alternative actors perform the core state functions that the state no longer fulfils when it abandons a certain space" (Hagmann, Hoehne, 2007: 21). These actors mostly seem to stem from two branches, as established: traditional authorities from customary law, elders' councils, on one hand; militiamen or warlords, on the other hand. The local implementation and imbrication of both tend to award them with a natural legitimacy, that the state would struggle to obtain. Ruling warlords are a good gateway towards the concept of hybridity:

> "warlords are unable to fully transition into state actors. They cannot take over the government, nor, in some cases, openly join it. As a result, many such warlords evolve into hybrid actors. The hybrid actor thus represents a space between the locally minded warlord and the formal state actor." (Mansour et al., 2019: 14)

In other words, certain warlords do not limit themselves anymore to criminal activities in the areas they control but can start to develop an appetite for the administration of population.

This new type of contract or mission will guarantee them not only an additional source of revenues, through tax collecting, but also a sense of legitimacy, and in return, of strength, as they consolidate their power through the support of the civilian population. However, they will now also have to provide the types of services that would befall to the state in the West: the tasks of police, law application, infrastructure building, etc. "Like a state, which provides security as well as services to the citizens that it governs, a hybrid actor views its mandate as encompassing the entire spectrum of human needs" (*ibid.*: 18).

This genesis of strong non-state actors enables us to understand how militias or warlords have enriched the range of their illicit activities by producing state-like behaviour, mainly in territories where the state is absent, but not exclusively. But where warlords and militias are usually enemies of the state, some groups that felt under the patronage of a state will be able to use both of their origins to profit economically and politically from both worlds. Pro-government militias are the quintessential definition of that phenomenon, as they will enjoy state support on one hand, while directly challenging the state's missions: "these groups' emergence signifies more than simply a region beset by civil conflict and insurgency. It is also the result of a change in the political superstructure. The state is being challenged for its primacy as a political unit" (*ibid.*: ix).

Hence, a first operational definition of hybridity can emerge: an armed group that can claim that they are both state-sponsored and autonomous, and whose missions, while emanating from the state they serve for a part, sometimes cross on the state's prerogatives, and threaten to transform the whole political superstructure. Mansour et al. define the hybrid actor as "a type of armed group that sometimes operates in concert with the state and sometimes competes with it. […] They enjoy the flexibility that comes with *not* being the state and *not* being responsible for governance" (*ibid.*: 7-8).

Even though hybridity usually applies to groups that are originally non-state, it can be possible to reverse the lens and consider as hybrid, the states themselves that choose to delegate part of their activities, even some that are at the core of what can be considered as the definition of statehood: elements of sovereignty.

> "Post-conflict states can be seen as another (if more acute) version of the 'hybrid state'. [...] The hybrid state has a form of governance in which state and non-state actors share the distribution of public goods. In other words, the state does not have a privileged position as the political framework that provides policing. It had to share authority, legitimacy and capacity with other structures. These two frameworks may overlap in cooperation or competition" (Baker, 2010: 211-212)

Hence, a second operational definition of hybridity can be identified: a state will be labelled as hybrid when it resorts to a non-state group to support core missions under its authority, and when it accepts to share its legitimacy with this foreign body, in the hope that statehood will find itself reinforced beyond its original means.

2. Principal / Agent Relationship

The principal / agent relationship is a common tool used to describe certain behaviours in political science as well as in economics. In the dyad, the principal sets a number of goals or objectives that it wants to achieve but is not in a position to reach given the circumstances. The principal entrusts then its agent to carry its task on its behalf. Of course, a lot of issues can stem from this simple relationship.

It is often broken down into two versions: the exploitative model and the transactional model (Fox, 2019: 7). In the exploitative model, the principal has full control over the relationship and can dictate his terms to the agent, that has no other choice than fulfilling the

assigned objective. In the transactional model, however, the power distribution is upside down, with the agent leading and the principal following.

Another key feature of the principal and agent problem concerns agency and risk sharing (*ibid.*). The agent, although depending on the principal for a number of reasons, that can contain its funding and even its existence, bears its own interests and is trying to pursue them. While the principal might appear as the leading part of the dyad, the reasons that brought it to delegate its objective means that it is at the moment in no capacity to do it by itself. This gives leverage to the agent, that will try to maximise the profits of the relationship. Secondly, as strong as the relationship might appear between principal and agent, risk sharing might be the deal breaker. Given their differences, principal and agent might simply have different attitudes towards risk, which can lead to the agent breaking off from its sponsor when risks are increasing.

In political science, the principal / agent relationship is often used to characterise the links between state actors and their proxies (Byman, Kreps, 2010; Milner, 2006). Similarly, the Popular Mobilization Forces are most usually depicted as a proxy militia of Iran (Numan, 2019). In our research, however, we want to take as protagonists of the dyad the Iraqi State as principal and the PMF as agent. Examining our issue through this lens seems to us like a good way to retrieve each actor's interests in this relationship.

If the behaviour of a hybrid armed group like the PMF sounds fairly rational, as it means extending their power considerably while reducing the chances of conflict with the incumbent government, there is an inherent problem to consider why a sovereign state would allow such an alliance. There is a real challenge attributing back a rationality to the state when it seems to be conspiring with its worse enemies. In the following, we list a series of reasons we could think of to explain why the state is using the PMF.

→ **Independence from the CTS and Americans?** One of the most competent armies in
   Iraq outside of the PMF is the Counter Terrorism Service, sometimes presented as the

special forces within the Iraqi Armed Forces. The Service was built and trained by the Americans in the aftermath of the IAF defeat against the Islamic State; and among a larger effort from the American to rebuild the IAF (Witty, 2016). The Golden Division illustrated itself notably during the battle for Mosul. Today, the CTS is considered as one of the most reliable professional military body in the country, but also as an American outpost and representative of their interests (Loveluck, Salim, 2021). In June 2020, the CTS was ordered to arrest combatants from the Kataib Hezbollah, the leading militia of the PMF, on accounts of unsanctioned attacks against American interests in Baghdad. (Lees Weiss, 2020). While the state counts a lot on the CTS, Iraq must always balance between its different partners: geographically, their mighty neighbour Iran will not go anywhere, while the U.S. just might.

→ **Greater reliability than the IAF?** Although the CTS is beyond reproach, the rest of the IAF is slowly rebuilding, after having known two major breakdowns in 15 years: their dissolution following the American invasion and the process of de-baathification in 2003; and their defeat against IS in 2014. The PMF, on the other hand, has now a solid experience in combat, having fought IS in partnership with the international coalition. Members from Iranian-backed militias have also been employed beyond Iraq's borders, in Syria; and they have been trained by Iran's elite forces (Zayalat, 2019: 2).

→ **Iraq delegates its protection towards their Iranian sponsor?** Even though it sounds pretty unlikely, the state might have perceived the PMF as an alliance force deployed on its territory, mostly at the expense of another country: it does not prevent the state to have its own armed forces, and in the case of an aggression, it serves as an additional guarantee to territorial integrity. However, ever since the PMF has become deeper

embedded in the state, Iraq is now contributing greatly to their budget, so this point loses of its relevance.

→ **Regime security / praetorian guard?** This was Maliki's intention in grouping the original militias that were to become the PMF under state supervision. As the IAF is a reflect of the country's ethnic and religious diversity, the PMF on the other hand is mostly Shia, alike all of Iraq's rulers since 2003. In case of any attempt for regime change that would be initiated by the armed forces, the PMF definitely stands in good position to prevent a coup, and in the meantime, to deter one.

→ **Territorial control, even indirect?** Given the vast territory of Iraq and the limited capacities of the state, this one cannot assure a state continuity everywhere. In the areas where it is not present, the fact that PMF soldiers be on the ground is still something the state might profit from, much rather than if it were the Islamic State.

→ **Personal corruption, frauds, embezzlements, profits?** Being one of the most corrupt countries in the world, Iraq's reputation means that any new actor that is influential and powerful is likely to be involved in corruption schemes. Members in the government can seek a personal retribution by turning into PMF advocates.

→ **Maintaining a high attention and aid from the international community?** Many groups from the PMF have a clear relation to Iran and appear at times in position to challenge the state. Paradoxically, this domestic threat could ensure aid provision from international partners that would fear above all that the state collapses and be replaced by groups that were placed on the U.S. terror list.

→ **Greater skills in counterinsurgency and local police tactics?** One of the reasons for incumbent governments to entrust PGMs is often that they are better skilled with counterinsurgency than the military, as they can win the hearts and minds of the civilian

population quicker than the state army, and because insurgency warfare are their usual training tactics.

→ **"Militia monopoly"?** The PMF might be a factor of stability for Iraq as they might not tolerate or even openly fight back any unallowed incursion of foreign militias (Syrian ones for instance) into the Iraqi territory.

→ **Creation of public goods?** The PMF's quest for normalisation and legitimacy in Iraq goes through building popular support and winning the opinion. Any infrastructure strategy that does not impede on the state's budget serves its interest.

→ **Status quo promoter?** The PMF seems for now to be wanting to use the system, not change it. This point links back to regime security.

On the other hand, how does the PMF threaten the State?

→ **Systematic corruption**: while individual corruption can be tolerated by the state for the benefits it brings to its members, systematic corruption that infiltrates every level of society, state administration, bureaucracy, and businesses alike, has the power of ultimately destroying the institutions. If the point is reached when the population does not trust the state anymore, it could mean civil conflict, and the state collapsing.

→ **Foreign interference in a sovereign state's affairs:** even though Iraq is taken in a balancing act between their partners, the state has more to fear from the Iranian neighbour, that keeps a strong tie to the militias within the PMF. As these ones are entering politics, Iraq could become a puppet state serving Iran's interests.

→ **Persecution of minorities:** the mostly Shia PMF has been accused of persecutions against the Sunnis of Iraq during and after the fight against the Islamic State. Fuelling ethno-religious rivalries can prove extremely dangerous on the long run, giving a desire for payback and increasing the chances of civil conflict.

→ **Petty crimes not accounted for:** as the PMF's alliance with the state increases, the latter loses some of its power to regulate the illicit activities that the militia groups occupy themselves with. This also contributes to building the idea that people affiliated with the state belong to a caste that is not held accountable for their actions. It has the potential of destroying justice in Iraq, as well as the necessary trust from citizens to the state.

→ **Limits the State's autonomy for political decisions**

→ **Degrades power, sovereignty, security**

→ **Competes with the State's prerogatives: territorial control, taxes**

→ **Fear of what it can evolve into:** how much power will the PMF yield in the future remains an unknown for everyone. It is also unknown if they will remain a defender of the status quo, or if they will seek a monopoly on political power, ousting the government and replacing the state. There are hence very serious downsides to the state granting a sponsorship to the PMF.

3. Security Strategy

Lastly, as we are trying to establish the rationalities of both our actors in a situation that would not seem to favour equally part of the dyad, we are introducing a rational actor theory, in the wake of Daniel Lambach 2007 article on "Oligopolies of Violence in Post-Conflict Societies". Lambach brings an economic angle to the analysis of security dynamics, considering, instead of a sovereign state facing challengers and mortal enemies, different "security suppliers" and "market leaders":

> "In post-conflict situations, the state is frequently unable to fulfil its mandate to exercise a legitimate monopoly over the means of physical coercion (Weber 1968: 55-56). […] As a result, alternative producers of violence enter the 'security market' where the state is unable or unwilling to provide security as a public good." (Lambach, 2007: 7)

This concept of a "security market" is resourceful to part from traditional ideas on the role of the sovereign state, and to understand how certain decisions that seem irreconcilable with the Western concept of the state may be in line with the interests of the state in difficult environments. These interests that we listed earlier participate of this conception of the Iraqi State as a rational actor that is looking for the maximization of its interests given the rules and conditions of the market it is finding itself in. The state's "security strategy" implies that it knows the risks that are inherent to occupying a spot on a competitive market, and that it is still trying to reach its goals and maximize its value through certain arrangements, notably with the PMF.

Another idea is that as the Iraqi State is not able to enforce a monopoly on violence, it has substituted "violence management" to it (Staniland, 2012: 256). As a post-modern actor, a post-Weberian state, Iraq is indeed sharing key competencies of its sovereignty with a hybrid non-state actor. Retracing how such choices do not stem only from a renunciation and defeat but pertain to rationality help to understand why "governments frequently settle for less than a monopoly on violence" (Carey, Mitchell, 2017: 128).

Analysis

We will now examine how the relationship between the Iraqi State and the PMF challenges the Weberian conception of the state. Following three pillars of the Western state sovereignty, that are the monopoly on legitimate violence, the infrastructural power and the prerogative to collect taxes, we will see how both actors challenge these norms and redefine their limits, while pursuing distinct agendas that have them use and exploit one another to the maximum.

1. The Monopoly on Violence

State's Limits, State's Interests

After the territorial victory over the Islamic State, Iraq did not try to contain the Popular Mobilization Forces. It is usually a standard move, even from weak states, to shut down or annihilate pro-government militias that they have used during the conflict but that they cannot control after: "having defeated their opponents, incumbents are eager to demobilise militias not only as part of post-conflict reconstruction, but also in order to restore their monopoly on violence, which no longer has to be shared with extra-state agents" (Aliyev, 2018: 69).

Many voices then called, if not for dissolution, for the PMF's integration inside the IAF, the official armed forces (Knights, Malik, al-Tamini, 2020): an integration would mean to piece out each brigade of the PMF, which for the most still correspond to the cohesion of the militias that have joined it and proceed to integrate the militiamen as soldiers of the army. This rather classic endeavour in post-conflict security sector reform is supposed to bring a solution to both parts: the state and society, on one side, do not have to suffer the existence of a private army whose whereabouts do not depend of any official chain of command; the combatants, on the other side, are assured a job, a salary, and through their promotion as state's soldiers, they can

qualify to certain rights, like a pension for instance, that they would not have found in the militia.

However, this solution never happened. Even though it seemed that things could evolve towards that direction, with the promulgation of the PMF as a state-sponsored organization, the issue has been neutralized from the very beginning by their first Iraqi patron, Prime Minister Maliki:

> "Paramilitaries become even more important for Maliki after he was ousted from the premiership in August 2014. Originally, he had intended for these groups to not fall directly under the ministries of defense or interior. As long as he remained prime minister and represented the state himself, he wanted them to fall under his purview. That is why the PMF Commission was directly attached to the prime minister's office (PMO)." (Mansour, Jabar, 2017: 9)

This first attribution of the PMF Commission, which stands for the head of the PMF, at a place in the state structure that is not subservient to either the Minister of Defense nor Interior, that respectively handle the military and the police, but that reports directly to the Prime Minister, would make a long way.

Indeed, after Maliki's eviction, Abadi (Prime Minister 2014/2018) did try to curb the role of the PMF in the state's structure, to no avail: the date coincided with the group's increasing strength as it was fighting IS, even more so to protect a country that the state's army had been unable to. Hence, the decree issued by Abadi "to rein in the militias through an integration process" was rejected by the PMF, that kept an eye on the prize promised by Maliki: "to become an independent security body protecting the political system, like a praetorian guard for the state" (Mansour, 2018).

Opposing the state's efforts to integrate the paramilitary groups, the PMF offered its own vision for the future of their relation to the state:

> "It will not integrate in the traditional way; rather, it will become an institutionalized autonomous force, fundamentally altering Iraq's security architecture and challenging

> Baghdad's command structure and monopoly over legitimate violence. Institutionalization, rather than integration, will define the PMF's role as the Iraqi state rebuilds itself." (*Ibid.*)

Institutionalization, rather than integration, hence, means that the group was trying to obtain a sanction of legitimacy by the state, while fundamentally not altering neither their usual process, nor the chain of commands: it is the plain refusal to become part of the IAF and to have to obey to the state. No, the PMF's ambition was to maintain their own leaders, with their links with foreign sponsors like Iran, while being acknowledged by the state as parallel armed forces. This dream became reality and defines today the Iraqi security architecture:

> "The paramilitary groups realized this objective in November 2016, when the Iraqi parliament passed the Law of the PMF Commission, recognizing the PMF as 'an independent military formation as part of the Iraqi armed forces and linked to the Commander-in-Chief.' The PMF is therefore now legally recognized as a legitimate armed entity under the National Security Council (NSC), rather than in a subservient position under one of the security ministries. It enjoys parity with the Ministries of Defence and Interior, and had a seat at the NSC, just like those ministries. [...] As a result of this legal change, PMF leaders are no longer interested in the previous options for integration." (*Ibid.*)

As a result, the state has in fact abandoned its monopoly on violence: the PMF has now the luxury of being able to claim it belongs to the state without having to prove its loyalty or obey to the state's orders. By existing as a military outside the regulations of the IAF, the PMF is avoiding oversight on its operations. Their soldiers are neither trained in the ethics of a combatant that usually befall to a modern state's professional armed forces.

Then again, what choice or other options did the Iraqi State have? The PMF did prove its valor in combat and its attachment to defend the country against foreign aggression, at least more than the state's own military. A popular local opinion gives a good idea of the value of the IAF:

"Former Iraqi leader Saddam Hussein used to boast that the Iraqi army was the fourth-strongest military force in the world. By 2014, many Iraqis had begun claiming that it is lucky if it can be considered the fourth-strongest army in Iraq – behind the PMF, Kurdistan's pershmerga forces, and Iraqi tribal fighters." (Mansour, 2017: 5)

This infamous reputation tends to suggest that the State might as well have been in a position to consider that a strong PMF working with the state could be a decisive advantage. Hence, if it seems that the power relationship between principal and agent was in favour of the agent, the principal also had an interest in allowing the PMF to raise as a military power. This opportunistic behaviour from the State would qualify as hybrid.

The PMF between Private and Public Violence

For the PMF, their institutionalization into the state is a great victory as well as the public declaration of their hybrid status: "today, the PMU at times fights to defend the state and at other times competes with the state over legitimacy, capabilities, and power. As such, in definitive hybrid actor fashion, it has gained political influence inside the state *and* set up parallel networks" (Mansour et al., 2019: 23). They have become a challenger on the state's prerogatives from within:

> "Now, however, the PMU is nearly impossible to dislodge or to fully integrate into state institutions. Thus, the PMU has established itself as a fundamental limit on the states' ability to exercise its functions. Furthermore, the PMU has achieved legal status and secured funding from the state, while retaining its autonomy, entrenching its militias as competitors to the state's armed forces, and deepening the fragmentation of the monopoly of legitimate violence." (*Ibid.*: 25)

The man who managed to bring the PMF to such heights is no other than Abu Mahdi al-Muhandis, a leader from Kataib Hezbollah that was assassinated alongside his Iranian sponsor, the head of the Quds Force Qasem Soleimani, by the United States in 2020. Abu Mahdi used to swathe considerable power, to the point of being able openly submit the political power:

"Abu Mahdi's capitalized on this popularity to publicly challenge Abadi with a letter, sent in October 2015, complaining that Baghdad was not paying the PMU as much as other fighters, and was thus jeopardizing the fight against the Islamic State. Eventually, Abadi was forced to concede" (*ibid.*: 29).

Past the celebrations, the new status of the PMF also grant them duties and obligations. Even though the IAF have since recovered (*ibid.*: 23), the PMF are still employed on the first lines of the low-intensity warfare that opposes Iraq to the Islamic State (*ibid.*: 33). Their official status also forces them to cleanup operations of the most known corrupt figures that thrive within their ranks:

> "Previously, the urgency of the campaign against the Islamic State took precedence, and so the PMU could exist as a loose umbrella organization that housed a few criminal factions because its contribution to the war effort helped constituents overlook any corruption. But peacetime has brought new scrutiny, necessitating a cleanup. In August 2019, the PMU announced the arrest of Hamza al-Shammari, known as 'Hamza Roulette' for his gambling empire."

These examples show that while impending on the state's monopoly on violence, the PMF is also being exploited by its principal with military and police tasks.

However, the direction of the group is still far from following only their principal's interests. Indeed, private violence is also shown, when, for instance, in October 2019, elements within the Kataib Hezbollah expelled and expropriated Hussein Lagees from the premises of Baghdad International Airport, where the businessman had "a five-year government contract to run a V.I.P. terminal". This happened after Lagees declined an offer that the militia would take a cut of "20 percent of his gross revenue – about 50 percent of his profits", in exchange for protection. When Lagees refused and invoked the law; the militiaman answered him: "we are the law" (Worth, 2020).

Apart from business, militias within the PMF have not renounced their Iranian links when becoming state actors in Iraq: "some groups, such as Kata'eb Hezbollah, Harakat

Hezbollah al-Nujaba', or Saraya al-Difa'a al-Sha'abi, take direct orders from the elite Quds Force of the IRGC […]. As a Nujaba' fighter put it, 'we are ready to fight the United States in Syria, for example, but we cannot move without the green light from Iran'" (Mansour et al., 2019: 36). These elements indicate the hybridity of the PMF on exercising a state violence while keeping private interests on the side.

2. Infrastructural Power and Relationship State / Society

The PMF has developed a specialty of providing emergency services in regions that the state has seemingly abandoned, or that it cannot reach because of limited means. They answer a public demand that legitimizes their role and presence in return. While it also meets the state's interests, its limited capacities doubled with the ethno-religious patchwork of the country diminish the trust that the Iraqis have for their State and undermine the State's legitimacy.

Private Business, Public Outcomes

The Lebanese Hezbollah stands out as the finest example of the successful transformation from a militia towards a hybrid actor with quasi-state capabilities, through the provision of public goods to the local population, filling the absence of the state (Van Engeland, 2008: 39). In the previous years, the PMF is actively pursuing the same direction: "at the start, the strongest groups within the PMU were those closely allied to Khamenei. These groups became the primary drivers of the PMU's state-building program, and as such they were the architects that transformed the PMU from merely an armed group to a hybrid actor" (Mansour et al., 24).

This "state-building program" has illustrated itself on different occasions. "For instance, in Basra, trucks with the PMF logo have begun rebuilding roads and infrastructure. In Baghdad, the PMF have advertised their role in rebuilding a medical clinic" (Mansour, 2018). Similarly, they "had taken over garbage contracts to clean the streets of Basra, in an effort to gain

popularity. Beyond waste management operations, the PMU provides public services and infrastructure such as hospitals, clinics, schools, and roads" (Mansour et al., 2019: 17). Still in Basra:

> "The PMU's communication campaigns have also highlighted its ability to provide essential services to citizens – services that the state has failed to deliver. […] The 2018 Basra protests were in part a response to water contamination in the city that sickened many residents and placed the governorate on the brink of a cholera outbreak. […] The PMU engineering units, in response, began building pipes to deliver clean water." (*Ibid.*: 35)

The PMU is contributing to infrastructure building in a bid to increase its popularity and legitimacy among the Iraqis. While it stems from its own objectives and is not the result of a command from the state, this private enterprise serves the general interest.

> "PMU engineering units are also active in providing services in many parts of Diyala governorate where the state is absent and unable to. In February 2019, after more flooding, the PMU repaired a bridge in Diyala with hours of its collapse. […] It has begun rebuilding schools, public squares, swimming pools, sports clubs, and youth and student clubs. The PMU also provides other essential goods and services, including medicines." (*Ibid.*)

This is obviously part of the group's attention to maintain their public image and cultivate a good reputation: "more generally, the PMU has positioned itself as an emergency response unit that can quickly provide services after disasters, and as a quasi development agency that can help war-battered areas rebuild."

Another important point are the networks through which the PMF reach the population and can advertise the group and resort to propaganda. Back in 2014, they capitalized on the light cast on them by the fatwa of Grand Ayatollah al-Sistani:

> "the fatwa allowed the original seven paramilitaries, along with other groups created thereafter, to emerge from clandestine or semi-clandestine anonymity. It gave them legitimacy, which gave them access to the public through their own radio and television networks, as well as Facebook and Twitter accounts; these groups now had their own

legitimate names, logos, and publicly displayed photographs. In short, Maliki used Sistani's fatwa to give official sanction to these groups for the first time and allowed them to operate out in the open with full state funding." (Mansour, 2017: 7)

Building bridges, roads, hospitals, schools and repairing damaged goods falls standardly on the state's mandatory requirements, as it is the only actor rich enough and with the needed legitimacy to bring infrastructure to its citizens. But it is also a way that the modern state use to remind its population of the necessity of taxes and of the state itself. Superseding the state, the hybrid activity of the PMF does meet the goals of a weak state, at the cost of its legitimacy.

Citizens of No Nation

The PMF is obviously flourishing on a very fertile ground. In Iraq, the weakness of the state and the absence of a national feeling go a long way. In 2014 already, the greater numbers of the IAF compared to the Islamic State did not prevent them from fleeing the fight: the poor morale of Iraqi soldiers stemmed from their sectarian beliefs, origins, and lack of a common cause. Mostly, they would not accept to die to liberate the Northern Sunni cities of Mosul and Ramadi (Prothero: 2015).

Mostly, it is the lack of identification as "an Iraqi citizen" that conditions the following mistrust or simply the fact that the rural population does not expect anything from the state and the capital.

"In situations like this, the subjective factor of statehood – a committed citizenry with a sense of citizenship – is almost entirely lacking; self-perceptions as citizens are almost non-existent or meaningless. […] People do not perceive themselves as citizens or nationals (at least not in the first place). They define themselves instead as members of particular sub- or trans-national social entities (kin group, tribe, village). This is particularly true where state agencies are not present on the ground and the state does not deliver any services with regard to education, health, infrastructure or security. Rather, it is the community that provides the nexus of order, security and basic social services. […] As members of traditional communities, people are tied into a network of

social relations and a web of mutual obligations, and these obligations are much more powerful than obligations as a 'citizen'. […] Legitimacy rests with the leaders of that group, not with the state authorities – or only with state authorities insofar as they are at the same time leaders in a traditional societal context, e.g. a minister who is also a tribal chief (and warlord), and who became a minister in the first place because of being a tribal chief (and warlord). We can identify this as hybrid legitimacy: traditional legitimacy and/or charismatic legitimacy plus legal-rational legitimacy." (Boege, Volker et al., 2008: 9-10)

This explains why the PMF is at liberty of building roads and its legitimacy as a public actor around the country. It also seems to render why the state's interests are met, as a provision of public goods that does not require its participation is accomplished. This way, the principal delegates again pieces of its sovereignty; both principal and agent handle themselves as hybrid actors.

3. State Politics, Taxes, and Corruption

Collecting taxes, for a state, and securing funding, for a non-state actor, are two elements of paramount importance. Iraq, a weak and unstable state that has known war for the past 20 years, and where international and US aid comes pouring to maintain a state authority alive, schemes to divert public money have become a national sport. One of the most corrupt countries in the world, the entrance of a new player like the PMF on the state scene is likely to worsen the situation even more for the years to come.

The Iraqi Kleptocracy

State corruption runs extremely deep in Iraq. In the IAF for instance, "a case of some 50,000 ghost soldiers listed on the army's payroll revealed the extend of corruption" (Mansour, 2017: 11). These ghost battalions allow the state to ask and receive the funds from international partners to build facilities, buy equipment and train the soldiers, while all the money disappears in the deep pockets of members of the government. This is a money laundering schemes with

fake bills. This is for the governmental and organizational level. At the management level of the Iraqi military, it was reported that: "morale in the IAF" is "very poor, particularly for those at lower levels who are unlikely to receive their full salaries due to their superiors taking a cut (at every level)" (Australian DFAT, 2020: 57).

According to Robert F. Worth (2020), in a very detailed *New York Times Magazine* article called: "Inside the Iraqi Kleptocracy"; the amount of money that has gone missing from the state's economy since the fall of Saddam Hussein amounts to billions of dollars. Different elaborate money laundering schemes, enabled by US partners such as Prime Minister Maliki, or Kurdish leaders like the Barzani family, have allowed not only a few well-placed government members to become immensely rich and build colossal investment empires; but it has also spilled over the whole region, to jihadist groups, in Iraq and in Syria. The PMF has entered this system of corruption as a new mafia, racketeering businesses for "protection", lending a heavy hand to unscrupulous businessmen desiring to obtain the contracts they long for by any means necessary, in exchange of heavy bribes, etc.

This huge cash flow has deeply transformed a society where it is now virtually impossible for citizens to obtain anything without contributing to the corruption, with back payments. For instance, an Iraqi citizen confesses that he had to pay over "1,000 dollars in cash bribes for simple bureaucratic processes. These include updating his tax filings, getting a new passport or correcting spelling mistakes in his government records" (AFP, 2021a). This has fuelled the anger of a younger generation that periodically takes it to the streets since 2019.

The PMF, The New Champion of Corruption

Most probably, the discussed state corruption during the term of Prime Minister Maliki also helped to propel the militias: "according to one parliamentarian, billions of dollars were unaccounted for in Iraq's 2012 budget. There was not a single receipt or explanation given as

to where this purported intelligence budget was actually spent. Several lawmakers believe these funds were spent on the paramilitaries" (Mansour, 2017: 8). Securing their source of finances is a top priority of pro-government militias, as they often tend to be too dependent on their patron, and subject to the latter's change of hearts. That explains why these armed groups have an embedded strategy to keep different allegiances and sponsors, like the PMF with Iran and Iraq.

In the aftermath of the Islamic State's defeat, the PMF has installed different checkpoints in the country where it collects tariffs and taxes (Mansour, 2018). As they have also been appointed the missions of guarding the borders, corruption there has become a norm:

> "The Hashd's members, their allies or their relatives work as border agents, inspectors or police, and are paid by importers who want to skip the official process entirely or get discounts. 'If you want a shortcut, you go to the militias or parties," said an Iraqi intelligence agent who has investigated customs evasion. He said importers effectively tell themselves: 'I'd rather lose $100,000 (on a bribe) than lose my goods altogether." (AFP, 2021b)

However, "as a PMU checkpoint commander put it: 'You can make a lot of money from checkpoints. But if you control one ministry in the government, you can make ten times more" (Mansour et al., 2019: 28).

Bearing this in mind, in the 2018 Iraqi elections, the PMU formed a political alliance and made a groundbreaking entrance in Parliament and state politics:

> "Since Iraqi law strictly prohibits armed actors from running for office, the PMU groups changed their electoral names, repeating a practice they had used in earlier elections. Badr ran as the Badr Organization, Asa'ib Ahl al-Haq ran as al-Sadiquou, Ansar Allah ran as the Honesty and Loyalty Movement, Sayyid al-Shuhada' ran as the Victorious Bloc (Muntasiroun), and the Khorasani Brigades ran as Vanguard (Tali'aa). Fatah finished second in the election, with forty-seven seats." (*Ibid.*: 30).

The grip of the PMF onto the political power is now enabling it to increase the pay of its combatants, to reach unrivalled levels of funding, and to exert real political influence:

"In March 2019, the PMU scored a success when parliament agreed for it to have pay parity with other security institutions. In effect, the parliamentary budget increased the PMU's own budget by 54 percent. The PMU's allocation from the budget is now nearly $2.2 billion (some 2.6 billion Iraqi dinar), which is allocated to 122,000 fighters. After the 2018 elections, the PMU's strong showing meant that it played a major role in selecting the new prime minister and council of ministers, along with Sadr's Sa'iroun. As such, the PMU's leadership was instrumental in the appointment of new prime minister Adi Abdul-Mahdi. […] From predominantly Shia to predominantly Sunni and mixed governorates, the PMU leadership has focused these efforts in key governorates, including Diyala, Basra, and more recently even Nineveh (Mosul). In several governorates, the PMU has appointed its own candidates as governor – the highest position at that level." (*Ibid.*: 30-31).

With this last battle won, the PMF imposes itself gradually as the new champion of the Iraqi kleptocracy, and a full-fledged hybrid actor. The State finds itself limited in its power again, although the status quo does not seem to change very soon.

Conclusion

To sum up, the Iraqi State and the Popular Mobilization Forces were found to be increasingly sharing the burden of the fundamental tasks of the Western Weberian state. The monopoly on violence has developed in an oligopoly, the state's failures in rural areas have been mended by the PMF infrastructure's building response, the decisions on the state's budget are shared. As a hybrid non-state actor, the PMF has become a parasite in the state's body, challenging it on many prerogatives. The answer from the State has been to adopt a hybrid behaviour as well, delegating its tasks where it does not have the autonomy to apply them. The principal agent relationship between the two actors appears to be transactional, because the State does not seem able today to perform its mission and enforce a territorial sovereignty without the contribution of the PMF.

Finally, "as Boege et al. (2008) argue, 'it might be theoretically and practically more fruitful to think in terms of hybrid political orders.' In that context, 'hybrid' implies not only parallel state and non-state forms of order and governance arising from different societal sources and following different logics, but also a recognition of mutual influence that creates a distinct political order of its own" (Baker, 2010: 212). With the penetration of state politics by the PMU, it seems indeed that the situation is evolving further than the mere addition of hybrid state and non-state behaviours. The next decade might teach us more about this "distinct political order of its own."

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