

JUNE 2009

JEREMY DOMERGUE AND MARISA COCHRANE

## IRAQ REPORT 14

# BALANCING MALIKI

SHIFTING COALITIONS IN IRAQI POLITICS AND THE RISE OF THE IRAQI PARLIAMENT



INSTITUTE FOR THE  
STUDY of WAR

MILITARY ANALYSIS AND EDUCATION  
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## **ABOUT THE INSTITUTE**

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# EXECUTIVE SUMMARY

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## EXECUTIVE SUMMARY

- Iraq's political map has changed dramatically since the January 31, 2009 provincial elections, as political parties have formed new national coalitions.
- Prime Minister Maliki's State of the Law coalition fared the best in the elections, and had the upper hand in choosing alliance partners in Iraq's provinces.
- Maliki formed alliances of convenience in the provinces while courting the Sadrists and the National Dialogue Front as potential parliamentary partners. Maliki's efforts to reconcile with these groups and their supporters failed, therefore the national alliances he desired did not emerge.
- The realignment towards the Prime Minister in the provinces and Maliki's efforts to consolidate control through alliances at the national level nevertheless generated new coalitions in Parliament that aimed to limit his increasing power.
- The debate over the selection of a new Iraqi Council of Representatives Speaker and the 2009 budget forced the main political blocs in the parliament to reevaluate their relationships vis-à-vis Maliki and other parties.
- The Iraqi Council of Representatives used its powers to curb the strength of the Prime Minister and executive branch – for example, in cutting funds for the Prime Minister's office in the 2009 budget and compelling his ministers and generals to testify before them.
- After provincial elections, Maliki and the Islamic Supreme Council of Iraq (ISCI), the largest Shi'a party in the anti-Maliki coalition, were at a political impasse.
  - ISCI, defeated in the provincial elections, needed a way to restore its prestige and survive the national elections scheduled for January 2010.
  - Maliki wanted to remove the potential for a no-confidence vote that would remove him from office.
- Maliki and ISCI are now negotiating to re-partner nationally as the United Iraqi Alliance (UIA), which would effectively ally the two largest Shi'a parties in Iraq.
- Senior members of the Iranian regime have actively supported a Maliki-ISCI alliance in the 2010 elections – and the Shi'a parties have been responsive to their interventions.
  - ISCI leader Abdul Aziz al-Hakim has encouraged these negotiations from his hospital room in Tehran, which nearly every senior Iraqi leader has visited since May ostensibly to pay respects to the dying Hakim and to discuss recent political developments.

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# EXECUTIVE SUMMARY

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- Senior Iranian officials such as Foreign Minister Manouchehr Mottaki have met Iraqi leaders in al-Hakim's room.
- During Maliki's visit to al-Hakim in Tehran, Iranian Supreme Leader Ayatollah Ali Khamanei urged the Shi'a political leaders to revive the UIA.
- Iranian President Mahmoud Ahmadinejad has likewise visited Hakim personally, while Iranian Parliament Speaker Ali Larijani met with Maliki in Iraq.
- Amidst the discussions to revive the UIA, there was also a fundamental restructuring of the main Sunni party after elections.
  - Vice President Tariq al-Hashemi stepped down as head of the Iraqi Islamic Party (IIP).
  - Parliamentarian Osama Tawfiq al-Tikriti replaced him as the leader of the IIP, with Speaker of the Parliament Ayad al-Samaraie as the deputy leader.
  - Parliamentarian Harith al-Obeidi was chosen to lead the Iraqi Accordance Front following Samaraie's accession to the Speakership, although he was assassinated several weeks later.
- The negotiations to rebuild the UIA are still in their initial stages and the parliamentary election is months away.
- A revival of the UIA reduces the possibility for success of independent Shi'a candidates or cross-sectarian alliances in the 2010 elections.
- A revival of the UIA increases the likelihood that Maliki will be chosen as Prime Minister again in 2010.
- Maliki may begin to challenge the idea of ethnic and sectarian distribution of offices after the 2010 election, as he had attempted in the wake of the 2009 provincial elections. If he does not distribute offices to Sunni and Kurds, as well as other Shi'a parties, he will marginalize these groups within Iraqi national politics –potentially leading to violence.
- The main office that the Sunnis seek is the speakership of the parliament, which is the primary office in national politics through which they have accomplished their agenda.
- Maliki is likely to seek control of the speakership of the parliament in 2010, as the body is the most effective check on his authority. A test case about the future of the Sunni in Iraqi politics therefore lies in who is chosen to be Speaker of the Parliament in 2010. This selection will also indicate whether the office of the prime minister is likely to grow more powerful – and perhaps even anti-democratic – in the future.

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# BALANCING MALIKI

## SHIFTING COALITIONS IN IRAQI POLITICS AND THE RISE OF THE IRAQI PARLIAMENT

By Jeremy Domergue and Marisa Cochran

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### INTRODUCTION

Iraq's political map changed dramatically in the first half of 2009. As Prime Minister Nouri al-Maliki's power and influence grew steadily throughout 2008, his rivals in the Iraqi Parliament sought ways to counterbalance him. Yet, fearful of political isolation and irrelevance, they have also tried to capitalize on Maliki's stature for their own political gain. While such political jockeying has tested and shifted political alliances, it has also led to the reemergence of the Iraqi Parliament as a more powerful and influential body, capable of checking the Prime Minister.

This report documents the shifting Shi'a and Sunni parliamentary coalitions from late 2008 to mid 2009. The paper begins with an examination of the political dynamics in late 2008 and reactions to Maliki's growing strength in advance of provincial elections. The report then examines the realignment of alliances in response to the resignation of Parliament Speaker Mahmoud al-Mashadani in late 2008 and the ensuing debate over his replacement, the 2009 provincial election, and the negotiations over the 2009 Budget Law. Each of these events forced the main political blocs in the parliament to reevaluate their relationships vis-à-vis Maliki and other parties. The report concludes with a discussion of the current state of Iraq's parliamentary politics and their implications for the 2010 national election.

### POLITICAL DYNAMICS IN LATE 2008

In late 2008, two closely-linked events dominated the Iraqi political sphere: the passage of the Security Agreement and the upcoming provincial election. With United Nations Security Council Resolution (UNSCR) 1790 set to expire on December 31, 2008, a new agreement was needed to govern the status of multi-national forces in Iraq.<sup>1</sup> To that end, in the spring of 2008, U.S. and Iraqi negotiators began to discuss a bilateral Status of Forces Agreement (later called the Security Agreement), which set forth guidelines for the

presence of U.S. forces in Iraq, and a Strategic Framework Agreement, which established broad principles for the economic, diplomatic, cultural, and security partnership between the two countries. The negotiation process was contentious and dragged on into the fall of 2008. Iraqi politicians sought to exact as many concessions as possible from the United States in an attempt to demonstrate nationalist credentials ahead of the provincial election.

When the Security Agreement negotiations stalemated in the late summer, Maliki shuffled the Iraqi negotiating team. He replaced the Kurdish-dominated group with a team of his closest advisers, in an effort to further consolidate his control over the negotiations.<sup>2</sup> The new team continued to press the U.S. negotiators for concessions, even as the deadline for the agreement drew near.<sup>3</sup> The possibility that there would be no agreement in place by January 1, 2009 seemed real. The Kurds as well as other Shi'a and Sunni political blocs feared political exclusion on account of the shuffle and deemed Maliki's brinksmanship un-statesmanlike.<sup>4</sup> Although no political leader wanted to take public responsibility for driving the passage of the agreement, particularly given the upcoming provincial election, not having a Security Agreement was problematic for several reasons. Iraq still required Coalition troops to conduct security operations and provide key enablers for Iraqi Security Forces. The failure to reach an agreement on the legal status of Coalition forces would therefore generate a

crisis of confidence in the government and perhaps compromise the security gains. Finally, the presence of U.S. forces also provided a check on the Prime Minister's power. As they ceased their operations or left the theater, Maliki's rivals needed to find some other mechanism to counterbalance him.

Uncertainty over the status of Coalition Forces persisted until the end of October, 2008, when U.S. and Iraqi negotiators finalized a draft of the agreement. The Iraqi Cabinet (or Council of Ministers) had to approve the draft and send it to the Iraqi parliament for approval.<sup>5</sup> Prime Minister Maliki rallied cabinet-level support for the agreement. The Iraqi Cabinet approved the Security Agreement on November 16, 2008, and submitted it to the parliament, the Council of Representatives (CoR), for a vote.<sup>6</sup>

As the agreement was debated in the CoR, Sunni political blocs, namely the Iraqi Accordance Front (IAF) and the National Dialogue Front, contended that the Security Agreement left too much unchecked power in the hands of the Prime Minister.<sup>7</sup> Their fears increased in early November as the Security Agreement was finalized, when Maliki called for a series of constitutional amendments to grant sole control of security and foreign affairs to the central government.<sup>8</sup> As a result, during the debate over the passage of the Security Agreement, these two Sunni blocs proposed a series of amendments that became known as the Political Reform Document,<sup>9</sup> which called for a more equitable sharing of power in the government and security forces. Although the Sunnis were the main proponents of the Political Reform Document, it was backed by some politicians from the Iraqi National List, Fadhila Party, and the Kurdish Alliance (KA), who were also concerned over Maliki's growing power.<sup>10</sup> The Sunnis also called for a popular referendum on the Security Agreement, slated to

occur by the end of June 2009.

Prime Minister Maliki and his Dawa Party allies in the parliament needed broad support for the Security Agreement to ensure a wide margin of votes in favor of the agreement. Not only would this boost the legitimacy of the agreement, but it would ensure the support of Grand Ayatollah Ali al-Sistani, Iraq's most influential and respected Shiite cleric, who repeatedly refused to take a stand on the agreement except to say that it had to reflect broad consensus and the will of the Iraqi people. After several days of political maneuvering and frantic deal-making, the ruling Shiite alliance conceded to the demands of the Political Reform Document.<sup>11</sup> Both the Security Agreement and the Political Reform Document were passed by the CoR on

November 27, 2008.<sup>12</sup> It is worth noting, however, that whereas the Security Agreement was a binding law, the Political Reform Document was a non-binding agreement.<sup>13</sup> Following its passage in the CoR, the Security Agreement then moved to the Presidency Council for final review and approval, which occurred on December 4, 2008.<sup>14</sup>

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*Prime Minister Maliki and his Dawa Party allies in the parliament needed broad support for the Security Agreement to ensure a wide margin of votes in favor of the agreement.*

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Amidst the debate over the Security Agreement, Iraq's political parties were also attempting to position themselves optimally ahead of the provincial elections, which were scheduled for January 31, 2009. In the southern provinces of Iraq, the defeat of the Sadrists during the Spring 2008 offensives in Basra, Amarah, and elsewhere had left an opening for their political rivals to gain greater representation (and even control) of a number of southern provincial governments. Maliki's Dawa competed with the Islamic Supreme Council in Iraq (ISCI), a rival Shi'a party that controlled the majority of provincial governments in the south. ISCI had been vying with the Sadrists throughout 2007, in a rivalry that frequently turned violent. They expected

to benefit from the latter's ouster by expanding their control on the provincial councils, through which the party had hitherto balanced the influence of the Prime Minister, as well as by consolidating their control over the Iraqi Army in the south.

Maliki and his party had little grassroots support in the south as late as June 2008 and very limited influence on the provincial councils. He thus needed a mechanism to garner votes. Maliki created Tribal Support Councils (TSCs) in order to gain these votes. TSCs were a tribally-based alternative to the political and security structure in a community.<sup>15</sup> The TSCs were charged with assisting in the maintenance of security, fostering reconciliation, and assisting in the resettlement of displaced families and the implementation of reconstruction projects.<sup>16</sup>

The first TSCs emerged in the spring of 2008, following Prime Minister Maliki's offensive to clear the militias from Basra.<sup>17</sup> Throughout the summer of 2008, Maliki increased his outreach to the tribes to win votes ahead of the provincial election.<sup>18</sup> The TSCs reported to a body called the Implementation and Follow-up Committee for National Reconciliation (IFCNR, pronounced "if-can-er" by Coalition Forces in Iraq) led by Mohammed Salman, Maliki's advisor on reconciliation issues. IFCNR had the primary responsibility of vetting the largely-Sunni Sons of Iraq in 2008. The TSCs received considerable funding from Prime Minister Maliki, through IFCNR.<sup>19</sup> For example, a TSC in Diwaniyah received more than \$20,000 at its formation and \$10,000 a month thereafter.<sup>20</sup>

Maliki's growing influence in the south and his emphasis on a strong central government alarmed ISCI, which worried that Maliki was using the office of the Prime Minister—and its financial resources—to create a power base for himself and a network of patronage that he could use to garner votes in the election. ISCI politicians questioned the legality of the councils and forcefully, but unsuccessfully, argued for their disbandment.<sup>21</sup>

Prime Minister Maliki initially created TSCs in the southern provinces of Iraq, but by the early fall, he had expanded his message and outreach

to mixed Sunni-Shiite tribes whose members spanned much of the country.<sup>22</sup> Maliki sought to establish TSCs in Kirkuk and other disputed areas in northern Iraq. His attempts to create such councils in the disputed areas were met with staunch resistance from the Kurds and even some Sunni groups, namely the Iraqi Islamic Party (IIP). The Kurdish Alliance and the IIP felt that the TSCs would threaten their influence and interests in the region.<sup>23</sup> They were also concerned with the growing power of the central government and, in light of the upcoming elections, Prime Minister Maliki.

Political resistance to the TSCs at the national level increased during the fall as elections drew nearer. Their opposition to the support councils arose from their concerns over Maliki's growing power, not just political expediency. Iraqi political parties disagreed in principle over whether power in the Iraqi state should be concentrated in a strong central government or devolved to regional or provincial governments. Maliki was quite vocal about his desire to create a strong central government, whereas both ISCI and the Kurds favored decentralization of power into federal regions comprised of groups of provinces. The tensions came to a head in late November 2008, when the Presidency Council, which is composed of President Jalal Talabani and Vice-Presidents Tariq al-Hashemi and Adel Abdul Mahdi, sent a letter to Maliki arguing that the TSCs were illegal and asking the Prime Minister to suspend the program while its legality was reviewed.<sup>24</sup>

Maliki responded to the Presidency Council's challenge with a letter addressed to President Talabani, stating that the TSCs were a part of Iraq's security apparatus and as such, there was no legal justification for abolishing them.<sup>25</sup>

The controversy over the TSCs thus became entangled with a debate over the Prime Minister's control over security services. The Prime Minister controlled several security services outside the Army and Police, including IFCNR and the Counter-Terrorism Bureau (CTB), a highly-trained special operations unit. Some feared that Maliki could use these bodies for political ends, including the elimination of

## KEY FIGURES IN IRAQI NATIONAL POLITICS

### Government of Iraq - Executive Branch

#### Nouri al-Maliki

Prime Minister of Iraq and head of the Shiite Dawa political party.

#### Tariq al-Hashemi

Vice-President of Iraq, Presidency Council member, and Secretary-General of the Iraqi Islamic Party, which leads the IAF.

#### Adel Abdul Mahdi

Vice-President of Iraq, Presidency Council member, and high-ranking official in the Islamic Supreme Council of Iraq, which is a member of the United Iraqi Alliance bloc in the Council of Representatives.

#### Jalal Talabani

President of Iraq, Presidency Council member, and co-founder of the Patriotic Union of Kurdistan, which is a member of the Kurdish Alliance bloc in the Council of Representatives.

### Government of Iraq - Council of Representatives

#### Ali al-Allaq

UIA Spokesman and prominent member of the Dawa Party.

#### Khalaf al-Alyan

Leader of the National Dialogue Council, which was formerly a member of the Iraqi Accordance Front.

#### Sami al-Askary

Independent, although considered to be a close adviser to Prime Minister Maliki.

#### Khaled al-Atiyya

Deputy Speaker of the Council of Representatives; temporarily assumed control after Mashadani's ouster.

#### Abbas al-Bayati

Secretary-General of the Turkmen Islamic Union of Iraq, which is a member of the United Iraqi Alliance.

#### Coordination Assembly

Formerly a broad alliance of smaller, nationalist parties, which played a crucial role in passing the Provincial Election Law.

#### Mustafa al-Hiti

National Dialogue Council member, lost to Samaraie in the second Speaker election.

#### Aqil Abdul Hussein

Leader of the Sadrism Trend in parliament.

#### Iraqi Accordance Front

Formerly a broad alliance of Sunni Islamist parties, it is now largely dominated by the Iraqi Islamic Party.

#### Khalil al-Jadou

NDC member, defeated in the first Speaker election.

#### Salim al-Juburi

Iraqi Accordance Front Spokesman and prominent member of the Iraqi Islamic Party.

#### Abdul Mutlak al-Juburi

Leader of the Independent Arab Bloc.

#### Kurdish Alliance

The Kurdish bloc, it consists of Talabani's Patriotic Union of Kurdistan and Masoud Barzani's Kurdistan Democratic Party.

#### Taha al-Luhaybi

Leader of the National Democratic Grouping, which was formerly a member of the Iraqi Accordance Front.

#### Mahmoud al-Mashadani

Co-founder of the National Dialogue Council, and former Speaker.

#### Saleh al-Mutlak

Split from the National Dialogue Council to form the National Dialogue Front, described as an Arab nationalist.

#### Osama al-Nujaifi

A prominent member of the Iraqi National List.

#### Ayad al-Samaraie

Speaker of the Council of Representatives and prominent member of the Iraqi Islamic Party.

#### United Iraqi Alliance

Formerly a broad alliance of mainly Shiite parties, it is now largely dominated by the Prime Minister's Dawa Party and the Islamic Supreme Council of Iraq.

### Kurdistan Regional Government

#### Masoud Barzani

President of the Kurdistan Regional Government and leader of the Kurdistan Democratic Party, which is a member of the Kurdish Alliance bloc in the CoR.

### Iranians

#### Ali Larijani

Parliament Speaker of the Islamic Republic of Iran.

#### Ali Akbar Rafsanjani

Chairman of the Expediency Council of the Islamic Republic of Iran.

#### Manouchehr Mottaki

Foreign Minister of the Islamic Republic of Iran.

### Iraqi Clerics

#### Grand Ayatollah Ali Sistani

Arguably Iraq's highest-ranking Shiite religious scholar, leads the prestigious Najaf Hawza.

#### Moqtada al-Sadr

Inherited the Sadrism Movement in 2003, and currently lives in Iran.

#### Abd al-Aziz al-Hakim

Spiritual leader of the Islamic Supreme Council of Iraq and leader of the United Iraqi Alliance.

political opponents. The Counter-Terrorism Bureau, for example, had conducted a raid on the Diyala Governance Center in the provincial capital of Baqubah in August 2008.<sup>26</sup> The raid targeted Husain al-Zubaydi, a Sunni member of the Diyala provincial council and the head of the security committee.<sup>27</sup> The governor's secretary was shot and killed as the counter-terrorism force battled with local police who were guarding the facility.<sup>28</sup> Zubaydi and the president of Diyala University were arrested during the raid and taken to an unknown location.<sup>29</sup> The raid was said to have been ordered by the Prime Minister's office and stoked fears of sectarian targeting by the counter-terrorism force.<sup>30</sup>

Such fears were heightened when Maliki's Counter-Terrorism Bureau conducted a raid on the Ministry of

Interior on December 18, arresting at least two dozen employees on charges of involvement in a Ba'athist conspiracy.<sup>31</sup>

As varying and contradictory reasons for the raid surfaced, members of the Interior Ministry and the CoR denounced it

as a politically-motivated act.<sup>32</sup> Many speculated that the raid was aimed at undermining Interior Minister Jawad al-Bolani, who headed the Iraqi Constitutional Party, and whose political aspirations made him a rival to the Prime Minister.<sup>33</sup> Bolani formed the Constitutional Party in June 2005.<sup>34</sup> Although he stepped down as party head when he became Minister of Interior in June 2006, he maintained significant influence over the movement and has been accused by his rivals of using the Ministry to advance his party's aims.<sup>35</sup> Moreover, the Interior Ministry played a powerful role in maintaining security across Iraq and was to gain more power with the implementation of the Security Agreement—something of concern to Maliki. The charges against those detained in the Ministry of Interior raid were dropped several days later (confirming the general suspicions that the raid was politically motivated or based

on unfounded charges). The Ministry of Interior incident drew further attention to the Counter-Terrorism Bureau.

The members of the Presidency Council held a meeting in Dukan, Sulaymaniyah on December 10 to discuss their concerns about Maliki and other current political developments.<sup>36</sup> The Presidency Council also met with Kurdish Regional Government President Masoud Barzani.<sup>37</sup> President Talabani revealed that the Council discussed the Security Agreement and the implementation of the Political Reform Document.<sup>38</sup> Other Iraqi politicians speculated that the meeting was called to discuss the TSCs and measures to check Maliki's growing power. Some believed that the Presidency Council met to organize a parliamentary coalition that

could pass a vote of no-confidence in the Prime Minister.<sup>39</sup> Regardless, the meeting implied the desire on the parts of IIP, ISCI, and the Kurds to work together to pursue their shared interests in limiting the power of the Prime Minister. The ensuing ouster of CoR Speaker Mahmoud al-Mashadani gave them the

chance to do just that.

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## PARLIAMENTARY SPEAKER MASHADANI RESIGNS

On December 17, 2008, Mahmoud al-Mashadani resigned from his position as Speaker of the CoR during a heated session in parliament.<sup>40</sup> The session was originally reserved for discussion of the Non-U.S. Forces Status Agreement, the agreement to give non-U.S. international forces legal grounds for operating in Iraq past the UNSCR expiration. The Sadrists, however, insisted upon discussing the fate of Iraqi journalist Muntazar al-Zaidi, who had been arrested after throwing his shoes at President Bush during a press conference. Mashadani refused to discuss Zaidi's detention,

heightening factional tensions in the CoR.<sup>41</sup> During a chaotic exchange of arguments, Mashadani insulted fellow lawmakers, calling them “sons of dogs.”<sup>42</sup> Likely in an attempt to regain control of the session, Mashadani resigned from his position as Speaker of the CoR, stating “I have no honor leading this parliament and I announce my resignation.”<sup>43</sup>

This was not the first time Mashadani, a member of the National Dialogue Council, had threatened to resign. He was a mercurial figure and known for his emotional outbursts.<sup>44</sup> While on previous occasions he was reinstated as Speaker, this time several parliamentary blocs, identified as the Kurdish Alliance, ISCI and the IIP, refused to let Mashadani rescind his resignation.<sup>45</sup> Unnamed Kurdish and Shiite lawmakers gave Mashadani an ultimatum either to step down by December 23, 2008 or be voted out of office.<sup>46</sup> Between his resignation on December 17 and his ouster on December 23, Mashadani clung to his position of power by using his ability to block the passage of the Non-U.S. Forces Agreement as leverage. He threatened to adjourn the CoR until January 7, 2009,<sup>47</sup> beyond the legal mandate of non-U.S. forces in Iraq.

Mashadani bowed out of his position as it became clear, however, that the KA-ISCI-IIP alliance had mustered enough votes to oust him from the Speakership. The CoR officially approved Mashadani’s resignation on December 23, 2008.<sup>48</sup> Within a half-hour, Deputy Speaker Khaled al-Atiya took charge of the CoR and passed the Non-U.S. Forces Agreement.<sup>49</sup>

Mashadani claimed that he was forced to resign as part of a plan to initiate a no-confidence vote against Prime Minister Maliki. Mashadani, therefore, suggested that his ouster was an orchestrated Parliamentary reaction to Maliki’s growing strength rather than a spontaneous reaction to his unstable temperament.<sup>50</sup> Mashadani, though Sunni, had been integral in backing Maliki and driving critical legislation through the CoR throughout 2008.<sup>51</sup> He also withheld any legislation that would adversely affect the Prime Minister.<sup>52</sup> He was therefore seen as an obstacle to any attempt to remove Maliki from office via a vote of no-confidence.



*Photo: Former Speaker of the Council, Mahmoud al-Mashadani. (U.S. Department of Defense Photo)*

Mashadani identified the IIP, ISCI, and the KA as the forces allegedly backing a vote of no-confidence.<sup>53</sup> (All three parties successively denied the accusation and re-affirmed their support for Maliki and his government.<sup>54</sup>) Some members of Maliki’s Dawa Party reiterated Mashadani’s claims. Parliamentarian Sami al-Askary stated that “Mashadani paid the price for his refusal to propose a vote of no-confidence”.

Although the CoR easily approved Mashadani’s resignation, finding a replacement would prove more difficult. The process of finding a successor exposed weaknesses within the Iraqi Accordance Front (IAF), United Iraqi Alliance (UIA), and Coordination Assembly (CA) alliances.

## DEBATE ERUPTS OVER SPEAKER SUCCESSOR

The Speaker crisis had erupted unexpectedly, prematurely testing alliances within the CoR as parties and coalitions prepared to contest the 2009 provincial election. Under an informal but important power-sharing agreement, highest positions in the government were divided amongst Shi'a, Sunni, and Kurd. For example, the Iraqi Presidency was held by a Kurd, while the Prime Minister was Shi'a. The Speaker of the Council of Representatives was reserved for a Sunni. The Sunni blocs in the Iraqi parliament, however, were strongly divided over whom to appoint as Mashadani's successor. Some Iraqi politicians even proposed opening the Speaker position to a non-Sunni candidate, although this did not garner much support. It soon became clear that the IIP intended to nominate its own candidate. The IIP was the largest party in the Iraqi Accordance Front, the main Sunni political coalition in the parliament.

The National Dialogue Council withdrew from the Iraqi Accord Front immediately after Mashadani stepped down.<sup>55</sup> National Dialogue Council head Khalaf al-Alyan called on his fellow lawmakers to cease cooperating with the IAF on the basis of "its imminent dissolution," and blamed the IIP for its unilateral style of decision-making within the alliance.<sup>56</sup>

Mashadani's resignation initially appeared to have re-energized another alliance in the CoR, namely, the Coordination Assembly,<sup>i</sup> to which the National Dialogue Council acceded. This loosely formed coalition of smaller, nationalist parties included the Shiite Fadhila party, the secular Iraqi National List, the Sunni National Dialogue Council and National Dialogue Front, the Independent Arab Bloc, the Sadrists,<sup>57</sup> as

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<sup>i</sup> The Coordination Assembly is sometimes referred to as the July 22<sup>nd</sup> Bloc on account of its emergence during the during a July 22, 2008 vote on the provincial elections law. The controversial bill included a provision to delay elections in the disputed province of Kirkuk and install quota-system that would divide power equally between Arab, Kurd, and Turkmen. While the Kurds protested the move and boycotted the vote, the provincial elections law was passed by the CoR on July 22, 2008, only to be vetoed two days later by President Jalal Talabani.

well as the Shiite Reform Trend.<sup>58</sup> The CA stood unified against Mashadani's ouster, according to National Dialogue Front member Fallah Hassan Zidan.<sup>59</sup> Likewise, Iraqi National List member and Sunni Member of Parliament (MP) Osama al-Nujaifi reiterated the CA's support for Mashadani the day prior to Mashadani's resignation, stating that "the attack against Mashadani is an attack against the Coordination Assembly as a whole since he is a part of it."<sup>60</sup> When it became clear that Mashadani would step down, the CA began to review its internal structure in search of a way to mobilize its wide, cross-sectarian base and the arrival of the National Dialogue Council into a unified vote for a replacement candidate.<sup>61</sup>

The CA soon began to show signs of dysfunction. On January 11, 2009, the CA held a meeting to agree on a single nominee. The meeting proved fruitless, however, as several candidates refused to step down.<sup>62</sup> After the meeting, CA member parties independently announced Speaker nominees, each claiming to represent the alliance. For example, on January 12, 2009, Iraqi National List member Osama al-Nujaifi announced his bid for the Speakership as representing the CA alliance.<sup>63</sup> The next day, the National Dialogue Front announced that Muhammad Tamim would represent the CA's "sole bid for the Speakership,"<sup>64</sup> while Hassan Dikan al-Jinabi, also claiming to represent the CA, announced National Dialogue Council member Khalil Jadou's bid for the Speakership.<sup>65</sup> The CA's fracturing in the wake of Mashadani's resignation underscored the frailty of the alliance, and the ensuing debate over an agreeable Speaker nominee quickly diminished the Coordination Assembly alliance as a potential force in parliament.

The Iraqi Accord Front, less the National Dialogue Council, declared IIP member Ayad al-Samaraie as its official candidate for the Speaker position on January 8, 2009.<sup>66</sup> National Dialogue Council leader Khalaf al-Alyan continued to oppose the IAF and Samaraie's nomination to the speakership, announcing that "this position is ours,"<sup>67</sup> on the basis that it was previously held by a National Dialogue Council member. Samaraie responded, however, that

the Speakership belonged to the IAF on the basis of previous arrangements with other blocs in parliament, and that the National Dialogue Council could therefore not contest the position since it had withdrawn from the IAF.<sup>68</sup> A few days later, Taha al-Luhaybi, leader of the National Democratic Gathering, announced his party's withdrawal from the IAF,<sup>69</sup> evidently in protest to the IIP's growing monopoly of influence within the parliamentary alliance. As an alternative to the IAF, Luhaybi voiced his intention to establish political alliances with remnants of the CA and former IAF parties.<sup>70</sup> These withdrawals effectively left Iraqi Islamic Party as the only party remaining in the IAF.

Meanwhile, Maliki and the Dawa Party remained conspicuously disengaged during the initial phases of the Speaker crisis. On December 21, 2008, Dawa Party member Ali al-Allaq indicated that his parliamentary bloc had held a meeting in which it was decided that Mashadani did "not have the required morals to continue in his position."<sup>71</sup> MP Sami al-Askary affirmed that the Party "believe[d] that the Speaker position belongs to the IAF."<sup>72</sup> It seems that Dawa abandoned him, but soon came to regret the decision. Askary later described Mashadani's ouster as "an attempt to replace him with an IIP candidate who would likely stage a vote of no-confidence against the Prime Minister;"<sup>73</sup> he went on to voice Dawa's staunch opposition to an IIP candidate.<sup>74</sup> Askary's statements firmly situated Dawa in opposition to the IIP's candidate, and therefore in opposition to the IIP, ISCI, and Kurdish Alliance backing Samaraie.

Candidates proliferated as political parties and blocs tried to fill the vacant Speaker position with their own nominees. There were eight candidates by January 14, 2009:<sup>75</sup> Iraqi Islamic Party member Ayad al-Samaraie (Sunni), National Dialogue Council members Khalaf al-Alyan<sup>76</sup> and Khalil Jadou (both Sunni),<sup>77</sup>

Iraqi National List members Osama al-Nujaifi (Sunni), Mahdi al-Hafiz (Shi'a) and Maisoon al-Damalooji (Sunni),<sup>78</sup> National Democratic Gathering member Taha al-Luhaybi (Sunni), and National Dialogue Front member Saleh al-Mutlak (Sunni).<sup>79</sup> That seven of the candidates had all been drawn from within the ranks of the Coordination Assembly confirmed earlier signs that the alliance was collapsing under the strain of political opportunism. But the issue could not be forced to a vote before the January 31 provincial elections. The CoR, accordingly, adjourned on January 19 planning to resume the Speaker debate on February 3, 2009.<sup>80</sup>

## PROVINCIAL ELECTIONS AND ALLIANCE-MAKING

The State of Law Coalition, on which Maliki's Dawa Party ran and on behalf of which he campaigned, won nine out of the fourteen provinces holding elections.<sup>81</sup> It is likely that Maliki's strongman image and his nationalist rhetoric boosted the State of Law's appeal to the Iraqi electorate.<sup>82</sup> The results of the provincial elections confirmed Prime Minister Maliki's growing popularity and highlighted the Iraqi electorate's appetite for strong, nationalist policies. The State of Law's sweeping victory at the provincial level, in turn, strengthened Maliki's position at the national level, reframing the dynamics among different Iraqi political parties.

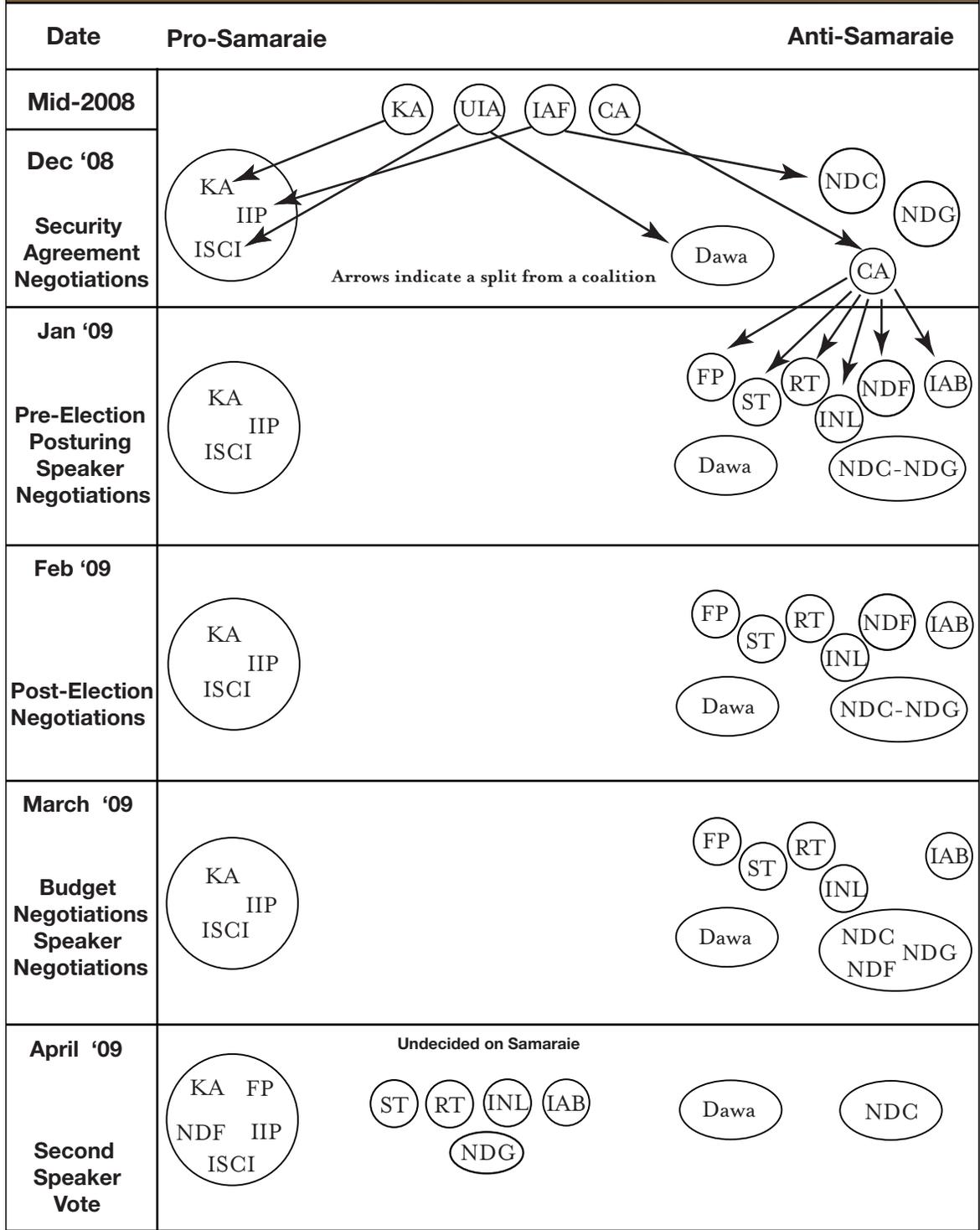
Unofficial election results pointed early on to the State of Law's overwhelming victory. In anticipation, Maliki and his Dawa Party recognized the need to build cross-sectarian coalitions on the provincial councils. Speaking at a press conference on February 4, 2009, Maliki pledged to include other parties in the coalition-building process.<sup>83</sup> That same day, Maliki met with ISCI leader Abdul Aziz al-Hakim,<sup>84</sup> while fellow State of Law member

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*Candidates proliferated as political parties and blocs tried to fill the vacant Speaker position with their own nominees.*

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### SHIFTS IN PARLIAMENTARY ALLIANCES: MID-2008 TO APRIL 2009



CA - Coordination Assembly	IIP - Iraqi Islamic Party	NDF - National Dialogue Front
Dawa - Dawa Party	INL - Iraqi National List	NDG - National Democratic Gathering
FP - Fadhila Party	ISCI - Islamic Supreme Council of Iraq	RT - Reform Trend
IAB - Independent Arab Bloc	KA - Kurdish Alliance	ST - Sadrist Trend
IAF - Iraqi Accord Front	NDC - National Dialogue Council	UIA - United Iraqi Alliance

Abbas al-Bayati highlighted the Prime Minister's desire to cooperate with other parties.<sup>85</sup> Maliki may have emphasized cooperation as a means to build on his cross-sectarian, nationalist credentials. In addition, cooperative alliances could hedge against the potential no-confidence vote against him from becoming a reality.

Maliki first and most actively courted the Sadrist constituency and leadership. Ahead of the provincial election, Maliki made several attempts to reconcile with the Sadrists. Talks between Sadrist representatives and Maliki led to the creation of a judicial committee to review the status of many Sadrist detainees.<sup>86</sup> Maliki had approved the release

of several high-profile militia members formerly associated with Sadr's Mahdi militia, suggesting that his outreach to the Sadrists was sincere.<sup>87</sup> Probably in return for this concession, Sadrist MP Baha Al-Araji described any attempt in the CoR to withdraw confidence from Maliki as a "red line."<sup>88</sup>

The Sadrists, sensing an imminent and long-awaited return to a position of prominence in Iraq's national politics, sought to exact more political concessions from the Prime Minister. Sadr issued a declaration on February 14, 2009, predicating his re-entry into the Shiite United Iraqi Alliance alongside Maliki's Dawa Party on the conditions that the alliance be renamed,<sup>89</sup> that ISCI step down from its leadership,<sup>90</sup> and that it adhere to a non-sectarian platform.<sup>91</sup> But after months of negotiation, the talks broke down. Finally, in early May, Baha al-Araji revealed the Sadrist Trend's desire to maintain its independence in the lead up to the national election explaining that "the UIA experience was not useful."<sup>92</sup>

## THE FIRST SPEAKER VOTE

Resolution of the Speaker crisis was the first order of business when the CoR resumed its legislative session on February 4, 2009.<sup>93</sup> Subsequent discussions in the CoR, however, revealed ongoing disagreements as the Fadhila Party, the Sadrists, the Independent Arab Bloc, Dawa and its off-shoot Dawa-Iraq parties walked out of parliament in protest of Samaraie's nomination.<sup>94</sup> Amid these difficulties, Deputy Speaker Khaled al-Atiya postponed the first Speaker vote until February 18, 2009, likely in an attempt to give parliamentary blocs more time to come to an agreement.<sup>95</sup> In the

meantime, four candidates successively withdrew from the contest, citing their discontent with the Speaker election process. They were National Dialogue Council nominee Khalaf al-Alyan and Iraqi National List nominees Mahdi al-Muhafiz, Osama al-Nujaifi, and Maisoon al-Damalooji. Taha al-Luhaybi and Saleh al-Mutlak also withdrew their candidacies, but did not publically state their reasons for doing so. Three new candidates—

independents Wathab Shakir and Hussein al-Falluji as well as Independent Arab Bloc member, Abdul Mutlak al-Jabouri—announced that they would personally enter the Speaker election.<sup>96</sup> These additions and withdrawals reduced the number of official candidates from the original seven in mid-January 2009, to five immediately preceding the first Speaker vote.

The first Speaker vote, held via secret ballot on February 18, 2009, yielded the following results: out of 235 Members of Parliament present, 123 voted for Ayad al-Samaraie, forty-three for Khalil Jadou, eighteen for Abdul Mutlak al-Jabouri, eight for Wathab Shakir, and three for Hussein al-Falluji.<sup>97</sup> In addition, up to forty parliamentarians spoiled their votes. Because no candidate garnered an absolute majority of the 275-member CoR, Deputy Speaker al-Atiya called for a run-off election to be held

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*The Sadrists, sensing an imminent and long-awaited return to a position of prominence in Iraq's national politics, sought to exact more political concessions from the Prime Minister.*

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the following day between the first round's top two nominees, Ayad al-Samaraie, a Sunni from the IIP, and Khalil Jadou, a Sunni from the National Dialogue Council.<sup>98</sup>

The February 19, 2009, run-off election yielded the following results: 136 Members of Parliament voted for Samaraie, eighty-three for Jadou, and twenty spoiled their ballots.<sup>99</sup> Samaraie's tally fell two votes short of the 138-vote threshold required for an absolute majority threshold, so the vote did not resolve the issue.<sup>100</sup> The IAF, of which the IIP was the only major remaining constituent, filed a legal case to attempt to make the vote decisive. It immediately delivered a docket to the Federal Supreme Court, arguing that an absolute majority of members was limited to the majority of total attendees in any one vote – which would then mean that the 136 votes that Samaraie obtained would suffice.<sup>101</sup> The Court postponed its ruling on the case several times, however, citing “delays in legal proceedings.”<sup>102</sup> It became increasingly clear that the Court was deliberately delaying the case to give the CoR more time to negotiate a political rather than a constitutional resolution to the matter.<sup>103</sup>

### **POST-ELECTION ALLIANCE-MAKING IN BETWEEN THE FIRST AND SECOND SPEAKER VOTE**

Meanwhile, the release of unofficial provincial election results accelerated deal-making efforts between Iraq's political blocs. Maliki, while still talking with the Sadrists, entered into reconciliation negotiations with several factions of the Ba'ath Party,<sup>104</sup> likely in a bid to establish an alliance with Sunni opposition members to form governing coalitions in certain provinces and perhaps even at the national level. The Government of Iraq (GoI) extended an offer to retire with benefits exiled members of Iraq's former army above the rank of Lieutenant Colonel shortly after the election in mid-February 2009, and to return to active-duty service those at or below that rank.<sup>105</sup> His outreach persisted through the March and into April 2009.

Other Shi'a parties in the CoR pressured Maliki to cease negotiations with the former Ba'ath party members, on the grounds that Article Seven of the Iraqi Constitution prohibits restitution of Saddam's Ba'ath Party.<sup>106</sup> UIA spokesman Abbas al-Bayati defended Maliki, explaining that the Prime Minister's efforts were not directed at the Ba'ath Party as an official organization but rather at its individual members.<sup>107</sup> Still, throughout mid-March 2009, ISCI,<sup>108</sup> Fadhila Party,<sup>109</sup> and Sadrists<sup>110</sup> continued to oppose Maliki's outreach to the constitutionally-banned Ba'ath Party. Faced with mounting Shiite opposition to his outreach campaign, Maliki was forced to scale back on his efforts at the risk of losing Sunni support in parliament. On March 19, 2009, Maliki responded to criticism of his campaign by issuing an official position paper in which he distinguished a reconcilable branch of the Ba'ath Party, from a hardcore, irreconcilable one.<sup>111</sup> This distinction conveniently met the requirements of Article Seven, while leaving room for reconciliation in the future. Despite this distinction, Maliki's toned down his outreach, which soon fizzled. Izzat al-Douri, a former deputy to Saddam Hussein and the leader in exile of the Ba'ath Party's most radical branch, rejected the GoI's overtures, effectively terminating negotiations between the two in late April 2009.<sup>112</sup>

Maliki's outreach, though alarming some Shi'a political parties, garnered him the support of Saleh al-Mutlak, a leading Sunni parliamentarian and head of the National Dialogue Front. Mutlak fared relatively well in provincial elections, coming in second in Anbar and Diyala (where he tied with the IIP in both cases).<sup>113</sup> He also earned seats on the Baghdad and Salah ad-Din provincial councils.<sup>114</sup> To show support for Maliki, Mutlak derided the IIP and the Kurdish Alliance for their efforts to oust Mashadani from the Speakership, citing “the need to support the Maliki government.”<sup>115</sup> By early March, Mutlak admitted to a “convergence of interests” between his party and Maliki's Dawa Party with regards to abolishing the system of sectarian quotas for the distribution of offices – which implied that the National Dialogue Front would consider a non-Sunni candidate for the speakership – he denied any formal

alliance between the two parties.<sup>116</sup> Meanwhile, Mutlak had allied with Maliki in at least four provinces.<sup>117</sup> Mutlak formed and led several parties, some once associated with the CA, into the new National Dialogue Bloc, consisting of the National Dialogue Council, the National Dialogue Front, and the National Democratic Gathering. The National Dialogue Bloc opposed the IIP's bid for the Speakership,<sup>118</sup> a policy that actively supported Maliki's interests.

Mutlak's support for the Maliki government gradually eroded in late March, as the national effort to reconcile with some Ba'ath party members unraveled. As Maliki toned down his reconciliatory rhetoric towards the Ba'ath Party under pressure from other Shi'a parties, Mutlak continued to push for the reintegration of Ba'ath Party members. Mutlak argued that "the reconstruction of Iraq is impossible without the Ba'ath Party's institutional expertise, which comes as the result of over 35 years of experience in government."<sup>119</sup>

Responding to Maliki's rhetorical modification on reconciliation with the Ba'athists, Mutlak stated that the "GoI's recent retractions will certainly affect past agreements with Maliki's State of Law coalition at the provincial level, and make a national alliance with Maliki in preparation for the upcoming parliamentary elections nearly impossible."<sup>120</sup> Mutlak also cautioned that any future cooperation between the National Dialogue Bloc and Maliki would depend on cooperation at the provincial council level.<sup>121</sup> Mutlak's National Dialogue Front accordingly came to an agreement with the IAF by early April to support Samaraie's bid for the Speakership, a counterthrust to Maliki.<sup>122</sup> Mutlak's realignment with the IIP ahead of the second Speaker vote proved critical for ending the political stalemate.

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*Mutlak's realignment with the IIP ahead of the second Speaker vote proved critical for breaking the political stalemate.*

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## IRAN'S DIPLOMATIC OFFENSIVE

Iranian leaders also played a critical role in disrupting the potential cross-sectarian alliance between Maliki and Mutlak. Since the U.S. invasion of Iraq in 2003, Iran sought, amongst other objectives, to strengthen Shiite political dominance in Iraq. The Iranian government thereby aimed to mitigate the threat of a resurgent Sunni Iraq, while employing its ties with Shiite political parties in Iraq to influence Iraqi politics. In the lead-up to the provincial election, Iran extended considerable financial support to pro-Iranian parties and candidates, such as ISCI.<sup>123</sup> Maliki's electoral victory, which came at the expense of ISCI, therefore disadvantaged Iran, as it had backed the losing party more strongly than the winning bloc. To maintain such influence in light of the bilateral U.S.-Iraq Security Agreement and after the provincial elections, Iran sought to increase the tempo of its diplomatic interactions with Iraq.

Iranian Foreign Minister Manouchehr Mottaki set the tone during his visit to Baghdad on February 11, 2009. His purpose was to mediate negotiations between Dawa and ISCI in an effort to preserve the UIA's fundamentally sectarian identity.<sup>124</sup> Then, on March 2, Ali Akbar Rafsanjani, the head of Iran's influential Expediency Council, initiated a five-day visit to Baghdad, an unusually long stay by diplomatic standards.<sup>125</sup> The day after Rafsanjani's arrival, ISCI member Riwad Jawad Taqi revealed ongoing talks between his party and Maliki's Dawa Party with regards to forming an alliance at the provincial council level.<sup>126</sup> The timing of Taqi's statement suggests that the Iranians were mediating the discussion, but evidence of a direct link between Rafsanjani's visit and a subsequent rapprochement between ISCI and Dawa is lacking. On March 25, Iranian Parliament Speaker Ali Larijani made an unannounced visit to Iraq, claiming to be on an unofficial religious pilgrimage.<sup>127</sup> Larijani's subsequent meeting with Maliki, however,

indicated ulterior motives for his trip.<sup>128</sup>

The successive visits to Iraq of these three powerful figureheads confirmed Iran's continued interest in Iraqi politics and suggest, but do not prove, that Iranian officials attempted to revive a Shi'a alliance in the immediate aftermath of the provincial elections. The passing of the Security Agreement was a significant blow to Iran's regional interests and for some time Iran's influence over Iraqi politics was waning. Indeed, Dawa's break with the Sadrists, ISCI's push for a no-confidence vote against Maliki, and the State of Law coalition's sweeping electoral victory at the expense of both ISCI and Sadrists threatened Shiite unity in Iraq. Iran sought to intervene during the critical post-provincial election alliance-making period to salvage ISCI, soothe Maliki, and re-create a Shiite sectarian bloc in Iraq.

## NEGOTIATIONS OVER THE 2009 BUDGET

The Council of Representatives must approve Iraq's annual budget. The Ministry of Finance initially drafted the 2009 budget in mid-October 2008, but revised its projected revenue in late October and January given the dramatic decline in crude prices during this period.<sup>129</sup> The budget was then temporarily eclipsed as the Security Agreement negotiations, Speaker crisis, provincial elections, and first Speaker vote successively absorbed the CoR's time. The budget negotiations took on a greater sense of urgency in late February 2009, however, as the GoI approached its third month of unauthorized spending.

Two factors protracted the budget negotiations. First, because Iraq's oil exports determine the state's annual revenues and expenditures, the Finance Ministry needed to re-calculate the budget as oil prices continued to decline in the wake of the 2008 global economic crisis. Iraqi Finance Minister announced in late January 2009 that the GoI would issue government bonds for the first time, demonstrating the complexity of Iraq's financial challenge.<sup>130</sup> Second, Ayad al-Samaraie was both the IAF nominee for the CoR Speakership and the

Chairman of the CoR Finance Committee. From this position, Samaraie was able to cultivate support for his candidacy from the undecided blocs in parliament by recommending programmatic cuts that undermined Maliki. For example, on February 27, 2009, the CoR Finance Committee issued a report explaining that Maliki's Tribal Support Councils unduly stressed the 2009 budget.<sup>131</sup> Maliki's rivals on the Finance Committee also questioned the legitimacy of and threatened to cut funding for extra-constitutional security bodies, such as the Counter-Terrorism Bureau and the National Security Council, led by National Security Advisor Mowaffak al-Rubaie.<sup>132</sup> While funding for these programs was removed, it is not clear whether Maliki intended to move them into other directorates in a bid to continue their funding. Still, Samaraie's targeting of the controversial programs suggested an attempt to gain votes for his candidacy by appealing to widespread resistance to them in the CoR. These actions also signaled Samaraie's determined opposition to Maliki.

Parliamentary blocs finally reached an agreement to pass the budget.<sup>133</sup> On March 5, 2009, the last day of the scheduled legislative session, the CoR approved the budget with a 165-vote absolute majority vote.<sup>134</sup> Absent from the final budget were provisions to fund extra-constitutional security bodies, namely the National Security Council.<sup>135</sup> The budget also moved funding for the Sons of Iraq from the Ministry of Defense (which is led by Maliki ally Defense Minister Abdul Qadir) to the Ministry of Interior, under the control of Maliki's rival, Interior Minister Jawad al-Bolani.<sup>136</sup> Maliki, displeased with the cuts, criticized the budget as endangering Iraq's security.<sup>137</sup>

The simultaneous formation of a parliamentary committee to agree to a new Speaker suggests that the same group which voted for the budget would also drive through the vote for a speaker.<sup>138</sup> Indeed, IAF member Amer al-Karbouli's stated that "the nomination of Samaraie is a done deal with the passing of the budget."<sup>139</sup>

## THE SECOND SPEAKER VOTE

Leading figures in the CoR used the legislative recess from March 6 to April 13, 2009, to negotiate a resolution to the Speaker crisis.<sup>140</sup> The CoR had previously used legislative recesses to negotiate coalitions,<sup>141</sup> and it is during this period that Saleh al-Mutlak, head of the National Dialogue Front, shifted his support to al-Samaraie's nomination.<sup>142</sup> The CoR reconvened on April 14, 2009, and on the following day, IAF member Ahmad al-Suleiman revealed that agreements had been reached between parliamentary blocs in favor of Samaraie's nomination.<sup>143</sup> Maliki's Dawa Party, however, reiterated its opposition to Samaraie and announced its endorsement of Hajem al-Hassani (Independent), Adnan al-Pachachi (Iraqi National List), and Mustafa al-Hiti (National Dialogue Council) as substitute candidates.<sup>144</sup> Khalaf al-Alyan, meanwhile, whose National Dialogue Council formerly controlled the Speaker position, maintained his position that the Speakership belonged to his party per unwritten agreements.<sup>145</sup>

In light of the argument over the absolute majority requirement that surfaced after the first Speaker vote, the CoR passed a measure on April 16, 2009 formalizing specific rules for the upcoming Speaker vote. The measure stipulated a secret ballot, limited the Speaker vote to a maximum of three rounds, and upheld the 138-vote absolute majority requirement except in the third round, which was to proceed according to a simple-majority run-off election.<sup>146</sup> The IAF remained confident, announcing that it was able gain support from other parliamentary blocs despite the Dawa Party's objection to Samaraie, and would drop its case with the Supreme Court if he were to win the election.<sup>147</sup> An unnamed UIA source revealed that the IIP secured the election of its candidate by offering promises to pass pre-determined legislation.<sup>148</sup> Although the

source does not mention any specific pieces of legislation, other evidence suggests that some of them related to the stipulations set forth by the Political Reform Document.<sup>149</sup>

In sharp contrast to the first Speaker vote, the second Speaker vote, held on April 19, 2009, yielded the following results: out of 232 attending Members of Parliament, 155 voted for Samaraie and thirty-four voted for Hiti.<sup>150</sup> This time, Samaraie's vote tally exceeded the absolute majority requirement and he was declared the winner.<sup>151</sup> Only two candidates stood in the election and Samaraie exceeded the absolute majority requirement in the first round, indicating that the votes were meticulously calculated in advance. The high number of spoiled votes also suggested that many CoR

members were unwilling to commit to Samaraie or against Maliki.<sup>152</sup> Samaraie assumed his new function as Speaker of the CoR the following day.<sup>153</sup>

Some voting trends are discernable, although the secret-ballot precludes a definitive analysis. Saleh Mutlak's National Dialogue Front pivoted during the recess and supported

Samaraie, along with the IIP, ISCI, and the Kurdish bloc that formed against Maliki.<sup>154</sup> The National Dialogue Front's switch in favor of Samaraie was driven likely by Maliki's failure to deliver national reconciliation with the Ba'athists. Meanwhile, some sources indicate, albeit less compellingly due to their editorial nature, that the IIP, ISCI, Fadhila Party, Sadrists, Iraqi National List, Independents and Kurdish Alliance formed the core alliance in support of Samaraie's bid for the Speaker position.<sup>155</sup> That the Fadhila Party, Iraqi National List, and Sadrists may have voted for Samaraie suggested some arrangement with the IIP, since they had previously stood united against Samaraie's candidacy. Still, fewer MPs voted to approve Samaraie than those who voted to approve the budget. This reveals that although there was a desire to check the Prime Minister's

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*The high number of spoiled votes also suggested that many CoR members were unwilling to commit to Samaraie or against Maliki.*<sup>152</sup>

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power, there were also limits to the appeal of a no-confidence vote.

The possibility of the Fadhila Party's switch reveals another dynamic in the CoR. Samaraie acceded to the Speakership through commitments to empower the CoR's regulatory function over the executive branch. In addition to cutting Maliki's national security budget, the CoR reasserted itself over the Prime Minister by summoning Maliki's ministers and key military commanders to testify before the legislators over the car bombings in Baghdad.<sup>156</sup> The CoR also summoned Trade Minister Abdul Falah al-Sudani to testify over accusations of corruption.<sup>157</sup> Facing a vote of no-confidence from the parliament, al-Sudani resigned from his position and was later detained when he attempted to flee the country.<sup>158</sup> The empowerment of the parliament's Fadhila-led Anti-Corruption Committee (outrageous, in some ways, because the former-Fadhila governor of Basra was nearly ousted for corruption) may have been Samaraie's quid pro quo for Fadhila's support for his election as CoR Speaker.

With Samaraie in power and the no-confidence vote against Maliki dropped, parliamentary blocs were able to check Maliki while keeping him as a potential ally in the future.

## **NEGOTIATIONS TO REBUILD THE UNITED IRAQI ALLIANCE**

Parliamentary blocs continued to maneuver between open confrontation with Maliki and the opportunity to capitalize on his power. A number of top Iraqi politicians became involved in May 2009 in discussions to revive the United Iraqi Alliance on a broader, nationalist platform. The tense but stable equilibrium between Maliki and the Council of Representatives made the revival of the UIA possible. ISCI showed that it controlled 155 votes in the Parliament with its new National Dialogue Front and Fadhila allies, enough for a no-confidence vote (though risky should anyone defect). ISCI did not immediately press for a vote of no confidence against Maliki. Maliki

needed a rapprochement with ISCI and the other pro-Samaraie parties in order to remove the threat of a no-confidence vote. ISCI's leaders presumably realized that the party would not succeed in the 2010 parliamentary elections after its crushing defeat in the provinces. Maliki's State of the Law Coalition largely stripped ISCI of its predominant influence on the councils and governorships in the south. If ISCI would take the no-confidence vote off the table, Maliki could negotiate with ISCI from a new position of strength and exact concessions—perhaps that he would lead the coalition and thus increase the likelihood of being chosen Prime Minister again in 2010.

The revival of the UIA, encouraged by high-level Iranian visitors in February and March of 2009, finally gained traction within Dawa and ISCI in early May. When Dawa member Ali al-Allaq revealed his party's willingness to rebuild the UIA,<sup>159</sup> ISCI member Ayman al-Asadi reciprocated.<sup>160</sup> Both members added, however, that the widening of the UIA's sectarian base was a precondition to its restitution, in a likely attempt to preserve the momentum of Maliki's cross-sectarian appeal. On May 13, 2009, ISCI leader Abd al-Aziz al-Hakim, who was diagnosed with cancer years ago, announced from his hospital bed in Tehran his desire to reactivate the United Iraqi Alliance. He nominated Sheikh Humam Hamoudi as his representative in the process.<sup>161</sup> He also appealed to "the brother prime minister, for serious cooperation with Sheikh Hamoudi to rebuild the Alliance and to draw its course in the coming election."<sup>162</sup> Humam Hamoudi chaired a meeting of the UIA on May 21, 2009, which was attended by Prime Minister Maliki and other members of the alliance.<sup>163</sup>

Amidst the discussions to revive the UIA, Prime Minister Maliki called for an end to the consensus system of governance in Iraq—which guaranteed the Sunni and Kurdish minorities certain senior positions in the government—and a move towards majority rule.<sup>164</sup> In a television interview, he blamed consensus rule for slowing the passage of legislation and impeding democracy in Iraq.<sup>165</sup> He also called for a move away from a parliamentary system towards a presidential system, in which a central executive

## TIMELINE OF KEY EVENTS: NOV 2008 - MAY 2009

November 17, 2008: Iraqi Cabinet approves the Security Agreement (SA) draft and moves it to the CoR for a vote.	January 31, 2009: Provincial Elections are held.
November 18, 2008: Iraqi President Jalad Talabani issues a letter to Prime Minister Nouri al-Maliki on behalf of the Presidency Council dated November 18, citing the illegality of the TSCs.	February 11, 2009: Iranian Foreign Minister Manouchehr Motakki visits Iraq.
November 25, 2008: Sunni lawmakers introduce demands for sweeping political reforms in exchange for support of the SOFA.	February 18, 2009: First Speaker vote is held. Samaraie's tally is two votes short of an absolute majority and the IAF contests the results.
November 26, 2008: Shiite and Kurdish blocs make concessions over the Political Reform Document.	March 2, 2009: Mutlak announces the formation of a new parliamentary bloc, the National Dialogue Bloc, under his leadership. The bloc includes the NDC, NDF, and the Democratic Gathering.
November 27, 2008: The CoR approves the SOFA draft and moves it to Presidency Council for approval.	March 2, 2009: Iranian Expediency Council Chairman Ali Akbar Rafsanjani visits Iraq.
December 10, 2008: Dukan Meeting is held.	March 7, 2009: Sources reveal that the budget negotiations were used to tame Maliki's power. IAF announces that Samaraie's victory is a done deal with the passing of the budget.
December 17, 2008: After heated parliamentary debate, Mashadani resigns.	March 25, 2009: Iranian Speaker of Parliament Ali Larijani visits Iraq.
December 18, 2008: Maliki orders a raid against the Ministry of the Interior.	April 2, 2009: Mutlak and the IAF come to an agreement regarding Samaraie's nomination.
December 18-22, 2008: Mashadani tries to block the passage of the non-American forces security agreement as leverage to retain his position. He backs down after opposition lawmakers gather enough signatures to force a vote against him.	April 19, 2009: The second Speaker vote is held and Samaraie is victorious.
December 23, 2008: The Iraqi parliament approves Mashadani's resignation. Deputy Speaker Khaled al-Attiya temporarily assumes Mashadani's duties after which the CoR passes the law allowing non-US forces to stay in Iraq until July 2009.	April 20, 2009: Samaraie is inaugurated as the new Speaker of the CoR.
December 24, 2008: The NDC officially announces its withdrawal from the IAF.	May 3-15, 2009: The Dawa Party, ISCI, IAB, Fadhila Party and the Sadrists discuss possibility of recreating the UIA on the condition that the alliance adheres to nationalist principles.
December 27-29, 2008: The CA announces its opposition to any IIP candidate, and the Dawa Party acknowledges rumors of a no-confidence vote against Maliki.	May 15, 2009: NDC leader Khalaf al-Alyan announces that there are ongoing communications with powers both within and without the political process to form a nationalist alliance.
January 1, 2009: Saleh al-Mutlak derides the IIP and ISCI.	May 18, 2009: Khaled al-Attiya announces that the CoR elections will be held on January 30th, 2009.
January 8, 2009: Ayad al-Samaraie becomes the official IAF nominee to contest the speaker election.	May 19, 2009: The CoR interrogates two security ministers over recent attacks.
January 10, 2009: Taha al-Luhaybi announces the Democratic Gathering's withdrawal from the IAF.	May 20, 2009: An IAF MP reveals an impending no-confidence vote against Trade Minister Fallah al-Soudani due to corruption charges.
January 12, 2009: Abdul Mutlak al-Juburi, head of the Independent Arab Bloc, reveals that the CA is unable to agree on a Speaker nominee.	May 30, 2009: Prime Minister Maliki visited Abd al-Aziz al-Hakim in Tehran to discuss the latest political developments and ways of restructuring the UIA.
January 19, 2009: The CoR adjourns session until after Provincial Elections, planning to resume the debate over the CoR speaker and the budget on February 3.	

is popularly-elected and granted increased powers not currently allowed under the Iraqi constitution.<sup>166</sup> The move was widely seen as a bid by Maliki, a Shi'a with strong popular support, to expand his authority and that of a Shi'a-dominated government. The Prime Minister's comments sparked outcry from the IIP and the Kurdish Alliance, as it threatened to diminish their influence in the central government given their minority status.<sup>167</sup>

The negotiations to rebuild the UIA accelerated in late May as top Iraqi and Iranian politicians held a flurry of meetings in Iran to discuss the matter, nominally under the guise of visiting the ill Abd al-Aziz al-Hakim. Iranian President Mahmoud Ahmadinejad visited al-Hakim on May 14, 2009.<sup>168</sup> That Ahmadinejad made time for the visit amidst his busy campaign for reelection suggests the importance of the matter. Ibrahim al-Jaafari, the leader of the National Reform Trend, and Foreign Minister Hoshyar Zebari held separate meetings with Abd al-Aziz al-Hakim in his hospital room on May 20, 2009.<sup>169</sup> Days later, al-Hakim held a telephone conversation with Kurdish Regional Government President Masoud Barzani to discuss recent political developments.<sup>170</sup> He also met with Hadi al-Amiri, the leader of the Badr Organization (formerly ISCI's armed wing), and members of the UIA later that same day.<sup>171</sup>

Prime Minister Maliki visited Abd al-Aziz al-Hakim in Tehran at the end of May.<sup>172</sup> Iranian Foreign Minister Manouchehr Mottaki was also present at the meeting.<sup>173</sup> It was reported that during Maliki's visit, Iranian Supreme Leader Ayatollah Ali Khamanei urged the Shi'a political leaders to revive the UIA.<sup>174</sup> The presence of Mottaki during the meeting and Khamanei's message on the UIA signaled that the Iranians were encouraging, if not pressuring their Iraqi counterparts to rebuild the alliance.<sup>175</sup> Although earlier Iranian diplomatic visits in February and March 2009 had coincided with Maliki's initial outreach to the Sadrists, Iran's later push for an ISCI-Dawa rapprochement (with or without the Sadrists) suggested that it prioritized an ISCI-Dawa ruling Shi'a alliance, viewing it as more amenable than a Dawa-Sadr alliance.

ISCI also needed to renegotiate its relationship

with the IIP and the Kurds—with whom they had allied throughout the Speaker and budget crisis—to come to a mutual understanding as it negotiated a political alliance with Maliki. To that end, President Talabani met with Ammar al-Hakim, Abd al-Aziz al-Hakim's son, and other ISCI members on June 2, 2009.<sup>176</sup> This meeting was followed by Talabani's subsequent visit to Abd al-Aziz al-Hakim in Tehran a week later.<sup>177</sup> Vice President Adl Mahdi also held a meeting with President Talabani where he affirmed the importance of the alliance between the UIA and the Kurdish Alliance.<sup>178</sup> ISCI leaders also reached out to the IIP. On June 1, 2009, Vice President Tareq al-Hashemi discussed recent political developments on the phone with Abd al-Aziz al-Hakim;<sup>179</sup> the next day he held a meeting with Ammar al-Hakim.<sup>180</sup> The alliance between Maliki and ISCI might also prove fruitful for negotiating the dispute between Maliki and Kurdish Regional Government President Barzani over the Kurdish Region's relationship with the central government. ISCI's historic ties with the Kurds made them an intermediary for communicating Maliki and Barzani's respective positions and diffusing the tension.

Although the Sadrist Trend had indicated its willingness to build an expanded, nationalist, and renamed UIA with Maliki in the immediate wake of the provincial election, it resisted the discussions to reactivate the UIA in May and June 2009. In early May 2009, Muqtada al-Sadr and delegation of leaders from the Sadrist Trend traveled from Iran (where the cleric has resided since 2007) to Turkey. The visit was a rare public appearance for the Shi'a cleric, who held meetings with the Turkish President and Prime Minister in Ankara before traveling on to Istanbul for meetings with members of his movement.<sup>181</sup> The latter meeting was held to discuss the future of the Sadrist Trend, which had become a politically marginalized and fragmented in recent years,<sup>182</sup> and its approach towards upcoming parliamentary elections.<sup>183</sup> The meeting was held in Turkey as a means to lessen the perception of Iranian influence over the movement and because it was said to be a "neutral neighboring state."<sup>184</sup>

During the conference, Sadrist leaders discussed

challenges facing the movement from outside of and within the movement.<sup>185</sup> They also discussed the Trend's approach to upcoming elections and whether to join alliances such as the UIA or to contest the election as an independent bloc.<sup>186</sup> By the end of the three-day conference, the movement's leadership concluded that their previous participation in the United Iraqi Alliance had been a failure.<sup>187</sup> Aqil Abd Husayn, the head of the Sadrists bloc in the CoR, finally declared in late May 2009 that the Sadrists Trend would not join a new UIA.<sup>188</sup> Instead, the Sadrists – isolated among the Shi'a parties – reached out to Ahmad Abu Risha's Sahwat al-Iraq (or Iraqi Awakening) party, a Sunni party based in Anbar Province, to discuss the possibility of forming a political alliance.<sup>189</sup>

Amidst the discussions to revive the UIA, there was also a fundamental restructuring of the main Sunni party. The Iraqi Islamic Party had not fared as well as expected during provincial elections and its influence within the Sunni community

had waned. Party leaders sought to revive the movement through a change in leadership. Vice President Tareq al-Hashemi stepped down from his position as head of the IIP on May 24, 2009; he was replaced by Osama Tawfiq al-Tikriti.<sup>190</sup> Ayad al-Samaraie, the newly-elected Council of Representatives Speaker, was also appointed as the deputy head of the IIP. Prior to his selection as Speaker, Samaraie had been the head of the main Sunni alliance, the Iraqi Accordance Front (of which IIP was the largest member). Harith al-Obeidi was chosen to lead the Iraqi Accordance Front following Samaraie's accession to the Speakership.<sup>191</sup> Obeidi was a member of the Congress of the People of Iraq party, one of the smaller parties of the IAF. Widely-respected for his stances on human rights and reconciliation, Obeidi was chosen for his good relationships with the fractured Sunni tribal and nationalist parties.<sup>192</sup> Just weeks after his selection, Obeidi was assassinated by a gunman as he exited a mosque in Baghdad on June 12,

2009.<sup>193</sup> His death, though broadly condemned by Iraq's political groups, dealt a setback to the Iraqi Accordance Front and their efforts to broaden the Sunni coalition in advance of elections.

## CONCLUSION

Several months into Samaraie's tenure as Speaker of the CoR, fears of a no-confidence vote against Maliki have subsided. The no-confidence vote against Maliki had probably been an impetus for Mashadani's ouster in December. But the ensuing chain of events—the 2009 provincial election, both Speaker

votes and the 2009 budget negotiations—reframed the political context in which the pro- and anti-Maliki blocs vied for power.

As Maliki's power and influence grew throughout 2008, rival political blocs in the CoR sought means to check him while ensuring their interests would be

served. They threatened to block the passage of the Security Agreement until Maliki agreed to sign the Political Reform Document. From December 2008 onward, Mashadani's resignation provided an opportunity for the IIP-ISCI-Kurdish alliance in the CoR to confront Maliki openly ahead of the 2009 provincial election. The prolonged inability of the CoR to agree to a new Speaker, however, suggested that neither side had achieved a preponderance of power, and that negotiations amongst the parties were underway.

Samaraie, meanwhile, was uniquely placed to negotiate his accession to the Speakership. Indeed, as Chairman of the CoR Finance Committee, Samaraie's reassertion of the CoR's regulatory function gained him the support of several undecided blocs. Furthermore, the lack to date of a no-confidence vote against Maliki suggested that in exchange for his election, Samaraie promised both to empower the CoR and to guarantee the safety of Maliki's tenure.

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*The Iranians were encouraging, if not pressuring their Iraqi counterparts to rebuild the UIA.*

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In this way, it is likely that Samaraie acceded to the Speakership as the result of a balancing act between parliamentary blocs ahead of the 2010 national election. Thus far, Samaraie has remained committed to these arrangements, and the CoR has grown more powerful as a result.

While it is still too early to tell which parliamentary blocs will form alliances ahead of the 2010 provincial election, the reformulation of the UIA will be central to such political negotiations. This is because Prime Minister Maliki has been restoring Iraq's traditionally nationalist leadership, making it difficult for his opposition to counterbalance him, lest it become isolated from his power. It is therefore likely that parliamentary blocs will continue to contemplate alliances with Maliki in exchange for specific political concessions, as the recent discussions of the UIA suggest.

The negotiations are still in their initial stages and the election is months away. Thus, the revival of the UIA is by no means assured. Prime Minister Maliki may yet decide that he could stand to gain more by forming a cross-sectarian, nationalist coalition without ISCI—a move that would likely damage ISCI's prospects for parliamentary elections. And despite the moves to revive the UIA, there is a proliferation of Shi'a, Sunni, and secular parties and candidates. As these blocs vie for position in advance of

elections and contemplate alliances, Iraqi political dynamics will remain volatile.

If the UIA is revived in advance of elections it reduces the possibility for the success of independent Shi'a candidates or cross-sectarian alliances in the 2010 elections. It also increases the likelihood that Maliki will be chosen as Prime Minister again in 2010. Emboldened by such a victory, Maliki may begin to challenge the idea of ethnic and sectarian distribution of offices after the 2010 election, as he had attempted in the wake of the 2009 provincial elections. If he does not distribute offices to Sunni and Kurds, as well as Shi'a, he will marginalize these groups within Iraqi national politics—potentially leading to violence. Maliki is likely to seek to control the speakership of the parliament in 2010, as the body is the most effective check on his authority. The Sunnis will likely attempt to maintain their control of the speakership, as it is the primary office in national politics through which they have accomplished their agenda. A test case about the future of the Sunni in Iraqi politics therefore lies in who is chosen to be Speaker of the Council of Representatives in 2010. This selection will also indicate whether the office of the Prime Minister is likely to grow more powerful—and perhaps even anti-democratic—in the future.

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