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# Holy Mobilisation: The Religious Legitimation behind Iraq's Counter-ISIS Campaign

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## Introduction

Following the capture of Mosul and Abu Bakr al-Baghdadi's historic proclamation of the caliphate<sup>1</sup> in 2014, media outlets were far too eager to spread overtly fatalistic scenarios painting the imminent "end of Iraq."<sup>2</sup> Nevertheless, within four years' time, an unprecedented surge of volunteers has managed to reverse the tide. Marching under the banner of the so-called Popular Mobilisation, known in Arabic as al-Hashd al-Sha'abi, these mission driven young warriors have contributed immensely to countering the advances the self-proclaimed Islamic State, whose insurgents had brought the US-trained Iraqi army to its knees in an almost unhampered fashion. Therefore, their conquests and efficiency on the ground despite the rather basic military training have raised the legitimate question of how such an array of loosely organised civil defence forces has proven so successful in standing up to ISIS's resilient insurgency tactics. As indicated during recently conducted field interviews with various experts and members of Iraq's security sector, one of the major and often underestimated factors enabling the Popular Mobilisation's triumph represents the religious fervour of its members to respond to Grand Ayatollah Ali al-Sistani's fatwa (religious edict) for defensive jihad. In that context, their strong belief in the justice of the cause has empowered them to effectively challenge ISIS' jihadi salvation narrative.

For this purpose, the following article seeks to elaborate on the structural factors preceding al-Sistani's fatwa, examining more specifically the rhetoric adopted by Iraq's leading religious authorities. Furthermore, the author will analyse how this morally charged call to arms has become instrumental for legitimising

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- 1 Sunni rebels declare new 'Islamic caliphate', *Al Jazeera*, 30 June 2014, <https://www.aljazeera.com/news/middleeast/2014/06/isil-declares-new-islamic-caliphate-201462917326669749.html>
  - 2 Michael Crowley, "The End of Iraq", *Time Magazine*, 19 June 2014, <http://time.com/2899488/the-end-of-iraq/>

the armed resistance against the ISIS transgressors, facilitating the creation and institutionalisation of the country's Popular Mobilisation Units (PMU) – a state-sanctioned paramilitary umbrella consisting of approximately fifty primarily though not exclusively Shiite armed entities and comprising around 140,000 individual volunteers. Last but not least, the author will conclude by commenting on the fundamental role of Iraq's Shiite religious authorities (*marja'iyya*) in boosting on the one hand the combat morale of those freely enlisted fighters, while simultaneously feeding into the social and symbolic capital of the PMU as a hybrid paramilitary institution with an agile chain of command and a vaguely delineated security mandate. Acknowledging the ensuing interplay between the *marja'iyya* and the PMU is also important for understanding the multiple implications of this 'sanctified' mass mobilisation exercise for the resilience and credibility of Iraq's still fragile state security institutions, while critically revisiting speculations regarding the feared revival of Shiite militancy in Iraq.

## The Collapse of Iraq's Security Sector

**E**vidence of discussions about the mobilisation and armament of auxiliary forces reported to have been taking place after the fall of Fallujah to ISIS, indicate that Iraqi leadership was to an extent aware of the critical state of the weakening security forces. After years of systemic corruption creating an enabling environment for sectarian clientelism and bureaucratic infighting, the patronage culture within the Iraqi army favouring loyalty over merit was bound to lead to its institutional

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collapse. Concerned about the eroding resilience of the state security institutions, representatives of Iraq's National Alliance have been recorded to discuss the formation of the so-called Popular Defence Brigades (*saraya al-dif'a al-sha'abi*).<sup>3</sup> It is important to note that the administration of Nouri al-Maliki, often accused of undermining the cohesion of the state security institutions through his arbitrary policies of spoils allocation, was growing increasingly dependent on the military support provided by seven pre-existing paramilitary units expanding their guerrilla operations in contested Sunni dominated areas: *Badr* Organisation, *Asa'ib Ahl al-Haqq* (AAH), *Kata'ib Hezbollah* (KH), *Kata'ib Sayyid al-Shuhada*, *Harakat Hezbollah al-Nujaba*, *Kata'ib al-Imam Ali*, and *Kata'ib Jund al-Imam*.<sup>4</sup> After the ultimate collapse of the Iraqi army following ISIS's Mosul offensive, it were those very same formations that became instrumental in building up the capacities of the newly created Popular Mobilisation Forces (*Hay'at al-Hashd al-Sha'abi*), launched formally by an official decree of Nouri al-Maliki in June 2014. Nevertheless, without the highly symbolic endorsement from Grand Ayatollah Ali al-Sistani, this paramilitary institution would have most like faced more severe institutional resistance drawing on Article 9, Paragraph B of the Iraqi constitution<sup>5</sup> prohibiting "the formation of military militia outside the framework of the armed forces."<sup>6</sup> In this regard, it is only fair to explore the argument referring to the fatwa's long-term side-effects and unforeseen ramifications.

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- 3 Nibras Kazimi, "The Origins of the PMUs", *Talisman Gate, Again* (blog), 1 July 2016, <https://talisman-gate.com/2016/07/01/the-origins-of-the-pmus/>.
  - 4 Renad Mansour, Jabar Faleh A., "The Popular Mobilization Forces and Iraq's Future", *Carnegie Middle East Center*, accessed 22 March 2018, <http://carnegie-mec.org/2017/04/28/popular-mobilization-forces-and-iraq-s-future-pub-68810>.
  - 5 Full Text of the 2005 Iraqi Constitution available under: [https://www.constituteproject.org/constitution/Iraq\\_2005.pdf?lang=en](https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en)
  - 6 Fanar Haddad, "Understanding Iraq's Hashd Al-Sha'bi", *The Century Foundation*, 5 March 2018, <https://tcf.org/content/report/understanding-iraqs-hashd-al-shabi/>.

## The “Wajib al-Kifai” Fatwa

**O**n 13 June 2014, the representative of Grand Ayatollah Ali al-Sistani, Sheykh Abdul Mahdi al-Karbalai delivered the famous statement that came to be known as the “wajib al-kifai” fatwa. Highlighting the critical security challenges on the ground and underlining the huge responsibility resting upon the shoulders of the Iraqi people, Sheykh Karbalai stressed the following six points. Firstly, outlining the gravity of the terrorist threat, he emphasised that “the responsibility for confronting and fighting [the terrorists] is the responsibility of all, not of one sect or one party alone.”<sup>7</sup> Secondly, reminding the Iraqi citizens of the courage and boldness demonstrated by them in the face of even greater dangers in the past, he proceeded by appealing to their readiness to sacrifice themselves for the sake of “preserving the unity of our country, its dignity, and the defence of its holy places.”<sup>8</sup> Thirdly, Sheykh Karbalai addressed the political leadership of the country, calling upon them to overcome their rivalries and reach a unified position intended to provide “additional strength for the Iraqi army, to make them steadfast and constant.”<sup>9</sup> Fourthly, strongly condemning the savageness of the methods adopted by the terrorist and their instigating of sectarian violence, Sheykh Karbalai declared the “defence performed by our armed Forces and security organs” as “a holy defence against these terrorist aggressors.”<sup>10</sup> Fifthly, Sheykh Karbalai explicitly proclaimed the moral obligation to defend the nation from the aggressors a “wajib kafai [collective duty], a duty incumbent on those capable of realising the objective, which is preserving Iraq, its people and its holy sites.”<sup>11</sup>

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7 English Translation of Al-Sistani’s Collective Duty Fatwa as published by Benedict Robin: <https://www.iraqafteroccupation.com/2015/05/21/ممثل-المرجعية-الشيخ-عبد-المهدي-الكريل/>

8 Robin.

9 Robin.

10 Robin.

11 Robin.

Sixthly, he insisted upon honouring the sacrifices of the fallen soldiers and officers with the aim of creating an “incentive to others to perform the national duty which rests on their shoulders.”<sup>12</sup>

As illustrated in its carefully chosen wording, the office of his Eminence Sayyid Ali al-Sistani has deliberately refrained from using any discriminatory Shiite specific references. In interviews with the author in Karbala, the key representatives of the Supreme Religious Authority - Sheykh Mahdi al-Karbalai and Sheykh Ahmed al-Safi – have underlined that the message of the fatwa was directed at all Iraqi citizens – regardless of their confessional or ethnic background: “Therefore, it is incumbent on citizens able to carry weapons and fight the terrorists, to defend their country, their people, and their holy sites, they should volunteer to serve in the security forces for this holy purpose.”<sup>13</sup> As the following quotation from the fatwa reveals, the initial intention of Iraq’s Shiite religious authorities (*marja’iyya*) was primarily to encourage new cadres to enlist with the state security forces and thereby to enhance the capacity of Iraq’s army and federal police. Nevertheless, due to the debilitating leadership vacuum following the collapse of the Iraqi army in Mosul, Sistani’s call for enlistment was deployed as a recruitment tool, attracting an influx of highly motivated volunteers to the mushrooming offices of the newly launched Popular Mobilisation Commission.<sup>14</sup>

Identifying this window of opportunity, a considerable number of pre-existing paramilitary units with a concerning track record of human rights violations ended up using the momentum to rapidly reactivate their fighters and re-brand themselves as constitutive units of the widely admired Popular Mobilisation Units. Aware of

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12 Robin.

13 Robin.

14 Jabar, “The Popular Mobilization Forces and Iraq’s Future.”

this trend, high representatives of the *marja'iyya* have taken several important steps to prevent the further instrumentalisation of the fatwa for the political interests of the aforementioned Iran aligned formations. In addition to the so-called armed resistance factions often referred to as *fasa'il*, Iraq's Shiite religious authorities (*marja'iyya*) commissioned the creation of additional units, which in comparison to other controversial PMU affiliated elements have professed their absolute loyalty to Grand Ayatollah Sistani and are being heavily supported through the Holy shrines (*Al-'Atabat al-'Aliyat*).<sup>15</sup> Those include the Najaf administered *Saraya al-'Ataba al-'Abbasiya* (the al-Abbas Combat Division), *Saraya al-'Ataba al-'Hussainiya*, *Saraya al-'Ataba al-'Alawiya*, and *Liwa' 'Ali al-Akbar*.<sup>16</sup>

Furthermore, on 12 February 2015, the office of Grand Ayatollah Ali al-Sistani issued a detailed statement titled as "Advice and Guidance to the Fighters on the Battlefields."<sup>17</sup> The text outlines a strict code of conduct (the conduct of jihad), focusing on twenty normatively charged aspects of the religiously derived military etiquette. Most importantly, the *marja'iyya* has included specific guidelines both concerning the confrontation of non-Muslims, as well as referring to the "fighting against those Muslims who oppress [others] and who wage war [unjustly]."<sup>18</sup> In addition to explicitly forbidding the killing of innocent citizens, the statement also condemns any unlawful acts targeted at the family members of the enemy engaged in battle: "By the majesty of God! The lives of those who do not fight you are sacred, especially the weak among the elderly, the children, and the women, even if they were the families of those who fight you. It is unlawful for you to violate the sacredness of those who fight you except for their belongings. It was the noble habit of the Commander of the Faithful [i.e. 'Ali], peace be upon him, to prohibit [his soldiers]

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15 Harith Hasan Al-Qarawee, "The 'formal' Marja': Shi'i clerical authority and the state in post-2003 Iraq", *British Journal of Middle Eastern Studies*, 2018, DOI: 10.1080/13530194.2018.1429988.

16 Inna Rudolf, "From Battlefield to Ballot Box: Contextualising the Rise and Evolution of Iraq's Popular Mobilisation Units, *JCSR Report*, May 2018, <https://icsr.info/wp-content/uploads/2018/05/JCSR-Report-From-Battlefield-to-Ballot-Box-Contextualising-the-Rise-and-Evolution-of-Iraq's-Popular-Mobilisation-Units-1.pdf>.

17 Advice and Guidance to the Fighters on the Battlefields as issued by the Office of his Eminence Sayyid Ali al-Sistani: <https://www.sistani.org/english/archive/25036/>.

18 Advice and Guidance to the Fighters on the Battlefields.

from attacking the properties of the families, the women, and the children of those against whom he fought, despite efforts by some of those who [claimed to] follow him, especially the Kharijites, who insisted on legitimizing it.” Particularly the last two points of the statement underline the importance of restoring trust with the local civilian population and the responsibility of the militants to safeguard their rights and welfare: “Do you not see how the majority of Muslims today are engaged in self-destruction where they spend their resources, energy, and wealth on killing and destruction of each other?”<sup>19</sup> This rhetorical question also signals the legitimate concern of the *marja’iyya* over the growing polarisation of the already deeply divided Iraqi society and its commitment to prevent any further exacerbation of the inter-state conflict.

## Understanding the Gravity of the Fatwa

Besides the existential threat to the established post-2003 order in the face of a common enemy, there are several other factors contributing to the salience of the released religious edict. To begin with, since the fall of Saddam’s regime, *marja’iyya* has been left unimpeded to accumulate and consolidate its symbolic authority as unifier of the nation and protector of Iraq’s internal cohesion.<sup>20</sup> Respected by both Sunni, Shi’ite as well as other religious authorities, Sistani has been able to build the Najaf hawza’s reputation by adopting a policy of general non-interference in politics, preserving primarily a control function, to secure a balanced checks-and-balances system.<sup>21</sup> This practice has been rewarded through Sistani’s growing number of followers reflecting

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19 Advice and Guidance to the Fighters on the Battlefields.

20 “Sistani Enters the Fray: ‘Reform or Else’”, *Middle East Centre* (blog), 1 August 2018, <http://blogs.lse.ac.uk/mec/2018/08/01/sistani-enters-the-fray-reform-or-else/>.

21 Harith Hasan Al-Qarawee, “The ‘formal’ Marja’: Shi’i clerical authority and the state in post-2003 Iraq”, *British Journal of Middle Eastern Studies*, 2018, DOI: 10.1080/13530194.2018.1429988.

his unprecedented leverage and credibility in the eyes of the Iraqi people. Disciplined in his limited engagements within the political field, al-Sistani has been extremely conscious in choosing his battles. In comparison to the Khomeinist interpretation of the “general mandate of the jurist” (wilayat al-faqih al-amma) hindering the separation between the religious and the worldly realm of politics, Grand Ayatollah al-Sistani has exhibited a rather reserved attitude towards the applicability of this doctrine on Iraqi soil: “As for broader authority that takes in the entire political order of the Islamic community, Sistani said that such should belong only to a jurist whose eligibility has been proven and who is widely accepted by believers.”<sup>22</sup> Nevertheless, despite Sistani’s initial motivation, his historic fatwa for defensive jihad has offered multiple actors several opportunities to capitalise on the sacred status of the issued call to arms.

## Safeguarding the Sacred Character of the Fatwa

Without a sustainable roadmap for the integration, professionalisation and/or re-qualification of the 140,000 individual fighters, Sistani acknowledges that reversing or withdrawing the religious verdict authorising the so-called demobilisation of the volunteers is still off the table. Meanwhile, through an announcement read by his representative Sheykh Abdul Mahdi al-Karbalai during the Friday sermon on 15 December 2017, Grand Ayatollah Ali al-Sistani has voiced his strong support for the formal integration of PMU fighters

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22 Harith Hassan al-Qarawee, “Sistani, Iran, and the Future of Shii Clerical Authority in Iraq”, *Middle East Brief*, Crown Center for Middle Eastern Studies, Brandeis University, January 2017: <https://www.brandeis.edu/crown/publications/meb/MEB105.pdf>.

within “official and constitutional structures”. Moreover, al-Sistani has remained extremely vocal regarding the risks of high-jacking the true message of the fatwa. Therefore, on multiple occasions Sistani has sought to argue against the politicisation of the fatwa, especially for electoral gains. During the pre-election period, al-Sistani had addressed PMU leaders advising against their direct involvement in contesting the political arena, arguing that the courageous achievements of the volunteers are not to be instrumentalised as bargaining chip in political power-sharing schemes.<sup>23</sup>

To conclude, drawing the attention to the dynamics underlying the relationship between Iraq’s religious authorities and the PMU leadership, this article has sought to present the background information necessary to contextualise the fatwa and critically examine its implications for Iraq’s PMU, which have not shied away from enhancing their symbolic capital by deploying the fatwa as source of moral legitimacy.

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23 “Khutbat al-naṣr min Karbalā’ al-muqaddasa” [Sistani’s announcement from the Friday sermon in Karbala], Sistani.org, 15 December 2017, <https://www.sistani.org/arabic/statement/25875/>.



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