

paradigms for Islamic government where decentralization might fit in, although these ideas had originally been formed in an altogether different context.

Federalism as an Element in Larger Islamist Schemes

A gradual reversal in attitude towards federalism seemed manifest in the public statements of the Supreme Council for the Islamic Revolution in Iraq (SCIRI) during 2002. Although its leaders had not been as vehemently hostile to the idea of a federation as other Islamists during the 1990s, and indeed on certain occasions had signaled a degree of conditional acceptance of such a scheme,⁹⁰ still in 1997 one of its leading members in a historical analysis described “Shi’i demands for decentralization for the Shi’i areas” as a “fabricated accusation” which had to be refuted.⁹¹ Furthermore, for most of the 1990s, SCIRI’s participation within INC (widely seen as the main promoter of the federal scheme) remained low-level and reluctant, and at the end of the decade SCIRI was still refusing to participate in US-sponsored conferences where the INC had a prominent role.⁹²

Much of this appeared to have changed by the summer of 2002, when ‘Abd al-‘Aziz al-Hakim, a prominent figure in SCIRI and the brother of its spiritual leader Muhammad Baqir, said that they would have no problems with federalism for all of Iraq if that proved to be the choice of the people. In support of this position, he referred to the fact that “administrative (*idari*) federalism” was working in Switzerland, the US, India and Pakistan and consequently there was nothing to prevent its application in Iraq.⁹³ A virtually identical answer was given to the Sawt al-Thawra al-Islamiyya Radio (broadcasting from Iran for an audience inside Iraq) a few days later, on this occasion specifically rejecting “ethnic” or “sectarian” federalism, and repeating the same examples of successful systems based on federal principles worldwide.⁹⁴ However, no expressly Islamic justification was presented for this particular choice of state model.

On other occasions, leading SCIRI members went further, presenting federalism as something distinctively positive for Iraq. Far from being seen as a product imported from abroad, it was rendered as a system of government not only compatible with Islamic principles, but in fact with firm roots in the Middle East. This interpretation of federalism, suggesting that the idea had long been present in the region, had already been discernible in some of the debates on Kurdish autonomy in the early 1990s. At that time, the term “the rule of the provinces” (*hukm al-wilayat*) had been employed to demonstrate that Kurdish aspirations could be preserved by

90 ‘Adil Ra’uf, *Al-‘amal al-islami fi al-‘iraq bayna al-marja’iyya wa-al-hizbiyya* (Damascus, 2000), pp. 327–329; interview with Muhammad Baqir al-Hakim, *al-Hayat*, April 1, 1996.

91 Hamid al-Bayati, *Shi’at al-‘iraq bayna al-ta’ifiyya wa-al-shubhat* (London, 1997), pp. 6, 229–236.

92 *Al-Milaff al-‘Iraqi* no. 85 (1999), p. 25; *al-Hayat*, October 29, 1999, p. 10.

93 *Al-Hayat*, August 13, 2002, p. 2.

94 Transcript of press conference held by Hakim on August 19, 2002, www.al-hakim.com.

resorting to traditional, Islamic solutions with which the Iraqis had been acquainted “during the period of Islamic rule”.⁹⁵ A variant of this emerged again in 2002, when a leading SCIRI official maintained that the system in use in Ottoman times and “during the rule of the previous Islamic government” could be brought into place again in Iraq as a system of federalism for the whole country.⁹⁶

Here it should be pointed out that these references to an Islamic system of provincial government represent reclassifications of historical experiences (of a rather revisionist character)⁹⁷ rather than a development or refinement of Islamic theories for decentralized government, and they do not address some of the doctrinally problematic issues of Shi'ism and state power. It is also interesting that this official referred to the rule of the caliphs. By reportedly stating that “Iraq in the past was made up of wulias of Baghdad, Basra and Kufa” he was apparently going back to Abbasid times rather than to the period before Baghdad's foundation and the rule of 'Ali, whose regime has more unquestionable Shi'i connotations. On the other hand, the later caliphate – historically a central symbol of the usurpation of the rule of the imams – is overshadowed (and in practice replaced) in Shi'i political theory by the debates over the deputyship of the Hidden Imam and its legitimate forms. With regard to this rendition of federalism, the potential for skepticism or accusations of fudge (whether from doubters of the historical reinterpretation presented or from Shi'i theoreticians) therefore remains considerable, although anti-sectarian, ecumenist readings could also be perfectly plausible.

Given the heritage of the Islamic revolution in Iran and the closeness of SCIRI to circles where radical renewal of Shi'i political theory had taken place since the 1960s, it is somewhat remarkable that these Islamists refrained from a more vigorous public effort to link their political visions to less controversial sources of Islamic legitimacy. Instead, they reinvented the Ottomans as great defenders of the faith and referred to the successes of various non-Muslim countries in building

95 *Sawt al-Da'wa*, December 1, 1992, p. 6. Some of the ambiguity about federalism was preserved in an official statement released by the political committee of the INC after the Salah al-Din conference in 1992, where “federal system” (rendered first as *al-nizam al-fidirali*) was accompanied by a parenthesis which added “[system of] provinces” (*wilayat*), possibly to make it semantically more palatable to the many Islamists who had objected to “federalism”, see INC, *Al-waraqa al-siyasiyya, salah al-din* (1992).

96 Transcript of a discussion held at the American University Center for Global Peace Forum, Federal News Service, June 8, 2002.

97 The most substantial – as well as voluntary – examples of devolution within the Ottoman Empire had been in the shape of corporate rather than territorial autonomy, accorded to the recognized non-Muslim communities. On the other hand, decentralization in territorial terms had tended to emerge after international intervention (as in Lebanon and Egypt) or as negotiated settlements or tacit concords which limited the state's intervention in peripheral zones where its resources were limited (seen in parts of Syria and Arabia). Some analyses of earlier Islamic history describe tendencies to devolution beyond the mere delegation and decentralization of power associated with a unitary state structure as something which was harmful to the interests of the Islamic state, and led to the decline of the caliphate and the emergence of independent states outside its authority, Mas'ud Ahmad Mustafa, *Aqalim al-dawla al-islamiyya* (Cairo, 1990).

federal systems. However, quite apart from the numerous press briefings and conferences held in 2002 and 2003, the leader of SCIRI had also published papers on his views on forms of Islamic government where concepts such as “provinces”, “decentralization” and even “federalism” and “confederalism” (the latter as loan words) were used in a wider, more theoretical context. In these writings, decentralization appears as a perfectly integral feature of an Islamic government, although it is not a system in which Baghdad is necessarily the ultimate capital.

A fundamental premise in Hakim’s contributions from the 1990s is a belief in the concept of *wilayat al-faqih* and its institutionalization in the form of a paramount *faqih* for all Muslims in the world. In matters of central importance to the Islamic community as a whole (examples include strategy towards Israel, how to confront international hegemonies and how to face up to challenges from the West in the cultural sphere), the decision of the *faqih* is not to be contested, whereas matters of detail (*tafasil*) can be delegated to local governments (*wilayat mahalliyya*) in a decentralized (*lamarkaziyya*) system.⁹⁸ It is thus essentially a hierarchical system, in which reference to the supreme leader (*wali amr al-muslimin*, a term which supporters of the Islamic revolution in Iran use synonymously with the office of the ruling *faqih*) is required in a number of contexts. Hakim’s texts also highlight the similarities between this system and the historical experience of the Islamic state in the “system of provinces” (*nizam al-wilayat*), as well as the resemblance to “federalism or confederalism” in the Western world in modern times.

Iraq has a place within this system as a region (*iqlim*), and positive values are ascribed to regional and local political leadership within the bounds of the larger system. Even within the unified Islamic community, one should “not deny the particular nature of the various peoples of this [larger Islamic] community with regard to their political problems and cultural circumstances”.⁹⁹ Moreover, Hakim’s vision of a pan-Islamic order must be distinguished from a model of Iranian expansion. This is perhaps best illustrated in the distinction drawn between the office of ‘Ali Khamenei, the current *faqih* and *wali amr al-muslimin* on the one hand, and the Iranian state on the other, which is merely a “particular state” (*dawla khasa*) or “a state with a system of government, institutions, decisions and officials” within the larger system.¹⁰⁰

There is a conspicuous convergence between the terminology employed by Hakim in this treatise and the less elaborate attempts to define “the rule of the provinces” as an Islamic variant of federalism in the discussions of decentralization among the Iraqi opposition quoted above. Even though the main focus is on the

98 [Muhammad Baqir al-Hakim], *Aqidatuna wa-ru'yatuna al-siyasiyya*, an undated booklet written probably around 1992 and published on www.al-hakim.com. For more recent indications that SCIRI as an organization inclined towards this sort of state model, see quotes from various publications considered close to Hakim in al-Shaykh ‘Ali, *Ightiyal*, p. 79.

99 Al-Hakim, *Aqidatuna*, part 3.

100 *Ibid.*, parts 1 and 9.

distinction between the central and the regional (for instance the "Iraqi") level, Hakim's writings do offer a wider doctrinal framework in which federal units in Iraq could belong to a larger Islamic system. Most importantly, it is a Shi'i theory of the state where concepts such as federalism and decentralization can neatly find a slot without appearing to be ideological imports from the West.

The timing of the move from a preoccupation with the regional unit of Iraq as a whole to the new focus on smaller, federal subdivisions within the country can possibly be explained with reference to the organizational development of SCIRI during the 1990s. Several sources indicate that the movement was under pressure from a number of competing forces in Iraqi politics in the 1990s, at the same time as its paymasters in conservative circles in Iran close to Khamenei were experiencing complications in the domestic arena. Already in the 1980s, the unwillingness of the Da'wa party to subject themselves fully to SCIRI as an umbrella organization had been interpreted as discontent with SCIRI's support for *wilayat al-faqih*. Further blows to the prestige of the organization came in the 1990s, as the Iranian attempt to regain control of the Da'wa failed in 1998, and it became clear that local religious leaders in Iraq (Muhammad al-Sadr) as well as exiled ulama critical of SCIRI (Muhammad al-Shirazi) had acquired significant numbers of supporters even among Iraqi exiles in Iran, a domain which earlier had constituted the organization's home turf.¹⁰¹ Towards the late 1990s, criticism of *wilayat al-faqih* emerged as a main issue also on the domestic front in Iran, and an increasingly vocal, reformist Islamic opposition became a threatening factor for the regime alongside the quietist camp which had rejected the idea of the rule of the jurispudent throughout the 1990s and had looked to Khu'i and later Sistani in Najaf for spiritual guidance.

In this context of strong pressures from the outside, it appears that even closer links were forged between Iraqi elites exiled in Iran and hardliners in Teheran. One possible indication of this may be seen in the fact that Khamenei, after 1999, appointed several Iraqis with loyalties to him after years of work in the exiled opposition, to key positions in the Iranian government.¹⁰² And when Washington stepped up its rhetoric about a change of regime in Baghdad, conservative Iranians must have followed with considerable interest the prospect of a new order also in Najaf – the Achilles heel of the Islamic Republic because of the presence of Sistani and other prominent quietist clerics. The remainder of the argument concerning this development is necessarily limited to conjecture, but at least some of the advantages that could be gained both by SCIRI and hardliners in Iran by changing their position on Iraq seem fairly obvious. One way for the Iranians to get around the challenges posed by both greater competition from within the Iraqi opposition as well as the heightened likelihood of a revival of Najaf outside the scope of

101 Al-Shaykh 'Ali, *Ightiyal*, pp. 309–364; *al-Milaff al-'Iraqi* no. 88 (1999), pp. 49–51; "Iranian Security Forces Seize Body of Ayatollah Shirazi", www.shianews.com, December 19, 2001.

102 Wilfried Buchta, *Who Rules Iran?* (Washington, 2000), pp. 192–194; "Why Does Khamenei Co-opt Iraqi Shiite Oppositionists", *Daily Star*, March 18, 2003.

Iranian influence would doubtless be to make a tactical decision to enter the US-backed opposition conferences and use these meetings as a means to regain control in the political sphere.¹⁰³ And one of the magic words that could be embraced in order to perform this exercise was “federalism”, the door-opener to the Kurds, the INC and the US.

As seen above, Hakim’s theories of government for an Islamic state already included provisions for decentralization, and would merely require a shift of emphasis from the regional to the local level of government, while the fundamental principles of the system could be left intact. Even the ideologically problematic move of co-operating with the US could be addressed through ventilating the issue in the conservative Iranian media, where, in April 2003, Hakim faced tough questioning from circles considered to be politically close to him.¹⁰⁴ Through its participation at the London conference in 2002, SCIRI managed to achieve a dominant position as the main Shi’i representative *vis-à-vis* the US,¹⁰⁵ to the extent that other members of the community considered it tantamount to a monopoly.

It is important to counterbalance the picture of SCIRI as an organization with certain pan-Islamic ideals with the pronounced realism and pragmatism which have characterized the movement over the past years. Repeated public statements have referred to Iraq as a setting where a replica of Iranian institutional arrangements would be impossible, maintained that the multi-ethnic and multi-confessional character of the country would have to be reflected in its system of government, and even included mildly nationalist comments such as the assertion that Iraq in its present form “has existed for many centuries”.¹⁰⁶ Schemes for larger integration and pan-Islamism have tended to have the character of long-time projects, coexisting with more immediate ambitions – perhaps in the same way as many European parliamentarians cherish dreams of a future federation and super-state while continuing to work within their national arenas. In the final year before war erupted in Iraq, these more grandiose visions did not constitute a prominent factor in the public rhetoric of SCIRI, and the movement also explicitly distanced itself from another, more radical trend on the rise in Iraqi politics.

Federalism as an Irrelevant Debate and a Non-issue

Away from the conferences held in European hotels during the autumn of 2002, there was little to suggest that federalism had become a key concept for Iraqi Islamists more generally. Certainly this appeared to be the case with respect to the

103 Limited contacts between SCIRI and the US also took place in the 1990s (see Ra’uf, *Al-‘amal*, pp. 350–356), but the more dramatic reversal of attitude towards public co-operation seems to have occurred some time early in 2001, *The Middle East*, July/August 2001, p. 9.

104 “Ayat allah sayyid muhammad baqir al-hakim dar musahabah-i ikhtisasi: mu’aridin-i ‘iraqi hukumat-i mardumi mikahand nah-amrika’i”, *Jumhur-i Islami*, April 29, 2003.

105 “The Iraqi Opposition Conference in London”, *Ayn al-Yaqin*, December 20, 2002.

106 Interview with Hakim in *Argumenty i Fakty*, May 7, 2003, published by FBIS.

many sympathizers of various Islamist groups who were still inside Iraq. However, the absence of a local debate on federalism among the Shi'is of Iraq cannot be attributed to the repressive practices of the regime alone, for an underground Islamist movement with a distinctly new political orientation had in fact been on the rise since the late 1990s. Brought to the notice of the outside world by the assassination of its leader Muhammad al-Sadr in 1999, it continued as a significant challenge to the regime in the subsequent period also, particularly in the urban slums of the larger cities. It also enjoyed popularity among Iraqi refugees in Iran.¹⁰⁷ After the war in Iraq, this movement attained a prominent position on the emerging political scene in the country, and Sadr's son Muqtada played a prominent role as the charismatic focus of the current also known as the Sadrites (*al-sadriyyun*).¹⁰⁸ The flare-up of public propaganda from this movement immediately after the war in 2003 can also provide some clues about its ideological development during the final years of the Ba'th regime.

In the course of the initial weeks of the US-led administration, this new direction in Iraqi Islamism focused on other issues quite apart from the vexed question of federalism. The very concept of decentralization may well have held limited interest for a movement led by clerics who on one occasion denounced "freedom, democracy, culture and civil society" as vehicles through which corrupting influences could be imported into Iraq.¹⁰⁹ Instead, the main policies advocated by supporters of this trend focused on creating unity among the inhabitants of Iraq on conditions laid down by themselves, including measures such as gender segregation, the veiling of women, encouragements to men to grow beards, and a ban on alcohol, cinema, gambling and other activities considered as sources of Western corruption.¹¹⁰ In territorial terms, the movement seemed eager to increase its influence beyond the traditional Shi'i bastions, instead of erecting fences which would only serve as barriers to expansion. One manifestation of this tendency came with the forceful takeovers of Sunni mosques by supporters of this current in the wake of the US occupation.¹¹¹

Despite the absence of detailed statements by the Sadrites on the precise nature of their ideal future government for Iraq, occasional hints in the media as well as their connections to more well-established circles in the Shi'i world revealed views both on territoriality and questions affecting the degree of centralization in a future system of government. On the one hand, there was a fierce defense of a specifically

107 On this movement generally, see al-Shaykh 'Ali, *Ightiyal* and 'Adil Ra'uf, *Muhammad muhammad sadiq al-sadr* (Damascus, 1999).

108 Despite the obvious danger of being accused of parochialism, some supporters of the Sadr movement used this name themselves, see "Mudhakkirat mu'aridin 'iraqiyyin ila a'da' lajnat al-mutaba'a li-mu'tamar landan", undated document published on www.irqparliament.com early in 2003.

109 *Al-Hayat*, April 19, 2003, p. 4; "Shiite Clerics' Ambitions Collide in an Iraqi Slum", *New York Times*, May 25, 2003.

110 *Al-Hayat*, May 3, 2003, p. 1; "Reverberations from an Iraq Prayer Meeting", *Christian Science Monitor*, May 19, 2003.

111 "Lam nursil mumaththili al-marja'iyya ila masjid al-sunna", *al-Zaman*, April 27, 2003.