



Prisoner of the Deal: Nineveh's Governor and Local State Capture

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Introduction

After two years of political turmoil in Nineveh, the appointment of the retired general **Najm Al-Jbouri** as governor created a sense of **optimism** locally. Finally, the province would be ruled by a popular and decisive figure who would restore a measure of public authority and legitimacy. His local credentials were strong. Not only was he a native of Nineveh from a powerful Sunni Arab tribe, he served as Nineveh Commander of Operations of the Iraqi army during and after the war against ISIS. In that position, Jabouri built a reputation for being a professional military commander and developed political ties across Nineveh. Analysts hoped that these qualities would enable Jabouri to address the governorate's key issues, including widespread corruption, lack of services and reconstruction, and the fragmentation of the **security sector**.

A more recent blow came on 1 February, when Mohammed Tawfiq Allawi was designated to form the next cabinet. Allawi gained the nomination through yet another back-room political deal among powerful political blocs, thus ignoring the demand for an independent candidate. However, Allawi had no option but to withdraw his candidacy following a month of failed negotiations over cabinet picks. Allawi's collapse indicates that muhassasah continues to be the guiding principle for government formation in Iraq. Yet it also displays the effectiveness of protesters' pressure on the political elite.

However, this optimism is likely misplaced. Since the defeat of IS in 2017, an **intense competition** for influence among various parties and militia groups have overtaken Nineveh and undermined what little remained of local governing institutions. Regardless of the promising qualities and background of the governor, Jabouri will be constrained by the power of the political blocs that brought him into power at the expense of others. As a prisoner of the deal, his fate will likely resemble that of Adil Abdulmahdi at the national level: real power will reside outside his office, rendering him incapable of directing a coherent post-conflict stabilisation agenda.

This symmetry between the political dysfunction at the subnational and national levels has major policy implications. Policymakers have long looked to the subnational and local level as promising sites for political reform via decentralisation initiatives, and Mosul is no exception. It is currently witnessing a transfer of certain powers from central to local control. I argue however that decentralisation merely transfers the multi-party competition over resources from one site to another (i.e. from national to provincial institutions). It does not address the underlying structural problem of national and local state capture.

Controlled by outsiders

Despite the fact that Jabouri lacked a clear political affiliation prior to his appointment, he is not viewed by locals to be above or outside the system. Local political and civil society actors state that the current governor is not in the position to counter the major parties, militias, and political blocs ruling the province. A local government official stated, "Nineveh is not in the hands of its people. The governorate and its resources and institutions are under the control of external influential parties and militia groups."

Such strong assertions require some context. The rise and defeat of IS radically shifted the local balance of power in favour of new armed groups and political factions that had little presence in Nineveh prior to IS's June 2014 takeover of Mosul. A former official in Nineveh's local government noted: "Various militia groups and political parties raced to gain from the spoils of post-IS Nineveh. The governorate is rich in oil and gas resources, and militias and parties knew that large amounts of funds would be allocated for reconstruction and for helping IDPs. Each came to secure a share of these resources and funds."

In addition to the Kurdish KDP, which has been an influential actor in Nineveh since 2003, PMF factions such as the Asayib Ahl al-Haq (AAH), Kataib Hizbullah (KH), and Badr Organisation have been able to translate their role in the fight against IS into political and economic influence on the ground in Nineveh. Further, Shia politicians such as Falih Fayad and **Sunni key figures** and factions such as Khamis Khanjar (the head of Mashrw al-Arabi party), Ahmed Jabouri (known as Abu Mazin and is an Iraqi MP from Salahaddin governorate), Muhammed Halbousi (Iraqi parliament speaker from al-Anbar governorate) and Muhammed Karbuli (the head of al-Hal party), have also emerged as key political players in post-IS Nineveh. These factions have sought to capture state institutions and government contracts towards expanding their local political base, securing control over the means of violence, and building personal wealth for leaders.

Prisoner of a party deal

Jabouri largely owes his position to the backing from key parties and figures including Halbousi, Abu Mazin, Khanjar, and the KDP. According to informed local government officials, civil society activists, and journalists, these main actors finalised a deal to support Jabouri for the position of Nineveh's governor provided that the latter would protect the economic and political interests of the parties of the deal in the future. A former local government official stated "Jabouri is the prisoner of the deal among the parties that brought him to the position of the governor."

In this respect, Jabouri's hamstrung position resembles that of his predecessor Mansour Murid. Murid became Nineveh's governor in May 2019 but was removed from his position in only seven months after his appointment. There was no clear reason for Murid's removal other than an undated resignation letter signed by Murid, of which he denied. According to local sources, Murid was made to sign a resignation letter by the parties of the deal that supported him for the position of the governor prior to coming to office. As soon as Murid failed to respond to the demands of the parties that brought him to power, the letter was provided to the Provincial Council in order to be used against him. A local government official asserted, "Murid was removed because of political reasons. He failed to serve the interests of the powerful parties who brought him to office. He could not remove Brigade 30 from the Nineveh plains as was demanded by the KDP. He also refused to provide government contracts and economic benefits to Abu Mazin who mainly seeks economic profit in Nineveh."

Murid, a former commander of a Sunni PMF in Nineveh's Gayara district, is a member of Fayad's Atta party. Fayad, the Chairman of the PMF commission and Iraq's National Security Advisor, played a key role in negotiating the appointment of Murid as Nineveh's governor along with the KDP and the two Sunni leaders, Abu Mazin and Khanjar. It seemed remarkable that an influential figure like Fayad could not prevent Murid's removal. Local observers pointed out that removing Murid was partly the result of a power struggle over the control of the PMF between Fayad and Abu Mahdi Muhandis, the deputy chairman of the PMF who was killed in Baghdad by a U.S. drone strike in January 2020. Muhandis maintained strong ties with Halbousi, Abu Mazin, and Khanjar, who were able to buy-off the loyalties of large numbers of Nineveh's Provincial Council in order to replace Murid.

Jabouri's position is no less compromised. His appointment received the tacit support of the PMF and their backers among the Baghdad-based Shia parties. To date, the new governor has not challenged the military presence and economic activities of the PMF and other Shia militia parties in Nineveh.

Role of militias

Various factions within the PMF are deeply involved in the politics and economy of post-IS Nineveh. A former local official emphasised "the PMF and other Shia party militias operate in Nineveh as a government in the shadows. They control the local government's decisions and economic resources." PMF groups

affiliated with AAH, Badr, and the KH have been involved in various types of economic activities in Nineveh. **Economic offices** of the PMF are distributed throughout the governorate and operate as party-controlled firms involved in scrap metal trades, local businesses, and government contracting projects. Militia groups are also involved in oil smuggling and the illegal collection of fees from trucks passing through checkpoints controlled by their forces.

The ascendance of the militias and Shia parties is rooted in the way in which they skilfully manipulated the political fragmentation that dominated post-IS Nineveh. The militias and their backers among the Shia parties were able to control the local government by providing support and protection to Nineveh's governor, **Nofal Agub**. Soon after his appointment as Nineveh's governor in 2016, Agub lost the support of most the members of Nineveh's Provincial Council. By October 2017, three months after the liberation of Mosul, the Provincial Council voted to remove Agub on allegations of incompetence, failure to address the IDP crisis, rampant corruption, and the abuse of public funds allocated for reconstruction. Lacking enough political capital to build and maintain support within Nineveh's Provincial Council, Agub spent the rest of his term as governor struggling to protect his position.

The needed **political cover** was provided by the PMF and key Shia leaders in Baghdad. They effectively neutralised attempts by Nineveh's Provincial Council to remove Agub. As a sign of the growing influence of the Shia blocs in Baghdad – who had already formed a strategic alliance with Agub – his 2017 dismissal order by Nineveh's Provincial Council was summarily rejected by the administrative court in Baghdad. (The court justified this decision on the rather dubious grounds that the Provincial Council had held the removal proceeding in the town of Qosh, rather than in the council headquarters located in Mosul city.) In return, Agub used his position to facilitate the militia groups' economic and business activities in Nineveh. Agub lost his position only after the March 2019 ferry disaster in Mosul.

Lack of oversight

Instead of committing to its original mission of oversight and holding the executive branch of the local government accountable, Nineveh's 39-member-council became the tool through which various national parties, figures, and militia groups advanced their economic and political agendas in the governorate. A local lawyer who previously worked in Nineveh's local

government noted “The Provincial Council in Nineveh operated as an economic firm seeking profit in the form of money and other material gains (cars and houses).” By exchanging their loyalty for personal gains, members of the Provincial Council undermined local institutional accountability and facilitated the rise of Nineveh’s post-IS political marketplace.

Members of the council, individually and in groups, were loyal to various parties and militia groups. Members changed and shifted loyalties according to circumstances and in response to offers of cash and other benefits in return for supporting party/faction positions, including: 1) determining public funds 2) electing local officials (the most important of which is the position of Nineveh’s governor) and, 3) distributing employment in the public sector. The most powerful factions in the council were the Kurdish KDP, PMF affiliates, and members controlled by the Sunni businessmen/politicians such as Abu Mazin and Khanjar. The Provincial Council played a key role in strengthening the grip of these parties and factions over Nineveh.

Under pressure from the protest movement in Baghdad and southern Iraq, the Iraqi parliament **dismissed** the Provincial Councils across the Iraqi governorates in November 26, 2019. Instead, members of parliament were assigned with overseeing the executive branches in the governorates. However, it is unlikely that this approach would address the problem of local political capture in Nineveh. Candidates from the same political parties that have dominated post-IS Nineveh won the **majority** of the governorate’s seats in the Iraqi parliament during the 2018 elections. Strictly loyal to the parties that supported their nomination in the first place, representatives from Nineveh in the Iraqi parliament are unlikely to challenge their own parties’ economic and political agendas in the governorate.

Decentralisation: cure or cause for more concerns?

There is little doubt that Nineveh’s governance is in crisis. From a policymaking perspective, the way forward is unclear. This brings us to the question of decentralisation – the favoured framework for reform in Iraq’s peripheries. **The process** involves the transferal of powers from the federal ministries to local governing institutions through the **implementation** of Law 21, known in Iraq as Provincial Powers Act. Baghdad’s view that power devolution could help in addressing key governance **issues** is shared by many influential members of the international community.

Decentralisation has finally been implemented in Nineveh after it was delayed twice, once in 2016 and then again in 2017 for security reasons. Officials in the local government confirmed that federal Ministries of Municipalities & Construction, Sports & Youth, Justice, and Social Affairs have already transferred powers to the local government in Nineveh. While officials within the local government complained that the process created some confusion within the local administration (especially because the four ministries did not agree on full devolution and retained some of the powers), the process has been underway and could include other key ministries in the future.

Though it is still too early in the process to say definitively, our research in Nineveh suggests that decentralisation is likely to fail. Nineveh's local institutions and resources have been captured by political parties and armed groups. Experts **argue** that local political capture severely hampers the process of decentralisation. Elites in control of local institutions disproportionately benefit from administrative powers and funds devolved to localities through decentralisation. And they co-opt the very local accountability mechanisms designed to place a check on abuses. Nineveh's Provincial Council, in theory the prime mechanism of oversight, has played a key role in serving party and militia interests.

