

Fixing Iraq's Internal Security Forces

Why is Reform of the Ministry of Interior so Hard?

By Andrew Rathmell



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Sincerely,

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FIXING IRAQ'S INTERNAL SECURITY FORCES: WHY IS REFORM OF THE MINISTRY INTERIOR SO HARD?

By Andrew Rathmell

In September 2007, retired US Marine Corps General Jim Jones led an independent commission to evaluate the state of the Iraqi security forces. His team concluded that:

“The Ministry of Interior is a ministry in name only. It is widely regarded as being dysfunctional and sectarian, and suffers from ineffective leadership. Such fundamental flaws present a serious obstacle to achieving the levels of readiness, capability, and effectiveness in police and border security forces that are essential for internal security and stability in Iraq.”¹

Given that an effective and law-abiding interior ministry will be critical to Iraq's future security environment and political evolution, this stark conclusion is disturbing. Moreover, it raises the question of why the heavy Coalition investment in recruiting, training, and equipping the Iraqi civil security forces and advising the Ministry of Interior (MOI) since 2003 has apparently not had a more positive impact.

This paper examines the charge laid out in the Jones report, explains why institution building and reform at the MOI have proved so difficult, and notes flaws in the international capacity building effort that need to be addressed. The central argument is that Iraq's political dynamics, combined with the unprecedented burdens being placed upon the MOI, will continue to make institutional development and reform terribly difficult. However, assessments such as the Jones report ignore the fact that the ministry is more functional than it may at first appear. Furthermore, there are signs of incipient, MOI-led reforms; these provide hopeful pointers. In order to take advantage of these incipient reforms, the international assistance effort needs to significantly raise its game. If this can be achieved, then, gradually and painfully, the ministry could become a more positive force in Iraqi society. However, even if technical institutional reforms are successful, it will be important to understand that the ministry will reflect Iraq's political make-up; it cannot stand above national politics.

The Charges

The charges in the Jones report are not new. Since 2003, the MOI and the civil security forces² that it ostensibly directs have been accused of ineffectiveness, corruption, serious human rights abuses and rampant sectarian bias. These charges have been substantiated by a catalogue of incidents in which Iraqi police forces have proven unable to stand up to insurgents and organised criminals, in which border units have failed to stem a flood of illicit cross-border traffic, in which police units have actively colluded with militias or indeed acted as private armies for militia leaders or local politicians, and a grisly string of sometimes horrendous human rights abuses

¹ *The Report of the Independent Commission on the Security Forces of Iraq*, September 6, 2007, p. 17; available from http://www.csis.org/component/option,com_csis_progj/task,view/id,1028/.

² The MOI directs the Iraqi Police Service, the National Police, the National Information and Investigations Agency, the Department of Border Enforcement and assorted other investigatory, administrative and training entities. It is also absorbing the Facilities Protection Service.

perpetrated for criminal or political purposes. In addition, there is plenty of evidence that the MOI struggles to effectively perform basic functions such as controlling, generating and supporting the civil security forces. More broadly, the MOI also fails to provide accountable and transparent civilian oversight of the civil security forces.

Unrealistic Expectations

None of these failings should be surprising. Coalition policy-makers and observers are naturally disappointed that the MOI is unable to replace US forces in providing security and are impatient to reduce US military exposure as well as to see a return on the large investments that have been made to date. However, it is important to have a sense of proportion and realism. We need to judge progress against the reality of the task at hand rather than against targets that owe more to Coalition desires than Iraqi realities. Four and a half years after the invasion of Iraq, the Coalition should have learnt by now the futility of forcing the "Iraqi clock" to synchronise with the "Washington (or London) clock."

To obtain a more realistic perspective on MOI reform, it is important to understand the context. Four and a half years ago, the MOI was a relatively small organisation managing some 60,000 staff who had a fairly easy life, policing routine crime. The MOI also had responsibility for assorted civil administrative tasks such as regulating traffic, public works and issuing residence permits. In the Saddam system, serious security threats were dealt with by the plethora of internal security and paramilitary agencies, not by the regular police. In addition to its limited internal security functions, the ministry also had a limited role in relation to issues such as planning and budgeting, since many of these responsibilities resided in the Presidential Diwan or the ministries of finance and of planning. Additionally, in the latter years of Saddam's rule, the MOI and police suffered in the same way as the rest of the state apparatus – corruption became endemic.

Since April 2003, the human capacity of the ministry has been seriously degraded. Many experienced managers left or were removed in 2003 and there has been a steady attrition of experienced, often Sunni, officers in the years since. Many senior positions have been filled by political and militia appointees with no experience of public sector administration or police leadership.

Today, the MOI is being expected to manage and support what could grow (after the incorporation of the Facilities Protection Service) to upwards of 500,000 employees.³ These employees are being rushed through a massive programme of recruitment, training and equipping. At the same time, the ministry is being asked to take a leading role in conducting intensive counter-insurgency operations and to manage an explosion of organised criminality and gangsterism. Meanwhile, the ministry is embarking on the sort of massive modernisation programmes, such as the introduction of eMinistry and of new national ID cards, that have challenged established bureaucracies in the West.

In addition to its internal problems, the ministry labours under three sets of broader, structural problems. First, the other elements of the criminal justice system are weak. Without an effective investigatory and judicial system, the police alone can enforce a rough kind of order but they cannot enforce the law or administer justice. Second, the broader public administrative systems on which the ministry relies are in at least as bad a shape as the MOI itself. The capacity of the wider Iraqi government to manage its budgets, to procure goods and services, to administer and educate its employees, is weak at best. There is only so far that improved processes and

³ This would account for perhaps 10% of the total Iraqi male labour force (estimated at 5.6 million). UNDP, *Iraq Living Conditions Survey 2004* (available at <http://www.iq.undp.org/ILCS/labour.htm>).

capacity within the MOI can make up for these deficiencies. Third, the MOI and civil security forces operate with a high degree of legal and constitutional uncertainty. Numerous aspects of the legal frameworks that should govern the operations of the ministry and its forces are unclear or under negotiation as part of the political process. Perhaps the most noticeable is the lack of clarity over the extent of MOI authorities in the provinces.

Learning Lessons

A realistic picture of the staggeringly ambitious transformation that we are seeking of the MOI, compared to its role and functions in the Saddam-era, is helpful in acknowledging the scale of the challenge. To inject a further note of caution, it is worth recalling hard-won lessons from centuries of experience with modernisation and our more recent experiences with state-building, especially in the wake of conflict and/or transition from autocratic rule. In general, successfully building and modernising state institutions is a lengthy, gradual process that quite often fails. With respect to the MOI, two more particular observations are worth making.

First, we have learnt that capacity building and reform of law enforcement and judicial institutions are especially difficult. As Fukuyama argues⁴, several hundred years of experience of transferring Western reforms and technical advice to “developing” countries demonstrates that building up institutions that either perform a narrow technical function (e.g. central banks) or that are to some degree insulated from society (e.g. militaries) can be achieved with relative ease. However, where public institutions are deeply embedded in society and are deeply involved in day to day societal relations and conflicts, as are police institutions, then reform is much harder to achieve. In other words, the institutional development of police services and interior ministries is simply much harder than for militaries.

Second, we have also learnt that the tools and government structures that we use to undertake capacity building and reform have severe limitations. Throughout the nation-building interventions of the 1990s, one consistent theme was the challenge that we faced in designing and managing effective programmes on police and security sector reform. Issues have included the availability of enough, experienced advisory and training personnel, the tendency to import inappropriate policing models, and a failure to address all necessary aspects (e.g. ministry reform and broader justice sector reform).⁵ In the peculiar circumstances of Iraq where the demand for reform is on a larger-scale than in any previous intervention and yet the local environment is worse, it is not surprising that the flawed tools available to us are having limited impact.

This issue goes broader than the hotly contested issue of whether a military-led capacity building effort is better or worse than a civilian-led effort. While a greater deployment of appropriately trained and resourced civilian experts to Iraq would assuredly help the coalition forces to avoid repeating many of the mistakes that the development world has painfully learnt, even a civilian-led effort would labour under the burden of the inadequacy of the tools that are available.

⁴ Francis Fukuyama, *State-Building: Governance and World Order in the 21st Century*, (New York: Cornell University Press, 2004).

⁵ Robert Perito, *Where is the Lone Ranger When We Need Him: America's Search for a Postconflict Stability Force* (Washington DC: USIP Press, 2004); Seth G. Jones, Jeremy M. Wilson, Andrew Rathmell and K. Jack Riley, *Establishing Law and Order After Conflict* (Santa Monica, CA: RAND, 2005) MG-374.

How to Address Institution-building and Reform in the MOI

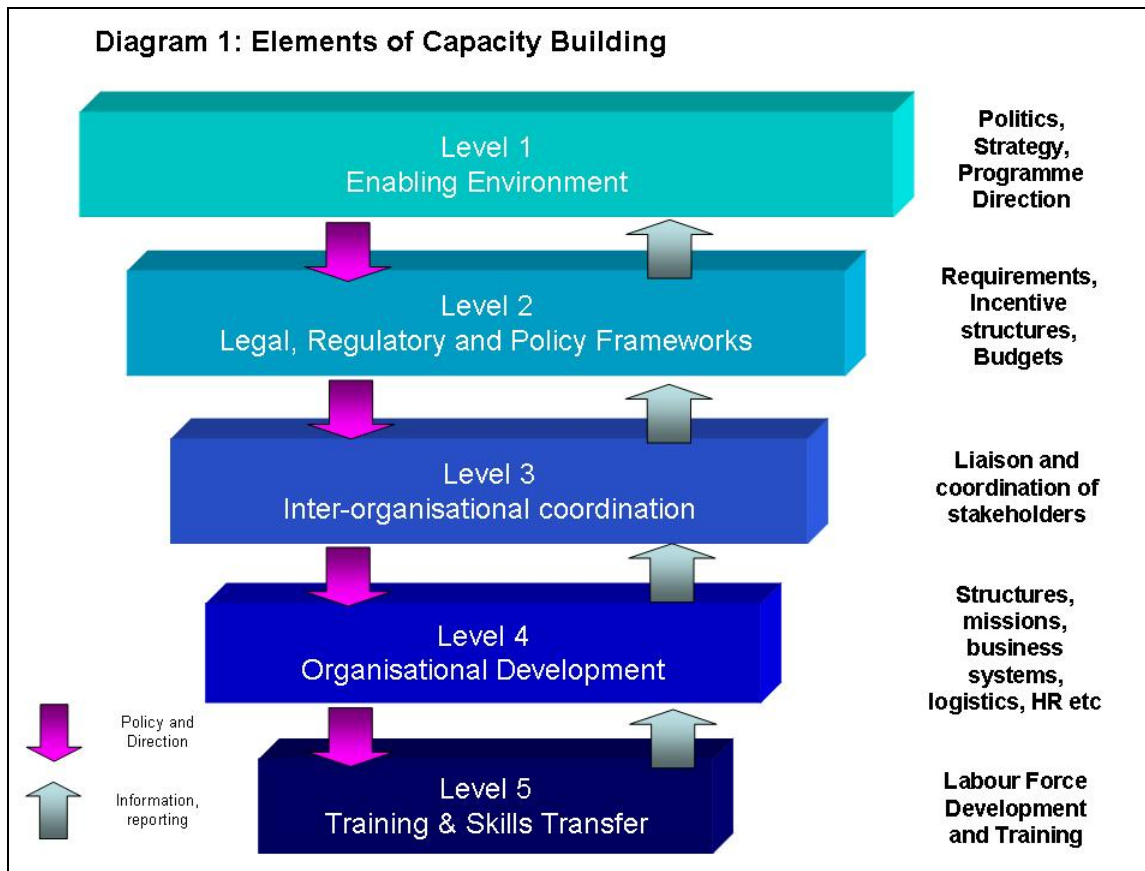
It is a common criticism of the Coalition “nation-building” effort in Iraq that it has failed to apply lessons from decades of experience with development and institution building. With some honourable exceptions, this is true. It should perhaps not be surprising since many of the Coalition officials involved – in and out of uniform – have had no practical or even theoretical exposure to the art of institutional development.

Typical mistakes that have been made include a focus on provision of physical infrastructure without a concomitant effort to build local capacity to manage this infrastructure; a reliance on training of individuals as a way to build capacity without also addressing reforms of systems, processes and organisational cultures; the importation of “our” models, whether in areas such as contracting procedures or training curricula; and an over-reliance on technological fixes such as the application of complex IT systems. In relation to the civil security forces, the mass production of poorly trained recruits, schooled often along paramilitary lines, has been counterproductive without the building of the institutions into which the recruits can be absorbed.

It is useful to take a step back and remind ourselves of a fairly generic model for institutional development. Diagram 1 lays out such a model (see next page).⁶ While experts may quibble with the exact terminology, the basic point is that the lowest level, the training of individuals in new skills, is of limited value if the higher levels are not also addressed. In relation to the Iraqi MOI and civil security forces, the Coalition has focused primarily on the training of individual policemen in basic or specialist policing skills. Virtually no attention has been given to training the staff of the MOI in the management and administrative skills that they require. The obvious analogy is to Dr. Frank-N-Furter’s muscle-bound but intellectually immature creation, “Rocky Horror” from the *Rocky Horror Picture Show*.

However, even if such training were brilliantly designed, precisely targeted and perfectly executed, the model reminds us that this effort would have limited impact on the overall institutional performance of the ministry. Overall progress can only be made by addressing the political environment, the legal and regulatory frameworks, the interface with other government structures, and the organisational development of the ministry. This may seem an impossible task in any environment, let alone the chaos of Iraq. However, we must not kid ourselves about the scale of the task we have set ourselves and our Iraqi counterparts. We are indeed seeking the wholesale transformation of the institutions of Iraqi governance and security. Having begun this process, we cannot afford to back off partway through, just because the task seems too difficult. Our tools may be limited but it is not acceptable to simply focus on those parts of the job that are relatively easy for our bureaucracies to deliver. Providing equipment, conducting basic paramilitary training or assorted technical, specialist courses, will not suffice. Motivating and organising ourselves to address institutional development and reform in a holistic manner is difficult. However, if we do not do so, then we shall fail to achieve our objectives in Iraq. More importantly, we shall be letting down those Iraqi officials and officers who are putting their lives on the line to drive forward positive change.

⁶ While numerous such diagrams exist, this particular version has been adapted from one produced during working sessions of Coalition advisors on capacity development in Baghdad in 2006.



Raising our game to help MOI reformers to address broader issues of labour force development, organisational development, inter-organisational coordination and the legal and regulatory frameworks is vitally important. We shall review in the conclusion some practical measures that can be implemented. It is important first, however, to have a clear understanding of the central thread that runs through this whole topic – politics. Too often, we approach ministry reform and security force capacity building as technocratic issues. They are not, they are intensely political. This truism is nowhere more valid than in the Iraqi MOI which is at the fulcrum of Iraq’s tumultuous politics. Understanding the politics of the ministry is vital to the design and execution of any capacity building programme.

The Politics of the Ministry

Descriptions of the Iraqi MOI often rely on simplistic shorthand terms such as “malign actors”, “sectarianism” or “militia infiltration.” Such blanket terms paper over a much more complex and nuanced reality. In short, the MOI both reflects the political dynamics of post-Saddam Iraq and is the arena in which many of the political struggles are fought out. This applies at the national level, where the central ministry has been shaped by the balance of political forces that has evolved since April 2003. It also applies at local levels where local and provincial police forces reflect local political dynamics.

Evolution of the MOI

Unlike the Iraqi Ministry of Defence (MOD), the MOI was not abolished by the Coalition in the spring of 2003. Instead, it was restructured (e.g. the abolition of the security police and creation of the Department of Border Enforcement) and Baathist senior officers were removed.

When the MOI was launched from under direct CPA control, with the appointment of Nouri Badran as interim minister in the autumn of 2003, it was restructured with the explicit purpose of reflecting and accommodating the political power balance of post-Saddam Iraq. At the time, there were only three state security agencies. The nascent Iraqi army and civil defence corps were run by the Coalition. The nascent Iraqi National Intelligence Service was run by the CIA. This left the MOI and its subordinate entities as the only central security apparatus over which Iraqi politicians could exercise influence and through which they could deploy state-sanctioned coercion. It was clearly too politically dangerous to allow any one party to control this institution, hence the structure was designed to give the key power-brokers - the Kurds, the Supreme Council for the Islamic Revolution in Iraq (SCIRI) and Daawa - a share in the ministry. This meant that each could use their parts of the ministry to build up patronage networks and paramilitary and intelligence capabilities through official channels. In the perennial rivalry between the Iraqi National Accord (INA) and Iraqi National Congress (INC), the INC's star was already on the wane and the INA was given the ministership, leaving the INC without a formal role in the state security structures. Technocrat Samir Sumaidi succeeded Nouri Badran for a short period in early 2004, a reminder that the Coalition was still the ultimate authority as Badran resigned after a falling out with CPA Administrator Jerry Bremer.⁷ Sumaidi however had neither the political base nor the time to make a significant impact on the ministry.

Under the Ayad Allawi interim government, the attempt to adopt the model of a secular strongman, balancing secular Shia interests with the interests of Sunnis and elites from the ancien regime, was reflected in the MOI. Faleh Naqib used the ministry to build up a paramilitary arm officered largely by former regime officers, that targeted both Shiite and Sunni radicals and insurgents.

With the advent of the first elected Iraqi government, which saw the Shiite religious parties in a position of unquestioned power, the ministry was treated as a coveted prize by SCIRI and the Badr Corps. Bayan Jabr concentrated on forging the ministry into a tool through which to pursue the security interests of his party. Hence the police commandoes, who had been officered largely by former regime special forces officers, were transformed into gunslingers operating in large part on behalf of Badr Corps. The MOI intelligence arm (National Information and Investigation Agency) was practically merged with Badr Corps intelligence, and religious practices were promoted within the ministry. However, with the army and national intelligence service still largely under Coalition control, the other parties in Iraq's Coalition government would not permit SCIRI and Badr to go too far in taking over the ministry. Key top level posts remained in the hands of the Kurds and Daawa party, the latter reflecting the close connections of key deputy minister Adnan al-Asadi with Prime Minister Jaafari.

When the Maliki government was formed in 2006, after an election which confirmed the dominance of the United Iraqi Alliance-Kurdish alliance, the US and UK, and UIA Coalition partners, moved to head off a repeat of the Bayan Jabr experience. It was evident that a consolidation of Badr Corps control over the ministry would be disastrous for Iraq's internal political balance, for any prospects of reconciliation, and for any attempts to build up law-abiding

⁷ Badran's resignation was in part, however, a result of political calculation on behalf of the INA which wanted to distance itself from the CPA in the occupation's dying months.

security forces. The compromise that was reached was to appoint a weak political figure with some reputation for administrative competence (Jawad al-Boulani) but to retain in place powerful Daawa, Badr and Kurdish (KDP) deputies. By appointing a relatively weak minister and giving him three key deputies who were powerful players in their parties/militias, the intention of the governing alliance was to ensure that the MOI could not become the armed wing of any one party. The intent was for each of the key parties to ensure that they could make use of the patronage and coercive assets available to them via the ministry, but also to ensure that their rivals did not become too powerful.

During 2006/7, this political architecture allowed the political factions within the ministry to coexist, to pursue their own interests and, at certain times, to cooperate in building the capacity of the ministry. Serious, even deadly, rivalry was not far beneath the surface. In the NIIA, there was an ongoing tussle for authority between KDP deputy minister Hussein Ali Kamal and his deputy, Badr Corps intelligence chief Bashar al-Windi. Although the former was a powerful and well-connected figure, Badr Corps operatives ran much of the NIIA. On more than one occasion, there were reports of threats, presumably by Badr agents, to Hussein Ali Kamal's life. In other areas, there was an ongoing tug of war between the need to appoint competent technocrats to make the ministry function and the need to reward party loyalty. Cases in point during 2006/7 included the replacement of a politically non-aligned technocrat as head of the ministry contracting directorate by an unqualified but Daawa-affiliated official, and the powerful role played by a former Badr Corps officer who was transferred to the MOI to run the public affairs office. In both cases, it proved extremely difficult for the minister to remove these officers, even though they were manifestly unfit for their roles.

Furthermore, a detailed look at the ministry's internal politics highlights the importance of digging beneath the surface of often superficial characterisations of Iraqi politics. It is not enough to say that the ministry is "controlled by Shiites" or even "controlled by Daawa and SCIRI." SCIRI, now the Supreme Iraqi Islamic Council (SIIC), has been gradually diverging from the Badr Corps since 2003. In the MOI, it is clearly Badr which has the upper hand, with senior officers having varying degrees of loyalty to SIIC's political leadership. Furthermore, the Badr officers who have taken up senior positions in the MOI by no means see eye to eye. It is unclear whether these jealousies represent merely personal disagreements that can be submerged in pursuit of a common political objective or whether they represent the, natural, fragmentation of a formerly disciplined, underground grouping once its members emerge into the light of the day. This is a fairly common occurrence with resistance movements whose leaders make the transition into politics, government and the security forces.

A further development during 2006/7 was the initiative, led by Boulani but encouraged by his fellow cabinet ministers and the prime minister's office, to "balance" MOI staff. This reflected a view in the ruling Shiite Coalition that the security services had not yet been thoroughly "cleansed" of Baathists. The ruling Shiite religious elite believed that no chinks should be allowed in the internal security apparatus through which a Baathist conspiracy could re-emerge. Detailed discussions continued for several months on how these balances would be struck. Although the reform plans that were approved in the spring of 2007 sought to demonstrate a sectarian balance in line with estimates of Iraq's overall sectarian balance, it was noticeable that few Sunnis were intended to hold key positions within the ministry.

In parallel to his work on "balancing," since late 2006, Boulani has sought to restructure the ministry in order to increase effectiveness (for instance, by merging the administration and finance directorates). This led to endless manoeuvres involving both Iraqi and Coalition

officials in a game of musical chairs. As the dust began to settle on the restructuring during the autumn of 2007, it appeared that Adnan al-Asadi, the well-connected Daawa party official who, very often in the past two years, had been treated as the effective minister, had managed to snatch the chair away from one of his rivals⁸ and hence consolidated his grip on the administrative hub of the ministry.

Who has Power in the Ministry?

These political and personal manoeuvrings underline two critical factors that need to be understood in dealing with the ministry.

First, unlike some other Iraqi ministries which have become the preserve of one party, in reality the MOI has a federated power structure shaped by the balance of political power at the national level. Therefore, the current minister, whose powerbase comes largely from the backing of Prime Minister Maliki, must share power with his deputies, a number of independent figures in the ministry and with a number of "shadow" networks of influence. What this means in practice is that it is often difficult for the minister, even if he wanted to, to push through personnel changes or other reforms if they go against the interest of other parties, key individuals or patronage networks in the ministry. Many decisions are therefore negotiated rather than directed. This can be seen in the case of a number of senior officers against whom there are clear charges of incompetence or human rights abuses; the minister does not have the clout to deal forcefully with these individuals. The same may also be said of certain institutions in the ministry. For instance, the minister has been unwilling to embrace and support the Operations Directorate as a permanent part of the MOI decision-making structure, but nor can he abolish it.

Second, it is important to view the MOI in the wider context of the political and national security architecture of the Shiite state that is being consolidated in Baghdad. This architecture is messy since it includes overlaps but also fundamental disconnects between: i) formal state structures, such as the MOI and MOD, a number of Operations Centres, and the Ministerial Committee on National Security; ii) state structures that are struggling to become institutionalised, such as the Ministry of State for National Security; iii) informal structures like the Office of Commander in Chief; iv) formal political structures that assert a role in national security decision making such as the Presidency Council and Political Committee on National Security; and, crucially v) a host of indistinct but influential networks that tie together the key Shiite and Kurdish parties, militias and external agencies such as the Iranian Revolutionary Guards Corps.⁹

What this confusing network of structures, channels and networks means is that efforts to reform and build capacity in the MOI are intensely political. And, in Iraq, politics is not just about the distribution of resources or pursuit of alternative political visions; it remains a red-blooded struggle for survival and supremacy. Even the most mundane bureaucratic reforms in the ministry will be monitored and weighed by a host of interested individuals and parties to see how they impact on relative balances of power and influence. At a more mundane level, this complex web of interests also explains why so many well-intentioned Coalition efforts to propose tidy and logical technocratic solutions are doomed to fail. A case in point is national level intelligence

⁸ Miss Hala Shaker, the technocrat but conservative finance deputy appointed by the CPA was moved to the foreign ministry. She was an extremely long serving incumbent who had avoided having to join any political party and who played safe by following the letter of the law. These advantages however also meant that she was not an innovative reformer.

⁹ This is not to count, of course, the overt Coalition structures and channels of influence around the US/UK diplomatic and military presence.

coordination. Numerous efforts have been launched by the Coalition in the past four years to foster a coordinated Iraqi intelligence community, both at the national and provincial levels. Limited progress has been made. One very senior Iraqi official recently described the problem well, noting that, in the eyes of Iraqi officials, the CIA had one intelligence service (INIS), the US military had another (MOD), SIIC and the Iranians had their own (NIA), so it was only fair that Daawa had its own (the nascent Ministry of State for National Security). The point may be exaggerated but it is telling.

In addition to these factors that, though not unique to the MOI, play out in that ministry with exceptional force, it is worth reminding ourselves that the MOI resembles other Iraqi state institutions in three ways.

First, all Iraqi state institutions have a key role to play in the Iraqi political economy as patronage networks and employment agencies. In most areas, applying for a public sector job requires receiving the endorsement of a political party, militia, mosque, tribe or other patronage network. In the MOI, this can be seen clearly in the recruitment process for new policemen and officers. While relatively rigorous and professional recruitment procedures are in place in certain areas, e.g. for entry to the Baghdad officer college, at the end of the day, political or other connections will likely trump other considerations. The huge growth in the MOI payroll can be explained both by the impact of having several parties seeking to dispense patronage via the MOI as well as by the decentralised nature of MOI operations, in which the provinces have a large amount of autonomy in terms of recruitment.

Second, corruption is rife throughout Iraqi society and the public sector. Whether the MOI and its subordinate agencies are more or less corrupt than the rest of the public sector is difficult to tell. Enforcement agencies in political economies where corruption is endemic are naturally prone to corruption due to the opportunities that are open to officials. Even when corruption in Iraq was kept in check by Saddam,¹⁰ the Iraqi police behaved true to regional form and focused considerable effort on extracting bribes from hapless citizens. In the MOI, corruption is clearly rife. The borders and passports agencies have become particularly notorious and there is little doubt, but also little proof, that very senior officials have profited from major overseas contracts.¹¹ At the same time, though, unlike many other ministries, the MOI does have a functioning Internal Affairs department and Inspector General department. These offices have addressed some aspects of corruption, though they by no means provide a unified anti-corruption force.

Third, human rights abuses are clearly rife amongst MOI forces. But the Iraqi army, Iraqi Corrections Service, and intelligence services are also appalling by international, if perhaps not by regional, standards. It is probably worth trying to separate out two strands. One is "routine" abuse. By this, we mean the abuses perpetrated by policemen as part of the casual violence inflicted by policemen in many countries where standards of supervision, training and respect for citizens are low. "Routine" abuse also includes the actions of criminal policemen - there are plenty of cases where policemen have kidnapped or murdered civilians for monetary gain. These "routine" abuses, while unacceptable, can be addressed by development of the ministry as an oversight institution. The other sorts of abuses are often labelled "sectarian" in Iraq. Whether one wants to use the term sectarian or political, these are the purposive human rights abuses ordered by a chain of command either in the ministry or by a militia with a distinct political purpose (e.g. to

¹⁰ Since the ruling elite wanted to maintain their control over corruption.

¹¹ Though the level of their possible rake-offs pales into comparison with the level of fraud allegedly perpetrated at the MOD under the government of Ayad Allawi. See: Ali A. Allawi, *The Occupation of Iraq* (London: Yale University Press, 2007), pp. 361-369.

ethnically cleanse a neighbourhood, or to intimidate local people into withdrawing support for a rival armed group). Addressing these abuses goes beyond the scope of institutional development.

Integration or Infiltration?

In order to understand the MOI's political environment, it is also important to have a clear understanding of the issues of militia integration and infiltration in contemporary Iraq.

The term militia "infiltration" is used too loosely in relation to the MOI, and indeed other parts of government. An important distinction needs to be made between "integration" and "infiltration." The former is, under CPA Order 91 on Transition and Reintegration, regarded as a legitimate activity by the Iraqi government. Officers from recognised militias, e.g. peshmerga and Badr have joined the MOI as have officers from the former Iraqi army and air force. At a technical level, the MOI is seeking to make this integration work, for instance by reviewing the transferability of ranks, benefits, and the need for additional training for the new officers. The question of course arises as to the extent to which these personnel are transferring their loyalties to the ministry, as a state institution, as opposed to retaining their loyalties to their militia command structure. This question is important both for senior individuals in key positions in the ministry and the central security agencies, and for the "formed units" that have been integrated en masse. Examples of the latter include peshmerga units in the Iraqi army and Badr personnel in police units in Karbala and Najaf and parts of southern Iraq. It seems clear that, since there is not really a central state in Iraq, but rather a competing and overlapping set of networks, parties and militias, there is little prospect of these "integrated" individuals or units transferring their loyalty wholeheartedly to the Iraqi "state" anytime soon. In other words, Iraq's security forces and state institutions do not, yet, represent a national entity but rather reflect the political make-up of the polity.

Infiltration, in contrast, is a term that we should probably reserve for individuals or groups who have joined the MOI and its forces under a pretext but in fact are working for other entities. This is clearly the case when one refers to criminals who have joined simply to use their position as a way of enriching themselves, Iranian or other agents who have joined in order to further their national purposes, or insurgent or al-Qaeda agents who may have joined to gather intelligence. The case of Jaish al-Mahdi (JAM) is however the most interesting. Arguably, if JAM had been included in CPA 91, then it would have been in the same position as Badr and its personnel would have been able to openly apply for MOI posts. Given that this did not happen, JAM has instead had to resort to thinly-veiled "integration by infiltration." Anecdotal evidence suggests that where MOI personnel are recruited from JAM-dominated neighbourhoods, then many of the recruits retain a loyalty to JAM. There is plenty of evidence of Iraqi police personnel openly working with and on behalf of JAM, notably in Baghdad.

It is interesting to watch in the MOI the playing out of the rival Badr and JAM strategies. Badr has focused since 2003 on seizing the "high ground" – taking over or influencing the main levers of power at national and provincial levels. JAM has been unable to do this and so has had to operate, more noisily, at street level. For now, JAM cannot challenge Badr influence over the MOI structures; JAM influence remains limited to local police units. However, as a flood of new officers move into the MOI and its forces, it appears that many of these new entrants may have JAM loyalties.¹² Although these personnel are entering the police force as lieutenants, with a rapidly expanding police force that faces considerable rates of attrition, we could see a junior

¹² A number of MOI officers have observed, for instance, that significant numbers of the new entrants to the 3 year officer college at the Baghdad Police College are JAM-affiliated.

officer corps that is increasingly JAM-affiliated and that is able to challenge their Badr, and Daawa, -affiliated superiors.

A more recent twist to the integration/infiltration issue is that of the largely Sunni tribes and insurgent groups whose fighters are being brought into the police since the success of the anti-AQI “awakening” in Anbar. Understandably, the current Coalition and GOI focus is on exploiting the tactical advantages of this development. If it proceeds, however, this process essentially extends, albeit without amended legislation, the CPA 91 integration process to assorted insurgent and tribal groups. Unlike the JAM “infiltration”, this Sunni “integration” is being undertaken under the close supervision of the Coalition and the GOI’s reconciliation committee. For the MOI as an institution, this new wave of integration poses the familiar challenges. Will the personnel transfer their loyalty to the ministry and the central state, or will they operate as autonomous forces that happen to wear police uniforms? Whatever the eventual answer to this question, the MOI now has to grapple with the issue of trying to maintain some control over the process in terms of vetting, training, supervision and integration into the MOI’s administrative processes (pay, logistics, promotion, etc).

The Impact of Politics on Ministry Reform

The politicisation of ministries is not unique to Iraq. From the USA to Saudi Arabia, senior positions in ministries are filled by political loyalists rather than career officials. At the local level, the election of police chiefs and even judges is a feature of some countries. Hence, the fantasy that any Iraqi government is going to put the MOI in the hands of “apolitical” technocrats (loyal to whom?) is just that. The impact of politicisation will continue to be felt in the MOI. Promotions, dismissals and, in some cases assassinations, will doubtless continue in the ministry on political grounds. Given the electoral balance of power in Iraq, it seems likely that Sunni officers will continue to be marginalised and there will be a glass ceiling for the more technocratic officers who refuse to align themselves with a party or militia. Furthermore, if the key Shiite and Kurdish parties continue to share power at the national level, they will wish to maintain a power-sharing arrangement in the MOI.

The bottom line is that the MOI will reflect national power balances and is likely to continue to operate as a federation, albeit highly penetrated and influenced by the network of actors that make up the Iraqi national political firmament and national security architecture. This will limit the ministry’s operational effectiveness but it may be a way to ensure that party rivalries do not get out of hand. For those involved in reform of the ministry, the key will be to have a thorough understanding of the political terrain, how networks of influence flow from outside the ministry, and how to influence and shape the perceptions and calculations of the actors affecting and working within the ministry.

Addressing the Other Layers of Capacity Building

While understanding the politics of the MOI is crucial, the bulk of reform and capacity building activity will take place at the lower levels. Here, there are two simple guides that should guide international efforts.

First, to resist the tendency to use the following phrases: “what the Iraqis need are...”; “putting an Iraqi face on ...”; “obtaining Iraqi buy-in...”. The word is the father of the deed and the deed is all too prevalent. An unconscionable number of man-months have been wasted in producing training courses, plans, concepts, policies and procedures that originate abroad or in the International Zone, are translated into Arabic and “sold” to Iraqi counterparts. Sometimes, Iraqi

officials will play the game astutely. When asked by the umpteenth set of Coalition visitors if they have documented plans or procedures on topic X or topic Y, they will dust off a beautifully presented set of slides handed to them by previous generations of advisors. On more than one occasion, the well intentioned new Coalition advisor has reported back excitedly about how “well advanced” his Iraqi “charges” appear to be.

The point is not that Coalition advisors should not be providing their Iraqi counterparts with good ideas, international examples or advice. It is that the aim of the advisory process should be either to support and inform existing reform efforts or, where these do not exist, to help Iraqi officials to understand how their problems – which they usually understand all too well – can be addressed in new ways. This can be time-consuming work requiring patience and a high degree of tact but it has been demonstrated many times over in Iraq since 2003 that any other approach is doomed to fail.

Second, any work on institutional development and reform must be as holistic as possible. This does not mean that every factor affecting the problem must be fixed; it is clearly possible to make progress in reforming the MOI's budget systems without fixing Iraq's national political problems. But it does mean that international assistance needs to be multidimensional. It is pretty much a waste of time simply to provide one input – e.g. training courses, new IT systems, technical advisors within the ministry, new procedure manuals – alone. Only by supporting a reform process with the various tools available will real progress be made. For instance, if a ministry directorate has drawn up a plan to improve its performance in some administrative area, then an integrated package of external assistance will be required, combining technical advice in situ, support for development of new management systems and procedures, technical training for ministry staff, and the creation of an ongoing education process. In addition, it is likely that work will be required at the inter-ministerial level to institutionalise the reforms. Political engagement may also be required to address the impact that such reforms may have on power balances within the ministry.

Building on Success

The analysis presented above should not lead to despair, but rather to a recognition of the scale of the task at hand. The overall future of the MOI is of course dependent on Iraq's political evolution and it is beyond the scope of an advisory programme to resolve these tensions. Instead, reform efforts have to build on areas where consensus can be achieved and where change agents in the ministry are able and willing to make progress. Since the Jones report skimmed over the surface of the MOI, it missed some of the green shoots that are sprouting. These provide cause for hope and a foundation on which to build.

At the national level, Boulani has shown willingness to remove corrupt or abusive leaders and policemen. The strong role of the Internal Affairs office has been particularly commendable in this regard. There has also been progress with some local and national police units where competent leaders are emerging.

In the central ministry, there are also positive signs. In these areas, a handful of competent, determined and smart mid to senior level MOI officers have recognised the need for reform and are pushing the boundaries. Examples include:

Procurement. Long a byword for inefficiency and corruption, the ministry's central contracting directorate has now adopted a capacity building plan, is training its staff and adopting new procedures. While change will take a long time, the directorate is set on a positive track.

Professional education. The MOI has developed and is starting to implement a plan to rebuild its Higher Institute as a centre for educating mid to senior-level police officers and civil servants. This will form the training ground for the senior leaders that the new Iraqi civil security forces so desperately need.

Human Resources reform. A cross-ministry committee has been working since the end of 2006 to address the myriad problems facing the MOI's HRM, ranging from failings in recruitment, training and promotion procedures, to the lack of electronic personnel records, to the challenges of integrating militia and former military officers. This committee has produced systematic and sensible plans and has begun to implement some of the required institutional reforms.

These reform programmes will only address some of the ministry's problems, they will run into opposition from entrenched bureaucrats and corrupt officials, their implementation will proceed in fits and starts and ambition will outrun feasibility. Nonetheless, they represent the only way in which change can be achieved. It is now the task of Iraq's external partners to support these initiatives.

Raising Our Game

Institutional development in contemporary Iraq is hard; the MOI is a particularly tough case. Like the Jones report, many see the ministry as a sectarian and dysfunctional institution. The ministry is shaped by Iraq's political make-up and elements in the ministry and its forces are engaged in sectarian and militia activities, organised criminality, corruption and human rights abuses. The ministry is also hardly able to meet the requirements of overseeing and administering Iraq's civil security forces. This paper has outlined why these failings should not be surprising. However, to understand the reasons is not to passively excuse these failings or to suggest that we can somehow "abolish" the MOI and start with a clean slate.

Rather, it is to acknowledge that "there is no alternative to the slow and often frustrating work of reforming the MOI."¹³ The institution is not going to disappear and it will not get better by itself. The nature and performance of the MOI will be a significant causal factor in the success or otherwise of our efforts in countering insurgents and terrorists, improving the rule of law, building the Iraqi state and advancing political reconciliation.

What is required now is for the Coalition to raise its own game in dealing with the MOI and the civil security forces. Since 2003, the Coalition has oscillated between two approaches – capacity substitution ("doing it for them") and capacity building ("helping them do it for themselves"). This tension is at the heart of the advisory effort in Iraq. There is simultaneously extensive intervention by Coalition advisors to "make the system work" and so achieve immediate Coalition objectives and a desire to rapidly hand-off responsibility to Iraqi counterparts, however unprepared. In good development practice, there would be a gradual transition from one to the other. Capacity substitution programmes would involve not just "keeping the lights on" but also building the capacity of local counterparts to execute the functions (e.g. managing infrastructures

¹³ *The Report of the Independent Commission on the Security Forces of Iraq*, September 6, 2007, p. 90; available from http://www.csis.org/component/option,com_csis_progj/task,view/id,1028/.

and contracts). This has rarely happened in Iraq. The fault lies on both sides. Iraqi officials are often unwilling to invite external experts to help run their systems; Coalition advisors are often unable to transfer knowledge and skills in the right way.¹⁴

To overcome this tension, we need now to adopt a more traditional developmental approach in which Iraqi counterparts lead change and determine, with advice, where they need assistance. The Coalition can then support the required changes. As we realign our advisory effort behind Iraqi-led priorities, we need to resist the temptation to take our hands off too early, otherwise we risk the rush to failure that characterised the previous Coalition campaign plan. We need to posture ourselves for a long-term but far more professional advisory effort if reforms are going to succeed.

A key therefore will be to build our own capacities in what will continue to be a demanding and thankless task. There are a number of concrete steps that we can take to improve our own performance. These include two principles, two priorities and four measures to build our own capacity:

Principles:

Support Iraqi-led initiatives and reforms rather than imposing Coalition standards. Senior officials in the MOI are now pursuing a range of reforms and initiatives to build capacity. These change agents need our support.

Do not overload the system. This paper has outlined the scale of the challenge facing Iraq and the Coalition in building the capacity of the MOI. The previous Coalition strategy failed since it thrust responsibility too fast on immature institutions. MOI capability will evolve very slowly in the coming years; this evolution is not helped by it being handed ever more tasks (e.g. police expansion, FPS consolidation). In campaign terms, there is no question but that the Iraqi Army and Coalition forces will have to provide a shield for several years behind which the MOI can develop its capacities and be in a position to take more of a leading role.

Priorities:

Maintain pressure on abuses and corruption in line with Iraqi laws. Rather than sectarianism writ large, our focus needs to be on having the MOI and Iraqi judicial institutions address illegal acts by MOI officials (e.g. torture, murder, extortion). However, given the weaknesses of many of these Iraqi institutions, the Coalition effort needs to ensure that it prioritises support for those who are trying to prevent such abuses.

Help local and national elected bodies and civil society institutions provide oversight of the ministry and its forces. Accountability will be very imperfect but the more light that is shed on abuses and corruption and the more that institutions outside the ministry or the government are able to seek redress, the harder it will be for such abuses to persist.

¹⁴ An interesting contrast is with the Gulf Cooperation Council states. Even today, many rely heavily on contracted in foreign technical and managerial expertise. While using these experts to keep the public administration functioning, they have gradually built the capacity of their nationals to take leadership positions.

Building our capacity:

Properly integrate our diplomatic, security, assistance, intelligence and strategic communications efforts. Improvements have been made but there remain disconnects between these strands; all of which need to be woven together. Where there are problems of sectarian abuse, then we need to combine diplomatic lobbying, information operations, intelligence and, possibly, security operations, along with aid conditionality, so as to get at the perpetrators. At the same time, we need to help the MOI build its systems of internal controls so that it can identify and deal with such abuses.

Adopt a multidimensional approach to capacity building. The success of the Coalition capacity building effort should not be measured by the size of the advisory team's Joint Manning Document or the number of Iraqi students processed through courses. Our support should involve using a range of tools in support of Iraqi-developed and led strategies.

Prepare our advisors. As the Jones report noted, we do not have enough civilian police advisors in country. At the level of the ministry, an equally important observation is that we often do not have the right people and we have not prepared them well. This is a relationship-intensive business and there is a wealth of documented experience about the dos and don'ts of institutional development and reform. We can do a much better job of preparing our advisors so that they will be many times more effective on the ground. One carefully selected, experienced and well-trained advisor is worth several untrained, inexperienced individuals who can actually set back a programme through inappropriate actions.

Escape our own straitjackets. In such a large mission as Iraq, it is not surprising that there are numerous organisational disconnects on our side. Some can be fixed fairly easily. For instance, there is no reason why the Provincial Reconstruction Teams, which are focusing in part on linking the civil ministries to local government, and Police Transition Teams, which are focusing on training local police forces, cannot join together and connect more firmly to Baghdad. This simple step would go a long way to improving the current disconnects that often exist between Baghdad the provinces. In many ways, communications and coordination between the MOI and subordinated offices in the provinces is far better than it is up and down the Coalition chain.

Conclusion

The creation of a more effective, accountable and law-abiding MOI is central to the achievement of the political and security goals that Iraq and the international community have agreed upon, most recently in the form of the International Compact for Iraq. The scale of the challenge is vast. The ministry starts from a low base of technical skills, is being asked to shoulder massive, and growing, responsibilities, and is at the centre of Iraq's political maelstrom.

If we use the analogy of the ministry being the "head" of the civil security forces, it is clear that the brain is very under-developed compared to the brawn that has been built up in the fielded forces – the limbs. Furthermore, the political fragmentation outlined in this paper reminds us that the head contains multiple personalities, often at war with one another. To encapsulate the challenge facing us, we can perhaps view the Iraqi MOI as a heavily-muscled and well-armed

individual with extremely poor physical coordination who suffers from multiple personality disorder.¹⁵

International efforts to address the “head” of the MOI to date have been relatively limited. Most assistance to date has been focused on building up the brawn and on immediate policy or operational issues; i.e. fighting the “close fight.”

There are now signs of incipient reform, led by capable, technocratic, MOI officials. The challenge for the international community will be to mobilise effective and sustained support for these reformers. This will require improvements to the organisation, staffing and coordination of the international effort. It will also require the Coalition to adopt a more realistic view of the possible pace of progress and to curtail our desires to overload a struggling ministry. Getting it, imperfectly, right will take time and effort, informed by toughness, empathy and imagination, but the alternative is unacceptable.

¹⁵ The more accurate medical term would be Dissociative Identity Disorder. American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders*, <http://dsmivtr.org/>.

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