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The transformation of violence in Iraq

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**Brit. J. Criminol. 609* This article explores the connections between various forms of organized political violence and ostensibly private, non-political violence in post-invasion Iraq, focusing on gender-based violence and the links between militias and organized crime. We argue that, as in other civil wars, much of the violence is 'dual-purpose', simultaneously serving private and political goals, and that despite a decline in violence since 2007, the situation created by the overthrow of the previous dictatorship remains extremely dangerous.

Introduction

If criminology aspires to an understanding of murder, rape, theft and the like that is not limited to the richest and most peaceable regions of the modern world, it must understand them in relation to war and particularly civil war. There are few places in the world where these issues are more urgent than in today's Iraq.

This article explores the connections between various forms of organized political violence and ostensibly private, non-political violence in post-invasion Iraq, focusing particularly on the dispersal or decentralization of organized violence. We shall argue that the breakdown of the Iraqi state's monopoly of violence has resulted in a dispersal of violence from a once highly centralized and repressive state to a broad range of competing power blocs and in a blurring of the boundaries between what can crudely be called 'political' and 'ordinary' crime. In other words, there is no simple distinction between, on the one hand, violence serving the organizational goals either of state agencies or non-state political actors and, on the other, violence for individual gratification. The same violent act often serves both purposes. This is by no means unique to Iraq, but is a common feature of conflict zones where the state monopoly of violence has collapsed (Green and Ward 2004).

Despite, or perhaps because of, the undoubted brutality of the Ba'ath regime, Iraq was a relatively 'civilized' society in the sense that--outside war zones--a pervasive consciousness of the state's monopoly of violence ensured the generally peaceable conduct of everyday life (Elias 2000). Such at least is the perception of many Iraqis. According to veteran Middle East journalist Zaki Chehab, 'However vicious and murderous Saddam's regime was, under his iron rule there was virtually no crime--no burglaries, no rapes, no murders' (Chehab 2005: 98). While this is certainly an exaggeration, it nonetheless reflects a reality very different from that perceived by ordinary Iraqi citizens today. It has been a familiar idea since Hobbes that without the violence of an all-powerful Leviathan, society dissolves into a 'war of all against all'. **Brit. J. Criminol. 610* Though Nordstrom (1997) provides evidence from Mozambique to suggest the contrary, by highlighting a range of cooperative and creative responses to war, the experience of Iraq suggests that Hobbes was not entirely wrong.

Organized violence in Iraq is so multifaceted that we cannot discuss all its forms in one article. We shall have little to say about the violence or corruption of the invasion and occupation (see Whyte 2007; Kramer and Michalowski 2005; Human Rights Watch 2007). Our concern is to illuminate the impact of that violence on the dynamics of violence within Iraqi society. It was precisely the violence of the invasion that brought about the fragmentation of power within Iraq and the consequent dispersal of internal violence. The two manifestations of internal violence on which we focus are the relationship between the militias and organized crime, and the rise of violent crimes against women and gay men.

Violence in Iraq: Counting Bodies

The invasion and occupation of Iraq have resulted in a documented rise in internecine violence. In addition to casualties directly inflicted by coalition forces, their violent overthrow of the Iraqi state served as a catalyst for a more pervasive form of violence inflicted by perpetrators including police, terrorist groups, insurgents, tribal leaders and militias allied to the United States and to Iran. Despite some data indicating a sharp decline in 'civilian casualties' since early 2007 (O'Hanlon and Campbell 2008; Iraq Body Count 2008), Iraq remains an extremely dangerous place, and we shall see that there are reasons to fear that it will become more rather than less dangerous in the near future.

Quantitative data about violence in Iraq are fraught with controversy. Since the inception of the war, the NGO, Iraq Body Count, has documented deaths by violence resulting from the conflict, drawing on newspaper accounts and data from morgues across Iraq. Apart from the 7,413 civilian deaths resulting from bombing by coalition forces (recorded for March and April 2003), violent deaths increased dramatically in the post-invasion period (www.iraqbodycount.org/database/).

Other research (Roberts *et al.* 2004; Burnham *et al.* 2006a ; 2006b), based on cluster sample surveys of households in randomly selected districts, indicates a much higher death toll: 600,000 deaths attributable to post-invasion conflict up to July 2006. They found that:

The major causes of death [in the 14.6 months] before the invasion were myocardial infarction, cere-brovascular accidents, and other chronic disorders. After the invasion [in a 17.8 month period] violence was the primary cause of death. Violent deaths ... were mainly attributed to coalition forces. (Roberts *et al.* 2004: 1857)

The methodology of these studies is controversial (see, in particular, Hicks 2006; Sloboda *et al.* 2007). A larger household survey (Iraq Family Health Survey 2008: 492) produced an estimate of 151,000 violent deaths from March 2003 to June 2006: three times the Iraq Body Count total for the same period but a quarter of the estimate by Burnham *et al.* Since the Iraq Body Count figures have now (December 2008) reached a total of between 89,878 and 98,130, multiplying them by three would give a total of approximately 270,000-295,000.

***Brit. J. Criminol. 611** Violence has recently been in decline, though it is unclear by how much. The Brookings Institution (using somewhat rough-and-ready estimates, largely derived from the IBC) shows deaths of Iraqi civilians peaking at 3-4,000 a month in the latter half 2006 but then dropping sharply during 2007, and hovering around 500 a month in May-September 2008 (O'Hanlon and Campbell 2008: 4). The IBC's own figures show a similar, but less dramatic, trend. Deaths by gunfire and executions have fallen from a peak of 56 per day in 2006 to 14 per day in 2008, but this was offset in 2007 by a rise in suicide attacks and vehicle bombings. Overall documented civilian deaths from violence totalled 27,600 in 2006, 24,295 in 2007 and 9,173 in 2008 (www.iraqbodycount.org/database/).

War, Crime and Dual-Purpose Violence

In the contemporary civil wars and insurgencies that some analysts describe as 'new wars', the distinction between 'war' and 'crime' becomes increasingly blurred (Kaplan 1994; Kaldor 2006: 2): not only because wars are often fought by criminal means, but because the motives of the participants in some cases appear little different from those of criminal gangs. The much cited military historian, van Creveld (1991: 204), predicted that as states lose their monopoly over organized violence, the established distinctions between war and crime would break down. Kaldor (2006: 117) suggests that 'The new war economy can be represented as a continuum, starting with the combination of criminality and racism to be found in the inner cities of Europe and North America and reaching its most acute manifestation in the areas where the scale of violence is greatest'. What unites both ends of the continuum, in Kaldor's view, is a combination of identity politics and competition for material resources, both being pursued through the use of organized violence.

As a large literature on war and collective violence attests, large-scale organized violence directed towards strategic goals commonly co-exists with opportunistic criminal violence. These should not, however, be seen as mutually exclusive categories: the same act, of rape or looting, for example, can serve both individual and organizational goals. We shall call this 'dual-purpose violence'. Such violence appears to be particularly characteristic of 'new wars', and is related to the central characteristics of such wars, identity politics and competition over resources. Political leaders use identity politics to foment violent conflict between groups that have previously co-existed and may not have been sharply defined. The sharper the perceived boundary between 'them' and 'us', the less censure or control is likely to be exerted within the group against opportunistic violence directed

across the boundary. Conversely, the more violence occurs across the boundary, the more polarized the two sides are likely to become (Tilly 2003: 21). Such polarization often serves strategic political goals. Competition over resources often takes the form of looting of supplies and commodities. Although armed organizations may seek to discipline looting so that all loot is subject to the organization's control, looting also provides opportunities for private enrichment. This can encourage participation in armed conflict but also sidetrack fighters from the pursuit of strategic political goals, with the result that conflicts in territories with an abundance of lootable commodities (e.g. alluvial diamonds) tend to be prolonged (le Billon 2001; Ross 2004).

In the early phases of the invasion and occupation of Iraq, there was a fairly clear distinction between the organized use of violence by and against coalition forces, in **Brit. J. Criminol. 612* which deliberate targeting of civilians was comparatively rare (Kaldor 2006), and the wave of opportunistic looting, kidnapping, rape and other crimes taking advantage of the chaos the war created (Human Rights Watch 2003a,b). More recently, we can increasingly observe a kind of symbiosis between opportunistic and organized violence, as well as a third type, which, as we shall argue in the case of 'honour killings', has an element of 'ritual' in Tilly's (2003) sense that it aims to communicate a message to an audience other than its direct target.

Kurdistan, as a de facto independent state at the time of the United States/United Kingdom invasion, was spared much of this trauma (not least because its leaders supported the war). Its infrastructure was developing under UN sanctions while the rest of Iraq was being dismantled (Simons 2003; Pilger 2002). Kurdistan's great trauma occurred earlier, in the genocidal al-Anfal campaign of 1987-89 (Human Rights Watch 1993; Hiltermann 2007). After the Iraqi regime abandoned much of Kurdistan following the 1991 gulf war, the two major armed factions, the PUK and KDP, fought each other from 1994 to 1998, and still maintain their own militias and, reportedly, their own prisons. Both factions rely heavily on support from rival tribes, as did the Iraqi regime before 1991 (when many previously pro-regime tribes defected to the separatists: see McDowall 2004). Kurdistan's relative freedom, coupled with tribal power, has allowed a resurgence of traditional oppressive social relations, as discussed below.

Gender-Based Violence

As numerous press and NGO reports testify, conditions for women, gays and transgender people, all of whom enjoyed relative freedom under Saddam Hussein, have drastically worsened since the war. What at first was a chaos of opportunistic rape, kidnapping, woman-trafficking and sexual abuse (Human Rights Watch 2003b) has given way to a pattern of violence that may appear arbitrary on the surface but serves clear political purposes. In the case of Kurdistan, the violence reflects a politics of tribalism that came to the fore with the de facto independence of the region in 1991.

Many killings draw upon a justification for violence common to many cultures, the idea of honour. 'Honour is the value of a person in his own eyes, but also in the eyes of his society'; it pertains to groups, particularly families, as well as individuals, but the honour of the patrilineal family is vested primarily in the head of the family (Pitt-Rivers 1965: 21, 26). Where men's honour depends upon their ability to control 'their' women, it may require the killing of a daughter or sister perceived to have brought shame upon the family. Murders of this type are prevalent in many countries including Iraq's neighbours: Jordan (Faqr 2001), Turkey (Se'ver and Yurdakul 2001), and parts of Iran near the Iraqi border (Ertürk 2006: para. 35). Such killings were not uncommon in prewar Iraq (including, after 1991, the de facto independent Kurdish region). The UN Rapporteur on Violence Against Women claimed that there were 4,000 such killings in Iraq from 1991 to 2001 (Coomaraswamy 2002: para. 23), though the basis for this figure is unclear. Estimates for the number of killings in Kurdistan alone in the period c. 1991-2004 range from 1,250 to 5,000 (Begikhani 2005: 210).

Honour killings have a symbolic dimension that distinguishes them from most other forms of criminal violence. They are, to some extent, collective rather than individual acts, incited by community pressures in response to perceived transgressions and sometimes decided on in family conferences, or in Kurdistan by informal tribal courts **Brit. J. Criminol. 613* (Begikhani 2005). In terms of Tilly's (2003) typology of collective violence, they resemble 'violent rituals' more than 'co-ordinated destruction' or 'opportunistic violence'. The central feature of 'violent rituals' is that a group inflicts violence, in accordance with a socially recognized 'script', on its own members or on others, for the purpose of increasing its prestige in the eyes of an audience that is distinct from the targets of violence. Honour killings are connected with 'the politics of reputation', the 'public defense of perquisites, precedence and honour' in order to maintain a family's credibility in the eyes of other

families and tribal patrons (Tilly 2003: 88; Kressel 1981; Baker *et al.* 1999; Feldner 2000). But whereas the rituals discussed by Tilly involve group members either harming members of another group or harming themselves (as in flagellation and the Native American potlatch), honour-based violence is performed by one or more members of a family group against another. The same is true of another violent ritual prevalent in Iraqi Kurdistan: female genital mutilation (ABA 2005: 38; von der Osten-Sacken and Uwer 2007; Paley 2008). In contrast to honour killing, the direct perpetrators of genital mutilation are female, and the injured girl remains a fully accepted member of the family.

Along with their ritual aspects, honour killings show features of opportunist violence in Tilly's sense. Although some killings are carried out openly in public spaces, there is usually some attempt to shield the killing from state surveillance, and it may be explained to the authorities as an accident or suicide. In contrast, for example, to the rules governing the stoning to death of Iranian women convicted of adultery (Amnesty International 2008), there is no precise 'script' regulating the killing. Following one notorious case in which a girl from the Yezidi religious minority was publicly stoned to death for becoming romantically involved with a Muslim boy, the local sheik commented: 'It was down to her family to cleanse her shame. Maybe kill her with one bullet, electrocution, any manner but not through this awful stoning'. Had they not killed her, he added, the father would have been ostracized (Jaber 2007).

A first-person account of honour killing has been provided by Abdel-Qader Ali, who freely admits to killing his daughter, Rand Abdel-Qader, for having befriended a male British soldier in Basra:

I don't have a daughter now, and I prefer to say that I never had one. That girl humiliated me in front of my family and friends. Speaking with a foreign soldier, she lost what is the most precious thing for any woman. People from western countries might be shocked, but our girls are not like their daughters that can sleep with any man they want and sometimes even get pregnant without marrying. Our girls should respect their religion, their family and their bodies. (Quoted by Sarhan and Davies 2008a)

Abdel-Qader treats merely talking with the soldier as equivalent to the loss of virginity. According to Abu-Odeh (1996: 150), unmarried women in Arab cultures 'need to abstain from any sexual activity before marriage, and from any act that might lead to sexual activity, and from any act that might lead to an act that might lead to sexual activity': not simply because they might physically lose their virginity, but because virginity 'needs to be evidenced and publicized through an elaborate performance for the benefit of the social audience'. By failing in this performance in the eyes of her father's family and friends, Rand symbolically lost her virginity, making it 'impossible to avoid' killing her. Her father pressed his foot down on her throat while his two sons held her down: a performance that, he claims, earned him the congratulations of the police (Sarhan and Davies 2008a). His wife left him and worked with a campaign against **Brit. J. Criminol. 614* honour killings until she was shot dead in the street (Sarhan *et al.* 2008; Sarhan and Davies 2008b).

Numerous killings within families are reported from Kurdistan. Mojab (2004) writes that such killings increased dramatically after the 'safe haven' of Kurdistan was established in 1991, although, as with any 'crime wave', the perceived increase may be a reflection of increased awareness of and openness about the issue (Begikhani 2005: 210). As the UN Assistance Mission for Iraq (UNAMI) notes, statistics vary widely and the circumstances of many deaths are ambiguous, but the Regional Government's official figures record that 'between January and June 2008, 56 women have been murdered and 150 have been burned in the Kurdistan region' (UNAMI 2008b : para. 51). Death or serious injury by fire is the commonest form of violence against women recorded in the press roundups compiled by Kurdish Women's Rights Watch (www.kwrw.org). The latest report available at the time of writing lists 17 such cases in Iraqi Kurdistan in April 2008, of which 14 were apparently self-inflicted (including one which the victim described to police as an accident). Self-immolation may result from the kind of process that Shalhoub-Kervorkian (2003), writing primarily about Palestine, describes as putting a woman on death row: the family make it clear to her that her life is worthless and that she could be killed at any time if she does not do it herself. 'You have to realise,' the manager of a women's shelter told a *Guardian* journalist (Lattimer 2007), 'that the family just locks the girl into a room until she does it. They may leave her a knife, but it is hard to kill yourself with a knife. In one way, it is easier with fire'.

Both in Kurdistan and in the rest of Iraq, those in power in the 1990s used women's rights as a 'bargaining chip' in their dealings with tribal leaders (Al-Ali 2006: 208-9). The major military/political factions in Kurdistan, the KDP and PUK, have relied on tribal support both against the Iraqi regime (many tribal militias that formerly supported the regime defected to the separatists in 1991), and

against one another in the civil war of 1994-98 (McDowall 2004). In rural Kurdistan, nationalism is bound up with 'disdain for the statutory regulation of social existence' and allegiance to traditional forms of tribal authority and justice (Begikhani 2005: 220). The principal institution of this alternative legal system is the *komaleyti*, a body of male elders that hears disputes and can impose sanctions, including ordering a family to kill a daughter or son (Begikhani 2005: 219-20). Although international pressure on the de facto Kurdish authorities led to the abrogation of Iraqi legal provisions allowing lenient treatment of 'honourable' murders 'for the purification of shame', they have not effectively challenged the informal laws and communal pressures that sanction honour killings. As Mojab (2004) argues, the apparent sharp increase in honour killings in Kurdistan has to be seen in the context of the massive social disruption caused by the Ba'ath regime's genocidal 'al-Anfal' campaign in the late 1980s. With so much of social and economic life in tatters, patriarchal authority, fundamentalist Islam (encouraged by Iran) and the use of women as economic resources all appear to have assumed increasing importance.

Similarly, the Ba'athist state in the rest of Iraq 'accepted tribal practices and customs, such as "honour killings," in return for loyalty' from tribal leaders (Al-Ali 2006: 209). A 2001 order of the Revolutionary Command Council, still in force in Iraq 2005, specifically provided for a reduced sentence where a man killed a close female relative for motives relating to honour. It also criminalized purported rulings on matters of honour 'in accordance with tribal procedures' (quoted by ABA 2005: 35), indicating the regime's intention to accommodate tribal traditions while curbing the power of tribal leaders. ***Brit. J. Criminol. 615** A second pattern of so-called 'honour killings' comprises deaths inflicted not by families, but by armed groups. After Kurdistan attained de facto independence in 1991, *peshmerga* fighters carried out a wave of killings of Kurdish women suspected of having sexual relations with Arab men; some were apparently denounced (following a pattern that Kalyvas (2006) identifies as common in civil wars) by people who wanted them dead (King 2008).

The United Nations Assistance Mission in Iraq (UNAMI) received reports in November-December 2007 of:

... scores of so-called 'honor crimes' being perpetrated with regularity in Basra by armed groups or militia. Basra police records on 44 of the victims killed in 2007 showed multiple gunshot wounds to various parts of the body. Several were killed execution-style with a single shot to the back of the head or forehead. ... [T]he majority of the victims' bodies were found by police or members of the public on the streets, in isolated rural areas or on river banks. Notes were reportedly found next to some victims' bodies, accusing them of adultery or of 'un-Islamic' conduct, such as failure to follow certain dress codes or to veil appropriately. Several of these notes were allegedly 'signed' by groups operating under the banner of *al-Amr bil-Ma'ruf wal-Nahi 'an al-Munkar* (The Propagation of Virtue and the Prevention of Vice), while others contained only references to orders having been issued to carry out the killings, reportedly by armed militia. Some family members were said to be afraid of claiming their bodies, for fear of further repercussions against them. (UNAMI 2008 a : para. 33)

According to the Basra Security Committee, 79 women were killed by Basra militia or vigilantes in 2007 for 'violating Islamic teachings', 44 died in 'honour killings' and seven were killed for political reasons (IRIN 2008). Reports from the ambulance drivers who collect the corpses indicate that the real numbers are much higher (Susskind 2008). In the first 11 months of 2008, '81 women in the city have been murdered for allegedly bringing shame on their families' (Sarhan 2008). It is unclear how many of the killings were 'genuine' honour killings motivated by shame, how many were carried out by militia or vigilantes, and how many of the latter were carried out in response to denunciations from relatives or neighbours. Since Iraqi government forces took control of Basra from the Islamist militia, it has been reported that 'hit-men' charge fathers \$100 to kill their daughters and disguise the deaths as sectarian murders (Sarhan 2008). In Tilly's terminology, opportunist crimes are substituted for the performance of violent rituals and publicly disguised as part of a programme of coordinated destruction (although, presumably, if they are to 'cleanse the family name', the community must understand them as honour killings). If fathers are prepared to pay for their daughters' deaths, it would not be surprising if they were willing to report them to armed groups who, as far as we know, do not charge fees for murder.

However ambiguous the circumstances of some killings, they contribute to a wider campaign of terror aimed at enforcing strict dress codes on women in militia-controlled areas (Susskind 2007). The likely strategic purpose of the campaign was explained by Yanar Mohammed, director of the Organization of Women's Freedom in Iraq:

When an Islamist militia wants to take control of a neighborhood, imposing the veil on women is the

first point on their agenda. It is their way of claiming power over the area. In Sadr City [a poor, mainly Shi'a, district of Baghdad], you no longer see a single woman without the veil. ... When a political party gains control of an area, it puts its flag everywhere. The flag is a message to your opponents that this is your area and they should not dare to step into it. The veil on women is like a flag now. (Quoted by Susskind 2006; see also Al-Ali and Pratt 2009: 80)

***Brit. J. Criminol. 616** The symbolic potency of imposing strict dress codes on women derives partly from the relative freedom women enjoyed under Saddam Hussein's regime. Saddam was no feminist but he found it expedient to incorporate women in the workforce and in his political machine (Joseph 1991). Wearing the *hijab* was technically illegal, though the law had not been enforced since the Iran-Iraq war (Kahf 2008: 37) and, as the influence of Islam grew in the later years of the regime, women came under increasing pressure to where the veil (Smiles 2008). Saddam's regime also practised the public murder of women for alleged sexual deviance: dozens of alleged prostitutes were beheaded in the streets of Baghdad and other cities, ostensibly as a kind of 'honour killing' on behalf of the nation (Smiles 2008) but, in some cases, for political reasons (Amnesty International 2001: 5).

The Badr and Mahdi militias have murdered numerous gay men, transsexuals, lesbians and sexually abused children (Copestake 2006; France 2007; Ireland 2007; Tatchell 2007). Some of these killings have been sanctioned by religious courts that operated clandestinely in the Ba'ath period and have gained increasing legitimacy in Shi'a areas in the absence of an effective state (al-Shara'a 2006; UNAMI 2007: paras 114-15). Some may be honour killings perpetrated by relatives: in the short film, *Gay Life, Gay Death in Iraq* (Grey 2007), a father admits to hanging his gay son in front of another son 'to give an example to him and to prevent him doing the same'. Others appear to be opportunist crimes by people 'taking the law into their own hands', knowing there is little risk of punishment (al-Shara'a 2006). Unlike killings of women, those of gays have been openly approved by some clergy. The supposedly moderate Grand Ayatollah Sistani placed a fatwa on his website by stating that homosexuals should be killed 'in the worst, most severe way possible'; following protests, it was removed but not formally withdrawn (Iraqi LGBT 2006; Howden 2006). 'Another fatwa from the late and much revered Ayatollah Abul Qassim Khoei allows followers to kill gays "with a sword, or burn him alive, or tie his hands and feet and hurl him down from a high place"' (Taylor 2006).

Tilly (2003) stresses the importance of 'boundary activation' in the politics of communal violence. As Al-Ali (2006: 244) argues, 'women are being used in Iraq--as in many other conflict situations--to demarcate boundaries between "us" and "them"'. To 'us', the pure, the promise is held out that some kind of ordered theocracy--symbolized by the visible repudiation of 'Western', secular modes of conduct and dress--will emerge from the chaos; for 'them', the impure, anything goes. 'Excessive' violence, as in the torture of women before they are killed and the severing of their limbs or heads (UNAMI 2008 a : para. 33), marks this exclusion all the more effectively (Green and Ward 2004). Beheading appears to have particular ritual or symbolic overtones (Perlmutter 2005/06; Caton 2006), as in the case of Nahla Hussein al-Shaly, leader of the Kurdish Communist Party's women's league, who was beheaded after being shot (Barzanji 2008).

Rape is another way of demonstrating that a woman (or man: Pleitgen *et al.* 2008) is completely excluded from legal and moral protection, of bringing dishonour on her or his family (Beaumont 2005). According to a study by the Iraqi ministry for women's affairs, more than half of known rapes resulted in the killing of the victim by her family (cited by al-Ajely 2005). Since, in patrilineal cultures, a child's identity is determined by the father's 'seed', 'When a Shiite militiaman rapes a Sunni woman, for example, he is seen as potentially implanting a Shiite individual into her womb'; honour killings or suicides serve to prevent such children being born (King 2007).

Brit. J. Criminol. 617 *Insurgents, Militias and the War-Crime Nexus

Since the invasion, Iraq has seen not only an explosion in politically motivated violence by insurgents, but also a marked increase in organized crime and conventional criminality (Human Rights Watch 2003a,b ; 2007; Chehab 2005). It is apparent from our analysis that these forms of violence are linked. Not only do they exist on the same continuum, but we argue that much of the organized and conventional crime currently experienced inside Iraq is what we have described as 'dual-purpose', serving the political and organizational goals of the insurgency as well as satisfying individual desires.

While accurate statistics are unavailable, Hashim (2006: 169) reports a massive rise in individual crime but identifies 'the emergence of organized crime syndicates' as a more sinister and dangerous socio-economic development. These smuggling syndicates and criminal networks have their origins in the Ba'ath Party's subversion of UN sanctions, and were greatly assisted by Saddam's release of

200,000 prisoners in 2000 (UNDOC 2003). According to Schultz and Dew, 'The linkages between these criminal syndicates and the former regime elements appear to have survived the war' (Schultz and Dew 2006: 242).

One of the legacies of Saddam's war-mongering has been the widespread and normalized availability of weapons (stockpiled by the former regime in schools throughout Iraq) and the competence of every Iraqi man in their use (Chehab 2006; Cockburn 2008). This availability, coupled with nationalist opposition to the invasion and traditional Iraqi cultural mores associated with avenging honour through blood, has meant that violence has become normalized as a form of dispute resolution both publically (in terms of the resistance to the invasion and occupation) and privately (in domestic and personal affairs). For example, in Baghdad, in 2005, two families fought with pistols and Kalashnikovs after a quarrel arising from a chance remark about the death of the Pope (al-Musawi 2005).

The increase in all forms of crime was accompanied by an equivalent growth in both the insurgency and its fragmentation. Hashim (2006) documents 19 different nationalist, religious, secular and tribal insurgent organizations. Within those groups exists a multiplicity of brigades distinguished by political and religious orientation and mode of engagement. It seems apparent that all organized elements of the insurgency have been actively involved in more conventional lawlessness. The conditions of chaos and freewheeling criminality that followed the initial invasion phase have developed into a more pervasive criminality underpinned by a parallel growth in organized crime that demonstrably services both the organizational and political goals of the militias (ICG 2008a ; Cockburn 2009).

It is possible to identify three overlapping phases of criminal violence in post-invasion Iraq. The first is the widespread looting and related violence that took place in the immediate aftermath of the invasion. This looting--in effect, sanctioned by the US forces, who took no action to prevent the pillage of hospitals, museums and shops -- released what appears to have been a long pent-up anger and sense of injustice fermented by the privations of 13 years of UN sanctions. Looting is also a traditional feature of Iraqi life and conflict, 'born of tribal raiding and poverty' and widespread in the aftermath of Iraq's invasion of Kuwait and during the 1991 Shi'a uprising and the 1996 Kurdish Civil War (Cockburn 2009: 161). The second phase is reflected in the extreme militia violence witnessed at the peak of the insurgency (2005-06) and the current phase is characterized by the relative decline in organized anti-state violence discussed above.

***Brit. J. Criminol. 618** We can see the emergence of 'dual-purpose' criminal activity in the first phase, when 'many individuals--some with criminal backgrounds--who were to play a role in the insurgency "pre-financed" their activities by looting the banks' (Hashim 2006: 169). In this initial phase, there was 'a social revolutionary ferocity in the robbery and destruction that now swept the country' (Cockburn 2009: 161). Impoverished Iraqi looters targeted the homes of Ba'athist leaders both in acts of political revenge but also to satisfy long accumulated material needs. We can also witness the beginnings of an organized nature to this dual-purpose criminality as early as May 2003 when Muqtada al-Sadr (who publicly decried sectarian killings) issued the 'al-Hawasim' fatwah decreeing that looters could retain their stolen property as long as they made a contribution of 20 per cent of the value of the looted goods (*khums*) to their local Sadrist office (ICG 2006; Cockburn 2009). Many of the wealthier and more powerful Shi'a drew the conclusion that al-Sadr was little more than a Mafia boss and distinguishing between the 'political' actions of the Sadrists from those of ordinary criminal gangs was not always easy.

In the second of these phases, organized crime and militia violence converged: '... we have begun to see situations where wider acts of violence committed by organized criminal groups exist alongside or have even been integrated into the insurgency' (Hashim 2006: 169). Anthony Shadid offers a revealing example of the 'interplay between crime and resistance' in his *Washington Post* report on Abbas Sabri Dayikh, a young man who, under Saddam, had lived on the criminal margins of Baghdad society. In 1998, lured by financial incentives, Dayikh joined Saddam's Fedayeen, a Baath Party militia, and was later recruited to the Revolutionary Guard. He deserted in 2001 but rejoined the Guard towards the end of the initial invasion phase of the occupation and saw fierce fighting in Fallujah and Ramadi. At the end of 2003, he returned to his family's home in Waziriya, a suburb of Baghdad, boasting of exploits that included the use of explosives against the invasion forces and his ready access to armaments. In the midst of grinding neighbourhood poverty and without employment, Dayikh nonetheless assumed a life of comparative comfort in his family's apartment, with new clothes, a new satellite dish and plentiful good food. His neighbours believed him to be involved in arms smuggling. On 24 August, in what may have been an act of showing off, he and three other young men, two of them only 15 years old, were blown to pieces at the top of the apartment block where they all lived. According to Baghdad police Capt. Sabah Nijm, who investigated the bombing, 'There

are people giving them money to prepare the bombs against the Americans, maybe the police or even other Iraqis. They are young, they have no work, so they deal in danger. Everything that is forbidden is lucrative' (cited in Shadid 2003).

In 2006, Iraq degenerated into civil war and levels of organized and individual violence reached new heights of barbarity. With the elimination of Zarqarwi and other senior al Qaeda leaders, younger, more brutally violent and undisciplined men rose to the ranks of leadership. An International Crisis Group report describes them as 'little more than juvenile gang leaders ... who wrapped their acts of terror in esoteric--and often preposterous--religious pronouncements' (ICG 2008b : 2-3). In this period, Shi'a communities and individuals were systematically targeted and murdered, police officers and government officials were constantly being killed and even many Sunni civilians were forced to flee their homes (Hashim 2006; ICG 2008 a).

Amidst this landscape of indiscriminate violence, Iraq has provided fertile ground for organized crime networks, some of which collaborate with the militias for mutual gain. **Brit. J. Criminol. 619* It is not easy to establish a detailed picture of how these relationships work, but one example relates to a notorious Shi'a criminal who helped to fund insurgent cells through the ransoms of abducted children, and exploited connections in Syria to finance militias in the Haifa Street area of Baghdad (Hashim 2006: 169). The bribery of police is a common feature of organized crime in any society (Block and Chambliss 1981; Gambetta 1993), as it is in Iraq (Chehab 2005: 63; Moore 2006); but in a situation in which the monopoly of violence has broken down, militias become a force whose protection or tolerance is worth paying for.

In the third phase, while the 'Surge' may have reduced levels of violence (measured by reported deaths and injuries), it has had the dangerous consequence of inciting tribalism, warlordism and sectarianism -- each of which plays a defining role in understanding both the dispersal and dual-purpose nature of violence in transitional Iraq (Simon 2008). The United States have effectively sanctioned the organized criminal actions of certain tribes by incorporating their leaders into the Sahwat. Sheik Sattar Abu Risha is a case in point. During the Ba'athist regime and into the occupation, the Abu Risha tribe were notorious for highway robberies on the Baghdad-Amman highway, an activity that brought them directly into conflict with al Qaeda, who also derived a lucrative income from traffic on the highway (ICG 2008b).

New War, Old Tribalism

In place of a relatively old-fashioned war--invasion followed by war between the occupying powers and resistance groups--Iraq is now a weak state in which armed factions based on ethnic, religious and tribal identities compete for the control of territory and resources. The decline of the insurgency is largely attributable to the incorporation of mainly Sunni tribal leaders and their militias in the *Sahwa* ('Awakening') movement (assisted by the increasing rifts between the Sunni insurgency and al Qaeda in Iraq). This marks the latest in a series of oscillations in Iraqi history between attempts to build a strong centralized state (as under the revolutionary government of Abd al-Karim Qasim from 1958-63 and, most successfully, between the 1973 oil price rise and the Iran-Iraq war) and a reliance on relations of patronage with tribal sheiks (as under the British Mandate, the Hashemite monarchy and the latter years of Saddam Hussein's rule: see Tripp 2000; Dodge 2003; Hechter and Kabiri 2008). The American military, having at first attempted to impose a direct rule regime in complete disregard of local institutions, now appear to have reinvented the system of tribal patronage. They have been aided by the ineptitude of al Qaeda in Iraq, which, having at first successfully allied itself with the Sunni insurgency, proceeded to alienate many of these allies by its indiscriminate violence, by challenging the authority of tribal power structures it perceived as un-Islamic, and by attempting to take control of the insurgency (ICG 2008b ; Simon 2008).

At first referred to by the Americans as 'concerned local citizens' and ludicrously equated with Neighbourhood Watch groups (Mays 2007), the 'Awakening Councils' have now been rebranded as 'Sons of Iraq'. These concerned citizens were, in fact, largely former Sunni insurgents, although 18-20 per cent of the 100,000 officially registered 'Sons' are Shia (Hanlon and Campbell 2008: 12). The United States was paying \$360 for each, of which up to 20 per cent went to tribal leaders, allowing some to amass considerable wealth (Simon 2008) and some to restore the powers of patronage **Brit. J. Criminol. 620* that they had enjoyed under Saddam's regime (ICG 2008a). Recently, the United States has sought to transfer responsibility for the al-Sawah forces to the Iraqi government, which has pledged to integrate 20 per cent of all the 'Sons' into Iraqi security forces and find civilian jobs for the rest (Goetze *et al.* 2008). Abu Azzam, the commander of the Awakening forces in Baghdad, fears that while 80 per cent of his forces will go hungry and may rejoin the resistance, the

other 20 per cent will be moved out of the districts where they are based and be replaced by Shi'ite forces who lack their local knowledge (Dreyfuss 2008). Even the American General, Austin Lloyd, 'recognizes that deep suspicions remain' (Carter 2008), and they will not have been alleviated by the arrest of prominent al-Sawah leaders on the Prime Minister's orders (Oppel 2008). With the Status of Forces Agreement and the election of President Obama seemingly marking the end of America's attempt 'to establish quasi-colonial control of Iraq' (Cockburn 2008), the present and future of the country appear to be a state of more or less intensive 'new war', in which sectarian militias and a weak state compete for control of territory and revenue (Kaldor 2006).

There is a dearth of verifiable information relating to the links between organized crime and the insurgency. As the IWPR (Rath 2006) reports, Iraq has become 'prohibitively dangerous' for journalists and this has led to increasing degrees of self censorship--particularly in relation to reporting on corruption and the militias. Nonetheless, there is enough emerging evidence for the ICG to claim that 'tribes, militias and other groups are little more than vehicles for predatory acquisition of goods. A chaotic and inherently violent competition for power, positions and resources is taking place, without accepted rules of the game or means to enforce them' (ICG 2008b : 27).

One of the dangers of tribalization is that it enables 'tribes and other local networks ... to compete with one another for control of what is largely criminal revenue' (Simon 2008: 68). The trans-border informal economy, already thriving as a result of the UN sanctions regime, has flourished since the invasion and is largely controlled by insurgents and militias (Herring and Randwala 2005). What Cockburn (2009) calls the 'anarchic strain' at the core of Iraqi 'political' life--manifest in the strength of tribal, clan and family allegiances--is also readily supportive of the development of organized crime (Gambetta 1993).

Smuggling has been associated with the funding of militias, insurgents and warlords in numerous conflicts (Green and Ward 2004). In Iraq, the most lucrative natural resource for smugglers is oil. Insurgents have attacked pipelines and tankers in order to siphon off the oil for sale on the black market, while the canals and creeks along the road from Basra to the port town of Abu Fulus are filled with small boats smuggling oil from secret underground tanks built by smugglers (McCallister 2005; Dehghanpisheh 2008).

In Basra, which, compared to other cities, has been relatively free of insurgent car and suicide bombings, the dominant struggle is an intra-Shi'a contest over resources between organized and armed gangsters and political organizations (House of Commons Defence Committee 2007; Salman and Daragahi 2006: 1). Political parties supported by militias, such as the Sadrists, Fadhila (the governing party in Basra) and the Supreme Islamic Iraqi Council, have fought for power using criminal rather than political strategies (IWPR 2007). Some journalists have likened Basra to the mafia-controlled Chicago of the 1920s, and the governor of Basra, Mohammed Waeli, dubbed the 'oil prince', has regularly been accused of smuggling (Dehghanpisheh 2008). According to **Brit. J. Criminol. 621* the House of Commons Defence Committee, 'The relative security of Basra is said to owe more to the dominance of militias and criminal gangs, who are said to have achieved a fragile balance in the city, than to the success of the Multi-National and Iraqi Security Forces in tackling the root causes of the violence' (House of Commons Defence Committee 2007: 41).

Oil is not the only commodity of value to the insurgency; the underground trade in illicit antiquities has also served to finance Sunni insurgents, al Qaeda in Iraq and latterly Shi'a militias (Becatoros 2008). While the extent of insurgency involvement in antiquities smuggling is disputed, the proliferation of illicit excavations in conflict zones is widely acknowledged (Riviere 2008). In particular, the thefts of Assyrian, Sumerian and Babylonian artefacts from the National Museum, as US Attorney General John Ashcroft told an Interpol meeting in 2005, were probably 'perpetrated by organised criminal groups' (quoted by Lichfield 2003). Sunni insurgents, recruited from the criminal syndicates created by Saddam to evade sanctions, seem the most likely culprits.

Conclusion

We used to have a government that was almost secular. It had one dictator. Now we have almost 60 dictators--Islamists who think of women as forces of evil. This is what is called the democratization of Iraq. (Yannar Mohamed, quoted by Susskind 2006)

Some people are saying that it was better under Saddam because there was greater safety and security. You knew you would be okay so long as you didn't oppose Saddam. Now you have a hundred Saddams. ('Leyla A.', quoted by Al-Ali and Pratt 2009: 79)

What we have attempted to do in this article is demonstrate the ways in which political and criminal violence have converged to create a new landscape of violence as a response to and consequence of the violent overthrow of Saddam's Iraq. Perhaps the most important characteristic of this transformation of violence is the rise of 'dual-purpose' criminality: acts of murder, rape, kidnapping, smuggling and robbery that simultaneously accommodate individual and organizational goals.

The transformation of violence amounts, in many respects, to a return, in a more lethal form, to the tribal politics that preceded the centralized state and have always, to some extent, coexisted with it (Hechter and Kabiri 2008). Rather than protecting livestock and pasture against rival tribes, the new power brokers (tribal sheiks, militia commanders, Islamic clerics and gangsters) compete over territory, oil and other lucrative resources, arms and informal taxation. This is not to say that the conflict is a matter of 'greed' rather than 'grievance'--a misleading dichotomy that encourages an ahistorical analysis of political conflicts (Berdal and Malone 2000; Ballentine and Nitzschke 2003). From the point of view of political leaders, whatever their orientation, crime is a means to a political end; there may be some opportunism involved but the nationalist, religious or geopolitical goals at stake are serious and real. Rather, political conflict creates an opportunity structure in which individuals can use violence for excitement, prestige and profit (Mueller 2004: 9) while at the same time serving the cause to which they attach themselves.

Traditionally, criminology has confined itself to the study of acts that infringe the state monopoly of violence. More recently, the study of state crime has refocused attention on **Brit. J. Criminol. 622* the state as perpetrator of lawless violence. Here, these two fields converge in as much as the perpetrators of political violence are engaged in the process of state-building. Iraq, indeed, is beset by multiple competing processes of state building. Until the 2008 State of Forces Agreement, the United States was actively involved in fashioning a neo-liberal 'democracy' by decree (Whyte 2007). The United States has abandoned its neo-colonial project and conventional state-building now lies in the hands of Al Maliki's Shi'a Kurdish government. If we define a state as an entity that claims a monopoly of violence over a territory, extracts taxes, formal or otherwise, and exerts some form of 'legal' authority over a population, then Iraq, with its powerful religious, secular and tribal militias, can be characterized as comprising a multitude of nascent states. As Tilly demonstrates, historically, the process of state building has been the work of 'coercive entrepreneurs' not easily distinguished from bandits and organized criminals (Tilly 1992).

The question St Augustine so famously asked in *The City of God* is nowhere more applicable today than to post-invasion Iraq: 'Without justice, what are kingdoms but great bands of robbers? For what are robber bands themselves, but little kingdoms?'

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