

The Trial of Tariq al-Hashemi and Iraq's Political Crisis

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Shortly after the United States military completed the withdrawal of its armed forces from Iraq in mid-December 2011, an arrest warrant was issued for Iraqi Vice-President Tariq al-Hashemi on terrorism and murder charges. The charges against Hashemi, a Sunni Muslim who was serving his second term as one of Iraq's vice presidents, created a political crisis in Iraq and generated renewed accusations of sectarianism on the part of the Iraqi government. The allegations also occurred amidst increasing discontent and opposition to the rule of Prime Minister Nuri al-Maliki and his predominately Shi'a "State of Law Coalition" bloc. Together, the Hashemi case and the trend of increasing opposition to the current government constitute a challenge that threatens Iraq's already shaky political stability, and the failure to adequately address these issues will have potentially dire consequences.

The arrest warrant issued by the Iraqi judiciary accused Hashemi and his son-in-law Ahmed Kahtan of running a Sunni hit squad, comprised of members of his bodyguard detail and others, which carried out bombings and other attacks against Shiite targets. The victims of these attacks include Shi'a judges, lawyers and government officials.¹ Upon hearing the charges and fearing for his personal safety, Hashemi fled to the Kurdish controlled region of Iraq, where he received the protection of the Kurdistan Regional Government (KRG) and its president, Mas'ud Barzani. Barzani refused to hand Hashemi over to the Baghdad authorities, on the grounds that it would contravene "Kurdish ethics."² Though this refusal infuriated Prime Minister Maliki and increased tension between Baghdad and the Kurds,³ any operation to detain Hashemi or force the KRG to hand him over to Iraqi authorities would destabilize relations between the Kurds and the central government further. Confronted by its inability to impose their will on the Kurdish leadership, the Iraqi

¹ Reuters, "Iraq vice-president's death squad trial begins," Asharq Al-Awsat, May 15, 2012. <http://www.asharq-e.com/print.asp?artid=id29633>

² Reuters, "Iraq's Kurdish leader refuses handover of fugitive Hashemi," Al-Arabiya, March 16, 2012. <http://english.alarabiya.net/articles/2012/03/16/201083.html>

³ Reuters, "Iraq's Kurdish leader refuses handover of fugitive Hashemi," Al-Arabiya, March 16, 2012. <http://english.alarabiya.net/articles/2012/03/16/201083.html>

government has struggled to find a diplomatic way to apprehend Hashemi, while Hashemi has pleaded his innocence in public and refused to give up his office.

The Iraqi political situation has taken on a more regional and international dimension recently, particularly in the wake of Interpol's issuance of a "red notice" for Hashemi's capture. The communication, which urged international member countries to assist in locating and arresting the accused Iraqi Vice President, grants a measure of legitimacy to the Iraqi government's accusations against Hashemi. However, this directive was immediately ignored by Turkey which, since early April, has hosted Hashemi in Istanbul as an official guest of the government.⁴ Following the KRG's position, senior Turkish officials declared that "Turkey will not extradite someone whom they have supported since the very beginning."⁵ Furthermore, the deputy prime minister linked Turkey's future behavior regarding Hashemi's extradition to a demand for cooperation from the Iraqi government against the Kurdistan Workers' Party (PKK), which operates out of its refuge in northern Iraq.⁶

Hashemi has maintained his innocence and alleged that the accusations were based on the sectarian motivations and political aspirations of PM Maliki and his ruling bloc. As Vice President, Hashemi has opposed many of Maliki's policies, including the continuance and expansion of de-Ba`thification policies and the proposed distribution of oil revenues, and advocated for an increased role for Sunnis in the government and military. All are issues of importance to the Sunni constituency that Hashemi and the *`Iraqiyya* bloc in which he is a senior member, represent. However, the greater threat posed by *`Iraqiyya*, which won a bare majority of seats in the in the 2010 parliamentary elections but failed to form a government, is its ability to form a broad political coalition that is representative of the diversity of Iraqi society, under the banner of Iraqi nationalism. In an interview with *Asharq Al-Awsat*, Hashemi characterized the charges as an attempt "to undermine his national reputation and tarnish him politically so that the arena would be vacated for Maliki, whom he described as not being a man of national accord or reconciliation and a man who does not believe in democracy."⁷

By portraying Maliki as a leader uninterested in national reconciliation, Hashemi has alluded to the sectarian, i.e. Shi`i, nature of Maliki's government. Furthermore, the accusation that Maliki is not a democrat is particularly relevant when viewed in the context of a growing fear in Iraq that the prime minister is attempting to become the next dictator of Iraq. Hashemi stated as much when he asserted that Maliki, in the absence of a tangible American presence, "will seek to consecrate the running of the State by one man and a single party."⁸

⁴ CNN Wire Services, "International alert issued for fugitive Iraqi vice president," May 8, 2012. <http://edition.cnn.com/2012/05/08/world/meast/iraq-fugitive-vp/index.html?iref=allsearch>

⁵ Article, "Turkey will 'not extradite Hashemi'," *New Europe Online*, May 9, 2012. <http://www.neurope.com/article/turkey-will-not-extradite-hashemi>

⁶ "Turkey will 'not extradite Hashemi'," *New Europe Online*, May 9, 2012.

⁷ Shirzad Shikhani, "Asharq Al-Awsat Interview: Iraqi Vice President Tariq al-Hashimi," *Asharq Al-Awsat*, January 1, 2012. <http://www.asharq-e.com/print.asp?artid=id27929>

⁸ Shirzad Shikhani, "Asharq Al-Awsat Interview: Iraqi Vice President Tariq al-Hashimi," January 1, 2012.

Hashemi and others in Ayad al-`Allawi's `Iraqiya bloc are not alone in voicing concern over Maliki's quest to accumulate power and marginalize the opposition. KRG president, Mas`ud Barzani, Ammar al-Hakim, leader of the Islamic Supreme Council of Iraq, and even Muqtada as-Sadr, the radical Shi`i cleric, have all grown frustrated with the political deadlock in Baghdad and worry that Maliki is returning Iraq to dictatorship.⁹

In protest of the accusations against Hashemi, `Iraqiya boycotted the government for six weeks. Barzani has gone so far as to suggest that if Maliki continues to consolidate his one-man rule and perpetuate the political deadlock, then Kurdistan may declare its independence.¹⁰ Muqtada as-Sadr, for his part, called on Maliki to resign "for the sake of the Iraqi people."¹¹

On the 7th of May, leaders from Iraq's political blocs met in Erbil in an attempt to promote national unity amidst the current political feud between the Shi`a-led government, Sunnis and Kurds.¹² The explicit intention of the gathering was to convince Maliki to "consider the other political parties in Iraq",¹³ as there is growing debate, and even fear amongst a segment of Iraqi society over "whether Maliki is planting the seeds for a new one-party, one-leader regime in Iraq."¹⁴ Furthermore, the opposition blocs stated that they would not hesitate to seek Maliki's removal from the premiership if he is unresponsive to their requests, which included instituting a two-term limit for the prime minister.¹⁵

Iraqi President Jalal Talabani, a Kurd, is reportedly using his influence and personal prestige to act as a mediator to resolve the crisis, providing a possible glimmer of hope amidst the deadlock.¹⁶ Talabani did not sign the Erbil agreement in order to maintain his neutrality as a national leader serving as Iraq's president. He met subsequently with Ibrahim al-Ja`fari, the leader of the "National Alliance" bloc, and procured a pledge from the predominately Shi`a group to work to enhance the democratic institutions and processes in the country. It remains to be seen if Talabani will be able to effectively engage `Iraqiya and Sunni political parties.

⁹ Mustafa Habib, "Getting rid of Nouri: PM's critics consider options to remove the 'dictator'," May 3, 2012. <http://www.niqash.org/articles/?id=3042>

¹⁰ Mustafa Habib, "Getting rid of Nouri: PM's critics consider options to remove the 'dictator'," May 3, 2012. <http://www.niqash.org/articles/?id=3042>

¹¹ Ma`ad Fayad, "Sadr calls on Maliki to resign," Asharq Al-Awsat, June 5, 2012. <http://www.asharq-e.com/news.asp?section=1&id=29880>

¹² Ipek Yezdani, "Iraq opposition seeks to replace PM Maliki," Hurriyet Daily News, May 4, 2012. <http://www.hurriyetdailynews.com/iraq-opposition-seeks-to-replace-pm-maliki.aspx?pageID=238&nID=19916&NewsCatID=352>

¹³ Ipek Yezdani, "Iraq opposition seeks to replace PM Maliki," May 4, 2012. <http://www.hurriyetdailynews.com/iraq-opposition-seeks-to-replace-pm-maliki.aspx?pageID=238&nID=19916&NewsCatID=352>

¹⁴ Mustafa Habib, "Getting rid of Nouri: PM's critics consider options to remove the 'dictator'," May 3, 2012. <http://www.niqash.org/articles/?id=3042>

¹⁵ Reidar Visser, "The 9-Point Letter from Arbil," Iraq and Gulf Analysis, May 5, 2012. <http://gulfanalysis.wordpress.com/2012/05/05/the-9-point-letter-from-arbil/>

¹⁶ Hamza Mustafa, "Talabani working to resolve Iraqi political crisis," Asharq Al-Awsat, May 12, 2012. <http://www.asharq-e.com/print.asp?artid=id29596>

Given the fact that the trial of Hashemi has begun *in absentia*, and in light of the Erbil ultimatum's unreasonable, possibly unconstitutional, demands, it appears unlikely that Maliki will be able to placate his opposition.¹⁷ Hence, the current political crisis is likely to further exacerbate already existing tensions in Iraq.

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¹⁷ Reidar Visser, "The Hashemi Trial Begins amid Signs the Iraqi Constitution is Dying," Iraq and Gulf Analysis, May 15, 2012. <http://gulfanalysis.wordpress.com/2012/05/15/the-hashemi-trial-begins-amid-signs-the-iraqi-constitution-is-dying/>