

WE ARE GOING TO PROVE WE ARE A CIVIL AND DEVELOPED COUNTRY: THE CULTURAL PERFORMANCE OF POLICE LEGITIMACY AND EMPIRE IN THE IRAQI STATE

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Possessing a monopoly on the legitimate use of force, police are central to the establishment of state legitimacy, especially in a nation experiencing a radical reconstruction. Employing a multi-method examination of a police training academy in Iraqi Kurdistan, this study investigates how a nascent state attempts to secure hegemony in a post-conflict environment. Drawing upon literature of state legitimacy and empire, findings suggest the reconstruction is better understood as a cultural performance designed to project legitimacy for an imperial client state, helping explain the continued instability of the state and rise of dangerous non-state actors.

Key Words: Iraq, police reconstruction, imperialism, cultural performance

Introduction

Police are famously the actors in democratic society with a legitimate monopoly on the domestic use of force, occupying a central role in the maintenance of social order. Police fill a wide variety of important symbolic and material functions, and while many other actors can provide these, few other than a publicly accountable force are able to bring them together in the legitimized manner necessary for a constitutional democracy (Wiatrowski and Goldstone 2010; Jackson *et al.* 2014; Bradford *et al.* 2014). As such, an account of the police shows not only how a society is organized and managed but how a state develops and reproduces its power.

The present study is a multi-method examination of police reconstruction in Iraqi Kurdistan, designed to expand upon the work of theorists who have pointed to the central role penalty plays in organizing society, such as Garland (1990) who argues these institutions 'play a key role in organizing ruling-class power' (p. 87), and Gramsci (1971) who argues 'every state tends to create and maintain a certain type of civilization and citizen ... and to eliminate certain customs and attitudes and to disseminate others, [and] the law will be its instrument for this purpose' (p. 246).

Combined with an understanding of America's imperial ambitions in the region (Harvey 2003; Gaddis 2004; Go 2007), this study seeks to understand how a state attempts to secure consent and legitimacy in the context of radical reconstruction. Findings suggest that within a context of limited planning, an unstable government and exploding crime rates, United States and coalition forces followed neither myriad theoretical nor practical lessons on police reconstruction, instead adopting a highly militarized cultural performance (Garland 1990; Alexander *et al.* 2006; Kern 2009). Police in Iraqi Kurdistan attempt to secure legitimacy through the cultural performance of three overlapping tactics: instilling confidence through symbolic displays of militaristic discipline, motivating reticent recruits with an emphasis on protecting the

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homeland from the constructed other and emphasizing a rhetorical separation from the past regime's violence and intimidation.

Police and the Modern State

Scholars have established the state's assertion of sovereign power over law and order as a key factor in state building (Tilly 1985; Garland 2001; Simon 2007) and examined the historical development of police to the stability of emerging democracies (Goldsmith and Dinnen 2007; Bayley and Perito 2010). Yet few examine training and implementation as they occur, with some (Bayley and Perito 2010) arguing direct observation is impossible. As such, extant literature leaves unanswered a host of questions regarding exactly *what* and *how* police are trained for in post-conflict scenarios, especially in non-Western contexts (Hills 2014; Jackson *et al.* 2014). Expanding this literature to include how police are trained to understand their roles and expectations is imperative, as police 'show in concrete terms for whom and in what matter governmental power will be used' (Bayley and Perito 2010: 152), with the strength of a democracy and the quality of life enjoyed by its citizens in large part due to the ability of police to effectively and legitimately discharge their duties (Bradford *et al.* 2014).

This is especially important as the modern capitalist state functions not only for the provision of peaceable operating conditions through the monopolization of legitimate violence but also plays a powerfully originative role in creating social norms and relations of production (Gramsci 1971). Punishment does not merely echo cultural values, but 'the law and its sanctioning practices play an independently constructive role in the creation of a cultural order' (Garland 1990: 266), as implicit in every exercise of penal power is a conception of the social order punishment is trying to protect.

Gramsci argues crises such as the one Iraq is experiencing 'create a terrain more favorable to the dissemination of certain modes of thought, and certain ways of posing and resolving questions involving the entire subsequent development of national life' (1971: 184). The dissemination of these new modes of thought is often projected through the employment of cultural performance (Kern 2009), a social process serving to 'create and generate fundamental values and beliefs' (Goodman, 2006: 169). The cultural performance of penal rituals is intended to 'manipulate symbolic forms as a means of educating and reassuring their public audiences' (Garland 1990: 69). The term 'cultural performance' is employed to describe the process by which actors project meaning to others while acknowledging the said meaning 'may or may not be one to which they themselves subjectively adhere; it is the meaning that they, as social actors, consciously or unconsciously wish to have others believe' (Alexander *et al.* 2006: 32).

This study further draws upon Harvey's (2003) conception of 'capitalist imperialism', viewing contemporary imperial aggression as a mixture of 'politics of state and empire' on the one hand and 'molecular processes of capital accumulation in state and time' (p. 26) on the other. Go (2011) further argues 'empire' is better understood as a series of 'imperial functions', those sets of 'relations and forms involving multiple tactics, policies, practices, and modalities of power' (p. 12). The concept of 'imperial functions' allows researchers to focus on the empirical, observable behaviours that constitute the realities of empire, comparable to Burawoy's (1998) method of locating social processes at the site of research, tracing the source of small differences in research sites

to external forces. An examination of police training in Iraqi Kurdistan, with its historically unique emphasis on performance of regimented discipline and a rhetoric of human rights paired with militarized training designed to prepare recruits exclusively for the coercive use of force, allows us to understand how the cultural performance of legitimacy masks imperial ambitions of the United States.

Iraqi Kurdistan as Ideal Site for Studying the Cultural Performance of Empire

The democratic state has two fundamental needs: legitimacy, in the eyes of citizens and other nations, and effectiveness, in services rendered (Call 2011). Policing is thus a key institution, as legitimacy depends in large part on effectiveness, which in turn rests upon the ability to provide safety and security (De Vries 2002). This is especially salient in this case, as effectiveness is a significantly stronger predictor of trust in police in conflict nations than traditional markers such as procedural fairness (Jackson *et al.* 2014). Police throughout Iraq are attempting to wrest the functions of crime control and order maintenance away from a variety of competing parties, ranging from the private security of political parties, privatized protection militias, the Iraqi army and coalition forces and powerful non-state actors such as *D'aesh* (known as ISIS in English). In this push to position themselves as the monopolizers of domestic force, Iraqi Kurdistan becomes an ideal location to examine our understanding of how police and the state attempt to establish legitimacy.

By the time coalition forces reached Baghdad in 2003, nearly all government ministries had been destroyed, in addition to rampant looting and the destruction of large swaths of private and social infrastructure. The reconstruction process has not been one of simply tweaking several institutions but instead an attempt to recreate nearly all aspects of Iraqi government, economy and society. This provides an incredibly fertile site for studying the *creation* of a status quo to examine how the structures and practices of hegemony are enacted in real time.

In direct contradiction of both academic and applied literature (Deflem and Sutphin 2006; Goldsmith and Dinnen 2007; Wisler 2007; Bayley and Perito 2010; Özerdem 2010), the United States initially sent only a few hundred advisors to work with a police force numbered well over 100,000, meaning training was neither intensive nor in depth, and an emphasis on force generation led to predictable quantity-over-quality problems (Jones 2007; SIGIR 2013). Early neglect led to Iraq going from one of the lowest crime rates in the world to one of the highest, proving a serious roadblock to establishing state legitimacy (Özerdem 2010). The year 2006 was dubbed the 'Year of Police', as coalition partners made a major push to generate capacity and stabilize the young force, which combined with the 'surge' of the late years of the Bush presidency, did lead to some successes for police (Dodge 2009).

However, much of this success stemmed from essentially purchasing support of recalcitrant actors through creating forces such as Awakening Councils, quasi-private militias typically comprised of former insurgents. These gains are likely temporary, as the risky strategy of co-opting quasi-military organizations may simply end up strengthening one side of a civil war (Dodge 2008), while the government's unwillingness to integrate former insurgents into security forces may end up driving many back to insurgency (Green and Ward 2009). Despite attempted reforms, police remain seriously

underfunded and understaffed, with significant problems of corruption, abuse and sectarian divides (Dobbins 2009; Filkins 2014; Kirkpatrick 2014).

Importantly, reconstruction of Iraqi police was placed under the auspices of the Department of Defense, an unprecedented historical first (Dobbins 2004; Jones 2007), as previously reconstruction programmes were guided by a joint effort of the Departments of Justice and State. The problems associated with the shift to the Department of Defense are both practical and theoretical. Practically speaking, the military has neither the capacity for institution building nor requisite knowledge of proper policing practices, and the move away from militaristic models has proven to be a crucial reform in past success (De Daniell 2011; Özerdem 2010). On a theoretical level, the two models are incompatible. A military requires strict discipline and adherence to orders, while police strategizing is based on high levels of discretion and individual problem-solving. The coalition's own report on police progress found them better trained in counter-insurgency tactics than civilian policing (Jones 2007), despite consensus that using 'officers as second-tier soldiers works against every principle of democratic policing' (Wiatrowski and Goldstone 2010: 87).

Of course any attempt to reconstruct a state after an extended period of dictatorial rule is necessarily a challenging process. Police had long been used as a political apparatus, and most of the populace has 'no modern experience with federalism, and considerable skepticism toward it' (Dobbins 2009: 147). Yet beyond such limitations, myriad well-established lessons were ignored, from proper training, to vetting of applicants, to levels of funding and equipment (Goldsmith and Dinnen 2007; Bayley and Perito 2010). In fact, 'had the White House sought to integrate lessons learned during the various nation-building efforts of the 1990s, many early missteps in Iraq could have been avoided' (Dobbins 2009: 64).

This study utilizes data collected in Sulaimaniyah, the intellectual and cultural capital of the Kurdistan Regional Government (KRG), the semi-autonomous region of Northern Iraq. Although a majority of the population is Kurdish, there is a sizeable minority of displaced persons from greater Iraq. Kurdistan provides a partial glimpse into Iraq; Kurds comprise 15–20 per cent of the population but are an ethnic group distinct from the Arab peoples who largely populate the rest of the nation, and the region has experienced less violence while maintaining a relatively vibrant economy (Green and Ward 2009). Although most Kurds favour independence, a variety of concerns makes that unlikely, not the least of which being Kurds are central to the American project in Iraq (Filkins 2014).

These factors make the KRG essentially a best case scenario for studying the development of policing within the Iraqi state: the region is relatively safe, stable, prosperous, and welcomes the presence of the United States. Additionally, Kurds represent one of the most organized political entities in the nation, and their support is essential for the creation of a democratic Iraqi state (Nuruzzman 2010). Simply put, nowhere in Iraq provides a better opportunity than the KRG for the US forces to successfully implement the training process they want.

Lessons on police reconstruction from past efforts and theory

Over the previous two decades, international coalitions attempted to reconstruct police forces in over a dozen nations. The United States has led six of these, Iraq being the

fifth such project in a majority Muslim nation (Dobbins 2004). While the results of these experiences are mixed, they have produced a wealth of scholarly material on best practices (Goldsmith and Dinnen, 2007; Wisler 2007; Bayley and Perito 2010; Özerdem 2010).

Chief among these is the importance of training; emphasis must be on quality over quantity, as rushing to put out officers leads to corruption, brutality and a force unlikely to maintain democratic law or order (Bradford and Quinton 2014). While state building requires a ‘convergence of priorities of the international community and local stakeholders, and familiarity with local practices and stakeholders’ (Sahin 2007: 254), the process throughout Iraq has involved little consultation with local stakeholders; rather, it has been a top-down process informed by neither previous scholarship nor local knowledge. Beyond the technical problems this approach brings, it also begs the question of for whom this police force is being reconstructed, as ‘it’s not criminal conduct that determines policy, but how elites view “the crime problem”’ (Garland 1990: 11).

As it stands, little of the training makes sense as a response to realities of crime and public order and contradicts both precedent and best practices. This begs the question of what makes this particular case so different than previous reconstruction efforts; why did the United States and coalition forces eschew nearly all prior lessons in favour of a radically different paradigm? Surely expediency is partially responsible, but it would have been just as expedient to ignore such lessons in many other post-conflict police reconstruction scenarios. Furthermore, police reconstruction has not previously taken on this highly symbolic, performative form. What is it about the reconstruction of the Iraqi state that has prompted this unique form of police training?

The training process begins to make sense when placed in an understanding of empire; Iraqi police need to not only project legitimacy to the Iraqi people, but to the American public as well, to secure support for the massive expenditures required as well as for the legitimacy of the imperial project itself (Harvey 2004). This explains, for example, why coalition forces were insistent on the creation of an Iraqi constitution long before the state could be said to be functional; the push by imperial powers for constitutions in client states serves as a cultural performance establishing the stability needed for bourgeois economic interests as well as projecting the legitimacy of the new state (Harvey 2003). This need to project legitimacy similarly helps explain why police training takes the form discussed below; the cultural performance of legitimacy is necessary for audiences both domestic and foreign, while the militarized capacity for repression is necessary for the smooth functioning of empire.

Data and Methods

Data collection took place in the spring of 2011 at the Sulaimaniyah Police Lead Training Academy. Founded in 2003 by the United States, it is one of six regional training centres in Iraq and has, as of 2011, trained over 35,000 police, accounting for roughly one-fifth of all Iraqi police. While originally all training was conducted by American advisors, instruction is now conducted by local police trained by American and coalition forces. While I was unable to gain access to original training materials due to their closely guarded proprietary nature, trainers claimed to follow them to the letter, and student questions as to why a certain act was performed in a certain way were often met with the answer ‘because the Americans do it that way’. Additionally,

the ongoing supervisory presence of American advisors makes it unlikely the training programme would be modified to a significant degree without the knowledge and/or consent of American forces.

The presence of American trainers is felt throughout the academy and the training process. In addition to being founded by Americans, several buildings had plaques in English bearing unmistakably American names, and the main court was marked by three flags, representing the joint efforts of the Government of Iraq, the KRG and America. The offices of many high-ranking officials featured bald eagle sculptures, American flags and other trinkets received from advisors, and most trainers had commendations on their office walls in English bearing the American flag. One Lieutenant proudly summed up the shift from a coalition academy to a local academy by noting how the commendations on his wall go from having three flags (American, Iraqi and KRG) to only having the Iraqi and KRG flags. Nearly all personnel I met went out of their way to express their admiration for American officials, and many referred to the American trainers as their fathers to demonstrate their deep respect.

Over 20 weeks of direct observation of training were conducted, covering the training of two cohorts, comprised of roughly 130 students, as well as three rapid training courses of six to eight students apiece. Courses were attended four days a week for the entirety of 'theoretical' training each day, usually about three hours. In addition to the academy, police were also observed at major demonstrations occurring daily in Sulaimaniyah for a period of roughly three months. The demonstrations, loosely a part of the Middle East Spring of 2011, were attended by thousands, centring on calls for an end to corruption and the de facto two-party ruling system.

Ethnographic observations were supplemented with intensive interviews by trainers and students at the academy. Forty-eight interviews (37 with staff and 11 with students) were conducted, with an average of 37 minutes per interview. All interviews and ethnographic observations were conducted with the assistance of a translator. While I am conversational in Arabic, for a variety of reasons, most respondents greatly preferred speaking Kurdish. However, this particular dialect (Sorani) is exclusively spoken in this region, and there are few English-to-Sorani texts or programmes, thus necessitating the use of translators. To ensure accuracy in translation, randomly selected audio recordings and written materials were double-checked by a second translator.

Fieldwork and interviews consisted of what is termed 'ethnographic discourse analysis' (Chouliaraki and Fairclough 1999), an approach seeing discourse as embedded in various forms of everyday practice, giving theoretical weight to the habitus of the individual and rejecting the split between discourse and practice, viewing both as integral to producing the material world. This allows the researcher to place observations within the bounds established by discourses of those rich in economic and social capital and analyse how the words and actions of those studied serve to reproduce or challenge those discursive boundaries. As such, data were open coded inductively, allowing themes to emerge organically from the sources themselves (Glaser 1992).

The training process

Before discussing the findings of this study, a brief description of the training process is necessary. Importantly, training directly contradicts most existing scholarship

(Goldsmith and Dinnen 2007; Bayley and Perito 2010; Wiatrowski and Goldstone 2010). This in itself is not particularly unusual; policy transfers regularly eschew empirical evidence in favour of the ideas of a 'policy entrepreneur' such as the United States (Jones and Newburn 2006; Ellison and O'Reilly 2008). What is unique is police training as a cultural performance (Garland 1990; Alexander *et al.* 2006; Kern 2009) of legitimacy marked by the overlapping tactics of symbolic displays of militaristic discipline, an emphasis on protecting the homeland from the constructed other and a rhetorical separation from the past regime's brutality.

On paper, training is short but intense; courses run for 45 days, during which recruits are taught important basics of policing. Each day is to follow a standard schedule: breakfast at 6 am, calisthenics at 7 am, a short break before 9 am uniform inspection, philosophical and practical training until noon, an hour for lunch and a return to training activities at 1 pm lasting until the academy closes at 3 pm. The reality of training, however, rarely matches these ideals, whether in terms of time, duration or content.

In truth, what is *not* said and done at the academy is more revealing than the actual instruction that transpires. Training does not simply omit a few key lessons, but rather ignores the very fundamentals of policing, despite their widespread availability and the United States' own history of police reconstruction. Additionally, the truncated training period does not leave adequate time to impart desperately needed lessons. This is keenly felt by police themselves; a trainer of weapons and tactics complained the current schedule is criminally short, insisting students need at least a year of training. This opinion was shared by a local Assistant Director of emergency police, who lamented the abbreviated training period leaves recruits so ill-equipped for police work they have to be trained again upon starting the job.

It is not simply calendar duration in which the process does not meet stated ideals but also time spent each day on training. Lessons begin around 9 am and last until roughly noon, and while the academy theoretically resumes operations after lunch, in practice trainers use the hours after lunch to nap or simply leave for the day. These inconsistencies stem not from trainers being lazy or irresponsible but instead exemplify one of the many problems of trying to forcibly import a literally foreign Weberian bureaucratic rationality that was neither requested nor desired (Ellison and O'Reilly 2008). As is common in desert locales, the traditional workday starts before sunrise, with a break midday when the weather is unbearable and a resumption of work after the heat has broken. Yet in a recurring theme, the American advisors who established the academy were either ignorant of the traditional working schedule or chose to ignore it.

In addition to the full courses, there were also several 'rapid courses' given at the academy. These last only a week, taking place during emergency situations when reinforcements are needed. Theoretically, after the emergency is resolved, rapid course graduates are to join the next full course. Yet in practice, discussions with rapid course graduates revealed they either sat in for a few lessons with a full course or simply never received further training. The instructor of the rapid courses insisted these students received several weeks worth of training per day (they spent the same amount of time in training per day as those in the full course) but did grant that they only focus on the 'most significant points': saluting, marching and weaponry. Setting aside whether these can be adequately learned in a week, this points to a problematic understanding of the key components of policing.

The dominance of symbolic displays

The vast majority of training time is dedicated to presentational matters with little application to democratic policing. Here again, the story is about what was *not* observed, as most all other aspects of policing were ignored. This is especially salient, as ignoring the important support functions police perform has a significantly negative effect on reconstruction efforts (Wisler 2007). A prime example of this dedication to presentational matters is the extent to which formation marching dominates the training schedule, occupying just under half of the entire course. Closely following in terms of time and focus were saluting and presenting arms, each receiving multiple weeks of training time. All together, marching, saluting and presenting arms account for roughly two-thirds of the training period.

Although one can argue the merits of learning formation marching, the time given for repeated practice of movements was fairly perplexing. This was a point felt keenly by students and staff; one trainer complained these impede practical lessons and could be taught in a day or two in his estimation. A student training to become a traffic officer echoed these concerns, saying nothing in the course was applicable to him and that he was taught ‘nothing on how to investigate accidents, nothing on how to talk to or deal with people’.

A major criticism of giving the police reconstruction project to the Department of Defense was that instead of a democratic police force, they would create an auxiliary army (Jones 2007). This military influence was readily evident in the marching and saluting as well in how heavily armed police are. Iraqi police, with few exceptions, have both an AK-47 rifle and a Glock 9mm sidearm. Trainers dress in a camouflage of blue and black, while recruits wear basic khaki; all wear gleaming black military-style boots. Yet the influence is felt far beyond uniforms and armaments, as military matters dominated the discourse at the academy. Instructors exhorted students to perform actions with ‘military discipline’ in the ‘proper military style’. The necessity of military preparedness was often used to justify aspects of training; for instance, when I asked the instructor in charge of the shooting range why students aim at the head and chest of targets when they’re taught in lessons to shoot below the waist, he explained this is ‘training for war’, and as such, doesn’t follow normal rules. The terms ‘criminal’, ‘suspect’ and ‘terrorist’ were used interchangeably, and discussions on how to identify criminal behaviours were dominated by concerns of terrorism.

Whereas the practical inability of police to quell the insurgency is self-evident, a Gramscian (1971) understanding of political warfare demonstrates the fallacy of asking police to fulfil military roles. In a traditional military war (a war of manoeuvre), to achieve victory, it is enough that one side of the conflict proves they *would* win were the war fought to conclusion. However, ‘political struggle is enormously more complex’ (p. 229), as it is in political struggle (a war of position) that one must win the ‘hearts and minds of those they seek to govern. For the state to gain legitimacy, police must be involved in a war of position, not manoeuvre. Employing police in a war of manoeuvre all but guarantees they will be moulded into a politically repressive force concerned with pacification and dominance rather than a dispassionate force of rationalized state bureaucrats.

Unfortunately, the practical training students receive centres on fighting a war of manoeuvre. The sweeping of a car or house for ‘militants’ and aggressively subduing

them is the only training students received that could even generously be called police work, despite being more akin to counterterrorist military tactics. Pulling over a vehicle requires a platoon of nine police, each with a specific duty. Two students are volunteered to be the ‘terrorists’ who will be pulled over, two other students take the role of driver and commander in the cab of the police truck and seven more students pile in back. The student riding in the passenger seat takes the role of commander and shouts orders at the suspects and other police. After ordering the suspects to stop, the seven students in the back of the truck quickly pile out and man the perimeter. The two students in the cab stand behind their opened doors with their pistols drawn. At this point, the commander orders the suspect driving the car to turn off his car, put his keys on the roof, open the door and begin backing slowly towards the police truck (suspects are made to walk backwards so they cannot identify and take revenge on the police arresting them).

The handcuffing and pat down process is quite involved and aggressive. Once cuffed, the officer puts their hand over the suspects’ face, pushing up on their nose with the area of the hand between the thumb and forefinger, turning the suspects’ head to the side and allowing the officer to run their other hand down the length of the suspects’ body to feel for weapons and contraband. Throughout the process, trainers exhort students to ‘not be soft with them’ and demand physical domination. The lead instructor notes that while police have two types of handcuffs (metal and plastic zip-tie) and both have their uses, it’s preferable to use metal for the more intimidating sound and feel.

Sweeping a house is a similarly involved process. The idea is to take the house by surprise with a quick strike of military precision. In this scenario, the truck stops far away from the house to preserve the element of surprise. After the engine is cut, officers pile out and form a single-file line in which each person’s rifle is held the opposite way of the person in front of them to maintain security in every direction. As police arrive at the house, they split into two platoons. Four take up position at each external corner of the building to set a perimeter. Five go inside, with a commander in charge of visually sweeping each room, with one officer responsible for watching the commander’s back. Another officer is assigned to specifically watching the windows, while the two remaining officers are there to make arrests and help establish perimeters.

Earning a living or defending the homeland?

Given high unemployment rates and lax requirements for joining, it is unsurprising that by far the most commonly stated reason for becoming police was a simple need for employment. As government work is the most stable and easiest to access form of employment, most respondents’ stories centred on their inability to get into a different, better paying ministry. Kemman¹ notes ‘most people nowadays are going to graduate from university, but maybe they do not have any opportunity in the other ministries to be employed. So they decide to become police’. Haydar agrees, noting ‘the police field is not such an interesting job’, thus many join because ‘they are obliged to do so’ for financial reasons. Many police were clear they not only did not want to be police but are actively searching for other opportunities. When asked why they joined, many gave

¹ All names of research participants have been changed for the sake of anonymity.

answers similar to Berham who shrugged and casually noted ‘it’s not my interest to be police. It’s just for the sake of making a living ... I do not consider myself police’.

That policing is a last resort or stopgap measure for most is evident in how openly recruits speak of wishing for a different career or only turning to policing when all other options had been exhausted. Peywan spoke of working construction before joining, viewing police work as a way station rather than a profession: ‘I couldn’t continue on in that difficult job, so I gave it up, but not forever. I am now here to be police, but sometimes will do that other job’. Chamal underscored this point by relating a common bit of advice to the unemployed; ‘those who were jobless, people said to them “go be police,” and they would be received’.

This simple need for income and lack of interest in the job create a situation in which there is little incentive for police to remain on the force in the face of most any other employment opportunity. It furthermore strongly suggests police themselves don’t necessarily see the police as a legitimate institution. This is significant, as self-legitimacy has been found to be crucial for effective police performance (Johnathan-Zamir and Harpaz 2014). Perceptions of self-legitimacy, fuelled in large part by how strongly individual officers identify with the organization, greatly dictate officer behaviour; those with a weaker sense of self-legitimacy are more sensitive to provocations and more likely to use force, contrasted with officers more confident in their legitimacy who express more support for procedurally just policing and the rights of suspects (Bradford and Quinton 2014). The lack of self-legitimacy will likely continue to spur high rates of personnel turnover and desertion (Deflem and Sutphin 2006; Morris and DeYoung 2014) and a force highly vulnerable to attacks challenging its legitimacy and capacity. This is especially concerning, given that when police forces falter in legitimacy or capacity it tends to be a strongly autocratic military force that fills that void (Sahin 2007; Wiatrowski and Goldstone 2010).

Although there was no interview in which it was not mentioned, money was not the sole motivating factor in the decision to become police. A significant minority of respondents expressed a desire to protect the homeland, exemplified by Rubaad, who argued there are two reasons people join: ‘The first and the preferred one is to serve our country and protect our country and people. The second is for providing for his life through salary’. Many spoke about a desire to keep the nation, and specifically the KRG, free from outside interference. Three neighbouring states (Iran, Syria and Turkey) have sizeable Kurdish populations in positions of antipathy with their respective governments, and the KRG and central government of Iraq share an oft-contentious relationship. Ramyar is a good example of this perspective, saying ‘personally, I became police for the sake of serving and protecting our people’s rights so no one and none of our neighbors can interfere with our people’s affairs’.

While this line of reasoning appears more noble than joining for a pay cheque, it is similarly problematic, as it is specifically and intentionally *not* the job of police to defend the nation from outside forces. This desire to protect against ‘outsiders’ is significant in revealing who these police see themselves as and who they see themselves as serving. Iraq is still a very weak federation; although Iraqis of all walks of life are likely to view themselves as Iraqis (Moaddell et al. 2008), it is far from clear this means they identify with the Iraqi *state*. Among interview respondents, a majority identified as some mix of Kurdish and Iraqi. While an incredibly complex question to answer, it was clear that to the extent Kurdish police identify with the Iraqi state, it is more because they recognize

current political reality than it is seeing themselves as full members of Iraq. The myriad answers, and the struggles many had putting them into words, indicate what a complex position the Kurdish people are in, especially for those so closely connected with the Iraqi state. Ramyar highlights the tension in understanding their identity in saying ‘I’ve got Iraqi nationality and Iraqi ID, but we are Kurds and we are living in the Kurdistan region. We have our government, our Kurdish government. But we are living in the federal Iraq, the flag outside will be the eye witness of it. We are Iraqi, but we are Kurds living in Kurdistan’.

The question of how these police identify is interesting not only because they occupy such a unique position in regard to the state but also because developing a national identity is a fundamental necessity of state reconstruction. The tenuous loyalty of police is important not only for how this might affect their performance but also for the insights granted into the attempt to build a legitimate state. Police are not a random sampling of the population, but rather a group of persons who have chosen to align themselves with the state (albeit rather tenuously in many cases). Yet within this group, there is only a weak connection to the state, and many grant little legitimacy to the central government. If the state cannot successfully establish legitimacy with those who are paid to be its representatives and enforce its dictates, it seems highly unlikely it will be able to sway the greater public to its side. This is very much in line with previous work finding police throughout the nation exhibit low levels of loyalty to the Iraqi state, instead remaining loyal to familial clans or militias (Dobbins 2009; Pianin 2014).

Rhetorical commitment to rights, practical commitment to pacification

Publicly differentiating the new force from its repressive predecessor remains a major obstacle for all Iraqi police (Smart 2011; Kirkpatrick 2014). Surprisingly, many students and trainers were willing to admit Saddam’s police performed some aspects of the job well, but all clearly pride themselves on being a more professional and democratic force than that which preceded them. Specifically, through emphasizing a non-violent, service-oriented version of policing, they hope to replace the image of police as violent thugs to be feared with one of a gentler, respectful force.

While even those who found some positives in Saddam’s police made sure to condemn them, several noted the previous force *did* control crime. Hiwa is a good example, noting ‘at that time, when someone had his or her home robbed, the police came to you and were going to search and investigate the stealing. So in that case they would help you. But generally ... they were a suppressive organization’. However, many were content to simply disparage the police under Saddam. Majid calls those police ‘totally corrupt. Maybe they have done something good or something positive, but they have also done hard and bad things’. Ali agrees, saying ‘they haven’t done anything good at all. They deserve [us] to talk about their badness forever. It is not enough to talk about their badness for 2 minutes’.

Respondents were much more loquacious in explaining what differentiated them from the previous force. The most common difference cited could be respect: for the public, the law and human rights. Mohammed notes ‘the first difference is that now if police are going to arrest a suspect, they are going to practice all human rights, not violate the criminal’s rights. They consider him a person and a human being’.

Jalal argued that police under Saddam ‘attacked innocent people and criminal people equally. They were going to burn wet and dry together. They didn’t work with the human rights articles’. Dilsad believes this lack of respect caused a rift between the police and the public, something only now being overcome because ‘they were practicing Saddam Hussein’s principals and laws, they were not practicing human rights. Now we are practicing human rights and protecting people from every danger, and police now are mixing with the people and visiting with each other’.

It was clear for most respondents a major aspect of demonstrating respect comes from being non-violent and that this aversion to violence was not only good practice but a way to separate from their predecessors. As Nazdar explained, ‘I’m always going to teach my students they should treat people peacefully and in a very calm way. Police should try to make more beautiful these bad clothes that had been left by Saddam Hussein’s regime’. Several respondents made it clear this restraint was to earn legitimacy from the public, best described by Hejar, who noted ‘if you are going to behave and treat the criminal or suspect [respectfully], at that time, people will understand what is the police. We are going to prove that we are a civil and developed country’.

However, as regular accusations of police brutality attest, this restraint and non-violence is not the norm among police in the KRG (Smart 2011) or wider Iraq (Chulov and Hawramy 2014). Police behaviour at the demonstrations serves as a prime example of how their rhetorical commitment to non-violence is contradicted by their actual behaviours. From the beginning, demonstrators were met by an enormous security presence; an emergency situation was declared and activity at the training academy was suspended as all qualified officers were pulled from training duties and sent to police the demonstrations. The KRG even declared the first curfew in the region since the ouster of Saddam (Asaad 2011). Security forces regularly opened fire on demonstrators, leaving hundreds injured and at least ten dead.

The final crackdown ending the demonstrations began with criminalizing all demonstrations and was quickly followed by a massive increase in security forces. Local television reports estimated the number of security forces at 10,000, and while there is no way to verify this number, there were so many security personnel in the market that they ran out of proper equipment, forcing many to be armed with lengths of PVC pipe for batons and slingshots with marbles in place of rubber bullet guns. Every night at dusk, scores of military trucks loaded with security personnel would come streaming into the market and anyone who had not yet vacated the area could expect arrest, beatings or both. This gradually became a ban on any form of gathering at the square, and any group of men wandering too close could expect a forceful reaction from security forces; dozens claiming they were only in the market to shop were beaten and arrested. At the end of each day, after most people went home in observance of the curfew, the market would be littered with marbles, spent bullet casings and scattered pools of blood.

At the academy, students often asked about the demonstrations, especially regarding what constitutes a proper level of force. According to trainers, it was illegal for security forces to use slingshots and marbles, and the use of guns completely forbidden. The students were urged to show much more restraint should they be in that position, even if yelled at or pelted with rocks. Yet unofficially, trainers displayed a cavalier attitude towards the levels of force deployed. As I arrived at the academy one morning in late April, staff were being loaded onto a large bus and seemed to be having quite a good

time—smiling, laughing, waving farewell to their comrades, etc. Thinking they were heading somewhere fun, I asked a Lt. what the occasion was, and he replied with a chuckle ‘Oh, we’re going to the *bazaar* to crack some heads and then we’ll be back’.

The heavy-handed tactics used at the demonstrations not only danger the legitimacy of official police doctrines but also threaten the fundamental basis of the force’s legitimacy. Yet recruits are not given any sort of meaningful preparation to weigh such important matters, despite widespread consensus that ‘police training programs that fail to focus on institutionalizing democratic policing as their central goal do more to undermine than to promote progress toward stable democratic governance’. (Wiatrowski and Goldstone 2010: 79). Although the public may not be aware the actions of police and security forces were illegal, much of the public felt them to be inappropriate and guided by political, not legal, concerns (Zulal 2011). This is important not only for the prospects of legitimacy for the force, but the larger state as well, as Gramsci reminds us ‘lapses in the administration of justice make an especially disastrous effect on the public: the hegemonic apparatus is more sensitive in this area, to which arbitrary actions on the part of the police’ are especially notable (Gramsci 1971: 246).

Analysis and Theoretical Implications

Contemporary Iraq serves as a powerful example of failing to recognize the important role of police in achieving state legitimation. It is precisely because so many actors *could* fill the weighty symbolic and practical functions of police that demonstrates their centrality, as it is clear none of these other actors are motivated by the goal of a legitimated democratic state. Given the immediacy of crime in a nation facing unprecedented levels of it (Özerdem 2010), and the status of police as such obvious and visible representatives of the state, the crime control and order maintenance functions of policing become especially important. Indeed, it is difficult to imagine an already stable, developed state maintaining legitimacy for long with its policing functions filled by a multitude of distinct, unconnected and often hostile private interests.

For current police, the view of them as weak and corrupt (Kirkpatrick 2014; Pianin 2014) affects their legitimacy in the eyes of both the public and of other important authorities. The continued problems with the reconstruction mean Iraqis have little incentive to shift their identification and loyalty to the central Iraqi state. As this case demonstrates, even those who have voluntarily become state representatives see little legitimacy for the police or larger state. Without a legitimated state drawing both the material and ideological support of the populace, the current tenuous federalism is likely to schism and threatens the entire state-building project (Nuruzzman 2010).

Policing’s role in the informal empire

Much as Erikson (1966) argued the failures of the American criminal justice system are so fundamental as to force the question of whether its stated aim of crime control was ever its purpose, the significant failures of the coalition forces one to question whether a fully realized democracy in Iraq was ever the goal. Police training programmes have long been central to nation-building efforts led by the United States, as police serve ‘key political and ideological functions in providing the internal security and order

deemed necessary for the implementation of liberal-capitalist development plans' (Kuzmarov 2009: 193). Such police aid and training programmes have long prioritized surveillance-targeting subversives, with trainers turning a blind eye to abuses as long as economic and political interests were protected (Go 2007; Kuzmarov 2009). Thus, instead of instilling democratic police forces, these programmes serve to modernize the repressive apparatus in client states.

Those instituting the training programme ignored nearly all previous knowledge on police reconstruction. Although not having data to speak to how much the training process may have been altered or adapted by indigenous training staff, the extensive and ongoing involvement of American and coalition advisors makes it unlikely the process is significantly different than envisioned by its architects. In combination with evidence the United States wants to use Iraq to transform the Middle East and establish a string of friendly proto-democracies (Gaddis 2004; Dobbins 2009; Go 2011), this helps explain why militaristic cultural performance is prioritized to the detriment of training and education regarding law or rights; an intense focus on outward appearance at the expense of substantive lessons makes sense when viewed as masking imperial ambition and attempting to project a legitimacy police do not enjoy.

Iraqi police currently cannot fill the state-making roles central to Tilly's (1985) classic taxonomy, as there are too many non-state actors who can run the protection racket. Many do not turn to the state when victimized by crime, but instead to one of these non-state actors, as without a monopoly on crime control and the legitimate use of force, there are few motivations for 'sub-state groups to shift allegiance and salience of identity to the national level' (Allen 2010: 423). This process has played out repeatedly, as various militias have used their ability to control crime and provide basic necessities as a way of consolidating power. For instance, despite overwhelming disapproval, *D'aesh* has found success through the provision of security and much-needed amenities (Chulov and Hawramy 2014), and reports of similar strategies in Afghanistan and elsewhere (Braithwaite and Wardak 2013) suggest this is not a process isolated to Iraq. This helps to contextualize the training process; being unable to successfully combat such groups materially, police training instead prioritizes the symbolic performance of legitimacy and effectiveness.

With police themselves, the United States mistakenly *assumed* loyalty to the new state rather than undertaking the necessary work to build it; a fundamental early coalition mistake was assuming the previous force would remain on duty following the overthrow of Saddam's government, instead of abandoning their posts as they actually did. Throughout Iraq, many police have joined not out of loyalty to the state but to receive weapons and money to fuel their fight against the new government (Kirkpatrick 2014). As this study demonstrates, even Iraqi Kurds, who have far and away the highest levels of support for the coalition (Moaddel *et al.* 2008), hardly identify with the Iraqi state, and many view the central government with great suspicion.

Garland (1990) argues modern penalty should be thought of as a cultural performance expressing 'a definite sense of how social relationships are (and should be) constituted in that particular society' (p. 276). The findings of this study suggest the cultural performance of police in Iraqi Kurdistan obscures a reconstruction project far from democratic. A Gramscian understanding of the role of historical blocs in the construction and maintenance of hegemony helps explain this process; no ruling class can assemble a successful historical bloc without securing a diverse social base, but

resistance and social polarization of the kind found in Iraq lead to ‘a new “politics of exclusion” in which the problem of social control becomes paramount and coercion plays an increasingly salient role over consent’ (Robinson 2005: 12). Hence the heavily militaristic nature of police training and their behaviour at the peaceable demonstrations; a client state does not need a police force that ensures or even understands democratic rights, but rather one strong enough to deter major disruptions to the social order.

Similarly, the idealistic yet ultimately empty rhetoric concerning human and civil rights is explained by Gramsci’s classic conception of the state as ‘hegemony protected by the armor of coercion’ (1971: 263). Clearly the *discourse* of human rights and the respect of citizens are of utmost importance; they were constant refrains in training exercises and interview responses, and many respondents spoke directly of how a respect for human rights would separate them from the past regime and legitimate them in the eyes of the citizenry. Yet what these police are actually trained for are not the types of legitimated behaviours that earn consent but rather the militaristic coercion necessary for when hegemony is threatened. The behaviour of police at the demonstrations can likely be traced to this fact; although police acted inappropriately, it can’t be said they contradicted their training, as they received no meaningful training on the subject. The same can be said for the widespread reports of brutality; students at the academy are rarely given direction on the proper use of force, and the few times they are, they receive often-contradictory information. A thorough analysis of the training process makes it clear that the problems Iraqi police are experiencing are almost inevitable, as they have not been trained to handle any of the actual situations they may confront as active duty police.

Historical antecedents have much to offer in contextualizing the United States’ move towards this particular form of imperial expansion. With the economic hegemony of the United States on the wane, multiple voices within America have explicitly called for a revival of imperialism (Harvey 2003; Gaddis 2004). Go (2011) argues this is spurred by the simultaneous conflagration of hegemonic decline, the rise of nation states (notably China and Russia) with the potential to challenge the United States economically or militarily and increasing pushback from the periphery.

The British empire of the 19th century faced a similar three-pronged challenge to its global hegemony, causing it to dramatically intensify its imperial ambitions. Britain, too, sought to control the area it would soon codify as the Iraqi state, operating under a banner of bringing democracy to the region and ran into similar resistance (Ellison and O’Reilly 2008). Finding themselves unable to gain control of the nascent state after a protracted military intervention, British officials decided to ‘construct a “quasi-state,” one that had had the appearance of a juridical *de jure* state but was in fact an unstable façade’ (Dodge 2009). This allowed Britain to disengage with their state-building effort in a way palatable to the larger international community.

The contemporary world community is significantly less accepting of direct imperial intervention, and the United States operates in a context in which any state added to its informal empire must project the appearance of political independence that can be sold to the world community and domestic electorate as both legitimate and in their best interests. As such, we must situate the actions of the United States in the contemporary landscape of neo-liberal imperialist expansion and understandings of normative state conceptions, especially in post-conflict situations. It is clear that many of the

problems experienced by coalition forces in Iraq stem from an uncritical set of Western assumptions about the project and how a state should be organized and operate.

This operates at both an institutional and an ideological level; the hasty establishment of a constitution and various state agencies gives a clear picture of what is envisioned as the necessary apparatus of a modern state and serves to project the appearance of capacity and legitimacy. Yet there are also strong ideological visions of how a democratic state should look and function. Chief among these are political independence and sovereignty that require such things as a strong and responsive police force. This is why police are so important to the imperial state-building process, as well as why they take on the peculiar form observed here: the police need to be able to *perform* legitimacy and effectiveness to allow the United States to plausibly claim Iraq is a sovereign, democratic state. However, the police need to *function* as a force to keep internal stability, hence what little practical training they receive centres around the violent suppression of subjects.

While this study is limited, having only examined police training in the KRG, it's telling that even there, where attitudes toward America and the coalition are by far the most positive in the nation, there remains considerable scepticism towards the police and the larger state. Future research is necessary to examine how the training process is implemented throughout the rest of Iraq, as the much lower levels of support for the coalition mission and greater levels of instability most likely mean problems witnessed here would be even greater elsewhere. Given the central role police play in the establishment of state authority, this paints a particularly dire picture of the Iraqi state's ability to operate with the consent of its citizens or function as a stable, independent state, leaving a power vacuum with potentially disastrous consequences.

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