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PROTEST VOTE

WHY IRAQ'S NEXT ELECTIONS ARE UNLIKELY TO BE GAME-CHANGERS

Sajad Jiyad

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Protest Vote: Why Iraq's Next Elections are Unlikely to be Game-Changers

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About the Author

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Abstract

Iraq is due to hold elections in the next 12 months, whether early ones – as protestors have demanded and politicians have agreed to – or regular ones at the end of parliament's term. Public pressure has led to a reform of the elections law by breaking up Iraq's 18 provinces into 83 electoral districts and bringing in first-past-the-post voting. The changes are meant to make elections more competitive and make MPs more representative and accountable. Doubts exist as to whether the existing parties in power will actually see their seat share reduced by the entrance of new parties. Barriers to entry and competition will make it difficult for new parties to challenge incumbents. Some protestors, disappointed with the pace of reforms, have called for a boycott of elections. Turnout is likely to be low again, supporting the status-quo power distribution. Questions continue as to when the vote will happen, whether the electoral commission will be ready and can hold proper elections, and the degree of legitimacy they will have. This paper predicts that the upcoming elections will not be game-changers and merely support the extension of the current domination of politics by the established elite.

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CONFLICT RESEARCH PROGRAMME
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For more information about the Centre's work on the CRP, please contact Taif Alkhudary (t.alkhudary@lse.ac.uk).

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Executive Summary

Protests that began in October 2019 led to the resignation of the government and a call for early elections in Iraq. Parliament responded by slowly agreeing a new elections law and setting a provisional date for dissolution. The new law means candidates will run on a first-past-the-post system and creates 83 electoral districts that replace the 18 provincial ones. This should ensure better accountability as MPs will have to be local residents, but there were few other positive changes. Without more electoral reform that makes it easier for new parties and younger candidates to enter politics and better regulates parties and their financing, the current political elite will continue to have advantages and prevent radical change.

Elections are provisionally set for October 2021, but questions remain as to whether the Independent High Electoral Commission (IHEC) will be ready in time and can prevent fraud and irregularities as happened with previous elections. While publicly supporting the push for early elections, most political parties do not actually want them and have already delayed them several times. If elections are postponed again, they are likely to be held on the regular schedule in April or May 2022.

New parties have been formed that are sympathetic to the protest movement, but they face an uphill struggle to have an impact as the establishment looks to co-opt them. It is highly unlikely that these parties will win any significant number of seats. However, they represent a new politically active generation in Iraq, which will fully unfold in coming years. Some protestors are calling for a boycott of the elections as they do not believe they will be credible under the current conditions. Given the low turnout in 2018 and the poor economic, security and political climate since then, it is likely that voter participation in the upcoming elections will be very low. This will put into question the legitimacy of the political system and potentially lead to more protests, especially if there are credible concerns around fraud.

With a low turnout benefitting established parties, we are thus likely to witness a repeat of the last elections, with populist movements like Fateh and the Sadrists capturing the highest number of seats. The fragmentation and competition the new law brings will make the government formation process more complicated. What is more, the next elections will see a preservation of the status quo, allowing the political elite to remain in power and ruling out any significant reforms. The upcoming elections are unlikely to be game changers in themselves. However, in the event that they are severely undermined or in the very improbable scenario where reformist parties are empowered, they could lead to major changes in Iraq's future.

ملخص البحث

أدت الاحتجاجات التي بدأت في أكتوبر/تشرين الأول 2019 إلى استقالة الحكومة والدعوة إلى انتخابات مبكرة في العراق. رد البرلمان بالموافقة على قانون انتخابات جديد وتحديد موعد مؤقت لحل البرلمان. و يقضي القانون الجديد إلى أن المرشحين يخوضون الانتخابات وفق أن المنصب للحاصل على أغلبية الأصوات وينشئ الفائز الأول 83 دائرة انتخابية تحل محل الـ 18 محافظة. ومن شأن ذلك أن يكفل مساءلة أفضل لأن أعضاء البرلمان سيتعين عليهم أن يكونوا من السكان المحليين، ولكن التغييرات الإيجابية الأخرى كانت قليلة. فبدون المزيد من الإصلاح الانتخابي الذي يجعل من السهل على الأحزاب الجديدة والمرشحين الأصغر سناً الدخول في السياسة و تنظيم الأحزاب وتمويلها على نحو أفضل، سوف تظل النخبة السياسية الحالية تتمتع بمزايا وتمنع أي تغيير جذري.

لقد تمّ تحديد الانتخابات مؤقتاً في أكتوبر/تشرين الأول 2021، ولكن تظل التساؤلات قائمة حول ما إذا كانت المفوضية العليا المستقلة للانتخابات (IHEC) سوف تكون جاهزة في الوقت المناسب، وهل هي قادرة على منع التزوير والمخالفات كما حدث في الانتخابات السابقة. وفي حين أن معظم الأحزاب السياسية تؤيد علناً إجراء انتخابات مبكرة، إلا أنها لا تريدها في الواقع بل وقد أخرتها عدة مرات. وإذا تأجلت الانتخابات مرة أخرى، فمن المرجح أن تجرى في الجدول الزمني المعتاد في نيسان/أبريل أو أيار/مايو 2022.

وقد تشكلت أحزاب جديدة متعاطفة مع حركة الاحتجاج، ولكنها تواجه صراعاً شاقاً من أجل إحداث تأثير في الوقت الذي تتطلع فيه الأحزاب القائمة لاحتضانهم. و من المرجح أن هذه الأحزاب لن تفوز بعدد كبير من المقاعد، ولكنها تمثل جيلاً صاعداً ناشطاً في العراق والذي سوف يتجلى بوضوح في السنوات القادمة. ويدعو بعض المتظاهرين إلى مقاطعة الانتخابات لأنهم لا يعتقدون أنها ستكون ذات مصداقيّة في ظل الظروف الحالية. وبالنظر إلى تراجع نسبة المشاركة في الانتخابات في عام 2018 وضعف المناخ الاقتصادي والأمني والسياسي منذ ذلك الحين، فمن المرجح أن تكون المشاركة في الانتخابات المقبلة منخفضة جداً. وهذا من شأنه أن يشكك في شرعيّة النظام السياسي، ومن المحتمل أن يؤدي إلى المزيد من الاحتجاجات، ولا سيما إذا كانت هناك مخاوف تتعلق بالتزوير.

إن تراجع نسبة المشاركة في الانتخابات سيخدم الأحزاب الكبيرة وعلى هذا فمن المرجح أن نشهد تكراراً للانتخابات الأخيرة، وتحصل الأحزاب الشعبوية مثل الفتح والتيّار الصدري على أكبر عدد من المقاعد. إن ما يجلبه القانون الجديد من تجزئة وتنافس سيجعل عملية تشكيل الحكومة أكثر تعقيداً. وفي هذا الصدد، ستشهد الانتخابات المقبلة الحفاظ على الوضع الراهن، والسماح للنخبة السياسية بالبقاء في السلطة وتأخير أي إصلاحات هامة. ومن غير المرجح أن تُغير الانتخابات القادمة قواعد اللعبة، ولكن في حال قوضت بشدة، أو تم تمكين الأحزاب ذات الميول الإصلاحية –وهو أمر غير وارد- فقد تؤدي نتائجها الى تغيرات كبرى في مستقبل العراق.

Introduction

Amid the many crises Iraq is facing, reform of the political system and restoring trust, legitimacy and accountability in and of the Iraqi state is perhaps the most crucial. The country has witnessed protests in the capital and southern cities on the back of a struggling economy, poor governance as a result of rampant corruption, and violent suppression of dissent by government forces. There is a real possibility that discontent spreads nationwide, with the political elite attempting to curb public anger through tepid reforms. Protests and their fallout are also being used by parties to weaken their rivals by politicising reforms. Iraq is nominally a parliamentary democracy and the battle for political superiority between the various parties and factions culminates in elections held every four years.[1] After every national election held since 2005 there has been a protracted government formation process and significant shifts in political and security dynamics that changed the fortunes of the state. The aftermath of the 2018 elections saw an unstable alliance between the Islah and Fateh coalitions, which unravelled less than a year later and led to the fall of the Adel Abdul Mahdi government, with the withdrawal of two subsequent prime ministerial nominees and a new government led by Mustafa al-Kadhimi finally approved in May 2020.

A key part of the Kadhimi government's agenda was to push through early elections ahead of May 2022, when elections would usually be held. This, along with the approval of the new elections law in November 2020, was a tepid concession to protestors' demands.[2] It came almost a year after the initial draft was passed, however political wrangling over key parts of the law prevented it from passing in full.[3] Currently elections are scheduled for October 2021, meaning Iraq is entering a crucial and highly competitive phase of the political cycle.

This paper aims to assess what the next elections will look like and whether they will lead to a paradigm shift in Iraq's fortunes. To this end, fieldwork was conducted in Baghdad throughout February 2021, which included 17 interviews with MPs and political leaders, public intellectuals and government critics, officials in the Independent High Electoral Commission (IHEC) and the current government, prominent activists and protest coordinators, and new entrants into the political system.

This paper begins with an analysis of the elections law, including a look at the major changes and the impact these will have on the current political order. It also assesses when elections could happen, and the outstanding issues on the Supreme Court and the IHEC, the body assigned to oversee elections. One critical question is what impact, if any, protestors from the October movement who have mobilised and entered the elections

[1] Hamzeh al-Shadeedi and Erwin van Veen, 'Iraq's Adolescent Democracy: Where to Go from Here', *Clingendael Institute Report*, June 2020. Available at https://www.clingendael.org/sites/default/files/2020-06/iraqs-adolescent-democracy.pdf (accessed 17 April 2021).

[2] Qassim Abdul-Zahra, 'Iraq Ratifies New Election Law, Paving Way for Early Vote', *Associated Press*, 5 November 2020. Available at https://apnews.com/article/baghdad-iraq-elections-laws-bd32c013a9c-3c53779380 3d78377576a (accessed 17 April 2021).

[3] Falih Hassan and Alissa J. Rubin, Iraq's New Election Law Draws Much Criticism and Few Cheers', *The New York Times*, 24 December 2019. Available at https://www.nytimes.com/2019/12/24/world/middleeast/iraq-election-law.html (accessed 17 April 2021).

process will have on its outcome. Another surrounds the views of those critical of the elections. Thoughts are offered on what voter turnout might look like and what election results are to be expected. The paper concludes with implications for Iraq's future after the elections and possible pathways.

Analysing the New Elections Law

The elections law that will govern the next elections was ratified by President Barham Salih on 5 November 2020.[4] The Kadhimi government had been pushing for early elections to fulfil their public promises of political reform, with 6 June 2021 initially proposed.[5] Protests had put pressure on parliament to produce a fairer, more accountable elections system that would encourage new and smaller parties to compete, giving voters better representation and shaking up the *Muhasasa* ethno-confessional power-sharing system in place since 2003.

Eventually the parties relented and agreed one significant change, converting the format from coalitions elected across 18 provincial districts to candidates and parties standing in 83 electoral districts. The electoral system is now based upon a single non-transferable vote (SNTV) system, leading to a first-past-the-post race in each constituency. This means that voters will choose an MP from their own residential districts for the first time, rather than choosing a political coalition or candidate at the provincial level. Parties will need to put candidates forward who are well regarded in their electoral district, and constituents will be able to hold MPs representing their areas to account as candidates must be local residents.

However, these changes are unlikely to have a negative impact on the larger, established parties who can mobilise votes across provinces. Parties who are well represented locally and have extensive networks will benefit from the division of provinces into electoral districts, and will do even better where they have strong candidates in rural areas. This is because some lightly populated sub-districts have been merged with others to reach the threshold of 100,000, as per the constitutional requirement for the MP-to-citizens ratio. Due to such mergers, a party which can mobilise effectively in one rural area may capture a seat in an electoral district made up of several areas in which they may not be as well represented. This will also affect urban districts with mixed communities. For example, in Baghdad, some areas with a mainly Sunni-identifying population have been merged with others that are majority Shiʿa and more populous. This is set to make it more difficult for Sunni candidates to win a seat in those areas, whereas before they only needed sufficient votes at the provincial level. The zoning of electoral districts has been criticised for not taking into account the latest population data, relying on old population figures rather than mandating a new census. This has had a negative impact at the provincial level. For example, despite its growing population there will be four fewer MPs in Basra than before.

One positive impact of the new law is that popular politicians can no longer use their

[4] 'قانون انتخابات مجلس النواب العراقي' [Elections Law for the Iraqi Parliament], Government of Iraq, 2020. Available at https://moj.gov.iq/upload/pdf/4603.pdf (accessed 17 April 2021).

[5] 'Iraq PM calls early election for June 6, 2021', *Reuters*, 31 July 2020. Available at https://www.reuters.com/article/us-iraq-politics-election-idUSKCN24W2S6 (accessed 17 April 2021).

commanding vote share to award seats to other candidates on their list who did not win their seats outright. This will force greater competition in each district and could see some prominent names drop out of the elections altogether. One prominent coalition leader has decided not to run as a candidate in the elections, remarking that his vote tally would now be worthless to his coalition, whereas before 20 MPs got their seats on the back of votes for him.[6] Other well-known politicians may also decide not to run as their name recognition has little value beyond gaining their solitary seat.

Unfortunately the changes will not lower the barrier to entry for new politicians and parties. Firstly, there has been no significant reform of the Political Parties Law which favours the status quo, making it difficult for new parties to be formed and compete with existing parties who will not have their funding and background examined in the same way as new entrants. Second, the minimum age for candidates is set at 28, disenfranchising many young aspiring politicians supportive of the protest movement. Third, the finances required to form a party and run in elections are vast for any new or grassroots party.

IHEC is the body responsible for registering parties and candidates. It charges 30 million Iraqi dinars (IQD) to register a new party (around $20,500 at the exchange rate at time of writing), 2m IQD per founding member (with a minimum of 5 such members), requires 3000 signatures across 3 provinces supporting the new party, and a 350-person minimum general member conference attended by IHEC. To enter elections, each candidate must pay 10m IQD ($6,833), of which half is refundable if they win a seat. This means if a party were to register candidates to compete for 320 seats (not including the 9 reserved for minorities) across the country, it would need 3.2bn IQD, well beyond the means of any new entrants and favouring the current established parties who have access to large funds. These expenses are such a barrier that one new party decided to field just a few candidates in 5 provinces instead of the original 100 candidates envisaged, and another new political group close to the protest movement abandoned plans to enter the elections altogether, unable to raise sufficient funds.[7]

Much criticism of the final iteration of the law surrounds how far it has shifted from earlier, fairer, drafts into a version that supports the current political elite.[8] The biggest concerns are around gerrymandering and the domination of certain parties in some districts, guaranteeing them votes and preventing proper competition, and thus reinforcing current power-sharing structures. In the words of one legal expert: 'the dangers of the multi-districts election system … is that it would lead to empowering those who have arms in hands, have plenty of cash, and have tribal or ethnic support.'[9]

The new elections law only applies to national elections – the draft local elections law was not passed and there is no current timeline for when these will be scheduled. The last local elections were held in 2013 and at least three national elections will have been held by the time of the next local ones. This creates a dissonance between local and national

[6] Interview with political coalition leader, Baghdad, February 2021.

[7] Interviews with new party officials in Baghdad, February 2021.

[8] Omar al-Jaffal, 'Iraq's New Electoral Law: Old Powers Adapting to Change', *Arab Reform Initiative*, 12 January 2021. Available at https://www.arab-reform.net/publication/iraq-elections/ (accessed 17 April 2021).

[9] Dana Taib Menmy, 'Iraq's New Election Law Undermines True Democracy', *Inside Arabia*, 12 November 2020. Available at https://insidearabia.com/iraqs-new-election-law-undermines-true-democracy/ (accessed 17 April 2021).

level representation, power dynamics and alliances, and maintains the current control of local government by the political elite, which is facing increasing anger.

When will Elections Take Place?

IHEC was expected to take at least six months to prepare for elections.[10] After ratification of the election law in November 2020, there were still other major steps required. The first was to pass the bill funding IHEC, allowing it to begin work, which was legislated on 17 December 2020.[11] The second was to either amend the Federal Supreme Court (FSC) Law or legislate a new one.[12] This was necessary as the FSC is the body tasked with ratifying election results as per Article 93 of the Iraqi Constitution, but had lost quorum since May 2020 due to the retirement of two justices with no agreement on how they would be replaced.[13] The depth of political disputes over how the FSC would be reconstituted soon made it clear that the FSC Law amendment would take months to resolve – it was eventually passed on 19 March 2021.[14] The new FSC was unveiled on 29 March 2021 and ratified by the president.[15]

By January 2021 it became clear that holding elections in June 2021 was not feasible from a technical perspective, so the IHEC suggested to the government a new date of 16 October 2021.[16] The Kadhimi cabinet accepted the IHEC's request for postponement and settled on 10 October 2021 as the new date for elections.[17] This is six months before regular elections were due to be held, considered sufficiently far in advance to meet the criteria of 'early elections'.

While the cabinet has voted for 10 October 2021, the matter is still not settled. From a procedural point of view, the president has to issue a decree announcing the date of elections

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[10] Omar Sattar, 'Iraqi parliament votes on final version of electoral law', *Al-Monitor*, 2 November 2020. Available at https://www.al-monitor.com/originals/2020/11/iraq-elections-law-parliament.html (accessed 17 April 2021).

[11] 'قانون تصديق اتفاقية تجنب الازدواج الضريبي ومنع التهرب من دفع الضرائب' [Law on Ratification of the Convention on Avoidance of Double Taxation and Prevention of Tax Evasion], Government of Iraq, 2020. Available at https://moj.gov.iq/upload/images/222927_4610.pdf (accessed 17 April 2021).

[12] Amjad Hamed Al-Hathal, 'Early Elections in Iraq: Challenges and Pathways', *Al-Bayan Center for Planning and Studies*, September 2020. Available at https://www.bayancenter.org/en/wp-content/uploads/2020/09/8793892.pdf (accessed 17 April 2021).

[13] 'Iraq's Constitution of 2005', *Constitute Project*. Available at https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en (accessed 17 April 2021).

[14] 'قانون التعديل الاول (الامر رقم 30 لسنة 2005م) قانون المحكمة الاتحادية العليا' [Law of the First Amendment (Order No. 30 of 2005 AD) Law of the Federal Supreme Court], Parliament of Iraq, 18 March 2021. Available at https://ar.parliament.iq/2021/03/18/قانون-تعديل-قانون-المحكمة-الاتحادية-ا/ (accessed 17 April 2021).

[15] 'القضاء يعلن اكتمال تشكيل المحكمة الاتحادية ورفع الأسماء لرئيس الجمهورية' [The Judiciary Announces the Completion of the Formation of the Federal Court and the Nomination of the President of the Republic], *Al-Mirbad*, 29 March 2021. Available at https://www.almirbad.com/detail/83106 (accessed 17 April 2021).

[16] Omar Sattar, 'Iraqi parties scramble ahead of new October election date', *Al-Monitor*, 20 January 2021. Available at https://www.al-monitor.com/originals/2021/01/iraq-elections-government-parliament.html (accessed 17 April 2021).

[17] 'Iraqi cabinet votes to delay general election until October 10', *Al-Jazeera*, 19 January 2021. Available at https://www.aljazeera.com/news/2021/1/19/iraqi-cabinet-votes-to-delay-general-election-until-october-10 (accessed 17 April 2021).

at least 90 days beforehand. As per the Constitution, early elections can only take place once the Council of Representatives is dissolved, which requires an absolute majority vote of MPs or one third with the prime minister and president's approval. After dissolution elections are to be held within 60 days. The UN Assistance Mission in Iraq (UNAMI) is currently providing support to the IHEC at the request of the Iraqi government to help prepare for elections, and while it publishes monthly progress reports and its opinion is important (with the government reliant on UN technical assistance), it has not commented on whether October 2021 remains a feasible date.[18]

As it stands there are two deciding factors for whether elections will take place in October 2021. The first is technical, with the main concern that the IHEC will not be ready in time. The 2018 elections witnessed serious allegations of fraud and incompetence, leading to a manual recount and placing the IHEC under judicial supervision. Since then the IHEC has seen most of its staff dismissed, judges appointed by the judiciary as commissioners despite little experience in organising elections, and the organisation is yet to recruit enough election workers and supervisors. Voter registration has progressed slowly, with only 63 percent of eligible voters registered as the extended deadline passed on 15 April.[19] The IHEC had already twice postponed the voter registration deadline amid concerns that millions of potential voters would be disenfranchised.[20] The Commission is also still figuring out operational aspects of the elections such as how the 'special vote' for security forces will be conducted, the format of the ballot paper, and the choice of auditors and computer systems, though it has decided that Iraqi expatriates living abroad will not be able to vote.[21] A current IHEC official agreed that it was unlikely the technical preparations would be completed in time, suggesting April 2022 as a more realistic date, which would put the elections back to the regular timeline.[22] Whether the IHEC will ever reach a state of adequate preparedness is debatable, as concerns mount over its ability to manage elections properly and avoid the fraud that has plagued previous elections.[23] With the current setup and capacity of the IHEC, election irregularities are to be expected.

The second factor is political, with parties publicly supporting early elections but in reality dragging their feet as they maximise time to prepare for the change in the elections procedure, while MPs aim to see out their full term.[24] Parliament must vote to dissolve itself for early elections to happen and it will not do so until the technical aspects are fulfilled.

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[18] 'Iraq's Electoral Preparations and Processes reports', *UN Iraq*. Available at https://www.uniraq.org/index.php?option=com_k2&view=itemlist&layout=category&task=category&id=207&Itemid=738&lang=en (accessed 17 April 2021).

[19] 'Iraq's Electoral Preparations and Processes - Report No. 7', *United Nations Assistance Mission for Iraq*, 9 April 2021. Available at https://reliefweb.int/sites/reliefweb.int/files/resources/UNAMI_Report_No._7_on_Iraqs_Electoral_Preparations_and_Processes.pdf (accessed 17 April 2021).

[20] 'المفوضية تقرر تمديد التسجيل البايومتري للناخبين' [The Commission Decides to Extend the Biometric Voter Registration], *Al-Sumaria*, 31 March 2021. Available at https://www.alsumaria.tv/news//377780/سياسة/المفوضية-تقرر-تمديد-التسجيل-البايومتري-للناخبين (accessed 17 April 2021).

[21] 'IHEC decides not to hold OCV Elections…', *The Independent High Electoral Commission*, 24 March 2021. Available at https://ihec.iq/7786-2/ (accessed 17 April 2021).

[22] Interview with current IHEC official, Baghdad, February 2021.

[23] Lizzie Porter, 'Iraq postpones elections, haunted by 2018 debacle', *Iraq Oil Report*, 21 January 2021. Available at https://www.iraqoilreport.com/news/iraq-postpones-elections-haunted-by-2018-debacle-43486/ (accessed 17 April 2021).

[24] Interviews with MPs, Baghdad, February 2021.

One way to avoid public pressure to dissolve itself is to push through a conditional vote, outlining that providing the technical aspects are resolved and a date is firmly set, parliament will dissolve a few days before this, with 7 October 2021 recently suggested by MPs.[25] Of course, while this ticks the box from parliament's perspective in terms of ensuring early elections, it does not guarantee they will happen. Parties have further prevaricated by delaying registration of candidates and coalitions as required by the IHEC, which has been forced to postpone the deadlines several times already. Another stalling tactic has been to avoid the debate over whether to continue with the current IHEC set up (as seems likely) or draft a new law and vote in new commissioners (which is not necessary to hold elections, but could be raised to force a delay). A third is raising cases to the Supreme Court challenging or asking for clarifications on aspects of the elections law.

Iraq is now witnessing a spiralling number of COVID-19 cases, with weak health infrastructure and low adherence to public health regulations having seen the beginning of a new wave. This also has the potential to push back the election date.

Protest Movement Mobilisation and New Parties

As the October protest movement ramped up in late 2019, some protestors met with government officials in the following months with the aim of highlighting their demands and maintaining a line of communication to prevent further clashes. Some activists and protest coordinators were soon co-opted by the parties and are now part of their election campaigns, either under new party names or existing ones.[26] Such moves were denounced by other protestors who could not see any way for reforms to happen within existing power structures. Other protest leaders formed new parties independently, with the aim of representing the younger generation dissatisfied with the country's current political system. Both of these cases represent a small segment of the protest movement, less than 15 percent, and admit they are viewed very negatively by those sympathetic to protests.[27] They have opted for parliamentary politics, however, because they see no possibility for protests to push through reforms outside the political system. This difference in strategy has led to a schism, with protestors who support the revolution calling for elections to be boycotted.[28] The entry of protest-sympathetic parties into elections is viewed as having potential relevance only if there is more coordination between the various groups.[29] This would lead to increasing vote share and thus having a seat at the table in government formation.

Not all new parties are a rehash of existing ones or come from the protest movement. The IHEC will eventually complete the registration of over 300 parties for the upcoming elec-

[25] Sajad Jiyad, 'Conditional dissolution of parliament, this gets the parties off the hook publicly while in private they continue to delay elections', *Twitter*, 1 April 2021. Available at https://twitter.com/SajadJiyad/status/1377418471416336385?s=20 (accessed 17 April 2021).

[26] Interviews with officials in new parties, Baghdad, February 2021.

[27] Interviews with protest leaders and new political party officials, Baghdad, February 2021.

[28] Erik K. Gustafson and Omar Al-Nidawi, 'Iraqi protesters' perilous journey to the ballot box', *Middle East Institute*, 22 March 2021. Available at https://www.mei.edu/publications/iraqi-protesters-perilous-journey-ballot-box (accessed 17 April 2021).

[29] 'Iraq's new protester parties plan to change the country', *DW*, 22 January 2021. Available at https://www.dw.com/en/iraqs-new-protester-parties-plan-to-change-the-country/a-56312305 (accessed 17 April 2021).

tions.[30] According to one current political party leader with over 20 MPs in parliament, new faces entering politics is a positive development, even if some of them are co-opted by the political elite, as this will lead to a generational change eventually.[31] Another prominent politician in the Fateh coalition believes that 'protest' parties may not win seats, but they will become a force in years to come as long as they can mobilise votes the way the current top parties can.[32] This would call for an evolution of organisation, coordination, influence and campaigning. Some new parties have been formed out of encouragement, support and meetings with the Marjaiya, who believe participating in elections is the only way of reforming the political system.[33] While they have no formal ties to Ayatollah Sistani, the fact that new parties have been formed in Shiʿa heartlands with his quiet blessing is a further rebuke against the existing parties, of which he has been highly critical.

New parties will struggle to shake up the status quo and the existing elite will do all they can to prevent change.[34] Part of this counter-action is through co-optation, intimidation and politicised legal action.[35] Mobilising support for the new parties will be the most difficult challenge. Though there is wide dissatisfaction with the ruling elite, turning public support into electoral gains for new parties that have limited experience and resources seems unlikely.[36] One pathway is to compete for the female vote. Iraq operates a 25 percent gender quota system in parliament, so young female candidates may benefit from the large numbers of women who participated in protests, tired of seeing the same male faces in Iraq's political patriarchy. Another pathway is to use social media to engage young people, as happened during the protests, and to encourage tactical voting or individual alliances in sub-districts to maximise votes for new parties.

Even if new parties do not pick up many seats they may be able to lay the groundwork for a shift in campaigning, alliances, voting and politics in general. As more Iraqis begin to focus on issues rather than identity and economic prosperity becomes the key concern, new parties with a diverse ethno-confessional membership equipped with radical new policies could change the language of politics. With over 60 percent of the Iraqi population under 30 years of age, there is potential to reach a new demographic, born after 2003 and just now reaching voting age. In a way, these elections may prove to be a testing ground for new non-traditional parties, and the real changes could happen two or three elections from now as young voters mature. By then identity politics may be much less relevant

[30] 'Iraq's Electoral Preparations and Processes - Report No. 6', *United Nations Assistance Mission for Iraq*, 8 March 2021. Available at https://www.uniraq.org/index.php?option=com_k2&view=item&task=download&id=4239_c12c2f4962233fe6ffb7bbbbf7eae8b3&Itemid=738&lang=en (accessed 17 April 2021).

[31] Interview with party leader, Baghdad, February 2021.

[32] Interview with MP from Fateh, Baghdad, February 2021.

[33] Interview with new party official with informal ties to the *Marjaiya*, Baghdad, February 2021.

[34] Alex Shanahan, 'Iraqi Protests and the 2021 National Elections', *Washington Report on Middle East Affairs*, May 2021, pp. 56–7. Available at https://www.wrmea.org/waging-peace/iraqi-protests-and-the-2021-national-elections.html (accessed 17 April 2021).

[35] 'Iraq's Saddam-era laws being used to silence critics', *France 24*, 23 March 2021. Available at https://www.france24.com/en/live-news/20210325-iraq-s-saddam-era-laws-being-used-to-silence-critics (accessed 17 April 2021).

[36] Georgia Cooke and Renad Mansour, 'Iraqi Views on Protesters One Year After the Uprising', *Chatham House*, 29 October 2020. Available at https://www.chathamhouse.org/2020/10/iraqi-views-protesters-one-year-after-uprising (accessed 17 April 2021).

as issue-based politics, on which Iraqis of all backgrounds are much aligned, comes to dominate public discourse. This generational shift is already underway, but the upcoming elections may be too soon to witness its full impact.

What Turnout and Results Could Look Like

The last national elections in 2018 had an official turnout of 44.52 percent, but in many areas the figure was much lower and the accuracy of that figure is in doubt. Since then there have been violent clampdowns on protests, increased public anger with the sluggish economy and devaluation of the Iraqi dinar, tens of thousands of young people graduating with no job prospects, tensions as the Iran-US conflict plays out in the country, and political dysfunction that has seen one government's resignation, two fail to be formed, and several crucial laws delayed. These developments have sapped public confidence in government and the political system, with polls showing that high numbers do not believe elections will be fair or fundamentally alter government performance.[37] One could logically conclude that turnout is unlikely to be higher than before and may even be lower, especially if not all eligible voters are registered on time. This view is shared by some political leaders, with one prominent party leader flirting with the idea of calling for a boycott as he believes elections in the current trajectory will be disastrous, further empowering the current leading parties in Fateh and the seemingly defunct Islah bloc.[38] Despite the change in the election format, perceptions that the government is unable to impose the rule of law and prevent political intimidation have also seen independents call for a boycott, further depressing turnout expectations.[39]

Though some data points to a desire to see new parties and younger candidates, the public's general negative outlook is predicted to lead to a diminished turnout.[40] This would have serious repercussions on the legitimacy of Iraq's political system. With confidence in elections already affected, a low turnout may lead to skewed results and accusations of fraud. This could encourage new protests and violent clashes as happened after the last elections in 2018.[41] If the national average drops under 40 percent, it will be among the lowest turnouts for parliamentary elections worldwide.[42] Given Iraq's current problems, this will only exacerbate domestic tensions and put other countries in a difficult position as to how they can continue to support the ruling system if it has so little support from the population.

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[37] Munqith Dagher, 'Uprising or Election: What Kind of Change Do Iraqis Want?', *Fikra Forum*, 12 March 2021. Available at https://www.washingtoninstitute.org/policy-analysis/uprising-or-election-what-kind-change-do-iraqis-want (accessed 17 April 2021).

[38] Interview with party leader, Baghdad, February 2021.

[39] Al-Jaffal, 'Iraq's New Electoral Law: Old Powers Adapting to Change'.

[40] 'New Iraq Poll: Despite Distrust in Institutions, Iraqis Value Democratic Process', *International Republican Institute*, 15 December 2020. Available at https://www.iri.org/resource/new-iraq-poll-despite-distrust-institutions-iraqis-value-democratic-process (accessed 17 April 2021).

[41] Aref Mohammed and Raya Jalabi, 'Protesters torch political party offices in Basra's fourth night of violence', *Reuters*, 6 September 2018. Available at https://www.reuters.com/article/iraq-protests-idINKCN1LMoMG (accessed 17 April 2021).

[42] 'Voter Turnout by Country', *IDEA*. Available at https://www.idea.int/data-tools/world-view/40 (accessed 17 April 2021).

A higher turnout would be a welcome development that could improve the political landscape through renewed public trust in politics and a stronger mandate for government. The low turnout, combined with the district level seat allocation will mean a low threshold for votes to win a seat. This will increase competition among the larger parties as seats in some districts will become easier to win than before, guaranteeing that they dominate results. Government formation will, however, be more difficult as these parties tend to be opponents and have struggled to form governments before. The ability of parties like the Sadrists and those in Fateh like Asa'ib Ahl Al-Haq to mobilise their vote and combine urban and rural support across provinces will see them improve their showing. If they can ensure their existing base turns out, they will pick up more seats even in the absence of more votes as other parties struggle with the low turnout and to compete with locally popular candidates.

Several politicians interviewed believed the Sadrists will do well in the elections along with Fateh, their rivals. At the moment Sadrists are likely to be aligned with former Islah coalition members such as Iraqiyoon and Nasr, as well as new parties like Marhala and Waai. This pits them against Fateh, who are attempting to retain Speaker Mohamed al-Halbousi in their alliance.[43] Sunni and Kurdish parties will be more likely to support a unity government than split their allegiances this time around, in the hope of avoiding a polarised government along pro or anti-Iran lines. In terms of possible prime ministers several names were suggested in interviews, with Ali Al-Shukri, Adnan Al-Zurfi and Mohammad Al-Sudani seen as front runners depending on which coalition came out on top. The current Prime Minister Mustafa Al-Kadhimi was seen as highly unlikely to retain his position.[44] The absence of a kingmaker like Qasem Soleimani or a widely respected statesman to force a consensus will lead to protracted negotiations, especially if the results lead to an artificially high number of seats for one or two coalitions.

The concerns around skewed results, where some parties are overrepresented in parliament, are also having an impact on political coalitions, as the established parties seek to widen their potential voter base to prevent groups like the Sadrists and Fateh from increasing their seat share.[45] The concern is that these populist parties will usher in hardline governments, less inclined towards reform, and exacerbate Iraq's economic crises. This concern also extends to foreign governments who are worried that Hashd al-Sha'abi (Popular Mobilisation Forces)-aligned parties (primarily those in Fateh) could become the dominant political force as they are well-equipped to mobilise supporters and will benefit from a low turnout to get a larger share of seats. This could lead to the formation of a very pro-Iran government, making the relationship with the US much more complicated.[46] In addition, a government in Baghdad that is too close to Iran could undermine the Iraqi state, leading to counter-moves by domestic and foreign players which would further destabilise the country.

[43] Jeremy Hodge and Anand Gopal, 'The Rise of the New Sunni Elite in Iraq: The Case of Fallujah', *LSE Conflict Research Programme Blog*, 16 November 2020. Available at https://blogs.lse.ac.uk/crp/2020/11/16/the-rise-of-the-new-sunni-elite-in-iraq-the-case-of-fallujah/ (accessed 17 April 2021).

[44] Interviews with Islah and Fateh MPs, Baghdad, February 2021.

[45] Alaa Kadhem, 'Iraq's Newest Political Bloc And Implications For The Next Election', *1001 Iraqi Thoughts*, 22 July 2020. Available at https://1001iraqithoughts.com/2020/07/22/iraqs-newest-political-bloc-and-implications-for-the-next-election/ (accessed 17 April 2021).

[46] Interview with a Western diplomat, Baghdad, February 2021.

The Post-Election Future

The current situation suggests that there will not be an outright winner in the forthcoming elections. This is because no single party has country-wide support or is able to gain more than 100 seats. As a result, rival parties will need to form a coalition government, a process that will take several months. In all likelihood this will lead to a poor performing government and a failure to deal effectively with the many crisis that the country is facing. But if election results force parties to accept the need for real reforms and give the state a chance to recover from severe corruption and dysfunction, this could lead to a period of relative stability. If a new government is sufficiently empowered to make rule of law a priority, then the political system may survive with incremental steps to improve governance and inclusivity. This could happen even if the elections are entirely undermined due to fraud and/or low turnout, or if they produce an upset with new parties become kingmakers.

Three pathways are available post-election, the first being further instability and delegitimisation of the current order, on the back of more protests and a struggling economy. This could occur with a low turnout and decisive wins for Fateh or the Sadrists, or widespread fraud or impropriety. The second is stagnation – postponing a collapse but without improving the situation in any way, merely preventing it from getting much worse. This would happen if results are not decisive, a weak coalition government is formed and some turnover in parliament occurs. The third pathway is gradual reform that sees the political order accommodate change to survive. Here new parties would have made solid gains, on a high turnout and with a major shift in the government formation process.

Conclusion

Polling to be released in the coming months will give more accurate estimates of what election results could look like, but a safe assumption is that there will not be any dramatic change from the previous elections. The ruling elite may accommodate some new faces and could strike a grand bargain that prevents the parties from being polarised further, but competition will always be around the corner. The ruling parties will seek to compete and undermine each other without losing their grip on the system, striking a balance between fighting with the inner enemy and closing ranks against external competitors. In this regard, the upcoming parliamentary elections in Iraq will not be game-changers.

The elections may however be the starting point for a slow shift towards improvements in the political system and eventually governance. A change in the elections law was one small step forward and if new parties gain a foothold by picking up over 20 seats, and some semblance of legitimacy in elections is maintained, this would be a portend of progress. But if the change is too slow, the risk remains that the fragile system will simply collapse. Therefore, the rate of reform and change as a result of this election could be the metric by which Iraq's stability is measured. The months to follow may not immediately matter much, but could be looked back upon as having had a decisive impact in the decades to come.

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Security personnel show their inked fingers after voting in a polling station in Baghdad on 10 May 2018, during parliamentary elections. Source: Xinhua/Shutterstock

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