

# Iraq's Elections Challenge: A Shifting Political Landscape

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## ABOUT THE AUTHORS



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## Brief Analysis

On November 18, Iraqi vice president Tariq al-Hashimi vetoed an elections law passed by parliament just ten days earlier, likely delaying elections that had previously been slated for January 2010. Such elections are a factor in the planned U.S. withdrawal from Iraq, with U.S. military officials stating that they will gauge the pace of the troop withdrawal after the national polls. When the elections take place, they will test the durability of several political trends manifested by the January 2009 provincial elections, including the modest shift toward cross-sectarian political coalitions and the emergence of Prime Minister Nouri al-Maliki as the nation's dominant politician.

### The Vetoed Elections Law

In creating new elections legislation, the Iraqi parliament amended law number 16 of 2005, which compelled Iraqis to vote for lists -- rather than individuals -- chosen by party leaders in a nontransparent process. Under the new provisions, the election would be based on a modified open-list system, in which voters would have the choice of voting for an individual or for a list, creating greater accountability on the part of elected officials and lessening the influence of unelected party functionaries.

To reflect growth in Iraq's population, the law increased the number of seats for the next parliament from 275 to 323, in accordance with the constitutional requirement of one seat per 100,000 Iraqis. (Iraqi government estimates set the current population at nearly 32,275,000.) In addition, the new law created an electoral district for each of Iraq's eighteen provinces -- in contrast to the old law, in which the whole country was treated as a single district. Whereas the single-electoral-district system tends to reinforce identity-based politics, the multidistrict system enhances the prospects for locally based parties and issue-centered politics.

According to the Iraqi constitution, laws passed by the parliament can be vetoed by any member of the three-person presidency council, a group that includes al-Hashimi. The veto by al-Hashimi, a Sunni Arab, was motivated by the article that allocated only 8 of 323 seats to expatriate Iraqis, when, in fact, he had called for at least 24 seats to go to this group. As a result, the parliament now has to address the vetoed article, provide alternatives that must be accepted by a majority of its members, and send the measure back to the presidency council for ratification.

The elections law also offered an interim solution to the challenge of competing Kurdish, Turkmen, and Arab claims to Kirkuk, the northern oil-rich province and eponymous provincial capital. Elections in Kirkuk would use the same system in place in other provinces, though a number of provisions of the law addressed issues specific to the province. To reduce Arab and Turkmen fears regarding fairness and voter eligibility, the law created a mechanism by which voting lists from individual provinces could be investigated during the year following elections if the results were questioned. Furthermore, it stated that election results do not set "any legal or administrative precedent." This clause would prevent the Kirkuk vote from being used as an unofficial plebiscite on the ethnic balance in the province and potentially on Kirkuk's future relationship with the Kurdish Regional Government.

### The Coalitions

Although the exact date of elections is now uncertain, the Iraqi Independent High Electoral Commission (IHEC) announced on November 13 that fourteen electoral alliances, comprising 167 political parties, have registered. Key coalitions include the following:

- State of Law Alliance (SLA). Announced on October 1, 2009, the alliance comprises forty political entities, tribal leaders, and independent personalities. Led by Prime Minister al-Maliki and his Islamic Dawa Party, the group consists of the same seven Iraqi Shiite parties that competed under the SLA banner in the provincial elections, as well as the "Flags of Iraq" grouping headed by Iraqi Sunni Anbar tribal leader Ali Hatem al-Suleiman, Yousef al-Habubi (a surprise winner from the provincial elections), and several independent members of parliament.
- Iraqi National Alliance (INA). Announced on August 24, 2009, the alliance comprises of a dozen mostly Iraqi Shiite parties and is the main competitor to al-Maliki's SLA. The alliance's core components are the Islamic Supreme Council of Iraq (ISCI), the Badr Organization, the Sadrist Trend, the National Reform Trend (headed by former prime minister Ibrahim Jafari), Ahmed Chalabi's Iraqi National Congress, the Basra-based Islamic Fadhila Party, as well as Iraqi Sunnis such as Anbar tribal leader Hamid al-Hayis and Khaled al-Mullah of the southern branch of the Sunni Scholars of Iraq.
- Iraqi National Movement (INM). Announced on October 26, 2009, the movement is headed by former prime minister Ayad Allawi and is built around his National Accord Movement and Salih al-Mutlaq's Iraqi Front for National Dialogue. Forty other entities count themselves as part of the INM, which is a nationalist coalition with a cross-sectarian composition.
- Iraqi Consensus List (ICL). Announced on October 17, 2009, this primarily Sunni Arab list is led by the Iraqi Islamic Party and also consists of the People of Iraq Conference, the Independent Tribal Gathering, and the Turkmen Justice Party. The list is viewed as a revival of the Iraqi Consensus Front, which splintered early this year with the departure of several major Iraqi Sunni parties.
- Unity of Iraq Alliance (UIA). Announced on October 21, 2009, the alliance is led by Minister of Interior Jawad Bolani's Iraqi Constitutional Party. Major players among the alliance's twenty-six entities include Iraq's Awakening Conference, headed by Anbar tribal leader Ahmed Abu Risha; the head of the Islamic Sunni Endowment (or waqf), Ahmed Abed al-Ghafur al-Samaraie; and former minister of defense Saadun al-Dulaimi.
- Kurdistan Alliance. The Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) have joined together to campaign alongside ten smaller parties. The Goran (Change) list -- which won a third of the votes in the July 2009 Kurdish elections -- has announced its intention to run independently, a move that will likely cost the Kurdistan Alliance votes that it has previously taken for granted. Even so, Goran may decide to cooperate with the

Kurdistani list in the postelection period.

## Potential for Shifting Alliances

If the provincial elections serve as any guide, the battle for the south (where currently 187 of the 323 seats are up for grabs) will be contested closely. In the 2009 elections, al-Maliki's SLA garnered 126 of 440 seats nationwide (28.6 percent), while the parties associated with the INA (ISCI, the Sadrists, Jafari, and Fadhila) gained 124 seats (28.2 percent). Since neither of the main Shiite coalitions is likely to win a parliamentary majority, the Kurdish parties and, to a lesser extent, the nonreligious groups (INM and UIA) will be sought-after coalition partners following the vote. Electing a president and prime minister will require a postelection coalition with an absolute majority (162 seats).

The current coalitions may not survive the postelection coalition-building process. For one example, the INA could split, as it includes strong personalities and multiple parties that will vie for the premiership. Other elements -- such as ISCI and the Sadrists -- have clashed violently in the recent past. And the INA may find it difficult to ally with the Kurds. On the one hand, ISCI and the Kurdish parties both support decentralization, while ISCI supports Kurdish claims to Kirkuk. Conversely, other components of the INA (such as the Sadrists) view Kurdish claims with hostility. As a result, the current alliance of convenience is fragile and could dissolve during the postelection bargaining and coalition-building process.

Iraq's fluid political environment makes the exact shape of the next government extremely difficult to predict. It is clear, however, that well-established parties such as Dawa, ISCI, KDP, and PUK hold a major advantage, and they will likely use their charities, political foundations, and access to state resources to mobilize support among tribal and religious groups.

## Setback or Progress?

Given the contentious nature of Iraq's parliamentary debates, it is difficult to predict how long al-Hashimi's veto could delay the planned polls. The top U.S. military official in Iraq, Gen. Ray Odierno, expressed optimism on November 18 that elections will still take place at some point in January 2010. Although the delay might be seen as a setback, further amendment of the law could enhance the legitimacy of the elections if fairer representation is ensured.

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