

# The Importance of Iraq's Provincial Elections

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### Brief Analysis

On September 22, the Iraqi parliament belatedly passed a provincial elections law, ending a long and costly deadlock. Parliament ratified the initial version of the law on July 22, but it was later vetoed by two members of Iraq's presidency council. This time it is likely that the bill will survive council scrutiny because of the compromises and concessions made in the long negotiation process. Nevertheless, passing the law marks only the beginning of a vital political transition that could lead to either a unified democratic state or a fractured sectarian country prone to foreign influence.

### Broadening Political Participation

As Iraq's fragile security gains grow more sustainable, provincial elections become essential for integrating important social groups into the political process. This is true especially for those groups that did not participate -- or participated only minimally -- in the 2005 elections, notably the Sunnis in Anbar, Salah al-Din, Diyala, and Ninawa provinces; and some Shiite groups in the south (especially the Sadrists). It is also important to institutionalize the role of local leaders (already de facto community leaders) who emerged from these communities through divergent vehicles such as the Sunni Awakening, the Sons of Iraq, or the tribal councils.

The new law states that provincial elections must be held no later than January 31, 2009, but this legislation excludes four out of Iraq's eighteen provinces: the three governorates comprising the Kurdish Regional Government -- Irbil, Dahuk, and Sulimanya -- and Kirkuk, an important oil-rich province. Although it seems at first glance that the law delays resolution of the chronic problem of Kirkuk, to their credit Kurdish leaders made an important compromise by consenting to a UN-sponsored proposal that suggests splitting the provincial council among Arabs, Kurds, and Turkmen (32 percent for each and 4 percent for Christians). The deal also states that senior leadership positions in Kirkuk (governor, deputy governor, and head of the provincial council) would be shared, with Kurdish factions getting the first pick.

At the same time, the Iraqi parliament is forming a commission to examine the situation in Kirkuk, determining the extent of demographic changes and the use of government-owned lands both before and after 2003. This commission is scheduled to report back to Iraqi lawmakers no later than March 31, 2009. Elections will be held in Kirkuk according to a separate law that takes into consideration the aforementioned report. Until then, the status of Kirkuk will remain unchanged.

## Invigorating Local Politics

Provincial elections are significant, since they bolster faith in the political process by demonstrating that people actually have a say in their leadership at the local level. It should also give pause to Iraqi political parties and leaders who have dominated local politics for the past four years; they now know that they will be voted out if they fail to provide for their constituents.

This election will be different from that of 2005 in many aspects. Most notable is the willingness of the Sunni Arabs to participate as indicated by their preparation for local polls by consolidating Awakening councils in many of Iraq's Sunni Arab provinces. For their part, key Shiite clerics in Najaf have announced that they will not support any political party, and Grand Ayatollah Ali al-Sistani has urged Iraqis to vote their conscience for those they believe capable of serving them, regardless of affiliation. This is a major shift from 2005 when he gave his blessing to the United Iraqi Alliance -- a Shiite coalition -- leading the alliance to an overwhelming win in the national elections.

## Challenges

Although the new election law gives Iraqis reason to be encouraged, holding credible elections and bolstering Iraqi faith in the democratic process will present challenges. For example, some secular and nationalist parties believe that nonsecular parties will use religious figures, such as al-Sistani and others, for political ends. Others have expressed concern about campaign financing from government and foreign sources.

The first concern was addressed by al-Sistani and other clerics when they announced that they would not support any particular party, and also by the election law itself, which states in Article 35 that religious places -- such as mosques, shrines, and churches -- can be used for promoting the "electoral process" but not for campaigning itself. The second concern, however, has not been addressed, and some political entities -- particularly national movements or candidates who do not have access to external support from Iran, Saudi Arabia, the Persian Gulf states, or the United States -- believe that they will be at an enormous disadvantage compared to candidates who are not required to disclose their campaign finances.

This highlights the dire need for legislation regulating political parties, including the disclosure of financial sources. Such legislation would be a step in the right direction of capping foreign political influence on individual Iraqi politicians and political parties. Proposing this kind of legislation, however, is extremely difficult, since individuals with legislative power have a vested interest in the status quo.

Iraq's provincial elections will also witness a spike in the rivalry between the two main Shiite parties: the prime minister's Dawa party and the Islamic Supreme Council of Iraq (ISCI) led by Abdulaziz al-Hakim. Some ISCI officials had already accused Dawa of using government resources to establish unnecessary pro-Dawa tribal councils in some southern provinces. Although Dawa denies the accusations, the party is clearly gaining ground with the growth in popularity of Prime Minister Nouri al-Maliki after this year's military offensives in Basra, Sadr City, Amara, Diyala, and Mosul.

The political dynamic within the Sunni provinces is different, since Sunnis did not participate in the 2005 elections. Their participation will likely cast out many incumbent Sunni politicians. The most affected party will be the Iraqi Islamic Party -- headed by Iraqi vice president Tareq al-Hashimi -- which will lose ground to the Awakening movement in Anbar and elsewhere, allowing for the Islamic party's leadership to be integrated into the political process.

## Conclusion

Although Iraqis are still waiting for a means to share the country's natural wealth through a hydrocarbon law, the new provincial elections law injects new hope into the Iraqi political process by demonstrating the capacity of Iraqi

lawmakers to reach difficult compromises. It reflects most favorably on Kurdish leaders, who took a brave political stance despite the threat of opposition from their constituencies in the north. If the provincial elections are held in a free, fair, and transparent manner, they will lay a solid foundation for Iraq's next set of national elections, offering all Iraqis the opportunity to express themselves politically in a nonviolent context. Toward this end, the United States and the UN should supervise and monitor the process while remaining neutral in Iraq's charged political environment.

Nazar Janabi is a Next Generation fellow at The Washington Institute, focusing on security and democratization issues in Iraq and the wider region. ❖

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