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Political Dynamics Surrounding Iraq's Electoral Law

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Introduction

In the early hours of last Monday, the 27th of March, [the Iraqi Council of Representatives \(COR\) voted](#) for the second time in a week on the remaining articles of the controversial 'House of Representatives and Provincial and Districts Councils Electoral Law'. This action was followed by protests and speculation regarding future political dynamics.

This insight aims at highlighting the motives and purposes surrounding passing this law. It also examines the parties and political actors supporting the law and the rationale behind it. This insight provides an overview of the electoral law, its controversial articles, and the parties sponsoring it. It attempts to contextualize the recent electoral law within broader internal dynamics of Iraq. And lastly, it explores the opposition to the law, and the roles Sayyed Muqtada Al-Sadr and the Sadrist movement could play in light of recent developments.

The Electoral Law

Since Iraq's first parliamentary elections in 2005, the country has [changed its electoral law several times \(2005, 2010, 2014, 2018, and 2021\)](#). In

the five parliamentary elections in the past 18 years, none of them used the same electoral law twice. The law gradually developed from list-based voting in 2005, to the Modified Sainte Laguë method between 2010 and 2018, and finally, to the Single Non-Transferable Vote (SNTV) method in 2021. [The major shift](#) that Iraq's electoral law underwent in 2020 was mainly due to the widespread protests that erupted in 2019, also known as the Tishreen (October/November) movement. The 2020 law did not just change the vote counting method, it divided Iraq into 83 'medium-sized' constituencies. Previous electoral laws had divided Iraq along province lines into 18 electoral districts. This new allocation of districts and vote counting method, paired with the Tishreen movement which generated a general popular disenchantment vis a vis Iran, and by extension, Iran-aligned parties, led to the [disappointing performance](#) of pro-Iran political entities.

Today, in an effort to overturn the limited concessions gained by the Tishreen movement, the COR, dominated by the State Administration

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Coalition² has [voted on a new electoral law](#) for both the provincial elections set to be held in November of this year, and for future parliamentary elections. The law was passed on the 27th of March, reverts back to the old, modified Sainte Laguë method for counting votes with an initial divisor of 1.7. [The method](#) is used to distribute votes in proportional representation systems. It counts total votes gained by a list or a party, rather than the total votes won by individual candidates. Through dividing the total sum of votes progressively starting from the initial divisor, it allocates seats in the COR. This, paired with raising the initial divisor to 1.7, [favors larger political parties](#) and coalitions at the expense of independent candidates, and smaller and emerging parties with limited capacity to run candidates nationwide or provincewide. Moreover, the new electoral law also [restores the previous division of constituencies](#) into 18 large-sized electoral districts based on Iraq's 18 provinces, down from 83 medium-sized constituencies in the 2021 elections. Therefore, it does not come as a surprise that the new electoral law is [supported by large Shiite, Sunni, and Kurdish political entities](#) that represent the “establishment”, such as the CF, the speaker of the Parliament Mohammed Al-Halbousi's National Progress Alliance, and the KDP and PUK. The agreement between large political

entities on the law can be observed in the Speaker of the Parliament's [determination on passing the law](#). He insisted on holding the session after midnight and directed security personnel to forcibly remove opposing members of Parliament outside the chamber.

The passing of the new (old) electoral law can be understood within broader internal dynamics in Iraq. [The CF aims](#) at completely sweeping away the Tishreen movement, guaranteeing that a similar movement does not arise again, and restoring the “status quo”. This can be attributed to the [large losses](#) suffered by the Iran-aligned parties that make up the CF in the 2021 elections. The CF views the 2021 elections, its electoral law, and by extension, the Tishreen movement, as the reason behind their losses. Thus, the parties of the CF are among the biggest supporters of the return to the Sainte Laguë method, under which they were able to be [among the largest winners](#) in the 2018 elections.

Opposition to the Law and the Prospects of a Sadrist Return

The law is [opposed by nascent parties](#) that emerged from the Tishreen movement, or at the very least, were inspired by it. Representatives of small new parties have denounced the

² The parliament and government are [dominated by the 'State Administration Coalition'](#), a loose alliance between the Iran-backed Shiite Coordination Framework (CF), Sunni 'Sovereignty Alliance', and the two major Kurdish parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK).

modified Sainte Laguë method, claiming that it makes gaining seats in the COR or provincial councils virtually impossible for new parties. Members of new parties such as Emtidad, Ishraqat Kanoon, Watan Alliance, as well as multiple independent MPs have criticized the electoral law. In addition to Tishreen-affiliated parties, multiple leftist and liberal parties have opposed the law. [The Forces of Democratic Change](#), a relatively new alliance between several secular movements such as the Iraqi Communist Party, the Iraqi House, and the Iraqi Promise movement, have also [denounced the law](#) describing it as a continuation of the “repulsive methods” of the ruling class. In addition to political entities, supporters of the Tishreen movement have [taken to the streets](#) and protested the law in several provinces. Besides the capital Baghdad, protesters have taken to the streets in Dhi Qar, Wasit, and Babil.

The Sadrists, the most prominent Shiite rival to the CF has left the political scene and resigned from the COR last year, giving the CF the opportunity to dominate Iraqi political dynamics. By strongly supporting the law, the CF not only targets the Tishreen movement, but they also have the Sadrists in mind. The CF took note that under the SNTV method used in [the 2021 elections](#), the Sadrists emerged as the biggest winners with 73 seats in the COR, while under the Sainte Laguë method used in [the 2018 elections](#), the Sadrists won 54

seats, and Al-Fateh (Conquest) Alliance, which would later become a founding member of the CF, came in second with 47 seats.

On the 22nd of March, [a statement](#) issued by Sayyed Muqtada Al-Sadr's office in Najaf, ordered eight leading figures in the Sadrist movement to remain on alert and to stay inside the country during the holy month of Ramadan, due to “special and public necessities”. This could be understood as a preface to a Sadrist return to political life, possibly through leading protests against the electoral law. If this were to happen, events could quickly deteriorate and sink into chaos and violence, similar to the [events of last August](#), where more than thirty were killed due to clashes between the Sadrists and factions affiliated with CF in the governmental Green Zone.

Conclusion

The reintroduction of the Sainte Laguë method through the new electoral law highlights the significant division between political “elites” and the public. Political entities are concerned solely with preserving their gains, regardless of the means. However, disregarding popular input could backfire on the State Administration Coalition. Attempting to completely overturn the concessions gained by the Tishreen movement could lead to reviving it, as seen by the demonstrations against the electoral law in several southern provinces.

Additionally, paying no attention to the demands of the people could further impede Iraq's quasi-democratic processes. For instance, adopting an electoral law refused by the people could further decrease participation in the elections.

Moreover, the CF not paying attention to the demands of the streets and continuing its attempt to consolidate power, could attract -unwanted- attention from the Sadrists, and facilitate their possibly violent return to the political scene. Which, in turn, could lead to perpetuating the cycle of instability, chaos, and violence, which was the reason that ignited the Tishreen protest movement in October of 2019. Irresponsibility by the CF and its Sunni and Kurdish allies, and their insistence on returning to the "status quo" before 2019, can possibly be the event that pushes Iraq back into the same conditions before Tishreen.

About the author

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