Iraq 2018 Elections: Between Sectarianism and the Nation.By Isam al Khafaji*

Introduction: A cautious reading

The 12 May Iraqi elections – the fourth since the 2003 fall of Saddam Hussein – provided several surprises and contradictions for Iraq's political landscape. Primary among them was the unprecedented objections to and questioning of the results as announced by the Independent High Electoral Commission – a central focus of this paper.

Previous election cycles witnessed objections and complaints, yet none reached an extent that would damaging the clean bill issued by national and international organizations or the Federal Court's validation of the results. Criticism of electoral transparency reached a point where the Council of Ministers was obliged to create a "higher security committee" to investigate accusations sent to the Independent High Electoral Commission (IHEC), and the United Nations representative in Iraq to send a letter calling on the IHEC to do a manual ballot counting of an arbitrary number of ballot boxes to ensure conformity with electronic ballot counting adopted for the first time this year. This multi-stage drama has reached the point where the Parliament decided, in an extraordinary session, to freeze the IHEC and assign a committee of nine judges to replace it, as well as to cancel the votes of internally displaced persons (approximately 3 million) and of Iraqis abroad (around 1.5 million).

Therefore, any interpretation of the current election results must be cautioned with the knowledge that they are subject to change. The results most in question are from several predominantly Sunni governorates (such as Anbar and Salaheddin), Kurdish governorates (such as Sulaymaniyah, Erbil, and Dohuk), or ethnically mixed regions (such as Kirkuk) – where Arabs, Turks,

and Kurds are in multiple ongoing disputes. However, the final decisions taken with regards to these appeals will not change the overall results as there is no serious questioning of the accuracy of the results in predominantly Shia governorates, which constitute the majority of Iraq's population.

That most of Iraq's post-2003 prominent political movements resorted to unprecedented election rigging in 2018 is a tacit acknowledgement of the loss of trust they incurred before massive sectors of their electorates, a trend that has been observed by many for quite some time. Similarly, the public's loss of confidence in the political class is also manifest in the alarming decline in voting rates, despite the high stakes of this year's elections. Out of 24.5 million Iraqis eligible to vote, less than 11 million (44.5%) voted. Participation rates in all previous elections – except for governorate council elections – exceeded 60%. This low turnout translates the frustration of many voters at the possibility of changing the political establishment, despite changes in the political parties' formation and election lists.

Contrary to previous elections, where forces of Shia political Islam led by the Islamic Dawa Party were guaranteed to win, the 2018 elections involved bitter conflict among different political visions, each with serious consequences regarding Iraq's future, and the form of the state to be rebuilt after the destruction wrought by the so-called Islamic State (ISIS) and the policies of previous governments. However, most voters saw the fierce electoral competition as merely a repetition of the same faces, stances, and policies.

Populism Versus Sectarianism

Low voter turnout also contributed to other electoral surprises, notably Shia cleric Muqtada al-Sadr's "Sairoon" list of winning the first place by getting 54 parliamentary seats out of 329. While many frustrated voters stayed home, a nucleus of activists recruited some of the disgruntled to vote for al-Sadr's list. Since 2015 "Sadrists" succeeded in portraying their populist movement as the

answer to all average Iraqi's concerns, while sharing with them unprecedented indignation over the ruling class' behaviour and the dramatic transformations following the 2014 elections which brought Nouri al-Maliki as prime minister.

Additional transformations were sparked by the collapse of the Iraqi army in Mosul and surrounds. Billions of dollars had been spent on the army only to see it collapse when confronted by ISIS who, in less than a month, were able to seize a third of Iraqi territory – including Mosul, Iraq's second city – and threaten Baghdad. The immediate result of this military failure were accusations of the government's sectarianism and corruption, forcing al-Maliki to step down as prime minister in favour of Haider al-Abadi. The popular reaction, however, was more radical with civil activists mobilizing in in Tahrir Square in Baghdad, demanding anti-corruption measures and the prosecution of corrupt officials. These protests expanded to most Iraqi governorates, became known as the "Civil Movement", and were able to gather weekly protests of around 50,000 people. This was until Muqtada al-Sadr urged his followers to join the growing movement, which peaked when protestors broke into the well-fortified "Green Zone", where government headquarters are located, and entered the parliament building.

This was the moment that catalyzed the founding of the Sairoon coalition, which many saw as a breakthrough in the Iraqi political system, although there are several indicators that this optimism may not be justified. Since the Civil Movement began protest activity, al-Sadr's group has remained a main component in the ruling Shia coalition, with 35 chairs in Parliament, five government ministers, and a deputy prime minister – one of the corrupt figures whose prosecution protestors were calling for. At first, the four-year civil protest movement seemed to have a good chance of winning around ten seats in the 2018 parliament, as a civil coalition had won three seats in the 2014 parliament, when popular resentment was less public. These factors saw the creation of the "Takaddum" coalition at the beginning of 2018 (T.K.D.M is an Arabic acronym for Civil Democratic Forces Coalition). The Communist Party

was an essential element of the coalition, yet they surprised other coalition components by withdrawing from the alliance less than two months after it was established. Instead they allied with al-Sadr as a marginal partner in the Sairoon list that had slogans of “combatting corruption and building a citizenship state”. Out of the fifty-four seats won by the Sairoon coalition, the Communist Party won two, whereas candidates from other civil lists won three.

However, if the political earthquake caused by ISIS has strengthened the position of those opposing the corruption and sectarianism of Shia Islamist rule since 2006, it has also generated a counter phenomenon that saw a sectarian Shia list place second to the Sairoon list by a difference of seven seats. This was the “al-Fath” list, which includes some of the most prominent former leaders of the Shia-dominated Popular Mobilization Units (PMU) – though they have now officially disengaged from them, since both the Iraqi Constitution and electoral law prohibit engagement with armed forces in political activity.

Following the army’s collapse against ISIS, the supreme Shia leader in Najaf, Grand Ayatollah Ali al-Sistani, called on Iraqis to mobilize to fight ISIS. Soon, armed, non-regulated, militias answered his call, creating what was later known as the Popular Mobilization Unit, estimated at around 150,000 fighters. It was no secret that these forces were armed sectarian militias that remain functional despite official announcements years earlier that they had disbanded. Despite the fact that Sistani’s religious position in Najaf contradicts Iranian Shia leadership on both political and jurisprudential points, the leaders of one of the most important PMU militias openly pledged allegiance to Ali Khamenei, the Supreme Leader of the Islamic Republic of Iran, and not to Sistani.

The PMU have grown a real popularity among both Shia and Sunni communities as saviors from the ISIS nightmare and defenders of Iraq. They have also invested their military prowess in carrot-and-stick policies towards communities still under their authority in liberated Sunni areas. Additionally, in

the Shia south, these forces are seen as protectors and employers for tens of thousands of previously unemployed men.

The Disintegration of Sectarian Entities?

The changes over the last four years have seen a reversal in the power relations between Shia factions. The most dramatic of these was the loss of former Prime Minister Nouri al-Maliki's list of 67 seats, mainly to the al-Fath list. Yet as a whole, Shia factions have not only preserved their parliamentary majority but have increased it from 153 to 187 seats. This is primarily due to changes taking place among Sunni communities.

Key Sunni political figures took part in the elections at a time when they were highly fragmented and weak. Sunni governorates have been the most exposed to ISIS terrorism and the ones that suffered the most from the destruction that took place to liberate them from ISIS, withmore than two million voters in these governorates still live in tents. There has been a wide sense of resentment towards some Sunni politicians for encouraging members of Sunni communities in various regions to accept ISIS in response to the sectarianism of then Prime Minister Nouri al-Maliki. This bitterness was compounded by the fact the same politicians then abandoned these communities to their fate– so much so that rumors circulated in among Sunni communities that their politicians have only returned to benefit from funds allocated for reconstruction. The same sentiments were accompanied by the positive and growing phenomenon of regained trust among many Sunni youth toward the regular army, which they had seen under al-Maliki's government as a sectarian weapon against them. This explains why the "al Nasr" list, led by Haider al-Abadi, came in first in the Sunni governorate of Nineveh and why some Sunni politicians contested the elections under al-Abadi's list rather than Sunni lists (e.g. "al-Qrar" (The Decision)and "al-Iraq Hawiyatna (Iraq Our Identity").

Where are the Kurds in all this?

The Kurdish political bloc has always been described as the “king maker” for forming government in Iraq. The two main Kurdish parties, the Kurdistan Democratic Party and the Patriotic Union of Kurdistan, together with two Islamist movements, contest the elections under a unified list, which would guarantee them more than fifty seats. This is no longer the case, since the decision of the former Kurdistan Region President Masoud Barzani to hold a referendum for independence from Iraq in October 2017, which resulted in the Kurds losing all of their gains over the last 15 years. In addition to Baghdad, both Turkey and Iran imposed embargoes on the Region, forcing it to relinquish control of its border crossings and airports to federal authorities. Federal government forces then reestablished control over disputed areas that Kurdish forces had spread across since the fall of the Saddam regime. This included Kirkuk’s oil-rich regions and parts of the Diyala governorate adjacent to Baghdad which Kurdish forces had gained control over while federal forces were fighting ISIS.

This collapse of cohesion within Kurdistan added to the wave of popular resentment against prevailing corruption in the region – exceeding that of the federal government – and against the deterioration of living standards of the population. This has seen increasing intensity in reciprocal accusations among parties as well as splits and new formations, with new parties entering the elections as independent.

Any analysis of current Kurdish parliamentary representation is risky as there is consensus among observers that the two major Kurdish parties were involved in large-scale and open election fraud and that it is imperative to wait for the results of the hand-ballot recount.

Major Blocs’ Election Results

List	Composition	Chair Number	Chair Number in	Difference in	Percentage of Chairs

			2014 Elections	Comparison	
Sairoon	Muqtada al-Sadr, secondary civil allies	54	34 (the Ahrar Sadrist Movement)	20+	16.4
al-Fath	Iran-backed Popular Mobilization Forces	47	-	-	14.2
al-Nasr	Prime Minister Haider al-Abadi	42	-	-	12.7
Dawlat al-Kanoon	Iran-backed former prime minister Nouri al-Maliki	25	92	-67	7.5
Kurdistan Democratic Party	Under the leadership of Masoud Barzani	25	25	-	7.5
The National List	Under the leadership of Ayad Allawi and Sunni forces	21	21	-	6.3
al-Hikmah Movement	Ammar al-Hakim	19	29 (the Muwatin (citizen)	-10	5.7

			Movement)		
Patriotic Union of Kurdistan	Founded by the late Jalal Talabani	18	21	-3	5.5
The Iraqi Decision	Vice President Osama al-Nujaifi, Sunni list	14	23 (Muttahidoon) (United)	-9	3.1

Positive Indications

The current elections, including pre-election stages, have revealed the beginnings of (at least non-Kurds) Iraqi society's departure towards restoring an identity beyond sects and the centralized power of political forces based on how trusted their key figures are. However, it is so far hard to judge the level of trust in the programmes of these political parties, as all blocs competed in the elections with slogans revolving around ending the sectarian quota system, fighting corruption, and improving services. It is clear that Shia parties were aware of a rising tendency against sectarianism among voters, which led them to adopt non-religious labels.

The PMU named their representative list "al-Fath", and Ammar al-Hakim, leader of the Islamic Supreme Council of Iraq, defected from the party – the foundation and function of which was linked to his family – and founded the "al-Hikmah National Movement". The Dawa Party – in power since 2006 – could not form a unified election list because of the competition between its two key figures, Prime Minister Haider al-Abadi and former prime minister Nouri al-Maliki. As a result, an agreement was reached to not use the party's

name in the election campaign but enter the elections under two lists, al-Nasr under the leadership of al-Abadi and Dawlat al-Kanoon led by al-Maliki.

This turn of events represented the expression of the start of the exhaustion of the Shia, as well as Sunni, sectarian discourse that had been deployed in public, with a Shia discourse exploiting the danger of al-Qaida and later ISIS to scare Shia of “the return of Sunnis” to power., and a Sunni discourse that equates state institutions to “Shia control” and Sunni marginalization.

One should be careful not to paint too rosy of a picture of the transformations occurring in public sentiment. Election lists with a Shia or Sunni spirit still gain a considerable number of votes despite significant decreases compared to the three previous parliamentary rounds of elections.

Another significant positive phenomenon accompanying these elections, overlooked by most observers, was a slight decline of what could be called “male consciousness” among Iraqi voters. The slight increase in the number of seats won by women is not the only indication of this decline. According to Iraqi electoral law, female representation should not be below 25% (81 seats), making this one of the Arab world’s most progressive laws. This year not only witnessed the election of 84 women to Parliament, but the creation of an election list led by a woman, who also succeeded in electing three other women on her list to the parliament even though she herself did not collect the necessary votes. Similarly, another female candidate won the quota seat for the Sabian Mandaean faith. [1]

Most significant of all is that a female candidate won the first seat for Baghdad candidates (from 71 seats) from the Sairoon list,[2] gaining more than 54,000 votes, a number comparable to what Prime Minister Haider al-Abadi received (59,000), while former prime minister Ayad Allawi received only 28,000 votes. The importance of this data lies in the fact that an increasing number of female candidates no longer need the quota set at a quarter of the seats. In the 2014

elections, 22 female representatives were elected to Parliament from votes they received competing with male candidates, this year their number reached 30.

No New Governance in the Short Term

Followers of the Iraqi political scene in the last 15 years know that forming a new government will take months. The formation of a new government after the 2014 elections took more than four months, while in 2010 Iraq broke a record held by Belgium and formed a government only after 289 days of the approval of election results.

This was first the result of an interpretation of the Constitution by the Federal Court, which was then accused of bias in favour of former prime minister Nouri al-Maliki regarding the notion of the “winning bloc”, whose leader is asked by Iraq’s president to form a government. Under that interpretation, the list that wins the highest number of seats is not necessarily the “winning bloc”; rather, the winning lists enter into agreements and coalitions after the approval of the election results. Such alliances then need to register themselves in the first session of the new Parliament so that the largest coalition then receives the mandate to form government.

Consequently, it is not a given that the Sairoon bloc will be mandated to form a new government. In the light of the fragmentation among winning lists, none of the lists can guarantee a parliamentary majority of 165 chairs unless it allies itself with at least four other lists. We can ironically say then that this task was much easier in the past, although the formation of a new government previously took months, as electoral lists did not conceal their sectarian identities. Additionally, the winning bloc would get between 90 and 100 chairs that would then facilitate partnership with the Kurdish alliance and a list representing Arab Sunnis. This guaranteed a parliamentary majority under a system based on the fabricated principle of “national consensus”, wherein all

large winning blocks, whether Shia, Sunni, or Kurdish, would participate in a government in which positions were distributed according to political weight of each party.

Thus, previous parliamentary elections ended with the Islamic Dawa Party gaining the majority of votes. They would then form – together with the Islamic Supreme Council under the leadership of the al-Hakim family, the Sadrist Movement of Muqtada al-Sadr, and less prominent movements – a Shia bloc that the Kurdish alliance, initially made up of the Kurdistan Democratic Party and the Patriotic Union of Kurdistan, and Arab Sunni forces would later join. Conflicts delaying the formation of a new government generally revolved around distribution of cabinet seats.

The formation of a new government will take place under conditions and challenges vastly different from the past, starting from the results of the ballot recount and the potential for violence it carries if the results prove different from those announced by the Independent High Electoral Commission. Assuming that this will take place peacefully, Iraq will be, for the first time since the fall of Saddam Hussein, facing the possibility of forming a government that is not under Iranian dominance, if the Sairoon, al-Nasr, and al-Wataniya blocs join forces. On the other hand, Iran-backed blocs, with al-Fath, the Dawlat al-Kanoon, and the two major Kurdish parties at the forefront are relentlessly working to be the largest bloc to be mandated to form a new government. Similarly, for the first time the parliament will include one ruling and one opposition coalition instead of the “national consensus” system that served as a pretext for fiefdoms distributed among different blocs. In all cases, it will be highly fortunate should a government be formed before the end of 2018.

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https://www.arab-reform.net/en/node/1328