

# The Shock of the 2021 Elections

## The Impact and Desirability of the New Electoral System in Iraq

*Hashim Al-Rikabi*

### Abstract

The 2020 electoral system explains all puzzles of the 2021 elections' results in Iraq, in terms of the rise and demise of certain political forces. It helps strengthening the aspect of accountability, maintaining representation, and eventually stabilize the political landscape. However, the conduct of elections deepened political polarization due to claims of high scale fraud and votes' manipulations.

### Introduction

Iraq's electoral system evolved gradually over time, as shown in Table I,<sup>1</sup> but the 2021 elections saw a fundamental change towards a majoritarian system based on small districts (3-5 seats), individual candidacy, electronic counting of the ballot papers, and highest votes as a seat allocation mechanism, as legislated in Law no. 9 of 2020.<sup>2</sup> In order to assess the impact of the new electoral system, a data-driven analysis of election results was conducted to measure its numeric impact as well as assessing the desirability of the new system based on the criteria of representation, accountability, and political stability.

**Table I. The evolution of the electoral system in Iraq**

Elections	Jan. 2005	Dec. 2005	Mar. 2010	Apr. 2014	May 2018	Oct. 2021
System	Proportional	Proportional	Proportional	Proportional	Proportional	Proportional
District	1	18	18	18	18	83
Seats Allocation Mechanism	Largest Remainder	Largest Remainder (Modified)	Highest Average	Sainte Lague (Modified)	Sainte Lague (Modified)	Highest Vote
List Type	Closed	Closed	Semi-Open	Semi-Open	Semi-Open	Individual
Seats	275	275	325	328	329	329
Candidates	7,761	6,655	6,281	9,039	6,904	3,243
Winning Coalitions	6	6	6	9	11	
Blocs size	/	44	51	29	25	

<sup>1</sup> Fadhel H. Al-Amari, "Historical Evolution for Iraqi Elections (1920 – 2014)", Electoral Studies, No. 1, January 2015.

<sup>2</sup> Ministry of Justice, "Law of Elections of Iraq Council of Representatives No. 9 of 2020", [Microsoft Word - 050-000-050t 050-050-050-050- \(moj.gov.iq\)](https://www.moj.gov.iq/).

## Final 2021 Election Results<sup>3</sup>

Studying the 2021 parliamentary election results highlights the impact of the new electoral system, where the cost of a seat, that is the number of votes a party has received divided by the number of seats it holds in the Council of Representatives, varies significantly from 12,128 votes for the Sadrist Bloc to 89,969 votes for the Alliance of State Forces, the coalition formed by Haider Al-Abadi and Ammar Al-Hakim, as shown in Table II. Another important indicator is that the Sadrist bloc only obtained 9.22% of the votes, but got 22.19% of the seats.

**Table II. 2021 Elections Results**

#	Contender Name	Total Votes	% Votes	# Seats	% Seats	Seat Cost
1	Sadrist Bloc	885,310	9.94	73	22.19	12128
2	KDP	781,670	8.78	31	9.42	25215
3	Progress	637,198	7.15	37	11.25	17222
4	State of Law	502,188	5.64	33	10.03	15218
5	Fatah	462,800	5.20	17	5.17	27224
6	Azm	421,579	4.73	14	4.26	30113
7	PUK	368,226	4.13	17	5.17	21660
8	Imtidad	299,303	3.36	9	2.74	33256
9	Nat'l Contract	235,726	2.65	4	1.22	58932
10	State Forces	359,876	4.04	4	1.22	89969
11	New Generation	233,834	2.63	9	2.74	25982
12	Tasmim	153,614	1.72	5	1.52	30723
13	Kanon	100,374	1.13	6	1.82	16729
14	Independents	1,686,792	18.94	43	13.07	39228
15	Other Parties	1,778,469	19.97	27	8.21	65869
	Total	8,906,959	100	329	100	33964

Furthermore, analyzing election results at the provincial level highlights further the impact of the new electoral system, where the Sadrist obtained 35% of Basra seats (9 out of 25 seats), despite obtaining only 11% of votes (78,000 out of 692,900 votes), as shown in Table III. This attributed to number of reasons. First, the highly centralized campaigning of the Sadrists compared to others in terms of the number of candidates. The Sadrist bloc nominated only 95 candidates compared to 142 candidates of the Alliance of State Forces. Second, the strict district mapping and the ability to identify the extent of popular support that the party enjoys in each district. Third, the ability to mobilize constituents. The Sadrists launched an application, entitled "Al-Teyar" utilized to assist voters to identify Sadrist candidates and educating them on procedures of voting.<sup>4</sup>

<sup>3</sup> All numbers are based on official IHEC results; see the following link (accessed 8 January, 2022): [المفوضية العليا المستقلة للانتخابات - IHEC Website](https://www.ihc.gov.iq/)

<sup>4</sup> See the application here: [تطبيق التيار \(alteyar.com\)](https://alteyar.com/).

**Table III. Analysis of 2021 elections results in Basra for top 4 contenders**

Indicator	Sadrist Bloc	State of Law	Fatah	State Forces	Total in Basra
Votes	78,657	41,594	45,189	36,104	692,902.00
% Votes	11	6	7	4	100
Seats	9	1	2	1	24
% Seats	36	4	8	4	100

On the other hand, the Fatah alliance and its political allies combined (i.e. the Fatah, the National Contract, and the Huquq Movement) obtained 798,029 votes nationwide, which is very close to the 885,310 votes of the Sadrist bloc, as shown in Table IV. Despite the many votes they obtained, running on three different lists diminished their overall success, in terms of seats in the parliament.

**Table IV. Votes of Fatah Forces compared to Sadrist bloc**

Fatah Forces	Fatah Alliance	National Contract	Huquq Movement	Total	Sadrists
Votes	462,800	235,726	99,503	798,029	885,310
Seats	17	4	1	22	73

Despite the fact that such distribution of seats might not be seen fair, the new electoral system allowed fair competition by minimizing district magnitude and having higher votes as a mechanism for seat allocations. Establishment parties utilized prior electoral laws to run a high number of candidates to amalgamate votes and obtain seats,<sup>5</sup> in contrast to independents with limited financial and logistical capacity to cover campaigning for the whole province. Also, the new law is based on single non-transferable votes (SNTV), which ended the role of symbolic leaders who used to get thousands of votes and who would eventually transfer them to their list's candidates.

Applying the 2005 electoral system of having Iraq one district and Largest Remainder<sup>6</sup> as a mechanism of seat allocation will dramatically change the election results, as seen in Table V, where the Sadrist bloc seats would drop from 73 to 39. Most interestingly, had this law been applied, the chances of protest leaning parties such as Imitdad had increased significantly, and their seats had gone up from 9 to 17 seats. Besides that, other establishment parties had received a different representation that reflects their popular support better as well. The Alliance of State Forces, for instance, had received 21 seats instead of 4, Fatah and its allies such as the National Contract and the Huquq Movement had received 42 seats instead of 22 – more than the Sadrist bloc. However, neither the independent candidates nor other small parties had entered parliament, as they had not surpassed the threshold of 27,834 ballots.

**Table V. Applying 2005 electoral system on 2021 elections results**

#	Contender Name	Votes	2021 Seats	2005 System*
1	Sadrist Bloc	885,310	73	39
2	KDP	781,670	31	29
3	Progress	637,198	37	30
4	State of Law	502,188	33	18
5	Fatah	462,800	17	22

<sup>5</sup> Hashim Al-Rikabi, "Electoral Competition in Iraq: Addressing the Pros and Cons," Al-Bayan Center for Planning and Studies, 15 January, 2018, [Electoral competition in Iraq: Addressing the pros and cons | Al-Bayan Center](#).

<sup>6</sup> It is a way of allocating seats proportionally, where each party is first allocated a number of seats equal to the integer of the division of their votes to total votes, and seats left will be allocated on the basis of the fractional remainder.

6	Azm	421,579	14	16
7	PUK	368,226	17	15
8	Imitdad	299,303	9	17
9	National Contract	235,726	4	12
10	State Forces	359,876	4	21
11	New Generation	233,834	9	12
12	Tasmim	153,614	5	10
13	Kanon	100,374	6	9
14	Popular Masses	58,089	3	3
15	National Masses	49,443	1	8
16	Iraqi National Project	45,197	1	7
17	National Product	35,891	1	4
18	Empowerment of Nation	73,210	1	8
19	Wasit Gathering	30,918	1	2
20	National Approach	107,600	1	11
21	Euphrates Trend	39,500	1	5
22	Turkoman Front	48,422	1	8
23	Kurdistan Justice	64,025	1	5
24	Huquq Movement	99,503	1	8
25	Independents	1,686,792	43	0
26	Other Small Parties	1,126,671	5	0
	Total	8,906,959	320	320

\*See Index 1 for the calculation of the largest remainder mechanism

The 2021 parliamentary election saw the lowest voter turnout so far with only 43.54 percent. The decline in popular support for competing actors is especially evident in the drop of votes for the establishment parties in the Shia landscape, including the Sadrist bloc, which lost 608,000 votes in absolute term.<sup>7</sup> However, the Sadrists used the new electoral law to their advantage and increased their seats by 19 (54 seats in 2018) despite the decline in votes, as shown in Table VI. The new electoral system clearly determined the winners and losers.

**Table VI. Changes in Shia landscape in terms of the popular vote**

Contender Name	2021 Votes	% Votes	2018 Votes	% Votes	Absolute Loss	% of Change	Category
Sadrist Bloc	885,310	9.94	1,493,542	14.38	-608,232	-4.44	Old
State of Law	502,188	5.64	725,108	6.98	-222,920	-1.34	Old

<sup>7</sup> It is important to note that some analysts attribute such decline in vote of the Sadrists to the low turnout and the absence of Communists, who run with the Sadrists in the 2018 elections. For example, Muhanad Al-Bayati found that by excluding the votes of communist candidates and accounting for the turnout level, the Sadrists obtained 22% of votes in 2018 and 2021; see his piece, "Analyzing Election Results in Baghdad Province", Kitabat, 7 January, 2022, <https://www.kitabat.com/en/analysis-of-the-iraqi-parliamentary-elections-2022>, تحليل نتائج الانتخابات في محافظة بغداد لـ الكاتب / مهند البياتي (kitabat.com).

<b>Fatah Forces</b>	798,029	8.96	1,366,789	13.16	-568,760	-4.20	Old
<b>Imitdad</b>	299,303	3.36	/	/	299,303	3.36	New
<b>State Forces</b>	359,876	4.04	1,681,135	16.19	-1,321,259	-12.15	Old
<b>Tasmim</b>	153,614	1.72	/	/	153,614	1.72	New
<b>Kanon</b>	100,374	1.13	/	/	100,374	1.13	New
<b>Total</b>	8,906,959	100	10,384,502				

## Representation

One of the core criteria for assessing electoral systems is its ability to provide “inclusive and meaningful representation”.<sup>8</sup> Assessing the identities of the newly elected Members of Parliament (MP) shows that all identities are represented: 185 MPs are Shia, 76 Sunni, 58 Kurdish and 9 are from different minority groups, as showcases Table VII on identities of post-election coalitions.<sup>9</sup>

Having districts distributed based on women quota encouraged parties to nominate strong women candidates and mobilize their support base to secure the quota seat, especially in areas where a party's support base is weak. This has been reflected positively by having 95 women win seats in the 2021 elections, compared to only 87 in the 2018 elections. In total, 951 women ran for the 2021 elections while obtaining 1.8 million votes (around 20% of total valid votes). Also, having small districts allowed a geographic representation, where each district has 3-5 MPs, instead of having representatives on nationwide level (depriving Muthana province from having a representative in 2005 elections).

**Table VII. Identities of post-elections coalitions**

#	Group	Seats	Identity
1	Sadrist Bloc	74	Shia
2	Shia Coordination Framework	61	Shia
3	Small Parties & Independents	50	Shia
4	Progress Alliance (37 + 5 Independents)	42	Sunni
5	Azm (14 + 12 of 5 Small Parties + 6 Independents)	34	Sunni
6	KDP	31	Kurds
7	PUK	17	Kurds
8	New Generation	9	Kurds
9	Kurdistan Justice	1	Kurds

However, minority seats were captured by the establishment parties, predominately by forces close to the Shia Coordination Framework (SCF), as shown in Table VIII. Though, the capture of minorities' seats is not due to the nature of the electoral system, rather to the influence of political forces tied to the SCF. For example, the Christian Babylon Movement had two MPs and a minister pre-elections which helped cement their influence in the Christian political landscape.

<sup>8</sup> André Blais, “Criteria for Assessing Electoral Systems”, *Electoral Insight*, No. 1 (1999): pp. 3-6.

<sup>9</sup> It is important to note these numbers are estimated, as there are conflicting reports of the exact number of seats each post-election coalition possesses.

Table VIII. Minorities seats

#	Minorities	Seats	Political group	Leaning/affiliation to SCF
1	Christian	4	Babylon	Yes, Fatah
		1	Independent	No
2	Shabak	1	Independent	Yes, Fatah
3	Kurd Faili	1	Independent	Yes, State of Law
4	Mandain	1	Independent	No
5	Yazidi	1	Yazidi Progress	No

## Accountability

The new electoral system not only provided the space for new forces to rise, but also its dynamics connect elected officials to their constituencies, in terms of individual candidacy and highest votes, consolidating aspects of accountability, in terms of the ability of citizens to hold accountable those who fail to deliver their promises.

Prior electoral law allowed party leaders to control the electoral processes by granting preferential numbers to their senior leaders, running a high number of candidates to collect votes and mobilizing a lot of financial and human resources to campaign and mobilize their bases. However, the system of individual candidacy led to a drop in the number of candidates from 6904 in 2018 to 3225 in the 2021 elections. Further, having highest votes as a seat mechanism ended the transfer of votes from one candidate to another within the same list as per proportional systems, discouraging all symbolic leaders from running for elections, such as the former Prime Minister Nouri Al-Maliki. This time, elected officials came to realize that their victory is tied to their constituencies in the first place, which could incentivize politicians to activate institutional channels to engage their constituencies, channel voters' demands, and oversee the budget allocation for the benefit of their electorate.

The new electoral system led to a very low re-election rate of incumbent MPs, similar to the old electoral systems,<sup>10</sup> only 20% of MPs kept their seats and almost 80% are new MPs.<sup>11</sup> Still, the same processes of the ethno-sectarian quota system and the same actors dominate the government formation efforts and all subsequent processes. This is not attributed to the electoral system, as applying a completely different electoral law (Table. V) would still empower the same forces to dominate election results, hence, it is attributed to parties' practices and voting behavior.

## Political Stability

The results of the 2021 election and the new electoral law further polarized the political scene by triggering doubts whether the ballot counting and the distribution of parliamentary seats was transparent or subjected to fraud.<sup>12</sup> Still, it has the prospect of unifying parties sharing the same platform or orientation, which could subsequently stabilize the political landscape in the long term.

Having electronic voting with a high percentage of invalid ballot papers, 722,642 that is 7.5% of the total votes,<sup>13</sup> pushed many political forces to demand full manual counting. This polarized the political scene into two opposing camps. One rejected the results and called for comprehensive manual counting,<sup>14</sup> with some forces submitting judicial lawsuits to annul the election results,<sup>15</sup> and a second camp, which accepted

<sup>10</sup> Hashim Al-Rikabi, "Elections and Old Faces: How Often Do Iraq's Political Elites Change?" 1001 Iraqi Thoughts, 9 February, 2018; [Elections and Old Faces: How Often do Iraq's Political Elite Change? - 1001 Iraqi Thoughts](#).

<sup>11</sup> "Massive Change: About 80 Percent of Upcoming Parliament Are New Faces," NasNews, 19 October, 2021; ['massive' change about 80 percent of the next parliament new faces \(nasnews.com\)](#).

<sup>12</sup> Ali Al-Mawlawi, "Iraq Needs a Full Manual Recount to Overcome Electoral Impasse," 1001 Iraqi Thoughts, 19 December, 2021; [Iraq Needs a Full Manual Recount to Overcome Election Impasse - 1001 Iraqi Thoughts](#).

<sup>13</sup> Ibid.

<sup>14</sup> "Coordination Framework Meeting Calls for Comprehensive Manual Counting," Rudaw, 24 October, 2021; [اجتماع الإطار التنسيقي يطالب بالعد والفرز اليدوي... | رووداو نيت \(rudaw.net\)](#)

<sup>15</sup> "Al-Amiri Before Federal Court Judges in 'Annulment of Election Results' NasNews, 5 December, 2021; [العامري أمام قضاة المحكمة الاتحادية في دعوى 'الغاء نتائج الانتخابات' \(صور\) \(nasnews.com\)](#).

the results and the conduct of the elections.<sup>16</sup> While the approval of the election results by Iraq's Federal Court ended the legal discussion on the election's outcome on 27 December 2021, the court's judgement did not end the political dispute, as those doubted elections results still argue elections were prone to large scale fraud and voter manipulation, and their acceptance of court's ruling is out of respecting democratic processes.<sup>17</sup>

While the 2005 electoral system encouraged parties to enter into "label" coalitions,<sup>18</sup> the new electoral system encourages "unified" coalitions.<sup>19</sup> A majoritarian system with the highest votes as a seat mechanism did not encourage parties running into "label" coalitions, such as the Alliance of State Forces, where Hakim's National Wisdom Movement and Abadi's Victory List, each listed own candidates in each district, running 124 candidates in total. On the contrary, State of Law, being a "unified" coalition, with one candidate in each district, running a total of 72 candidates. Such distinction between "label" and "unified" coalition would not be relevant in the 2005 electoral system, but rather the opposite could be true: the more candidates filed by a coalition, the more votes a coalition obtains, resulting in more seats in proportion to their votes. For example, the Alliance of State Forces would get 21 seats based on the 2005 electoral system (Table. V), but the current system diminished their votes and allowed them to obtain 4 seats only (Table. II). Thus, rewarding only parties that unify their ranks could address the fractured political scene in the long term.

The new electoral system has the potential of bridging the gap between youth and the state. Such gap is evident in the waves of protest,<sup>20</sup> its dynamics eventually led to the resignation of the government of former PM Adil Abdul Mahdi and calls for conducting early elections. On one hand, the new electoral law pressures parties to develop an organizational capacity to map districts strictly, measure the popularity of candidates, and identify/mobilize their bases. Such capacity is much needed to have parties capable of engaging communities, channels demands, and oversee allocation and implementation of budget for their constituencies. On the other hand, the new law provides the space for independent and protest-leaning parties, channeling their opposition through institutional channels, namely parliament. This could help restore citizens' trust in the legislature. Public opinion surveys highlighted the almost non-existent trust in parliament, which has waned significantly from 28% in 2011 to only 13% in 2018.<sup>21</sup> Restoring trust in the legislature and pressuring parties to engage constituencies has the potential of addressing the gap between youth and the state.

## Conclusion and Recommendations

Being based on individual candidacy, small districts, and the highest votes to allocate seats, the new electoral law represented a dramatic evolution of the electoral system in Iraq and explains the results of the 2021 elections, in terms of rise and demise of certain political forces.

The new system has maintained representation with the potential of enhancing accountability by linking elected officials to their constituencies more than party leaders, who often do not reside even closely to their electorate. The new system also has the potential of stabilizing the political landscape by limiting parties' fragmentation and bridging the gap between youth and the state.

It is still important to address some of the shortcomings of the new system, mainly electronic voting. Lacking infrastructure and assurances of a sound cyber security, it is more assuring to utilize manual counting, and this has been already achieved, given that the Federal Supreme Court already ruled that manual counting has to be included in the next electoral law.<sup>22</sup>

Further, elements of the new electoral system could also serve well the elections of provincial councils as it enhances accountability by tying candidates to their constituencies.

<sup>16</sup> "After the Progress of His Bloc, Muqtada Al-Sadr Thanks Iraqi Election Commission", Dostor Newspaper, 30 November, 2021; [after the progress of his mass. muqtada al-sadr thanks iraqi election commission \(dostor.org\)](#).

<sup>17</sup> "First Comment by Hadi Al-Amiri: Adherence to Court's Ruling and Court was Subjected to Pressures", NasNews, 27 December, 2021; [أول تعليق لهادي العامري: نلتزم بقرار: نلتزم بقرار \(nasnews.com\)](#).

<sup>18</sup> Coalitions that gather parties that share the same platforms but with the lowest level of coordination, as such each party within the coalition does run and mobilize only for its own candidates.

<sup>19</sup> Coalitions that gather parties that share the same platform and have the highest level of coordination possible in terms of agreeing on nominating candidates in proportion to their likely popular support and mobilizing all their bases towards these candidates.

<sup>20</sup> Hashim Al-Rikabi, "The Rising Tide of Change: An Assessment of the 2018 and 2019 Protest", Arab Reform Initiative, 25 November, 2019; [The Rising Tide of Change in Iraq: An Assessment of the 2018 and 2019 Protests – Arab Reform Initiative \(arab-reform.net\)](#).

<sup>21</sup> Arab Barometer V, "Iraq Country Report"; [ABV\\_Iraq\\_Report\\_Public-Opinion\\_2019.pdf \(arabbarometer.org\)](#).

<sup>22</sup> "Federal Court Requests Next Parliament to Amend Elections Law", NasNews, 27 December, 2021; [federal court asks next parliament to amend election law \(nasnews.com\)](#).

*Hashim Al-Rikabi is a lecturer at the University of Kufa and president of the Baghdad based NGO, Platform Center for Sustainable Development. He focuses on topics of good governance and rule of law.*

## Index I. Applying the largest remainder calculation on 2021 election results

Contender name	Votes	Votes/Quota	Automatic Seats	Remainder	Highest Remainder Seats	Total Seats	2021 seats
Sadryst Bloc	885,310	31.807	31	0.807	8	39	73
KDP	781,670	28.083	28	0.083	1	29	31
Progress	637,198	22.893	22	0.893	8	30	37
State of Law	502,188	18.042	18	0.042	0	18	33
Fatah	462,800	16.627	16	0.627	6	22	17
Azm	421,579	15.146	15	0.146	1	16	14
PUK	368,226	13.229	13	0.229	2	15	17
Imitdad	299,303	10.753	10	0.753	7	17	9
National Contract	235,726	8.469	8	0.469	4	12	4
State Forces	359,876	12.929	12	0.929	9	21	4
New Generation	233,834	8.401	8	0.401	4	12	9
Tasmim	153,614	5.519	5	0.519	5	10	5
Kanon	100,374	3.606	3	0.606	6	9	6
Popular Masses	58,089	2.087	2	0.087	1	3	3
National Masses	49,443	1.776	1	0.776	7	8	1
Iraqi Nat'l Project	45,197	1.624	1	0.624	6	7	1
National Product	35,891	1.289	1	0.289	3	4	1
Empower Nations	73,210	2.630	2	0.630	6	8	1



<b>Wasit Gathering</b>	30,918	1.111	1	0.111	1	2	1
<b>National Approach</b>	107,600	3.866	3	0.866	8	11	1
<b>Euphrates Trend</b>	39,500	1.419	1	0.419	4	5	1
<b>Turkoman Front</b>	48,422	1.740	1	0.740	7	8	1
<b>Kurdistan Justice</b>	64,025	2.300	2	0.300	3	5	1
<b>Huquq Movement</b>	99,503	3.575	3	0.575	5	8	1
<b>Independents</b>	1.6M	0					
<b>Other Parties</b>	1.2M	0					
<b>Total</b>	8.9M		207	11923	113		
<b>Seats</b>	320			113			
<b>Quota</b>	27,834			947748			