

Were the 2021 Iraqi Elections Fair?

by Raed Ahmed

The 2021 elections in Iraq took place six months early, brought forward because of the street protests which preceded them. The notably low turnout in the elections indicates that the confidence of Iraqis in their political system remains low. The maneuvering that followed the polls is unlikely to have improved this confidence. The emergence of a government narrowly based on certain factions is similarly unlikely to inspire faith in the system. The legitimacy gap in Iraq remains a matter of concern.



In October 2019, hundreds of thousands of Iraqis protested in Baghdad and other cities demanding changes to election laws.

In October 2021, Iraq experienced the lowest rate of voter turnout since 2005. Only 40 percent of voters cast their votes for the Council of Representatives (CoR). Protests in October 2019, which lasted for months, heavily influenced the political landscape as protestors called for economic and political reforms, ending the ethno-sectarian political system, and adopting anti-corruption policies. The government of Adil Abdulmahdi (formed after the 2018 elections) stepped down due to the public demands and because of evidence of the abuse of thousands of Iraqi activists taking part in the protests. As a result, the CoR called for early elections and passed a new law of elections in 2020.¹

¹ Sarhang Hamasaeed, "[Can Iraq's Parliamentary Elections Bring Change?](#)" U.S. Institute of Peace, Washington, D.C., Oct. 7, 2021.

The 2021 elections involved new voting rules, weak performance of the major political parties, and the unprecedented success of women candidates, who won seats above the constitutional quota. These events were all new to the Iraqi electoral experience since the first national parliamentary elections of January 2005. Until the 2018 elections, major challenges—such as the U.S. military presence, the civil war, and the control of territory by the Islamic State in Iraq and Syria (ISIS)—had given Iraqis no choice but to prioritize security. During that time, most of the major political parties were elected based on ethno-sectarian divisions, such as Kurdish, Shiite, and Sunni. The public demands for changing that informal system reached its peak during the October 2019 protests when hundreds of thousands of Iraqis, mainly Shiite youth, protested in Baghdad and most of the Shiite-majority cities in southern Iraq. The pro-Iran militias—some of which were represented in the parliament of 2018 and lost more than one-half of their seats in 2021—were accused of murdering and abducting thousands of activists.²

New Electoral Rules and Administration

It was expected that the new electoral rules and administration of the 2021 elections would influence the out-come. Since 2004,

² Katherine Lawlor, “[Iraq Warning Intelligence Update: ‘October Revolution’ Anniversary Protests Set to Resume](#),” Institute for the Study of War, Washington, D.C., Sept. 30, 2020.

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there have often been new rules for elections by regulating some key issues, such as the constituency level, freedom of the political leaders in transferring votes, and the type of list. In the January 2005 elections, the political leaders had the freedom to manipulate the votes and determine the winning candidates. At that time, the whole country was one constituency, and the voters were casting their votes for parties instead of for candidates. As a result, there were winners representing their parties but not necessarily the voters’ choices.

In December 2005, the situation was almost similar except for the constituency level where each governorate was one constituency. Thus, the candidates’ loyalty remained the major factor in becoming members in the CoR. Since the 2010 elections, however, there have been some limitations on the party leaders’ influence on the results. This has decreased political corruption, supported the voters’ will,³ and increased the connections between the constituencies and the candidates.⁴ The 2021 national elections were very different from the previous ones in terms of the constituency level and transferability of votes. Also, the 2019 law has curbed the power of political leaders to control the transferable votes to have “loyal” candidates win even with low vote counts.⁵ Such changes in the rules have resulted

³ “[A perusal of Elections Law No. 9 of 2020 issued by the Council of Representatives of Iraq](#),” Al-Bayan Center for Planning and Studies, Baghdad, Sept. 13, 2021.

⁴ Hamasaeed, “[Can Iraq’s Parliamentary Elections Bring Change?](#)”

⁵ “[A perusal of Elections Law No. 9 of 2020 issued by the Council of Representatives of Iraq](#),” Sept. 13, 2021.

in a major difference where the candidates tended to be more popular than partisan.

Most of the Shiite coalitions experienced unexpected losses. At the beginning, leaders of the losing parties, such as Haider al-Abadi, Hadi al-Amiri, Ammar al-Hakeem, and Nouri al-Maliki, did not admit that they did not have enough public support,⁶ so they put some efforts into rejecting the results by filing lawsuits, protesting, and using force against some officials in government.⁷ That rejection was prompted by the loss of the power that the Shiite parties had built since 2003 and their fear of being marginalized, especially by the new winners—i.e., the Kurds and Sunnis. However, these efforts to make a difference in the results failed, especially when the Iraqi supreme court rejected their bid.⁸

One might explain that loss by the coalitions' misunderstanding or underestimating those new rules of the 2020 Law of Elections. However, this was not true for all of the coalitions. On one hand, Shiites and Kurds were well prepared for those new



2021 polling place, Baghdad. The international community supported the 2021 elections to prevent major fraud, and most of the nine members of the Board of Commissioners were independents.

rules. That is, their number of candidates in each multi-member constituency was almost always only one candidate, where the number of seats ranged from one to five. Therefore, the chances of winning could have been very high because there were no other candidates from the similar coalition competing in the same constituency. Also, sometimes the number of candidates changed slightly depending on the expected support the coalition might have received from specific constituencies. For example, Fatih—a Shiite coalition—did not have more than one candidate in most of the constituencies except for those in which the coalition anticipated gaining high levels of support, such as in Ninawa, Maysan, Salaheddin, and other areas. Yet, in all cases, the number of candidates did not exceed the number of seats for the given constituency. That applied to most of the Shiite and Kurdish parties' nominations. That strategy avoided wasting votes.

⁶ Abdul Rauf M. Ghonaimy, "[Shifts in the Iraqi Electoral Landscape and the Consequences for Iran in Light of Iraq's 2021 Election](#)," International Institute for Iranian Studies, Riyadh, Nov. 11, 2021.

⁷ Lahib Higuel, "Iraq's Surprise Election Results," International Crisis Group, Brussels, Nov. 16, 2021.

⁸ "[Federal Court Rejects Appeals of Election Results](#)," The Iraqi News Agency (INA), Dec. 27, 2021; Reuters, Dec. 27, 2021.

Table 1: Votes and seats of the major political entities in 2021 Elections

Political party	Candidates/provinces	Seats #	Total votes
Sadrist Bloc	95/12	73	885,310
Taqadum	123/8	37	637,198
State of Law	71/15	33	502,188
Kurdish Democratic	51/10	31	781,670
Fatih	73/15	17	462,800
Azim	123/6	14	421,579

"Elections of the Council of Representatives-Final Results," Independent High Electoral Commission, Baghdad.

On the other hand, the Sunnis did not follow that strategy, perhaps, because their unstable leadership changed in almost every election. In 16 constituencies (out of the total of 35 they ran in), the number of candidates of Taqadum (the main Sunni coalition) was equal to or exceeded the number of seats for those constituencies. Also, the Azim coalition followed the same rule in 17 constituencies out of 30. Thus, candidates of Taqadum and Azim were fighting other candidates of their own coalitions in some constituencies and were confusing their supporters. As a result, they were canceling each other's votes and decreasing their chances of winning. Their supporters were confused about for whom to vote. Even if they were not, they were divided in supporting many candidates from one coalition in a given constituency. Such a poor strategy was costly for both coalitions, yet Taqadum performed much better than most of the Shiite coalitions.

From a different perspective, Table 1 shows some details about the number of votes versus seats of the major coalitions. The numbers here may support the claim above about the interaction between the strategies of the coalitions with the public support they had. As mentioned before, not every political party/coalition was aware of the new rules. However, the miscalculations of Taqadum did not prevent it from emerging as the second largest coalition in the

parliament, winning 37 seats, yet it definitely decreased its chances of winning more seats. That success can be attributed to its popularity among Sunnis as a new and promising leadership, especially in the Anbar governorate where it won two-thirds of the total number of seats.

Second, the administration of the Independent High Electoral Commission (IHEC) may also have been a factor in explaining the outcomes of the elections. The Board of Commissioners (BoC), which consists of nine members chosen by the High Judicial Council, Judicial Council of Kurdistan, and the State Council by lottery for four years,⁹ was previously politicized. However, for the 2021 elections, almost all the members were judges, thus independent and less affected by the political parties.¹⁰ Finally, the international community was clearly supporting the Iraqi elections to prevent major fraud.¹¹ At the request of the Iraqi government, the U.N. Security Council passed resolution 2576 in May 2021, which mandated the U.N.

⁹ ["Iraq Elections October 2021,"](#) U.N. Assistance Mission for Iraq (UNAMI), Baghdad, n.d.

¹⁰ Hamasaeed, ["Can Iraq's Parliamentary Elections Bring Change?"](#)

¹¹ Basil Hussein, "Al-intikhabat al-iraqia al-amma: tanafus muhtadem fi seyaq jaded," Al-Jazeera Center for Studies, Doha, [Sept. 30, 2021.](#)

Table 2: Major Political Parties/Coalitions in the Iraqi Parliamentary Elections (2005-2021)

Ethnicity/Sect	Political Entity	Leader	2005	2010	2014	2018	2021
Kurd	Kurdistan Democratic Party	Barzani	53	42	25	26	31
	Patriotic Union of Kurds *	Talabani	-	-	21	18	17
	New Generation Movement	Farouq	-	-	-	4	9
	Total		53	42	46	48	57
Shiite	Sadrist Bloc	Alsadr	-	-	34	54	73
	Fatih	Amiri	-	-	-	47	17
	Nasir**	Abadi	-	-	-	42	4
	State of Law	Maliki	-	87	92	25	33
	Hikma**	Hakeem	128	68	31	19	-
	Total		128	155	157	187	127
Sunni	Iraqi Decision Coalition	Nujaifi	44	6	28	14	-
	Taqadum	Halbousi	-	-	-	6	37
	Baghdad Alliance	Mashhadani	-	-	-	4	-
	Ninawa our Identity	Aljammas	-	-	-	3	-
	Azim of Iraq	Khanjar	-	-	-	-	14
	Iraqi National Movement	Alawi	-	89	21	19	1
	Total		-	95	49	46	52

Source: IHEC and the Election Guide

Assistance Mission for Iraq (UNAMI) to advise and support the Iraqi government and its electoral commission in planning and conducting the elections of 2021. As a result, the UNAMI deployed 150 international experts and 550 national personnel for monitoring. Those experts rated the overall procedures and transparency of voting at 96 percent of the polling stations as “good” to “very good.”¹² Also, it was the first time the European Union Election Observation Mission sent observers to Iraq¹³ where the main tasks of the observers were to

focus on the legal framework, electoral administration, cam-

paign, the conduct of traditional and social media, voting, counting, and announcement of results.¹⁴

The Results

The elections of October 2021 have two main trajectories. First, they show the declining rates of turnout since the 2005 elections. Second, they have clearly shown the public’s distrust of political leaders, especially among the Shiites. Table 2 compares the results of the elections from 2005 to 2021. Clearly, most of the Shiite coalitions have lost seats in the CoR, except

¹² “[Iraq Elections October 2021](#),” UNAMI.

¹³ “Iraq: European Union deploys Observation Mission for parliamentary elections,” European Union Election Observation Mission to Iraq, Brussels, Sept. 13, 2021.

¹⁴ “[Chief Observer von Cramon opens European Union Election Observation Mission to Iraq](#),” European Union Election Observation Mission to Iraq, Brussels, Sept. 16, 2021.

for the Sadrist bloc and the fluctuation of the State of Law Coalition—the alliance of parties led by former prime minister Nouri al-Maliki. Also, results among the Kurds demonstrate the trend in earlier elections of running against each other due to disagreements among them. Since 2014, the Kurdish Democratic Party has been making progress by winning more seats than the troubled Patriotic Union of Kurdistan in the consecutive elections.

Results for the Sunnis arose from unstable coalitions and leaderships. Yet, between 2010 and 2018, they were divided between maintaining the traditional sectarian coalition and adopting a secular one led by Ayad Alawi. However, after the 2021 elections, the two main Sunni coalitions—Taqadum and Azim—established a united coalition in order to increase Sunni power. This progress is obvious as the 2021 Sunni coalitions increased their seats by six from the 2018 to the 2021 elections.

For the Shiite parties and coalitions, their political power reached its peak in 2018 when the Shiite militias, such as Fatih and the Sadrists, participated in defeating ISIS. First, their actions to defeat ISIS helped their militias and political parties to be seen as legitimate powers given the support that they had from Shiite religious institutions. Second, they were able to control the votes of displaced people in the Sunni-majority governorates due to the military operation against ISIS.

However, the poor performance of some parties and coalitions may be attributed to many reasons. First, the Shiites did not respond to the needs of their constituencies as most Shiite cities remained poor and lacked basic services, which was one of the reasons for the October 2019 protests.

Oppression by pro-Iran political parties and militias against protestors lessened support among Shiite voters.

Second, the oppression by the pro-Iran political parties and militias—e.g., Fatih—against protestors lessened support among the Shiite voters. Those two

factors debunked the myth that those parties and coalitions were the legitimate representatives of Shiites. The main difference between the Sadrist bloc and the other Shiite political parties is that the latter has wide ideological public support. However, the others depend more on the elites, coercive means, and mobilizing communities and tribe leaders by offering benefits to ensure support during elections. Finally, the fraud regarding the votes of internally displaced persons was very high in the 2018 elections;¹⁵ however, conditions changed in 2021 by which time about 50 percent of the displaced persons had returned to their cities.¹⁶ As a result, the return of displaced people was expected to reduce the likelihood of manipulating the votes in 2021.

Forming the Government

Following the 2003 U.S.-led invasion of Iraq, the Coalition Provisional Authority (CPA) established ethno-sectarian governments by forming an Iraqi advisory body called the Governing Council. This 25-member body was divided according to the size of the population of each sect, ethnicity,

¹⁵ Hamasaeed, “[Can Iraq’s Parliamentary Elections Bring Change?](#)”

¹⁶ “Iraq: European Union deploys Observation Mission for parliamentary elections,” Sept. 13, 2021.

and religion.¹⁷ Since then, such division has guided the Iraqi political parties in forming any successive governments. However, results of the 2021 elections have changed that trend slightly. Until forming the 2018 government, the Shiite coalitions used to be united and put aside their disagreements to maintain power in the country. After the 2021 elections, however, that unity has not been maintained.

In the beginning, Muqtada al-Sadr, as the leader of the biggest coalition, attempted to form a government comprised of the biggest winners of the main sects and ethnicities—i.e., Sunnis and Kurds. He called for a “national majority government” and sought to establish an alliance with the Kurdistan Democratic Party, Taqadum, and Azim. To him, the former governments were the main cause of failure in the country. Consequently, his goal was mainly to exclude the Shiite “losers.” However, that goal was not accepted by the other Shiite parties. To them, it would be a second loss since, despite not achieving success in the elections, they might have been compensated by shares in the new government. Thus, many leaders of the Shiites heavily criticized Sadr.

However, Sadr’s efforts failed because the excluded coalitions represented about one-third of the members of parliament (MPs). That gridlock increased the cleavages inside the Shiite political leadership for the first time since 2003. Under such conditions,

Prior to 2018, the Shiite coalitions put aside their disagreements to maintain power in the country.

Sadr called for his political bloc to resign collectively to pressure the political elites. As a result, the losing Shiite parties seized the opportunity to form the government by claiming the right of the Shiite to lead and form the government, and they succeeded by forging agreements with the Sunnis and Kurds. As a result, the Sadr party has been “formally” and “voluntarily” left out of the game.

As has been the case since Abadi’s 2014 government, the prime minister (PM) has been elected from a weak political party as a compromise to form governments that would avoid repeating Nouri al-Maliki’s model—an incumbent with the ambition to establish a new tyranny. Mohammed Shia al-Sudani is the PM for the current government, and almost all of the traditional political parties of the sects, religions, and ethnicities are represented in this government.

The result of the Sadrist’s withdrawal from the CoR has not only been to keep them out of the current government, but it has also resulted in enabling the Shiites to reclaim power. In March 2023, the CoR passed Law 4,¹⁸ which amends the 2020 Law of Elections and almost duplicates the law of 2013. Based on the newest law, the losing parties will most likely win again in the elections. That is, each province will be a single constituency again. That will give the traditional political parties the freedom to manipulate the votes and support the most loyal candidates to win. Consequently, al-Sadr’s chances will likely be the same in the coming elections because the new law adopts an

¹⁷ Safa Rasul al-Sheikh and Emma Sky, “Iraq since 2003: Perspectives on a divided society,” *Survival*, 4 (2011): 119-42; L. Paul Bremer, J. Dobbins, and D. Gompert, “Early days in Iraq: Decisions of the CPA,” *Survival*, 4 (2008): 21-56.

¹⁸ For more details, please read the newest [law](#); Al-Jazeera (Doha), [Mar. 27, 2023](#).

apportionment method for allocating seats in a parliament that increases the odds of winning for larger parties over smaller or newer parties and independents. As a result, these amendments are likely to increase the share of the traditional political parties in the CoR.

Women's Performance

Historically, women were not represented in Iraqi public life in the twentieth century until the enactment of the National Council Law (Number 55) in 1980, which was the first elections law following the 1958 revolution. Out of 250 members, women won 12, 32, 27, and 20 seats in consecutive four-year elections until the collapse of Saddam Hussein's regime in 2003.¹⁹ Since Iraq was governed by a single political party—the Baath—almost all the members were either selected or nominated according to their loyalty to the regime, including women.

After 2003, that representation has been guaranteed by a quota. The 2004 Law of State Administration and the 2005 constitution stipulate that the quota for women should be no less than 25 percent in any general election. That minimum representation has also been detailed in all of the electoral laws, which require the political parties to include women in their lists, so there should be at least one female candidate for each three male candidates. Also, the laws state,

If no woman wins in a constituency, the winning male of

¹⁹ Wael Abdulatif, *Osoul al-amal al-barlamani* (Baghdad: Dar Al-Rafidain, 2018), p. 83.



Historically, women were excluded from Iraqi public life, but in the 2021 elections, women won more seats than stipulated by the quota required by law.

the least votes is replaced with a woman candidate in the same constituency that has the highest votes among the other women candidates.²⁰

For the first time, women in the 2021 elections won more seats than stipulated by the quota. However, women's representation has not improved significantly by itself, which is still something that would not have been achieved without the quota. To Kassim Alaboudi, a former member of the Independent High Electoral Commission,²¹ there are a number of reasons that may explain such weak political performance among women, including, first, the lack of political experience; second, the fact that most women feel satisfied by their current gains, so they do not seek incumbency; third, the reality

²⁰ [Law of Administration](#) for the State of Iraq for the Transitional Period, Coalition Provisional Authority, Mar. 8, 2004.

²¹ Kassim Alaboudi, *Taatheer alnothom alintikhabia fi alnithan alsyasi:dirasa moqarina bi-al-tajroba al-iraiqa* (Baghdad: Dar Al-Saffar, 2017), p. 155.

that Iraqi society remains overwhelmingly male-dominated, and fourth, distrust in women's political ability.

Conclusion

The laws and regulations of 2020-21 limited the impact of political leaders in determining which candidates won. The freedom of political leaders to favor loyal candidates is now limited. The public's impact has become influential, especially following the protests of October 2019. Public demands forced the then-government to step down and the major political parties to respond and change the rules of the elections. Such events had not happened in the years 2005 to 2019. Most of the major Shiite elites lost their previous privilege except for the ideological one—i.e., the Sadrists. However, the newest 2023 law of elections has abolished all of these achievements. The absence of public protests and of the Sadrists has given the current MPs the opportunity to go back to their preferred rules to ensure their control over the government as they used to exercise before 2021.

For the Sunnis, progress is not guaranteed in the next elections as Sunni leadership changes in almost every election. For example, in the December 2005 elections, the Islamic Party led the Sunnis. In the 2010 elections, Ayad Allawi—a secular Shiite politician—was the prominent Sunni leader. In the 2014 elections, Osama al-Nujaifi took the leadership. Finally, in the 2021 elections, Mohammed Halbousi and Khamis al-Khanjar are now the two leaders of the Sunni coalitions. Halbousi is expected to maintain leadership for the

next elections since he has been elected for the second time as the parliament's speaker. However, there is no guarantee that he can stay in this incumbency until the next elections when new leadership may emerge.

The Kurds are more divided than before, which is not surprising. The differences can be traced back to the pre-2003 era when the Kurdish political parties engaged in fierce competition, up to and including military confrontation. Thus, the prospect of having a united Kurdish voice has lessened. Recently, the Kurdish leadership also had disagreements on nominating a new Iraqi president following the 2021 elections.

Finally, the 2021 elections could have represented a significant juncture in Iraqi politics. However, that would have depended on the formation of a different government. Al-Sadr's call for a government of the majority—i.e., by forming a coalition with Kurdish and Sunni coalitions to constitute the new government—was not achieved. Had it happened, it would have been possible to expect a new phase of political developments in following elections. However, keeping a similar consociational government, as presently constituted, will keep the same ethno-sectarian political system functioning.

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