ISS Opinion

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POST-ELECTION IRAQ: FROM SECTARIANISM TO DEMOCRATIC GOVERNANCE?

The national elections in Iraq this month are important for two reasons. Firstly, they matter for what they show about the political situation in Iraq seven years after the Coalition invasion and subsequent overthrow of the Ba'ath government. Secondly, these elections have, to a greater degree than those held in 2005, the potential to set Iraq on a course towards more stable and transparent governance. Whether we will see a realisation of this crucial goal at this early stage depends primarily on the complex bargaining over the exact meaning and political fallout of the election results.

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Protesters chant anti-Baathist slogans in Basra, 24 March 2010. The banner in Arabic reads: "Fraud of election's results demolishes the political process and democracy."

The elections show that Iraq has travelled some distance from pre-invasion repression, the chaos of 2003-04, and the sectarian conflict that reached its peak in 2006-07. The most significant difference between this year's elections and those of 2005 is that no party or list can take the votes of any sub-national community for granted. The earlier elections, like the 2005 constitutional referendum, became in large part a census of sectarian and ethnic affiliations. Iraq's Shi'a Muslims, for example, voted overwhelmingly for the list of Shi'a parties which had banded together in an alliance, ordered by the 'closed list' system that forestalled the need for any public competition between those parties.

Backroom deals - not popular support - determined how many seats each party held in the council of representatives. This configuration resulted in greater communal polarisation during earlier election campaigns: parties throughout the country urged a turnout of voters in order to ensure that their sect or ethnic group did not lose out to others, portraying other communities as their competitors or enemies in the struggle for power.

The format of the ballot this year was markedly different from that in 2005: now an 'open-list' system enables voters to choose individual candidates, who therefore have to campaign on the basis of their own personal standing if they are to be successful.

In the municipal elections of January 2009, voters appear to have punished local councils that had a poor record on service-delivery, which appears to be reflected in the tone and content of the 2010 campaigns.

Parties now recognise that they must present programmes, demonstrate their competence, and convince voters that they can manage the difficult business of steering Iraq away from the potential for renewed conflict.

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As a result, ethnic and sectarian party blocs are now divided, and each of Iraq's major communities has had a serious choice on offer between competitors both from within those communities and those based on cross-communal linkages.

For Sunni Arabs, the primary choice was between the Iraqiyya alliance, under Iyad Allawi, and the Accord Front (Tawafuq). For Shi'a Arabs, the State of Law list of Prime Minister Nuri al-Maliki, and a coalition made up of supporters of Muqtada al-Sadr and the Islamic Supreme Council of Iraq were the front-runners, but Iraqiyya also had appeal to some. The two historic Kurdish parties continued to organise a joint slate, but came under strong challenge from the new Change (Goran) group, which campaigned explicitly on a good governance platform.

Despite this gradual shift from electoral 'identity politics' to one based on issues, the lead-up to the elections was marred by the same forms of institutional deadlock and disjunction that have beset Iraq since 2003. The elections were held five weeks after the constitutional deadline due to a protracted dispute in the outgoing council of representatives over the form of the ballot, questions of voter eligibility and, in particular, the role of refugees in the electoral process. The vice-president's use of the veto on the latter issue temporarily threw the very possibility of elections into doubt.

After compromises were finally reached through US and UN brokerage, the Accountability and Justice Commission – originally created by the US, and now of unclear legal standing – announced its decision to disqualify 511 candidates, including the current defence minister, on the grounds of their suspected past association with the Ba'ath party. Subsequent direct intervention from the prime minister resulted in 26 of these disqualifications being reversed, but the Commission still asserted its right to disqualify even elected candidates after the ballot.

Both sets of disputes indicate that the decision-making apparatus within Iraq's state structure remains dispersed and fragmented, in part a legacy of the US power-sharing scheme that formed part of the 2004 handover. Within this order, major decisions can only be taken after a tortuous process of negotiations between multiple parties, often requiring external pressure to piece together a final deal, or an arbitrary imposition of power by one group onto another. The rule of law often remains marginal. Hence, the ability of the government to push through the programmes of social or economic reform that Iraq so desperately needs, and to be an efficient agent in the delivery of services, has been very limited.

To what extent will these elections produce a government capable of transforming this situation? Can a party that wins a popular mandate use its legitimacy to push for the implementation of essential programmes? The signs are not promising. The preliminary results from the election indicate an almost dead heat between the State of Law list and Iraqiyya, with the alliance of Sadr and the Supreme Council not far behind in third place. The disjointed nature of Iraq's governing institutions means that authority over the election result is itself called into doubt, and considerable bargaining will no doubt be required before each of the major parties accepts a final result.

Although a renewal of violence is possible, a far more likely outcome is that of a government based upon a coalition of multiple parties and held together by the considerable effort of international actors, including the US and EU. Past experience shows that such governments quickly descend into deadlock, replicating the patterns of state fragmentation whereby each party in the coalition is given a ministry or two to run as its patrimony. If this happens, the danger – and perhaps the opportunity – for Iraq is that its discerning voters will turn against those parties they hold responsible for poor governance, and look instead to new political movements that are untainted by the often highly personalised wrangling of the present era.

These elections have demonstrated Iraq has made significant progress in the last few years, with an observable shift away from sectarianism towards the manifestation of popular will in favour of responsible, effective and democratic governance. For the essential state structures, however, there is still a long road ahead.