



FACTORS AFFECTING PRIME MINISTER ELECTION IN IRAQ AFTER 2003: A HISTORICAL REVIEW

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INTRODUCTION

After the announcement of the preliminary results of the parliamentary elections held in Iraq on October 10, 2021, observers following the Iraq issue wonder who will be the next candidate for the prime ministry. Article 78 of the Constitution of Iraq stipulates that "the prime minis-

ter has executive power directly responsible for the general policy of the state and is the commander-in-chief of the armed forces".

It is known that in democratic systems, whether in the presidential system or the parliamentary system, the election results determine the head (prime minister) of the new executive body. As a matter of fact, in



Former Prime Minister of Iraq, Ibrahim al-Jaafari.

a newly formed government, the prime minister is the head of the party (or political coalition) that wins the elections, or the winning party nominates someone it sees fit for the prime ministry. Political parties usually announce their candidates officially before the elections. So, in Iraq, are these political traditions followed or is the process flowing differently? Especially after the change in 2003, the political system declared that it had adopted democracy as a form of political regime. In the first article of the constitution, which came into force in 2005, it was foreseen that the form of political regime in the country would be a parliamentary republic.

2005 ELECTIONS

After the US invasion of Iraq in 2003 and the overthrow of the former Iraqi President Saddam Hussein's regime, the first parliamentary elections were held on December

15, 2005. Thus, following the former provisional governments, 275 deputies (which later increased to 329) were elected to the Iraqi parliament, and the first elected government in Iraq, which lasted for 4 years, was established. Before these elections, two votes were held; the first on January 30, 2005, for the election of the National Transitional Assembly deputies, and the second on October 15, 2005, for the new constitution to be voted on.

In the elections of December 15, 2005, the results of which were announced on January 20, 2006, the United Iraqi Alliance came first and elected 130 deputies. The alliance is composed of a group of Shiite political parties, primarily the Supreme Council of Islam, the Islamic Invitation Party, the Sadr Movement, and the Islamic Virtue Party. Following the announcement of the election results, according to Article 76/1 of the Constitution that contains the provision "The President appoints the candidate of the largest parliamentary bloc to form the Council of Ministers", the United Iraqi Alliance nominated Ibrahim al-Jaafari for the Prime Ministry. At that time, besides being prime minister in the interim government after the National Transitional Assembly elections, he was also the chairman of the Islamic Da'wa Party and the United Iraqi Alliance.

The US, on the one hand, and the Kurdish and Sunni political forces, on the other hand, objected to the candidacy of Al Jafari. Both sides considered that Jafari's administrative performance during the Transitional Government was weak and that he had fueled the sectarian violence that broke out during this period. Due to the objections to the candidacy of Al Jafari, the political process entered a political process with months of con-



Former Prime Ministers Nouri al-Maliki and Iyad Allawi.

tention and tension. As a result of pressure from the USA, Al Jafari announced on April 20, 2006 that he was ready to withdraw from his candidacy. Nouri al-Maliki was nominated for the post of prime minister instead. Al-Maliki was the leader of the Islamic Dawa Party and the official spokesperson for the United Iraqi Alliance at the time. However, al-Maliki was not considered a candidate for the post of prime minister before objections to Jafari's candidacy. Al-Maliki formed the government in May 2006.

Beyond the existing constitutional and political arrangements, the replacement of Jafari by al-Maliki has been a political phenomenon that shows the intervention and influence of external factors in the election of the prime minister in Iraq after 2003. In sub-

sequent years, the intervention of external parties in the negotiations to form governments in Iraq within the scope of successive parliamentary elections has become an invariable feature of the political process. So much so that foreign actors have the final say on the acceptance or rejection of a person's candidacy for the prime ministry. Even external actors have begun to interfere with the creation of electoral lists.

2010 ELECTIONS

During the first years of his government, between 2006 and 2010, al-Maliki used all the opportunities and influence of the Prime Minister's position to expand his political influence and take the chairmanship of the Islamic Dawa Party from Jafari. As a result, Caferi

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As a result of the repercussions of the 2010 elections, new parameters have emerged in terms of intervention and influence in the election of the prime minister in Iraq. In this sense, the role of external factors has increased; the phenomenon of state institutions, including the judiciary, being involved in political conflicts has emerged.

founded a new party called the Reform Movement. On the other hand, Al-Maliki formed a political alliance called the State of Law Coalition outside the framework of the United Iraqi Alliance, and he succeeded in including the main Shiite political coalition at that time, and attracted many Shiite political forces and personalities, as well as some Sunni figures, to this alliance.

In March 2010, the second parliamentary elections were held in Iraq. The Iraqiya List led by Iyad Allawi ranked first with 91 seats, the State of Law Coalition list led by Al-Maliki came in second with 89 seats, and the Shiite United Iraqi Alliance took third place with 70 seats.

The Iraqiya List is considered to be the first attempt to create a "non-sectarian" electoral list in the Iraqi political system after 2003. The Iraqiya List includes political forces and personalities from all religions, sects, and nationalities of the Iraqi people, which include other religious minorities such as Shiite, Sunni, Arab, Kurdish, and Turkmen besides Muslims and Christians. Most of the Sunni Arab political forces joined the Iraqiya List, and the majority of Sunni Arab voters voted for this list. Indeed, Sunni Arabs, after their experience with the interim government of

Jafari and the first government of al-Maliki, have grasped the political equation of post-2003 Iraq, which requires the prime minister to be a Shiite. Sunni Arabs were convinced that Iyad Allawi, who was a "liberal Shiite" at the time, was a good option compared to other sectarian Shiite politicians. Furthermore, unlike Caferi and Al Maliki, Iyad Allawi did not pursue sectarian policies as Prime Minister in the interim government between June 28, 2004 and April 6, 2005.

In the 2010 elections, Iran's influence in the Iraqi arena increased to a higher level compared to the 2006 elections, while the influence of the USA remained weaker compared to the 2006 elections. It is clear that, as a liberal, Iyad Allawi has trans-sectarian orientations and has good relations with the USA and Western and Arab countries. That's why he is an undesirable option in Iran. In addition, Iyad Allawi is not considered part of the "Shiite political structure in Iraq" close to Iran, which was mainly represented by the United Iraqi Alliance and the State of Law Coalition at that time. For this reason, Iran made efforts to prevent Allawi from taking the post of prime minister.

While the Iraqiya List celebrated winning the elections and their leaders talked about

their vision of forming a new government, Maliki and the politicians around him created controversy on the political scene with their statements. In this context, they claimed that the Iraqiya List did not have the right to form the new government unless they formed the largest bloc in parliament!

Al-Maliki made a formal request to the Iraqi Federal Supreme Court (Constitutional Court) to clarify the concept of the "biggest bloc" that has the right to form the government in Article 76/1 of the Iraqi Constitution. Al-Maliki insisted that, after the United Iraqi Alliance and the Rule of Law Coalition succeeded in forming the largest bloc in the parliament through the encouragement of Iran, this bloc should be accepted as the largest bloc.

The Federal Court gave its decision on March 25, 2010, which completely coincided with Maliki's view! In this framework, the Court, in its decision, refers to the concept of "the largest bloc" that has the right to form a government in the relevant article of the Constitution as;

- Either a single list of voters who participated in the elections under a certain name and won the most seats; or,
- Two or more lists that entered the elections with different names formed an alliance after the election and reached the highest number of seats.

With the decision of the Federal Court, the Iraqiya List and its leader, Iyad Allawi, were deprived of the right to form a government and al-Maliki formed his second government in 2010.

Behind the 2010 elections, doubts about the correctness of the Federal Court's de-

cision regarding the "biggest bloc" and the "hidden" factors behind it have persisted to this day.

As a matter of fact, the decision does not coincide with the spirit of democracy. Because a list that is in last place in the elections means that after the announcement of the results, if it succeeds in forming a coalition, by showing whomever it wishes as a candidate for prime minister, it can form a government. In other words, political negotiations between parliamentary blocs have become more important than competition and popular representation of lists.

As a result of the repercussions of the 2010 elections, new parameters have emerged in terms of intervention and influence in the election of the prime minister in Iraq. In this sense, the role of external factors has increased; the phenomenon of state institutions, including the judiciary, being involved in political conflicts has emerged. As the Commander-in-Chief of the Armed Forces, al-Maliki, who managed to win the votes of the members of the army in the 2010 elections, had no difficulty in getting the Federal Court to take the decision that paved the way for his second term as prime minister.

2014 ELECTIONS

In the parliamentary elections held on April 30, 2014, the State of Law coalition led by Nuri El Maliki won first place with 92 seats, outperforming its closest rival, the Liberal Block of the Sadr Movement, which ranked second with 33 seats. The Election Commission officially announced the final results of these elections on May 19, 2014. While al-Maliki was preparing to form his

Since 2003, the effective and important role of the Shiite Great Taklid Authority in advising and guiding the parties in the political process in Iraq has been clearly and unequivocally known. However, the replacement of al-Maliki by al-Abadi in 2014 showed that the Great Taklid Authority had a “decisive” role in the election of the prime minister.



Former Iraqi Prime Minister Haider al-Abadi.

third government, the terrorist organization ISIS captured the Nineveh province on June 10, 2014. A few days later, some parts of Anbar and Salahaddin provinces, Kirkuk and Diyala provinces were also captured by ISIS and ISIS came close to the borders of Baghdad. The Iraqi army was close to complete collapse.

In this period when conditions deteriorated, calls for El Maliki not to be prime minister for another term increased, which was shown as the main reason for this collapse due to his bad administration in the political and security fields in previous years. However,

al-Maliki, having won the elections in the first place, did not give up this right, insisted that his duty be renewed for another term, and filed a lawsuit in the Federal Court. During this turmoil, the Great Taklid Authority Shiite cleric Ali Sistani sent a letter to the Islamic Da'wa Party and demanded that al-Maliki should be replaced by another candidate from the Islamic Da'wa Party since it is the largest party in the Rule of Law Coalition. Sistani's letter was officially published in the media at that time. As a result, al-Maliki abandoned his lawsuit in the Federal Court and, upon Sistani's request, Haydar al-Abadi



Former Iraqi Prime Minister Adel Abdul-Mahdi. During the funeral of Abu Mahdi AL-Muhandis in January 2020.

di, one of the leaders of the Islamic Da'wa Party, was nominated to replace Maliki.

Although al-Abadi served as deputy, minister and deputy prime minister in governments prior to the 2014 elections, he was not nominated for the prime ministry in these elections. Moreover, al-Maliki received the highest number of votes (721782 votes) among all the candidates in these elections, but al-Abadi received only 5151 votes. It seems that al-Maliki fell into the same trap that he dropped on Jafari in the 2006 elections!

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2018 ELECTIONS

The parliamentary elections held on May 12th, 2018 created a complex political environment due to the lack of broad electoral coalitions formed on a sectarian and national basis in the previous elections. The 2018 elections witnessed competition between different lists of Shiite political forces, as well as Sunni, Kurdish, and Turkmen forces.

The Election Commission declared the official turnout to be 44.52%. However, most of the election observers, including the political leaders who participated in the elections, confirmed that the actual turnout did not exceed 20%. This shows that the public is reluctant to participate in the 2018 elections.

The Supreme Election Commission announced the final results of the elections on May 18. The Sairun Coalition, affiliated with Muqtada es-Sadr, the leader of the Sadr movement, came first with 54 seats in the

In the 2018 elections, all the factors affecting the election of the prime minister, including external factors, internal political compromises, and the Great Taqlid Authority, interacted with each other to bring Abdul Mahdi to the prime minister-ship.

elections. The Al-Fatah coalition, which hosts most of the armed political forces supported by Iran, took second place with 47 seats, and the Victory Coalition, led by the former prime minister al-Abadi, ranked third with 42 seats.

Like the problem experienced before regarding the "biggest bloc" that has the right to form the government according to Article 76/1 of the Iraqi Constitution, the political forces entered the race to form the "biggest bloc" after the results were announced. This race has progressed on two different axes. The first axis is led by the Sairun coalition, which was formed to create the alliance called the Reform and Reconstruction Alliance. According to the statements made by the leaders of the alliance, the number of seats they obtained has reached more than 130, consisting of Shiite, Sunni, Kurdish, and Turkmen forces, as well as other political forces representing Christian, Sabi, and Yazidi components. Besides the Victory coalition, the Hikma coalition led by Ammar al-Hakim won 19 seats, the National coalition led by Iyad Allawi won 21 seats, the Decision coalition led by former Speaker of Parliament Osama al-Nujaifi won 14 seats, the Turkmen Front list won 3

seats, 14 seats Al-Hal bloc led by Jamal Kerbouli, who won, and the Kurdish Movement for Change, which won 5 seats, participated in the Alliance. The remainder of the alliance is made up of small parties and local forces that won a total of 32 seats.

The second axis in the race to form the "biggest bloc" was led by the Al-Fateh coalition to form the Al-Bina alliance. The Alliance succeeded in attracting political forces from various components, such as the Rule of Law Coalition led by Nouri al-Maliki, who won 25 seats, Sunni lists such as "Anbar is Our Identity" led by current Speaker of the House Mohammed al-Halbusi, Ahmed al-Jubouri's National People's Party and the National People's Fortress list, which won 7 seats, the Arab Resolution list Khamis led by al-Khanjar, some Kurdish lists and some Turkmen politicians. The Al-Bina alliance claimed that the number of seats it collected exceeded 130.

Thus, a new problem started in the political process in Iraq, and two parliamentary alliances emerged, claiming to be able to form the "biggest bloc." Each of them claimed to have the right to form a new government.

The two main Kurdish parties, the Kurdistan Democratic Party, which won 26 seats, and the Patriotic Union Party of Kurdistan, which won 18 seats, did not "officially" announce their participation in either of the two rival alliances. However, the KDP was closer to the Reform and Reconstruction Alliance, and the Patriotic Union was closer to the Al-Bina Alliance.

After the election results were announced, the race between the Reform and Reconstruction Alliance and the Al-Bina Alliance was not the only one. There was also a race between the US Special Envoy for the International Coalition to Fight ISIS, Brett McGrook, and the Jerusalem Force commander, Qassem Soleimani, who was killed in an American airstrike near Baghdad Airport on January 3, 2020. Within the framework of the political vision of their countries, they were aiming to prevent their opponents' attempts to form the "biggest bloc."

After the elections, the race between the internal and external parties would almost turn into a conflict. However, the two alliances agreed to share the formation of the government at the ministerial level and to bring in a prime minister from outside both alliances. Thus, Adil Abdul Mahdi was nominated for the post of Prime Minister.

Abdul Mahdi is one of the well-known politicians of the Islamic Supreme Council Party. He previously served as Minister of Finance in Allawi's interim government, Vice President from 2005 to 2011, and Minister of Petroleum in 2014. However, Abdul Mahdi withdrew from political activity years before the 2018 elections and was not involved in any political party in the 2018 election race.

After Abdul Mahdi's election as prime minister, there were reports in the press that Abdul Mahdi was elected with the recommendation of the Great Imitation Authority.

In the 2018 elections, all the factors affecting the election of the prime minister, including external factors, internal political compromises, and the Great Taqlid Authority, interacted with each other to bring Abdul Mahdi to the prime minister-ship. The Iraqi parliament gave a vote of confidence to Abdul Mahdi's government on October 24, 2018.

OCTOBER 2019 PROTESTS AND AL-KAZEMI'S TAKEOVER AS PRIME MINISTER

Widespread public protests broke out in Iraq in October 2019, and the reasons and demands for the protests varied. These included the resignation of the government, the serious and transparent fight against corruption, the replacement of the current election law with a fairer one, the amendment of the constitution, the establishment of an independent election commission and the holding of early elections.

Two months after the protests, hundreds of peaceful protesters were killed and thousands injured by armed groups affiliated with the political armed forces supported by Iran. After the Shiite Grand Taqlid Authority in Najaf repeatedly appealed to the government to protect peaceful protesters and investigate their targeting, Abdul Mahdi could not remain unresponsive and submitted his resignation on November 29th. In his resignation letter, Abdul Mahdi stated that he submitted his resignation in response to the call of the Great Taqlid Authority.

In the wake of October 2019 protests, in addition to external factors like the Great Taklid Authority and domestic political consensus, public opinion in Iraq has become one of the factors affecting the election of the prime minister.



October 2019 protests – Iraq.

Two months after Abdul Mahdi's resignation, President Barham Salih appointed Muhammad Allawi to form the government. Mohammed Allawi, the nephew of Iyad Allawi, served as a deputy in 2005 and as Minister of Communications in the first Maliki government from mid-2006 to the end of 2007. Then, he returned to parliament in 2008, became a deputy again in the 2010 elections, and was appointed as the Minister of Communications in the second Maliki government at the end of 2010. Subsequently, he resigned from his position as Minister of Communications at the end of 2012. However, Muhammad Allawi declared on March 1, 2020 that he could not form a

government. According to his Twitter post, Mohammed Allawi claimed that some political parties were not serious about reform and put obstacles in the way of the birth of an independent government working for the country as the main reason why he could not form the government. Thereupon, on March 17, 2020, the President appointed Adnan Al-Zurfi, the former governor of Najaf, to form the government. However, Al-Zurfi also failed to form a government as he faced open opposition from Iran and its associated Iraqi political armed forces. Then, the President assigned Mustafa al-Kazimi, who was the head of Iraqi intelligence at that time, to form the government.

On May 7, 2020, the Iraqi parliament gave a vote of confidence to the al-Kazemi government. The appointment of al-Kazemi as prime minister contradicts all known political processes since the US invasion of Iraq. Al-Kazimi is the first prime minister who has not come from the leadership of the religious parties that have been sharing power in Iraq since 2003. He is also openly liberal-inclined and has strong relations with the West.

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CONCLUSION

The election of the prime minister in Iraq after 2003 took place as a result of the interaction of various external and internal factors. The most important of these factors are:

1. The US and Iran's policies towards Iraq.
2. Political conflicts, loss and gain calculations between the political forces that have controlled the political scene in Iraq since 2003.
3. The view of the greatest Taqlid Authority in Najaf.
4. Iraqi public opinion

The results of the parliamentary elections, on the other hand, are important in terms of the size of each political party and their influence in the political reconciliation negotiations in the process of forming the government. In other words, the election results determine the strength and impact of each political party's opinion on the election of the prime minister, rather than who the prime minister will be.

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