

Iraqi election law passed after protracted delay

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National elections in Iraq have been scheduled for January 18 following the passing of electoral legislation in the parliament last Sunday. Legislators were under intense pressure from Washington to end a protracted impasse over the law that threatened to derail the poll.

The sharpest dispute centred on the future of the oil-rich northern province of Kirkuk. The Kurdish parties that rule the autonomous Kurdish Regional Government (KRG) in the north of Iraq insisted that voter registration lists compiled this year be used. Ethnic Arab and Turkomen legislators insinuated that the Kurdish-dominated administration in Kirkuk had rigged the list to ensure an overwhelming Kurdish majority in the province. A clear victory for the Kurdish parties would add weight to their demand that the Baghdad government hold a referendum in Kirkuk on the incorporation of the province into the KRG.

The other major issue revolved around whether the names of candidates would appear on the ballot papers. In the 2005 election, voters chose between political parties, which then allocated the seats to individuals. The parties currently represented in parliament and with a national profile preferred the current system as it disadvantages new electoral blocs. Whereas just 12 parties won seats in the 2005 ballot, 296 are slated to stand next year.

The legislation passed on Sunday is essentially a series of compromises. In Kirkuk, 2009 voter lists will be used, but the election law labels them “dubious” and establishes a commission that will have one year to investigate the results and overturn them if it uncovers evidence of fraud. The issue of holding a referendum for Kirkuk will therefore be postponed until 2011 at the earliest.

“Open” ballot papers will be used which include both

the party’s and candidate’s name. The major parties, particularly the large Shiite-based organisations, backed down after leading Shiite cleric in Iraq, Ali al-Sistani, threatened to denounce the election as illegitimate. Among millions of working class Iraqis, there is widespread anger over unemployment, poverty, lack of services, the ongoing US occupation and the open corruption of government officials and the security forces. Sistani, along with other representatives of the country’s elite, have responded by sowing illusions that a multitude of candidates might bring change for the better.

Each of Iraq’s 18 provinces will be a constituency and have a quota of seats, which will be allocated according to the proportion of votes received by candidates and parties. At least 25 percent of all parliamentary seats must be filled by women. Seats have also been set aside for religious minorities: five for Christians, and one each for Yazidis and Shabaks. Candidates must meet education and age qualifications, preventing the vast majority of people from standing.

US pressure to pass the legislation was blatant and overbearing. Having suffered a debacle in Afghanistan over the presidential poll, the Obama administration could ill afford another in Iraq.

The campaign included public admonishments by military commander General Raymond Odierno, frantic activity by US ambassador Christopher Hill and a high profile visit last month by Vice President Joe Biden. Subsequent phone calls by Biden to force the Kurdish leadership to compromise over Kirkuk were so intense that Kurdish legislator Mahmoud Othman publicly labeled the US actions as “counterproductive” and “making things worse”.

On Sunday, Ambassador Hill allegedly shouted at Iraqi politicians who were not inside the parliamentary chambers to “go upstairs and vote”. In the end, just 141 of the 275 legislators voted for the election law. A number of Arab and Turkomen politicians boycotted the session.

Reflecting the importance of the election to Washington, Obama personally phoned Prime Minister Nouri al-Maliki to congratulate him on the legislation. The US perspective is for the poll to legitimise a pliable regime in Baghdad to oversee the next stage of the occupation—the drawing down of US troop numbers and the plunder of the country’s oil and gas resources by US and other foreign corporations.

Obama’s plans to escalate the war in Afghanistan depends on being able to withdraw some 70,000 troops from Iraq over the next six to eight months. Specialist personnel and equipment are already being redeployed to Afghanistan, a costly and complex logistical process. Tens of millions of dollars worth of US-built infrastructure and equipment is being handed over to the Iraqi government as it is too worn-out, expensive or complicated to move.

The withdrawal of the US Army combat brigades will begin after the January election. By September 2010, the Pentagon plans to have only 50,000 troops in Iraq, stationed at six key bases, such as Balad and Tallil, and 13 smaller facilities that will provide ongoing training and support for the Iraqi military.

The Obama administration appears to be favouring an election victory for Maliki. Since early 2008, Maliki has sought to distance himself and his Da’wa Party from their Shiite sectarian roots and adopt the mantle of an Iraqi nationalist strongman. He is resting ever more openly on the bloated 650,000-strong army and police apparatus created by the US occupation. In the province of Anbar and other Sunni areas, he has developed alliances with sections of the 100,000-strong Sunni Arab “Awakening” militias recruited by the US military in 2007-2008. He is also making thinly veiled appeals to Arab hostility to Kurdish demands for control of Kirkuk.

In provincial elections earlier this year, Da’wa and Maliki broke with the Shiite coalition that installed him as prime minister and gathered a number of high-profile local candidates into a political bloc called the “State of

Law”. The new grouping won control of several provinces previously dominated by the largest Shiite party, the Islamic Supreme Council of Iraq (ISCI). ISCI, despite years of close collaboration with the US occupation, is still viewed with suspicion in Washington and by Iraqi nationalists due to its longstanding ties with the Iranian regime.

Maliki and State of Law will stand against the Shiite coalition in the January ballot with the aim of winning a clear parliamentary majority without needing the support of the Kurdish parties, ISCI or ISCI’s current electoral ally, the movement loyal to cleric Moqtada al-Sadr. Maliki has publicly called for a change to the constitution so the president rather than parliament wields executive powers. Several of his Arab nationalist allies also want the deletion of references in Article 140 to Kurdish claims over Kirkuk and other areas—a move that could trigger open civil war in northern Iraq.

Maliki’s government, protected by 120,000 US troops, already presides over what can only be called a police state. Iraqi prisons are overflowing with detainees. Arbitrary arrest and torture are rampant. Over 1,000 people have been sentenced to death this year. The media faces constant harassment and moves are underway to strictly control and censor the Internet. The election next January in Iraq will be no more free or fair than the electoral charade recently conducted in Afghanistan.

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