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UNDEMOCRATIC PARTIES IN A 'DEMOCRATIC' SYSTEM

THE FORMATION AND OPERATION OF POLITICAL PARTIES IN POST-2003 IRAQ



Omar al-Jaffal

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Undemocratic Parties in a 'Democratic' System: The Formation and Operation of Political Parties in Post-2003 Iraq

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Abstract

This study focuses on Iraqi political parties and organisations that established and administered, under the auspices of the US administration, the political system following the first Iraqi general elections of 2005. This research presumes that the main pillar of any democratic system must be premised on a people's freedom to engage in politics, organise themselves within groups or parties, and eventually compete for the power to rule and thus democratically realise their goals – through voting, and a peaceful transfer of power. Some of the parties that run the political system in Iraq have been afflicted with major crises, however. They believe in neither democratic action nor the state, and respect neither constitution nor law. They have channelled the political process to serve their own interests, thus rendering corruption and militarisation as hallmarks of their work. Frail legislation and executive powers further aggravate matters, as they are meant to implement the law and organise and monitor party mechanisms, both internally and state-wide. Loopholes in party laws as well as failure to implement them therefore resulted in internal undemocratic practices and grave violations within parties. These infringements affected the established political system and created a rift between political powers and society, which, in recent years, translated into angry protests against the political parties in Iraq.

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For more information about the Centre's work on the CRP, please contact Taif Alkhudary (t.alkhudary@lse.ac.uk).



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Executive Summary

The protests that swept through central and southern cities in Iraq between 2018 and 2020 reflect the growing popular anger and gap between society and the political parties established in the country or who returned from exile after 2003, based on the *Muhasasa Ta'ifia* (sectarian apportionment) system. This system led to the rise of parties of one sectarian form, which rely on societal division to win over electoral votes. The number of parties and movements was excessive compared with the little influence ideologies had over them as they failed to determine agendas for a post-war Iraq, and disputes intensified around state structure and laws, including the Parties Law.

The development of the Parties Law since 2005 and the controversy it aroused show the desperate efforts that large parties put into evading any law that could regulate their work, or the attempts to ratify laws in congruence with their agendas. Following the widespread 2015 Iraqi demonstrations, the Iraqi Parliament ratified the Political Parties Law in August that year. Discussions about the law revealed negligence of internal party regulatory matters and a focus on other questions such as party external relations and funding, namely, the guiding logic to drafting the Law was essentially to allow parties to run in the elections, regardless of their internal regulations or political role in society. Furthermore, there have been serious violations of the Law, especially, given the Electoral Commission's disregard for the parties that owned militias, granting permits to existing militias to form political parties, the use of official institutions and public money to lure voters, including through providing accelerated services and purchasing voters with predetermined sums of money per vote, and failure to monitor parties for their funding sources.

Many Iraqi parties are founded on an individual dictatorship that subjects all members to their leader or to the family in control of the party and its decision-making, or combines both forms. Moreover, many parties have no real members that believe in them nor do they necessarily subscribe to their principles. Naturally, this does not apply to all parties, but many of them are still involved in this game, except for the major parties that place strict and bureaucratic conditions on membership, especially the Communist Party and al-Da'awa Party. In addition to lacking a real social base, the gap between those parties and society is reflected in party-organised demonstrations and celebrations, as they lure citizens to attend their events through providing meals, and often through handing out small sums of money that ensured attendance.

Parties, specifically larger ones, have penetrated deep into the state at both financial and legal levels. Whether among themselves, or in connection to society, Iraqi parties have dominated the political, supposedly democratic, process. Political money is used in party-to-party relations and internal party relations; to pass a law, appoint a minister or select an official in the interest of a certain party in parliament, members of parliament are bribed to ensure enough votes are garnered to that effect. Parties intervene in almost any money-generating dimension. They have footprints in all big corruption

cases. Often, revenues generated from corruption deals go into party leadership and collaborating member pockets but are also used to carry favour with the more impoverished communities for their votes during election campaigns.

Loopholes in party laws, and mainly the failure to implement these laws, resulted in undemocratic practices within the parties themselves and in large-scale violations that affected the established political system and created a gap between the political powers and society. Internal party crises and party actions directly affect the political system and society at large. Thus, the party crisis exceeded the thorny and hostile relationship between the Iraqi population and their parties and developed to a point where people equated parties with the political system itself. As such, the only possible solution to fix matters in Iraq translated into demands to overthrow the regime and, consequently, the exclusion of those parties from political life.

Despite the domination of 'undemocratic' parties over the political arena, there have always been new parties that sought to birth political influence out of the protests Iraq is currently experiencing. Nevertheless, their organisation and effect remain limited in the larger political map, as they lack political experience and financial resources. However, the October 2019 protests, highly critical of the parties in power, revealed political organisations that seemed aware of the need for internal organisation, democracy, and decision-making processes within the party, as well as working with society to establish a meaningful relationship with the people. Still, the decision to engage in electoral competition has yet to be made; not only do these parties fear forgery, but also the violence that may be used against them through armed factions affiliated with certain parties, or the armed factions that now have their own parties. In fact, a number of these new party members were subjected to assassination attempts and violent threats.

Post-2003 Iraqi Parties and Society

Between 2018 and 2020, frightful sights swept through central and southern cities in Iraq, which articulated the extent of anger that the Iraqi population harboured against the political class and its parties. In those governorates, groups of young people headed towards party headquarters in protest and even burnt some of them to the ground, as happened in Basra Governorate for instance.¹ In other governorates, people resorted to more radical ways to express their outrage at the parties; they broke into their headquarters with bulldozers and tore down their external walls.² After a stormy night of attacks on party headquarters, Dhi Qar Governorate celebrated Nasiriyah as a party-free capital.³

In addition to some forms of radical protest, many protesters and movement activists carried slogans that denounced parties, such as: 'No to parties, yes to Iraq',⁴ popular in protests in central and southern Iraqi cities, in addition to the slogans 'Not only do we refuse your [no-]honour document but also your existence altogether'⁵ and 'They are all, without exception, thieves.'⁶ Also present were demands to 'disqualify the parties'⁷ that have ruled since 2003 – ever since the establishment of the new political system, that is – from running for elections or engaging in politics again.⁸

These protests reflect the growing popular anger and gap between society and the political parties established in Iraq after 2003 and based on the Muhasasa Ta'ifia system (sectarian apportionment) or 'political Muhasasa'.⁹ This system led to the rise of parties of one sectarian form, which depend on societal division to win over electoral votes. Although they benefit from it, many politicians consider the Muhasasa system as quite

¹ 'Party Headquarters Burned Down in Basra', *Russia Today*, 6 September 2018. Available at https://arabic.rt.com/middle_east/968266-البصرة-أحزاب-في-الحرق-مقرات-أحزاب-في-البصرة (accessed 14 March 2021) [in Arabic].

² 'Iraq... Protesters Tear Down Part Headquarters in Dhi Qar', *Anadolu Agency*, 22 August 2020. Available at <https://www.aa.com.tr/ar/1949901/-أحزاب-سياسية-في-ذي-قار-محتجون-يهدمون-مقار> (accessed 14 March 2021) [in Arabic].

³ 'Iraqis React to Nasiriyah Celebrating Driving its Parties Away', *Elaph*, 7 October 2020. Available at <https://elaph.com/Web/News/2019/10/1267298.html> (accessed 14 March 2021) [in Arabic].

⁴ 'Iraqis Chant: "No to Parties, No to Corruption... Yes to Iraq"', *Al-Arabiya YouTube*, 31 January 2020. Available at <https://www.youtube.com/watch?v=vyOO75hqCAM> (accessed 14 March 2021) [in Arabic].

⁵ Muhammad Mahmoud and Bushra Jamil Al-Rawi, 'The Slogans of the Iraqi Demonstrators Demanding Reform: A Semiotic Study', *Dirasat Journal of Human and Social Sciences* 46/3 (2019).

⁶ 'A Bloody Month in Iraq and the Protests Continue...', *Al-Sharq*, 3 October 2019. Available at <https://al-sharq.com/article/03/11/2019/حصيلتها-والمحطات-أبرز-الاحتجاجات-متواصلة-إلى-أبرز-المحطات-وحصيلتها> (accessed 23 March 2021) [in Arabic].

⁷ 'Ongoing Protests in Iraq and Southern Protesters Insist on Parties Departure', *Al-Arabiya YouTube*, 10 February 2020. Available at <https://www.youtube.com/watch?v=vyOO75hqCAM> (accessed 14 March 2021) [in Arabic].

⁸ 'Different Opinions Held by Protesters in Tahrir Square in Baghdad on Future of the Iraqi Government', *Rudaw*, 4 December 2019. Available at <https://www.rudaw.net/arabic/middleeast/iraq/041220195> (accessed 14 March 2021) [in Arabic]. The website notes that the protesters demand all parties leave, along with the Iraqi government officials and for none to remain in power.

⁹ Much literature may be found on the Muhasasa system, some of which are Toby Dodge and Renad Mansour's 'Sectarianization and De-Sectarianization in the Struggle for Iraq's Political Field', *The Review of Faith & International Affairs* 18/1 (2020); Harith Hasan Al-Qarawee, 'Iraq's Sectarian Crisis – A Legacy of Exclusion', *The Carnegie Middle East Center* (2014); Fanar Haddad, *Sectarianism in Iraq, Antagonistic Visions of Unity* (London: Hurst Publishers, 2011).

In describing the new political system in Iraq, these terms express, both directly and indirectly, the estrangement of the political powers from society. Such a problem thus joins a host of issues like sectarian Muhasasa, political Muhasasa, party control over political decision-making, corruption, political clientelism, undermined security, and deteriorated service provision. Several approaches may be adopted to explain such intricate problems, but all must be contextualised within the 2003 political regime, established on national, sectarian, religious and racial divisions of Iraqi society, and at the expense of a collective identity.¹⁶

This research highlights party regulation in post-2003 Iraq, current related legislation and the implementation thereof. It also examines internal party politics and their regulatory competence, and the extent to which they may be considered internally democratic. It also explores the ways their internal party crises and lack of party platforms shape the Iraqi political system in general and society's engagement with and approach to politics. This research presumes that the main pillar of any democratic system must be premised on a people's freedom to engage in politics, organise themselves within groups or parties and eventually compete for the power to rule and thus democratically realise their goals – through voting, and a peaceful transfer of power. This means that, to run a political system, the democratic system needs parties and/or individual candidates, as well as voting constituencies.

This paper demonstrates how, for more than a decade and a half, parties in Iraq have hindered the reform of the political system and the creation of a consolidated democracy. To achieve the aforementioned goals would require parties and political powers that believe in democratic action¹⁷ and in the state to respect the constitution and the law. It would require them to believe in fighting corruption, limiting access to arms to the state, and, most importantly, believe in a collective identity. Parties that run the Iraqi political system are in a critical crisis that may prove impossible to resolve – that is, unless contenders external to the current political scene were to arrive, directly from within society and the protest movement which has been ongoing in Iraq since 2011.

This research is largely based on 27 interviews conducted with party leaders and members in Iraq, Commission of Integrity and Independent High Electoral Commission officials and civil society organisations that monitor democracy and parliamentary affairs.¹⁸ It is equally based on local journalism - party-controlled or party-affiliated media specifically - to map out parties, outline their common features as well as comprehend the differences between them. Additionally, it draws on legal, political and social studies to analyse said data generated from both interviews and media.

¹⁶ Much literature may be found on this topic, some of which are Haddad, *Sectarianism in Iraq: Antagonistic Visions of Unity*; Toby Dodge, 'The Contradictions of Systemic Sectarianism in Iraq', *SEPAD* (2019), available at <https://www.sepad.org.uk/announcement/the-contradictions-of-systemic-sectarianism-in-iraq> (accessed 28 February 2021); Harith Al-Qarawee, *Imagining the Nation: Nationalism, Sectarianism and Socio-Political Conflict in Iraq* (Rossendale: Rossendale Books, 2012).

¹⁷ Baghdad-based *Madarik* magazine published important files on party faith in regulatory democracy as a tool to manage governance, written by a number of academics and writers. For more in-depth reading, see Khalil Mukhif al-Rubayi, 'Duality in Political Party Behaviour (The Relationship Between Democracy and Dictatorship)' [in Arabic] and Mut'aab Manaf, 'Democracy in Between Sloganeering and Deserving Reality' [in Arabic] and Walid al-Massoudi, 'Democracy and Islamic Political Movements', *Madarik* magazine (2), undated [in Arabic].

¹⁸ It is worth noting that party scholars complain about the lack of party transparency in publishing their internal bylaws, the number of their affiliates, the internal methods of circulating party leadership positions, their financing methods, external relations and the mechanism of nominating their members for parliament or positions in federal and local governments.

The Emergence and Hallmarks of Post-2003 Parties

The first few months that followed the 2003 invasion of Iraq unfolded in a sense of alienation between the parties (hailing from abroad) and the Iraqis (who lived under an impenetrable international siege and an ironclad regime that controlled the media and banned any external information). A considerable number of politicians acknowledge that such alienation was the natural result of separation between the opposition persecuted by the Baathist regime and Iraqi society.¹⁹ The first attack on party headquarters thus took place in Maysan Governorate on 19 August 2003, which foreshadowed society's split with the parties.²⁰

Hailing from abroad, diasporic parties suffered loose internal structures and political platforms, unfit for a post-single party Iraq. These parties were operating secretly, many relying on their past opposition to Saddam's regime to ensure people's support. However, such a wager seemed defective in a country that had crumbled back into a pre-industrial age, into a virtual collapse of economic structures following the consecutive wars it witnessed.

Back then, the Communist Party (secular, founded in 1934), the Islamic Da'awa Party (Shiite, founded in 1958), and the Iraqi Islamic Party (Sunni, founded in 1960) were the prevalent parties in Iraq. Some leaders of these well-established parties had been in control of party decision-making for more than two decades, most of whom did not commit to holding party conventions to renew their leadership.²¹ In parallel, other powers, even if less organised, enjoyed party structure, like the Islamic Supreme Council of Iraq, led by the al-Hakim family. One-person parties led and controlled by one leader also made a comeback, such as the Iraqi National Congress led by Ahmed Chalabi and the Iraqi National Accord led by Eyad al-Allawi. Additionally, some of the nationalist, leftist and monarchist movements reassembled themselves into parties. In turn, powers and personas that had remained in Iraq rushed to come together and establish political entities for themselves. The Sadrist Movement, headed by its spiritual leader Muqtada al-Sadr, and the Islamic Virtue Party, under the leadership of Mohammad al-Yaqoobi, are two such prevalent examples.

¹⁹ 'The Truth Behind the Relationship Between Muwaffaq al-Rubay'i and Paul Bremer | Part 2 | Wafi Rawayaten Oukhra', *Alaraby TV Youtube*, 14 October 2019. Available at https://www.youtube.com/watch?v=_KKTPSDnJM (accessed 28 February 2021).

²⁰ 'Protesters Break into the Governorate Building and Defied Party Headquarters', *Al-Mada* newspaper (3), 19 August 2003. Available at <https://almadapaper.net/sub/waseem/sub/08-003/2.pdf> (retrieved 28 February 2021) [in Arabic].

²¹ The Communist Party did not hold its conferences periodically until 1993 while Hamid Majid Mussa took control of the party's presidency (General Secretary of the Party) between 1993 and 2016. See the official website of the *Iraqi Communist Party*: <https://www.iraqicp.com/index.php>. See also Ammar al-Ka'abi, 'Democracy Within Iraqi Political Parties (Conversations With the People Concerned)', *Madarik* magazine (2), undated, available at <http://www.madarik.net/mag2/1.htm> (accessed 14 March 2021) [in Arabic]. As for the Da'awa Party, from its founding until 2007, its system did not include the position of Secretary-General and the same leaders within the party were repeated and dominated its decision-making between 1979 and 2007, such as Sheikh Muhammad Mahdi Al-Asifi, Ibrahim Al-Ja'afari and Ali Al-Adeeb. Since 2007, when the party decided to create the position of Secretary-General, Nuri al-Maliki dominated the leadership of the Da'awa Party. See Ali al-Mu'min, 'From Sunrise to Brightness... The Da'awa Party and the Problems of its Establishment, Spread and Power', *The Intellectual* website, 16 August 2011 (accessed 4 March 2021) [in Arabic]; Adel Raouf, 'The Islamic Da'awa Party, the Journey, Thought and Movement', *Center for Strategic Studies for Research and Documentation* (1999); Hassan Shabar, *The Islamic Da'awa Party: A Documentary Research on the Path of the Da'awa* (Baghdad, Iraq: Al-'Aref Publications, 2009).

These parties hastened to seize state facilities and disbanded Baathist leadership homes and headquarters,²² 'to end up lined up [...] one next to another, as relics in a natural history museum', as Falih Abdul Jabbar said in 2004. Early on, the latter had diagnosed an excess of parties and movements, compared with the little influence ideologies had over them.²³ As such, rather than determining agendas for a post-war Iraq - an entirely collapsed state with a disintegrated social structure - the bulk of parties would now be formed on sectarian, ethnic and nationalist foundations. Naturally, not all such parties and coalitions were entrenched enough as their members were divided over political representation. This drove a minority Christian population, for instance, with no more than 500,000 members, to form more than 17 parties.²⁴ Most emergent parties were thus rendered mere cardboard clusters, counting virtually the same number of members as employees.²⁵

Furthermore, Sunni and Shiite parties alike experienced wide internal divisions. The Da'awa Party suffered rifts that led to the formation of the Islamic Da'awa Movement led by Ezze-dine Salim (assassinated in 2004), the local Islamic Da'awa Party - the Iraq Organisation led by Abdul Karim al-Anizi, and the Islamic Da'awa Party led by Khodair al-Khoza'ei. After disqualification from running for prime minister, Ibrahim al-Ja'afari formed the National Reform Trend. In 2018, the Da'awa party experienced a clear rift when Nouri al-Maliki and Haider al-Abadi ran independently for the elections, under separate party names and titles. Calling for 'pumping in new blood' and renewing leadership and structure, Haider al-Abadi resigned from the party and formed the Victory Alliance party. In parallel, following the party convention in 2019, Nouri al-Maliki, head of the State of Law Coalition, was accused of dominating the party and its decision-making.²⁶ Some Da'awa Party observers trace these rifts back to internal party disputes over internal and governmental positions; they also note a lack of party regulations that could help manage internal disputes.²⁷

Internal divisions within the Supreme Islamic Council are just as frequent as those within the Da'awa Party. The Hakims (Mohammad Baqir, Abdul Aziz, and Ammar) all held a monopoly over the party, by inheritance. On the other hand, the Shura (the politburo)

²² Muhammad Sabah, 'Informed Officials: The State Owns 600,000 Real Estate.. 60% Are Acquired Without Contracts', *Al-Mada* newspaper, 10 November 2020, available at <https://www.almadapaper.net/view.php?cat=231388> (accessed 16 March 2021) [in Arabic]; Wissam Al-Bazi, 'Iraq - The Parties Control the State's Real Estate.. The File is Opened Again', *Al-Hal* website, 21 May 2020, available at <https://7al.net/2020/05/21/الد-عقارات-على-تسيطر-الأحزاب-العراق/> (accessed 16 March 2021) [in Arabic].

²³ Falih Abdul Jabbar, 'A Worrying Obscure Iraqi Future, but Al-Baath.. Is Not Coming Back', *Al-Hiwar Almutamaddin*, 17 December 2004. Available at <https://www.ahewar.org/debat/show.art.asp?aid=38422> (accessed 3 February 2021) [in Arabic].

²⁴ Interview with Joseph Sliwa, former member of parliament, representative of Christians, 9 March 2021.

²⁵ Hani Elias al-Hadithi, 'Iraqi Parties.. Their Emergence and Role in Shaping the Future', *Aljazeera* website, 3 October 2004. Available at <https://www.aljazeera.net/2004/10/03/-العراق-نشأتها-ودور-ها-في-تشكيل> (accessed 2 March 2021) [in Arabic].

²⁶ Kholoud al-'Aamiri, 'Why Did al-Abadi Withdraw From the Iraqi Da'awa Party... And How is This Related to al-Maliki?', *The Independent Arabia*, 31 May 2019. Available at <https://www.independentarabia.com/node/29401/من-العراق-وما-علاقة-المالكي-الأخبار-العالم-العربي-لماذا-انسحب-العبادي-من-حزب-الدعوة-العراقي> (accessed 15 March 2021) [in Arabic].

²⁷ An interview with Muhammad Abd al-Jabbar al-Shabout, a former member of the Da'awa party and one of its thinkers, on 3 February 2021.

sometimes underwent some changes. The Council experienced numerous internal rifts due to exclusive decision-making or disputes over relations with Iran, where the Supreme Council was founded in the eighties. At first, Hadi al-Ameri dropped out of his Badr organisation, essentially an armed faction, stating that it had given up arms, but made a comeback to fight the Islamic State of Iraq and the Levant (ISIL). Baqir Jabr al-Zubeidi then split away, followed by Jalal Eddin al-Sagheer, and, finally, Ammar al-Hakim, who had led the Council himself and then founded the National Wisdom Movement. Following the death of its founder, Ahmed Chalabi, the National Congress saw Entifadh Qanbar split away, whereas Aras Habib headed the party during a party convention held as a mere formality. The Virtue Party also had its former secretary general, Nadim al-Jabiri, split with it.

In turn, exclusively led by Muqtada al-Sadr, the Sadrist movement holds some of the most action-packed rifts. The movement was founded on two premises: military, to fight off the American Occupation Forces, and political, to partake in the political process in the aftermath of 2003. As a result, the Sadrist movement split with both al-Mahdi army militia and the Promised Day Brigade. While most militias in Iraq today used to fight in one of those two Sadrist militias, they split with them, following in the footsteps of Sadr, attempting to control both security and political questions. Such was the case with the League of the Righteous, led by Qais al-Khaza'ali, which formed a coalition in the Council of Unions, the Islamic Movement of Iraq led by Shibl al-Zaydi, Sayyid of Martyrs Battalions led by Falih al-Khaza'ali, and Hezbollah - the Faithful, led by Haider al-Gherawi.

Regarding Sunni parties, the Islamic Party (the Muslim Brotherhood branch in Iraq, though less organised than other Muslim Brotherhoods in the Middle East) has lived through rifts and resignations following external interventions and effects on its members. Salim al-Jabouri ran in the 2018 elections under the 'Civil Rally for Reform' funded – as per leaked data – by Qatar and influenced by Iran,²⁸ whereas other leaderships ran in the elections independently or through new parties in a number of governorates. Those included Mohamed Iqbal in Nineveh Governorate and Suhaib al-Rawi in Anbar, who himself led the main party wing during the elections, headed by Ayad al-Samarrai.

From this quick overview, it appears that internal party rifts do not necessarily unfold in permanent separation from the mother party. Dissidents always run for elections under one electoral coalition with their mother parties or, alternately, return to coalesce within a parliamentary coalition based on election results. While elections are a means to reveal their size and strength in parliament, for dissidents and mother parties elections also imply easy negotiations over ministerial and governmental positions. It is precisely here that al-Muhasasa stands out, in both its political and sectarian forms.

Given the growing number of parties, disputes intensified around state structure and laws. Not only did the parties abroad and local parties disagree with each other, but all parties, whether abroad or in Iraq and regardless of their geographic location, also argued with each

²⁸ Hamid Abdallah, 'Sources: An Iranian-Qatari Deal to Limit the Influence of Arab Powers', *Akhbar Al Khaleej* newspaper, 22 August 2017. Available at <http://akhbar-alkhaleej.com/news/article/1086091> (accessed 15 2021) [in Arabic].

other. Prior to toppling the regime, parties abroad would hold conventions and principally agree on key points related to the shape that the regime should eventually take. However, once back in Iraq, these previously expatriate parties clashed with the foreign forces that helped topple the regime; they also came face to face with the post-Baath effects. Disputes grew over the structure of the system (should it be centralised or federal, presidential or parliamentary?). Furthermore, sectarian and racial agendas and interdependent relations with neighbouring countries also exacerbated matters.²⁹ Postponing the resolution of basic issues - such as regulating federal relations with Iraqi Kurdistan and demarcating the borders of disputed areas - has been straining the relationship between the Iraqi government and Iraqi Kurdistan.³⁰ The marginalisation of the Sunnis, considered by the Shi'a parties as a sect that allied itself with the former regime, led to crises that unfolded in a civil war between 2006 and 2008; furthermore, it also led to ISIL occupying a third of Iraq's territory in 2014.³¹ Moreover, the Shiite parties' retention of militias and weapons has been a constant factor in destabilising civil peace. In fact, some of the early suggestions of the parties included non-state solutions: party militias were proposed in 2003 as a solution to restore security³² rather than push for forming a national army and police force.

As a result, very early on, Iraqi daily accounts would portray a sense of rage and disgust at the excessive number of parties. In 2007, one verse of a poem in the vernacular would be widely shared among Iraqis, 'Many parties but few walls.' It critiqued the excess of parties and campaigning in streets and on walls, as Iraq had yet to see any perceptible reconstruction that justified the amount of party ads and slogans posted on its walls. Hereafter, Iraq would slip into the bloody events that led up to its civil war. One could deduce that that poem was the product of two Iraqi elections: of 2005, to elect the National Assembly (a provisional parliament), with more than one hundred parties running; and of December 2005, to vote for the first Iraqi parliament elect, involving 307 political entities, among which 19 coalitions registered 996 electoral lists.³³

In fact, and for a few different reasons, Iraqi society has suffered a complex crisis with political parties. The main reason may be traced to the 1960s, when party pluralism disappeared from Iraq. The Ba'ath party gained power in 1968 and Saddam Hussein took over the reins of governance in 1979; he introduced a totalitarian system, killing political life in Iraq. Under the single-party state, a social rupture with political life and party organisations set in. At that point, Iraqi parties in exile were apparently unaware of having drifted

²⁹ Sa'ad Mahiou, 'Iraqi Shias: A Wedding or Funerals?!', *Swiss Info* website, 21 January 2005. Available at <https://www.swissinfo.ch/ara/4314634/--ع-رس-أم-ماتم-شريعة-العراق> (accessed 2 March 2021) [in Arabic].

³⁰ Ra'ad al-Qadri, 'Federalism and Iraq's Constitutional Predicament', *The Middle East and North Africa Programme, Chatham House*, Research Paper (London, 2020).

³¹ Ranj 'Alaaldin, 'Sectarianism, Governance, and the Future of Iraq', *Brookings Doha Center*, Analysis Paper 24 (2018).

³² 'The Governance Council Forms Party-Affiliated Militias to Face Iraqi Resistance', *Dunia Alwatan* website, 4 December 2003. Available at <https://www.alwatanvoice.com/arabic/news/2003/12/04/1362.html> (accessed 2 March 2021) [in Arabic].

³³ 'A Year of Democracy in Iraq: Iraqis Head to the Ballot Three Times.. And the World Bows to the Courage of the People', *Al-Mada* newspaper (11-569), January 2005. Available at <https://bit.ly/3lubgoM> (accessed 3 December 2021) [in Arabic].

apart from society and had no strategy to build a pluralist political life. The American Occupation Administration strategy, along with the laws it passed, would only aggravate matters; they facilitated access to power through sectarian and nationalist paths, whereby one did not have to devise a platform to save the country from its crises so much as take into account the sectarian balance in the country. The memoirs of Iraqi politicians and American officials are full of relevant examples. For instance, Iyad Allawi does not deny that he was chosen because of his affiliation with the Shi‘a sect, despite his own personal secularism.³⁴ Likewise, Paul Bremer states that his efforts to find representatives for Iraqis could have been described as trying to reach ‘sectarian balance’.³⁵

Regulating Laws

Iraqi political life was regulated in the aftermath of the 2003 American occupation of Iraq, first, in accordance with Order 92, which the occupation authorities decreed in 2004, then, later, in accordance with Law No. 97, passed by the Coalition Provisional Authority headed by American civil administrator Paul Bremer, which regulated, in turn, how parties functioned.³⁶ The law suffered many limitations; it was not meant to regulate parties or their internal regulations, but was rather customised to regulate the operations of political powers and how they participated in both parliamentary and local elections. On that basis, the law addressed neither democratic life nor the internal circulation of party positions in detail. It disregarded both internal party democracy and the distribution of internal party positions. The law failed to regulate party membership processes and to determine, in any definitive manner, party funding. It did not specify what the prohibited or authorised sources could be. Furthermore, it failed to specify, in any of its chapters, party-state relations. Law No. 97 was kept in effect for more than 11 years, during which time six electoral processes (three parliamentary elections and three local elections) were held in Iraq.

The laws that the American Occupation Administration passed contradicted with US views of Iraq. The American Administration had long since questioned opposition parties as the latter held ideologies unfit for democratic regimes.³⁷ Islamic parties and powers, for instance, entertain ideas that overstep the boundaries of a national state, and this is the case with the Communist Party, both of which constitute the backbone of Iraqi opposition. Additionally, barring the Communist Party, these powers and parties did not participate in ruling the country – their operation and organisation has always been clan-

³⁴ Mua‘id Fayyad, ‘In the Minefield (Episode Three).’, “Asharq Al-Awsat” publishes the memoirs of the first Iraqi prime minister after the fall of Saddam, *Asharq Al-Awsat* newspaper, 26 May 2013. Available at <https://aawsat.com/home/declassified/878> (accessed 20 March 2021) [in Arabic].

³⁵ Paul Bremer, *My Year in Iraq: The Struggle to Build a Future of Hope*, Chapter 4 (Beirut, Lebanon: Al-Kitab Al-Arabi Publishing House, 2006) [translated into Arabic by Omar al-Ayoubi].

³⁶ Bashar Hassan Youssuf and Sahar Mohammad Najib, ‘The Development of the Iraqi Political Parties Law’, *Al-Rafidain Journal of Rights* 12/54 (2012) [in Arabic].

³⁷ ‘Second Meeting with Ahmed Chalabi and Opposition Secrets in “Testimonies for History” with Dr Hamid Abdullah’, *Dr Hamid Abdullah’s YouTube channel*, 25 May 2014. Available at <https://www.youtube.com/watch?v=ozegBoQLk-Q> (accessed 17 February 2021) [in Arabic].

destine. Paul Bremer affirmed all such delicate matters and concluded, in more parts than one in his memoirs, the difficulty in handing power over to Iraqis and holding elections with a non-existent civil society or any organised political parties.³⁸

However, the American Occupation Authority eventually regulated political life, party-life in particular, through flimsy laws and the Independent Electoral Commission of Iraq – an independent institution that functions in accordance with the Iraqi Constitution, but one that has not escaped sectarian or party-affiliated *Muhasasa*. Its members would be appointed by agreement between the main parties and powers: Shi'a, Kurdish and Sunni. It was in charge of enforcing the law and issuing operational regulations. As such, Law No. 97 became a lifeline thrown to political powers – still in power, and going strong, since the first elections in 2005 – in order to keep them from accountability. Besides politically dominating the Electoral Commission, which meant parties were not held accountable for their infractions, parties used the law's loopholes to commit all manner of violations, mainly financial and campaigning breaches and, most certainly, security violations, whereby armed factions grew to later enter (as would be revealed) the political arena without giving up their arms.

The first elected parliament in Iraq, which first convened in 2005, was expected to pass a party regulation law, especially in the shadow of the vast number of parties that spread and committed substantial violations, such as managing election campaigns in civil state institutions or places of worship, using material state resources (such as vehicles and printers) and financial resources (to bribe citizens), employing sectarian discourses and resorting to weapons and threats in some regions. However, such violations failed to urge the parliament to pass any legislation that would regulate party functions.

By examining the development of the Parties Law and the controversy it aroused, one may understand the desperate efforts that large parties put into evading any law that could regulate their work or the attempts to ratify laws in congruence with their agendas. Parliamentary discussions of legislating a party law began in 2008;³⁹ discussion of the law, however, was completely abandoned, only to be resumed in 2011 and 2012.⁴⁰ Then, led by former prime minister Nouri al-Maliki, the ministerial cabinet drafted a bill that enabled governmental control over party operations and routed party authorisation and supervision through the Ministry of Justice.⁴¹ Back then, al-Maliki had already been representing a rising dictatorship, which is why parties were sceptical of his intentions towards them and eventually deferred discussion of the law.

³⁸ Bremer, *My Year in Iraq: The Struggle to Build a Future of Hope*, pp. 20, 30, 114, 119 [translated into Arabic by Omar al-Ayoubi].

³⁹ 'Iraqi Parliament Soon to Vote on Parties Law', *Al-Bayan* newspaper, 20 May 2008. Available at <https://www.albayan.ae/one-world/2008-05-20-1.639746> (accessed 7 March 2021) [in Arabic].

⁴⁰ 'The Major Iraqi Parties Not Disposed to Legislate Parties Law', *Al-Bayan* newspaper, 2 October 2011. Available at <https://www.albayan.ae/24-hours/2011-10-02-1.1512335> (accessed 7 March 2021) [in Arabic]. Also see 'State of the Law Party Unlikely to Ratify Parties Law Soon', DW website, 20 December 2013. Available at <https://www.dw.com/ar/العراق-الأحزاب-السياسية-حاضر-ة-وقانونها-غائب/a-17313872> (accessed 7 March 2021) [in Arabic].

⁴¹ 'Iraq: Political Parties are Present, Their Law Absent', DW website, 20 December 2013. Available at <https://www.dw.com/ar/العراق-الأحزاب-السياسية-حاضر-ة-وقانونها-غائب/a-17313872> (accessed 7 March 2021) [in Arabic].

Successive law violations by the parties resulted in widespread Iraqi discontent and criticism of parties as a force that dominated and hijacked state decision-making gradually set in. On that basis, during the widespread 2015 Iraqi demonstrations, protesters demanded the ratification of the Parties Law,⁴² which forced the parliament, prompted by street pressure, to hasten to read and vote on it. Some discussions held by representatives about the law revealed negligence of internal party regulatory matters and a focus on other questions such as party external relations and funding as well as the occupation of state-affiliated headquarters by the parties. There were also disputes among parliamentary committees, complemented by demands to defer the vote on the legislation, which drove Salim al-Jabouri, then speaker of the parliament, to state that: ‘Parties are ever afraid of a regulating party law.’⁴³

Issues With the Law and its Implementation

The Iraqi parliament ratified the Political Parties Law⁴⁴ in August 2015 – one year after ISIL had taken over almost a third of Iraq’s area. The parliament justified passing the law with ‘new political life demands and a democratic shift, aimed at regulating the legal framework of political parties in accordance with national democratic tenets that guarantee political pluralism and realise larger scale involvement in public affairs’.⁴⁵

As a matter of fact, the ratification came at a pivotal moment in Iraqi history, where ISIL did not pose the only threat to the state; there were also the armed factions that went about fighting ISIL. Those factions, though mainly Shi’a, hailed from a host of sects and religions, including Sunni, Christian and Yazidi.⁴⁶ While some of these factions answered to Iraqi actors, such as those affiliated with Shi’a groups and Sadrist factions, others were completely loyal to the Islamic Republic of Iran.⁴⁷

The law stresses the regulation of armed factions; its main articles aim to prevent political parties from creating militias and involving armed factions in political work, among other matters. The law equally prohibits the authorisation of parties that pursued sectarian, racial or nationalist fanaticism and also obligates political powers to reveal their sources of funding and properties in addition to prohibiting parties from receiving donations sent

⁴² ‘Iraqi Parliament Passes Parties Law’, *Aljazeera* website, 27 August 2015. Available at <https://www.aljazeera.net/news/arabic/2015/8/28/البرلمان-العراقي-يقر-قانون-الأحزاب> (accessed 7 March 2021) [in Arabic].

⁴³ Session No. 14 of the Council of Representatives of Iraq, 17 August 2015, *Iraqi Parliament* website. Available at <https://arb.parliament.iq/archive/2015/08/17/م-1782015-14-الأثنين-محضر-جلسة-رقم-14> (accessed 7 March 2021).

⁴⁴ Law No. 36 comprised sixty-one articles.

⁴⁵ The Political Parties Law No. 36, 2015, *Iraqi Parliament* website, 27 August 2015. Available at <https://arb.parliament.iq/archive/2015/08/27/20218/> (accessed 7 March 2021) [in Arabic].

⁴⁶ Hisham Al-Hashimi, ‘Internal Dispute within the Popular Mobilisation Forces’, *Peace Making Centre*, 1 July 2020. Available at <https://www.makingpolicies.org/ar/posts/internal-dispute-in-alhashd-alshaabi.php> (accessed 7 March 2021) [in Arabic].

⁴⁷ Renad Mansour and Faleh Abdul Jabbar, ‘Popular Mobilisation and the Future of Iraq’, *Malcolm H. Kerr – Carnegie Middle East Center*, 28 April 2017. Available at <https://carnegie-mec.org/2017/04/28/ar-pub-68812> (accessed 7 March 2021) [in Arabic].

from foreign persons, organisations or countries.⁴⁸

Still, some articles were left without legal grounding, like refusing to authorise parties that assumed sectarian, racial or national fanaticism as Iraqi legislation lacks a definition of fanaticism.⁴⁹ It is also unclear whether the law allows parties to be founded on sectarian, racial or national bases. Additionally, the law is home to contradictions related to external funding; article 37(2) notes that 'all donations sent from foreign individuals, countries or organisations are prohibited', which contradicts article 41(1) of the same law, which permits external funding provided that it is approved by the Department of Political Party Affairs in the Electoral Commission.⁵⁰ One more contradiction comprised in the law lies in funding; whereas article 34 prohibits political parties from doing business for profit, article 33 allows parties to self-fund through 'revenues of their invested funds'. Likewise, the law failed to determine the percentage that guaranteed adequate women's representation in party membership or leadership, whereby article 11(1) stated that 'female representation should be taken into consideration', which contradicts the quota determined for parliament, with 25 percent of its seats reserved for women.

Ever since passing, the law has received extensive critique by legal specialists and even some political powers. The Department of Political Party and Organisations Affairs demanded that 12 amendments be added to the law,⁵¹ and believed that the time was ripe for amendments to it.⁵² The law was also appealed in the Federal Supreme Court of Iraq, specifically contesting the articles on entrusting the ministerial cabinet with issuing regulations and the state with allocating financial aid to parties from its national budget. The latter stipulated that 80 percent would be allotted to the parties represented in parliament and 20 percent to parties not present in parliament. One may thus deduce that the guiding logic to drafting the 2015 Political Parties Law was essentially to allow parties to run in the elections, regardless of their internal regulations or political role in society.

While the law granted the political parties a one-year window in order to adjust to the new legal conditions, the task of monitoring parties was relegated to the Department of the Political Parties and Organisations Affairs, which is part of the Independent High Electoral Commission, rather than establishing a separate commission that strictly monitored party operations and held parties accountable for violations of the law. Though party authorisation is limited to the Electoral Commission, the law does not confer power on the latter

⁴⁸ Iraqi Law of Parties Article 37 II – 2015.

⁴⁹ Maysoun Taha Hussein and Ghani Zgheer Atiya Mohammad, 'Iraqi Political Parties Law on a Constitutional Scale (Analysis)', *Journal of Legal Studies College* 6 (2016). Available at <https://alkafeel.edu.iq/static/uploads/pdf/1486903403dbf6327c5bb87f883d27cf213cf2fe40--07.pdf> (accessed 28 February 2021) [in Arabic].

⁵⁰ Ra'ad Sami al-Tamimi, 'Examining the Political Parties Law and International Standards of Democracies Around the World: Opportunities and Challenges', *Al-Bayan Centre for Planning and Studies* (2015). Available at <https://www.bayancenter.org/2015/10/736/> (accessed 17 February 2021) [in Arabic].

⁵¹ Mohammad Sabah, 'The Commission Proposes to Amend 12 Articles in the Parties Law to Rectify Legal Loopholes', *Al-Mada* newspaper, 24 February 2019. Available at <https://almadapaper.net/view.php?cat=216852> (accessed 13 February 2021) [in Arabic].

⁵² The Department of Political Parties and Organisations in the Independent High Electoral Commission responded in writing to the researcher's questions on 10 February 2021.

to freeze or disqualify parties should they violate any laws or guidelines. Such a task has been entrusted to the 'Mawdou' court',⁵³ which would look into the matter following a request or recommendation placed by the Department of Political Parties and Organisations Affairs in the Electoral Commission.⁵⁴

In fact, since the Electoral Commission used to be subject to the political Muhasasa system and despite its alleged independence, appointments were made on sectarian and religious bases. This resulted in serious violations of the 2015 Parties Law, especially the Electoral Commission's disregard for the parties that owned militias, granting permits to existing militias to form political parties, the use of official institutions and public money to lure voters and failure to monitor parties for their funding sources. It also seems that the Department of Political Parties and Organisations Affairs is incapable of monitoring parties round-the-clock, as it is essentially busy regulating voting processes in Iraq. The Electoral Commission has no more than 120 clerks at its disposal to scrutinise member conduct and internal party regulations, study them to work out whether any of them were violating the law passed,⁵⁵ and monitor party performance following its registration to ensure that no provisions of the law were being violated, especially in important aspects like questions of funding and the creation of armed factions.⁵⁶

Party Regulatory Structure

The Parties Law passed in 2015, which forced parties to adapt to its articles, albeit only formally, drove all parties (barring the National Home party, which undertakes direct elections by all its members) to follow the Leninist formula or a hybrid Leninist model in

⁵³ Al-Mawdou' Court is the 'Judicial Electoral Commission', which has been formed in accordance with the amended Independent High Electoral Commission Law No. 11 of 2007. See the 'Political Parties Law No. 36', 2015.

⁵⁴ Written response from the Department of Political Parties and Organisations Affairs in the High Electoral Commission, 10 February 2021.

⁵⁵ Ibid.

⁵⁶ As a result of the protestors' demands for an electoral commission independent of political influences, the Iraqi Council of Representatives approved the Electoral Commission Law in December 2019. Accordingly, a commission council was formed of independent judges. On 23 December 2019, the Supreme Judicial Council elected seven judges to fill the positions of members of the Independent High Electoral Commission in Iraq. Despite the apparent independence of the new electoral commission, criticism was also directed at the Judicial Council as a result of its reliance on sectarian Muhasasa in selecting commissioners. In addition, political forces interfered in imposing people in sensitive administrative positions within the commission, as well as directors and employees at polling centres. See Aktham Seif al-Din and Salam al-Jaf, 'The Iraqi Election Commission in the Indictment Chamber Again: Subject to Political Will', *Al-Araby Al-Jadeed* newspaper, 24 May 2020, available at <https://www.alaraby.co.uk/مفوضية-الانتخابات-العراقية-بدائرة-الاثام-مجدداً-خاضعة-لإرادات-سياسية> (accessed 17 March 2021) [in Arabic]; Salah Hassan Baban, 'Two Options are Open to Al-Kadhimi... What is the Truth About Making Secret Changes in the Election Commission in Iraq? For Whose Benefit?', *Aljazeera* Net, 18 January 2021, available at <https://www.aljazeera.net/news/politics/2021/1/18/ما-الكاذمي-أمام-الكاظمي-ما> (accessed 17 March 2021) [in Arabic].

building their own internal regulations. In their electoral system, Leninist parties follow a hierarchical chain embodied by electing the National Congress representatives so that these would choose the members of the politburo who would, in turn, elect the secretary general. The new parties follow in the footsteps of historic parties in their organisation, which is the case of the Communist Party, the Da'awa Islamic Party and the Iraqi Islamic Party. These new parties, then, rarely devise any regulations of their own.

Practically, however, party conventions, except in the case of the three long-established parties (the Da'awa Party, Communist Party and Islamic Party) which follow ironclad regulations, are often ceremonial and, should they be held at their set time in the first place, would have predetermined results either by order of the party leader, by agreement between major leaders or agreement between party 'successors'.⁵⁷ It follows, then, that many parties are founded on an individual dictatorship that subjects all members to their leader (such as Muqtada al-Sadr, Mohammad al-Yaqoobi, Iyad al-Allawi) or to the family in control of the party and its decision-making (such as al-Hakims and al-Barzanis with the Kurdistan Democratic Party, or the al-Talabanis with the Patriotic Union of Kurdistan) or combines both forms (such as al-Nujaifis).

The parties are sometimes strikingly similar in their internal regulations, which means that writing many of their party internal regulations did not aim at setting party regulations, but rather at meeting the conditions set by the department of Political Parties and Organisations Affairs. Those oblige parties to hold founding conventions, where the general leadership of the party is elected and internal regulations and political agendas are put to a vote 90 days following the legal registration of the party. In an interview with the researcher, one of the politicians sarcastically notes that: 'Parties plagiarise their party internal regulations from the Internet – as they have no staff to draft an internal regulations agenda of their own,' adding: 'What's the use of drafting a party internal regulations with no intention of implementing it anyway!'⁵⁸

Such a ceremonial approach is devoid of the other major democratic aspect any real party should have: party membership. The Department of Party Affairs stipulates three thousand party members to authorise a party, however, as one source in the Electoral Commission stated, often are 'member names fictitious, as member documents are attained through clan elders, when, perhaps, only hundreds of them might have been aware of their membership in such parties'.⁵⁹ These parties, then, have no real members that believe in them nor do they necessarily subscribe to their principles. Naturally, this does not apply to all parties but many of them are still involved in this game, excepting the major parties that place strict and bureaucratic conditions on membership, especially the Communist Party and the Da'awa Party.

⁵⁷ In so noting, the researcher draws on conversations he held with four members of different parties in January and February 2021.

⁵⁸ Interview with an Iraqi politician who asked to remain, along with his party, anonymous, held on 3 March 2021.

⁵⁹ Interview with an official in the Independent High Electoral Commission who asked to remain anonymous, held on 17 February 2021.

In addition to lacking a real social base, the gap between those parties and society is reflected in party-organised demonstrations and celebrations, as they lure citizens to attend their events through providing meals and often through handing out small sums of money that ensured attendance. Muqtada al-Sadr remains a unique case, however, as the events the Sadrist movement organises are attended by thousands of people when no membership is offered to them, as its followers consider al-Sadr their spiritual leader.⁶⁰

From the aforementioned, one may deduce that parties follow two thought patterns regarding internal democracy, or at the outset of political life in general: despair and denial. Despair is unmistakably revealed in the response of a number of politicians who, once asked in one of my interviews about internal party democracy, exclaimed: ‘Wein akou!’ – ‘Does that truly exist?!’. They appear to have despaired of any shift in the way parties self-regulate. Some of them blamed Iraqi society that ‘venerates’ people and pays no attention to democratic regulation and practices; they are therefore convinced that hegemony with which families and individuals prevail over parties is the result of social backing of the former and that the current party model and the problems they suffer are therefore Iraqi society’s own doing. Still, all of them avoided responding when confronted with the fact that Iraqi society was not a member of any party, that it could not steer parties and that the responsibility over party integrity should be exercised by leaders who obligate their members to adopt democratic mechanisms and adjust internal regulation in congruence with democratic life. A number of party members affirmed that their resignation from their own party was inspired by the recent demonstrations that proved, as they say, that parties were divorced from social reality and incapable of adjusting to street demands and democratic practices.⁶¹

In parallel, a pattern of party leaders and members emerged; both leaders and members denied the issues that affected their parties, while some party leaders were content to simply confirm the ‘democratic form’ around which the party is run. They affirmed this ‘democratic form’ even as party conventions were held late, even as leaders repeatedly held the very same positions, even as no new names competed over party leadership, and even as one family dominated party decision-making. Some members, on the other hand, attested that democracy was alive in parties by showing for proof their freedom of discussion and self-expression, but saw that involvement in decision-making remains a far-fetched question as far as they are concerned.

⁶⁰ Dia al-Asadi, leader in the Sadrist Movement headed by Muqtada al-Sadr, explains its internal decision-making mechanisms and the relationship the followers have with al-Sadr: ‘Our movement comprises three different levels: Muqtada – its leader, his “elite” (though I do not like such classification, for we are, in fact, mediators or civil consultants, like myself) and his adherents, who fully trust him. As such, he does not need to consult or negotiate with them; they would follow him regardless of the decisions he made. Sometimes, we, the consultants, meet with him and negotiate several possible options, but he chooses the path to be followed by himself. Before reaching any decision, Muqtada consults with his close circles in Iraq and abroad.’ ‘Iraq: Has Muqtada al-Sadr and his Movement Shifted to Fight Against Sectarianism?’, *Orient XXI* website, 21 June 2018. Available at <https://orientxxi.info/magazine/article2522> (accessed 17 February 2021) [in Arabic].

⁶¹ Interview with four members of different parties held in January and February 2021.

Dominating Power and Society through Money

Parties, specifically larger ones, have penetrated deep into the state, at both financial and legal levels. In Iraq, money is the gateway to political clout, whereas the law is the executor of party domination of the state and its decision-making mechanisms, perpetuating their party system to their liking. This section focuses on party domination over the political process, which is supposed to be democratic, through money, applied in party-society relations or internal party relations. Political money is utilised in party-to-party relations and internal party relations; to pass a law, appoint a minister or select an official in the interest of a certain party in parliament, members of parliament are bribed to ensure enough votes are garnered to that effect.⁶² To ensure a governmental position for a party member, the nominee offers bribes or financial safeguards in the form of governmental contracts, in return for presenting him as sole party nominee for that position.⁶³

It would be beyond the scope of this paper to discuss the details of these notorious corruption deals,⁶⁴ but some of them should be mentioned, specifically those related to internal party structures and dynamics. Most prominent of these are the 'economic committees' invented by parties to control public money. They often comprise of the party leader's or coalition leader's entourage and monitor ministers in the ministries controlled by their party, study the contracts and projects that the ministry intends to implement and agree on a set commission that the party would charge to their contracted companies.⁶⁵ Despite their regulatory nature within a party, economic committees operate in complete violation of the law. In that regard, most party-monitoring institutions, especially the Electoral Commission, are aware of these committees' existence; media outlets frequently mention these economic committees. Even the Commission of Integrity is aware of them; it has suspected their presence but failed to stop these economic committees from taking control over state institutions.⁶⁶

⁶² 'Member of Parliament Reveals Prices to Buy Iraqi PMs Votes (Witness)', *Arabi 21* website, 28 November 2018. Available at <https://arabi21.com/story/1140719/-نائب-يكشف-أسعار-شراء-مواقف-نواب-البرلمان-العراقي-شاهد> (accessed 15 March 2021) [in Arabic]. Also, see: 'What's the Truth behind Accusations of Selling Leadership Positions in Iraq?', *Al-Arabiya* website, 14 September 2018. Available at <https://www.alarabiya.net/arab-and-world/iraq/2018/09/14/ما-حقيقيةة-ملايين-بيع-المناصب-القيادية-في-العراق> (accessed 15 March 2021) [in Arabic].

⁶³ 'A Bazaar to Buy-and-Sell Positions in Iraq Despite Protests Denouncing Corruption', *France 24* website, 21 February 2020. Available at <https://www.france24.com/ar/20200221-بازار-بيع-وشراء-مناصب-في-العراق-رغم-التظاهرات-المنندة-بالفساد> (accessed 15 March 2021) [in Arabic].

⁶⁴ Much literature addresses corruption within the Iraqi government. See Toby Dodge, 'Corruption Continues to Destabilise Iraq', *Chatham House Expert Comment* (2019); Zaid Al-Ali, *The Struggle for Iraq's Future: How Corruption, Incompetence and Sectarianism Have Undermined Democracy* (Croydon, UK: Yale University Press, 2014).

⁶⁵ 'Economic Committees are the Tools of Islamic Party Corruption in Iraq', *Al-Arab* newspaper, 29 April 2020. Available at <https://alarab.co.uk/اللجان-الاقتصادية-أدوات-فساد-الأحزاب-الإسلامية-في-العراق> (accessed 13 March 2021) [in Arabic].

⁶⁶ Shunam Abdullah Khushnaw, 'Commission of Integrity Sets a Two Week Deadline to Dissolve Committees Linked to Political Parties', *Rudaw* website, 15 March 2016. Available at <https://www.rudaw.net/arabic/middleeast/iraq/15032016> (accessed 13 March 2021) [in Arabic].

government jobs were, and still are, the only guarantee of income in Iraq), bank loans, and, eventually, their due retirement allowance. Such a strategy enormously strains the national annual budget, as it has enfeebled state institutions and aggravated such masked unemployment.⁷³ Following the 2003 American occupation of Iraq, the number of public sector employees increased by nearly 700 percent. Such employment inflation worsened when political powers – in order to perpetuate the clientelist relationship with such a large sector of the population – permanently raised their salaries, which eventually amounted to 45 percent of annual government spending.⁷⁴ According to Atheel al-Nujaifi, political leader and former Nineveh governor, 'In every governorate, jobs have always constituted party strategy to win voters over.'⁷⁵ Other ways to garner the support of other social groups included guaranteeing salaries to political prisoners, martyrs' families and those who had contested Saddam Hussein's regime.⁷⁶

In the face of all such actions, no one could affirm whether the Department of Political Parties and Organisations Affairs included any of these as violations in its records. Notably, the Independent High Electoral Commission violations records are unavailable to the public.⁷⁷ Furthermore, the Electoral Commission confirms receiving annual reports on party financing from the Department of Financial Supervision, yet neither of them publishes those. 'Publishing those reports is tantamount to taboo', as one of the Commission officials says, before adding that: 'parties hide a lot... Those reports hold many violations that no one wants to see reach citizens or the media.'⁷⁸

Party Violence and their Suppression of Democracy

Loopholes in party laws, and mainly failure to implement them, resulted in undemocratic practices within the parties and largescale violations that affected the established political system and created a gap between the political powers and society. It has been translated into protester anger, directed at parties throughout the recent protests in Iraq; the crises parties live through and actions they commit directly affect the political system and society at large. Thus, the party crisis exceeded the thorny and hostile relationship between the Iraqi

<https://yaqoobi.com/arabic/index.php/128/sadqeen-home-61-80/446/447/1061.html> (accessed 19 March 2021) [in Arabic].

⁷³ 'Ministry of Planning: The Governmental System Suffers Flaccid Employment, Most of Which Falls Under Masked Unemployment', *Al-Sumaria News* website, 12 December 2012. Available at <https://www.alsumaria.tv/mobile/news/68118/iraq-news> (accessed 19 March 2021) [in Arabic].

⁷⁴ Ali al-Mawlawi, 'Reforming the Public Sector in Iraq', *Al-Bayan Centre for Planning and Studies Publications* (2020).

⁷⁵ Interview with Atheel al-Nujaifi, leader of United for Iraq party, 14 February 2021.

⁷⁶ 'Rafhawi Privileges: Haemorrhaging Iraqi Resources and a Door Wide Open to Corruption', *Al-Quds Al-Arabi*, 23 May 2020. Available at <https://www.alquds.co.uk/الرفحايين-نزيف-لموارد-العرب/> (accessed 15 March 2021) [in Arabic].

⁷⁷ The researcher contacted the Independent High Electoral Commission to access party financial reports, but the Commission had reservations about sharing them.

⁷⁸ Interview with an Independent High Electoral Commission official, who asked to remain anonymous, held on 17 February 2021.

population and their parties and developed to a point where people equated parties with the political system itself. As such, the only possible solution to fix matters in Iraq translated into demands to overthrow the regime and, consequently, the exclusion of those parties from political life. Iraqi protests between 2011 and 2018 saw no 'overthrow the regime' slogans, which would only begin to emerge and spread during the October 2019 protests.⁷⁹

Such anti-party slogans were preceded by an opinion poll carried out in 2017 showing that much of the Iraqi population had decided to vote for independent politicians and candidates in the upcoming parliamentary or local elections (governorate council elections).⁸⁰ Still, the 2018 elections saw no increase in independent individuals in the Council of Union; rather, the bulk of political powers that had dominated the parliament would reinstate their politicking under the dome of the Legislative Council and Council of Ministers. This once, however, the political powers' return was marked by some shift in their political clout. A large number of constituents, however, were averse to voting in that particular election, which saw widespread forgery and fraud,⁸¹ major infractions when casting the ballots, counting the ballots and, finally, recounting the ballots.⁸²

Until today, such demands or public opinion polls do not seem to worry the political parties. They maintain the same rules by which they have played, by forming backup parties to run in the elections. Large parties form backup parties in an attempt to garner the support of new voter groups by using influential members of society; as such, they scatter electoral votes their smaller opponents would otherwise receive, preventing their ballot counts from passing the election threshold.⁸³ They equally limit the number of their seats by garnering votes through their backup parties. Ammar al-Hakim and Nouri al-Maliki are considered superstars in this arena.⁸⁴ In the aftermath, parties reproduce and re-entrench themselves and their undemocratic practices through such a political process time and again. People are thus pushed to despair of any change, barring a comprehensive transformation of the regime altogether.

⁷⁹ Haider Said, 'Overthrowing the Regime in Iraq, Nationalised', *Al-Arabi Al-Jadeed* newspaper, 30 November 2019. Available at <https://www.alaraby.co.uk/العراق/تأميم-إسقاط-النظام-في-العراق> (accessed 15 March 2021) [in Arabic]. Also, see "Thousands of Iraqis Chant "People Want to Overthrow the Regime", in Memory of the "October Revolution", *Al-Sharq Al-Awsat* newspaper, 1 October 2020. Available at <https://aawsat.com/home/article/2540606-آلاف-العراقيين-يهتفون-بشعارات-تطالب-بإسقاط-النظام-في-العراق> (accessed 15 March 2021) [in Arabic].

⁸⁰ 'Voter Views on Upcoming Elections in Iraq (Participation, Preferences, Priorities)', *Al-Bayan Center for Planning and Studies*, 12 October 2017. Available at <https://www.bayancenter.org/2017/10/3737/> (accessed 14 March 2021) [in Arabic].

⁸¹ 'The UN: Iraqi Elections has had "Forgery and Fearmongering" Attempts', *Anadolu Agency*, 5 May 2018. Available at <https://www.aa.com.tr/ar/1161063/عمليات-نزوير-وتر-هيب-السياسة-الأمم-المتحدة-الانتخابات-العراقية-شهدت-عمليات-نزوير-وتر-هيب> (accessed 14 March 2021) [in Arabic].

⁸² Salam al-Jaf and Mohammad Ali, 'Burning Baghdad Ballots Poses Threat to Elections: Most Serious Attempt to Cover Forgery', *Al-Arabi Al-Jadeed*, 11 June 2018. Available at <https://www.alaraby.co.uk/إحراق-صناديق-بغداد-يهدد-الانتخابات-أخطر-محاولات-تغطية-التزوير> (accessed 15 March 2021) [in Arabic].

⁸³ 'Adel al-Nawwab, 'Iraq: Ruling Parties Take Over Elections with Civil Unrest Slogans', *Al-Arabi Al-Jadeed* newspaper, 18 January 2021. Available at <https://www.alaraby.co.uk/politics/-العراق-الأحزاب-الحاكمة-تسطو-على-الانتخابات-بشعارات-الحراك-المدني> (accessed 16 March 2021) [in Arabic].

⁸⁴ Ibid.

Despite the domination of 'undemocratic' parties over the political arena, there have always been new parties that sought to birth political influence out of the protests Iraq is currently experiencing. Nevertheless, their organisation and effect remain limited in the larger political map, as they lack political experience and financial resources. Businessmen have turned their backs on them as the former are uninvolved in power and their base is comprised of the unemployed and impoverished youth who cannot gift large amounts of financial donations in return for financial support. Iraq has gone through tens of such parties, which quickly dissipate after elections, especially as they had not organised or established any direct relationship with the population and halted, like the larger parties, at trying to win votes during the elections.

However, the October 2019 protests, highly critical of the parties in power, revealed political organisations that seemed aware of the need for internal organisation, democracy, and decision-making processes within the party, as well as working with society to establish a meaningful relationship with the people. Some of those parties include the Imtidad Movement and the National Home party, which showed a shift in thought patterns by setting up an internal system that allowed every member a vote for leadership.⁸⁵ Still, the decision to engage in electoral competition has yet to be made; not only do these parties fear forgery, but also the violence that may be used against them through armed factions affiliated with certain parties or the armed factions that now have their own parties. In fact, a number of these new party members were subjected to assassination attempts and violent threats.⁸⁶

Such violence only consolidates the aforementioned claim, on society's long-standing feud with parties, specifically when considering the case of those new parties that emerged from the heart of protests. As Yezid Sayigh notes, 'Violence has become a pattern and a means to engage in politics in Iraq... If not its most significant form of being, that is.'⁸⁷ As such, ever since Iraq set out on its war on ISIL, one has lost track of the number of parties with armed factions or the number of armed factions that now had a political party.

In fact, the war on ISIL has clearly demonstrated the 'non-state' solutions in the parties' thought and work patterns. The security collapse in the face of ISIL in June 2014 demonstrated the subordination of the army and police forces to sectarian and partisan *Muhasasa* in the division of positions within the Ministries of Defence and Interior. As such, it revealed the extent of their expanded internal corruption and lack of professionalism. Even after the collapse in the face of ISIL, the parties maintained the 'non-state' approach, as they

⁸⁵ Interview with Hussein al-Ghorabi, co-founder of the National Home party, held on 22 February 2021.

⁸⁶ Ahmad al-Suhail, 'Kidnapped Activist's Father Killed.. A Spectre of Assassinations Overshadows Iraq', *Independent Arabia* website, 14 March 2021. Available at <https://www.independentarabia.com/node/202241/العراق-%C2%A0الأخبار/العالم-العربي/مقتل-والد-ناشط-مختطف-شبح-الاغتيالات-يخيم-على> (accessed 19 March 2021) [in Arabic].

⁸⁷ Yezid Sayigh, 'The Crisis of the Iraqi State', *Malcolm H. Kerr – Carnegie Middle East Center*, 23 November 2017. Available at <https://carnegie-mec.org/2017/11/23/ar-pub-74795> (accessed 22 February 2021) [in Arabic].

established or re-established armed factions to fight ISIL outside the security establishment. Accordingly, the problem exacerbated as these parties integrated armed actions into politics and waved the violence card to justify their actions and avoid accountability.⁸⁸

Even on a legal level, the parties have created the Popular Mobilisation Forces,⁸⁹ a security institution primarily made of armed factions, thus legalising their presence. All the while, however, these still answer to faction leaders who formed those parties or to party leaders who had formed those factions. Therefore, any talk of disarming such parties and factions is met with a wave of threats and warnings of the outbreak of a devastating war – a scenario that has become a well-established discourse among government and security officials.

Within such political militarisation, not only fixing the system from within is difficult, but also the creation and introduction of new political powers that may try and fix it. According to Sayigh, should matters continue at this rate, even in the case complete violence was somehow curbed, sharp political polarisation renders the necessary reforms – in administrative, economic and political areas – hard to achieve, if not impossible.⁹⁰

⁸⁸ On 26 June 2020, a force from the Counter-Terrorism Service stormed the headquarters of the Hezbollah Brigades militia in the Dora area, south of Baghdad, near the Green Zone, and arrested the 13 elements inside the headquarters on charges of firing Katyusha missiles at foreign bases and diplomatic missions. The armed factions quickly responded, however, by holding an armed parade inside the fortified Green Zone and the encounter ended in handing the detainees over to the Popular Mobilisation Forces Directorate and, later, releasing them. On 27 May 2021, the Iraqi Special Forces arrested the leader of the Popular Mobilisation Forces, Qassem Musleh, on charges of ‘terrorism’. This angered armed factions, prompting them to besiege several locations, including the home of Prime Minister Mustafa Al-Kazemi and the building of the General Secretariat of the Council of Ministers in the Green Zone, eventually leading to Musleh’s release. See: ‘The Released Iraqi Hezbollah Elements Showing Their Strength in Baghdad’, *Aljazeera* website, 30 June 2020, available at <https://www.aljazeera.net/news/politics/2020/6/30/%D8%B9%D9%86%D8%A7%D8%B5%D8%B1-%D8%AD%D8%B2%D8%A8-%D8%A7%D9%84%D9%84%D9%87-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A-%D8%A7%D9%84%D9%85%D9%81%D8%B1%D8%AC-%D8%B9%D9%86%D9%87%D9%85> (accessed 14 March 2021) [in Arabic]; Muntathar al-Khorasan, ‘Qassem Musleh: From Saddam and the Americans Prisoners to the Court of the Revolutionary Guards’, *Daraj* website, 10 June 2021. Available at <https://daraj.com/73724/> (accessed 15 June 2021) [in Arabic].

⁸⁹ Mansour and Jabbar, ‘Popular Mobilisation and the Future of Iraq’, see footnote 47.

⁹⁰ Sayigh, ‘The Crisis of the Iraqi State’, see footnote 87.

Conclusion

Internal party crises and their regulatory mistakes constitute yet another sign of the frail democracy in Iraq. No internally undemocratic powers - which refuse to believe in unarmed and nonviolent competition and do not adhere to their own ratified laws - could build a solid democratic system. Furthermore, keeping laws dormant and open to countless interpretations and weakening the security institutions help no future government determined to implement and enforce the law. Monitoring bodies remain one of weakest system links; those commissions cannot enforce the law so long as they remain subject to sectarian and partisan Muhasasa, thus stripping them of every bit of independence. Treated as looted property, the Iraqi state is witnessing corruption pervade its parties at a frightening pace. This could translate into social rage in the future, with dangerous consequences. As political work is militarised and parties refuse to give up their arms, no one may guarantee these weapons would not be used to serve largescale political rivalry. Still, despite a tightened grip on small parties, comprised of political and social activists, that energy for political change Iraqi society has in store cannot be extinguished. Despair may thus compel it to embrace radical paths to change its current state of affairs.

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Iraqis attending an election campaign rally in Najaf, Iraq, 21 April 2018.

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