



## **International Snapshot: Iraq Elections Roundup, January and December 2005**

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### **December 2005 Parliamentary Election**

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Iraq's December 2005 parliamentary elections were contested by 230 parties and 21 coalitions, all vying for seats in the first full-term, four-year parliament since the beginning of the 2003 war in Iraq. Authorities conducted the election using a new proportional voting system in which parties fielded candidates for parliament in each of Iraq's 18 provinces under 18 different ballots using regional party lists. Additionally, the parliament consists of 275 seats, with 45 elected as "compensatory seats" to parties that did not win seats under the regional list elections but won enough votes nationally to cross the threshold for a seat at the national level.

This system was actually a modification of the first Iraqi elections, held in January 2005 to elect a constitutional convention. That election was hailed as both a success and failure depending on which criteria officials used to benchmark its effects; ultimately, many acknowledged that changes needed to be made for the subsequent December 2005 elections. As FairVote's International Spotlight series consistently indicates, a nation's choice of electoral system can have large consequences for both the domestic and geopolitical balance. As a result, both the media and policymakers must be careful to ensure voting systems are designed to achieve desired results. This report highlights how various modifications would have altered the results of Iraq's December 2005 elections.

### **January 2005 - The Beginning of Proportional Voting in Iraq**

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Prior to the December 2005 election, Iraq conducted partisan elections in January 2005 for a constitutional convention. From an election administration perspective, many observers saw Iraq's January 2005 election as more successful than many had believed

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possible. Voter turnout was comparable to American turnout in our recent presidential race, candidates representing a wide variety of perspectives were elected and women won an historic number of seats. All of these specific successes were made possible by Iraq's use of a form of proportional voting very different from the winner-take-all election systems currently most common in America.

The January 2005 vote in Iraq was carried out on the basis of national party lists. The whole country was treated as a single electoral district, rather than the current regional districts in use, within which voters voted for parties rather than individuals. Seats were then allocated in proportion to parties' shares of the vote. A further stipulation that every third name on a party's list be a woman ensured a high degree of women's representation. U.N, Iraqi and American election officials approved using a national party list system in June 2004 because of the immediate political situation in the country. Iraq is a fractured and unstable nation, with different religious and ethnic groups frequently antagonistic towards one another. In addition, many areas are plagued by terrorism and insurgency, with many believing it would be difficult for officials to draw up districts or for candidates to campaign, given both the lack of reliable census figures and the threats to political candidates.

Given this context, a national party list system presented some advantages. The election system kept the threshold of inclusion as low as possible, giving minority groups a realistic chance of election. A party could win one of the 275 seats with as little as 0.36% of the vote. At the same time, a party hoping to win a large share of the seats would have to appeal to an equally large share of the population. This created an incentive for major groups to put together slates with broad-based appeal, drawing candidates from across the geographical and ideological spectrums. The Kurdish slate, for instance, was composed of two parties that had previously fought a war with one another acting in coalition. In this way, the system allowed numerous different groups to be included in the government and thereby have a hand in drafting the constitution. An election system that would have excluded minority groups such as the Kurds or the Sunnis could have destabilized the country, potentially even leading to civil war. Similar considerations resulted in the adoption of a national list system in South Africa after the end of Apartheid.

At the same time, election administrators saw a national party list as one of the best ways of safeguarding the security of candidates who might be the targets of insurgent attacks. By standing as members of lists, rather than as individuals, candidates who felt at risk could hide their identities. Moreover, when the vote is carried out on a nationwide basis, there is no need for candidates to campaign in unstable areas. Nevertheless, large problems emerged from the use of a national list system that prompted much criticism and refining of the process in the subsequent December parliamentary elections. The lesson learned here is that the choice of electoral system and the rules created within that system can have a large impact on the outcome of elections. The December 2005 parliamentary elections used modified rules to create a regional list system (discussed below), so that even with a boycott in Sunni regions, Sunni voters would still receive a fair share of representation.

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## **Criticisms of the national list**

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The national party list system came under criticism as the date of the election drew closer. It became clear that the system would result in a legislature whose composition did not match the demographic makeup of the country entirely accurately.

A national party list guarantees all racial, ethnic, religious and ideological groups in a population fair representation, *so long as all groups turn out to vote*. However, if members of one group do not vote in proportion to their share of the population, they will lose out on representation. In Iraq, several Sunni political leaders demanded that Sunni voters boycott the elections in protest of the continued American presence in the country. The continued insurgency, which was largely concentrated in Sunni areas, also intimidated voters and prevented many of them from going to the polls.

The result was that the overall turnout of around 58% masked some drastic differences between different regions and ethnic groups. In the largely Sunni Anbar province, for instance, only about 2% of eligible voters cast ballots. By contrast, the turnout in some Kurdish regions was as high as 92%. These trends were reflected in who won seats. Sunnis make up over 30% of the population, but the main Sunni Party, the Iraqis, won only 1.8% of the vote, which translates into just five seats. The high turnout in Kurdish areas meant that the principal Kurdish party won more than a quarter of the seats, although Iraq's population is only 15-20% Kurd.

The elected officials were charged, among other things, with drawing up a constitution governing future elections. Various alternatives might either increase the representativeness of Iraq's government, or further exclude minority groups. FairVote has used the January 2005 election results to model how the parliament would look under different electoral systems to show how, although different election systems will address different concerns, proportional voting systems remain clearly superior to winner-take-all elections.

## **Regional Lists**

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When it became clear that the national list system was likely to result in the under-representation of Sunnis in government, some commentators suggested that a more sensible idea might have been to divide the country into regions, assign set numbers of seats to each region based on population, and conduct elections using party lists within these regional districts. Systems of this type have been used successfully in Finland and Denmark for many years. Because the different ethnic and religious groups in Iraq tend to live in different areas, many speculated that this method of election might well lead to the legislature more accurately reflecting the population as a whole. Even if the turnout in a Sunni area was very low, Sunni representatives could still hope to win seats and would not be swamped by high turnouts in other areas.

The projections herein model how regional lists might have worked in Iraq in January 2005 on the basis of the actual election returns. The results contained herein are

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hypothetical, though the actual regional results conducted in December 2005 bear out many of our predictions. Using Iraq's 18 pre-existing provinces as regional districts, we assigned seats to each province based on 1991 census data about the population of different areas and modeled results using the January 2005 vote totals. Overseas voters were assigned to a four-seat district. Using the provinces as districts is not ideal because they vary so greatly in population. Baghdad would be assigned 64 seats, and a party could win representation there with less than 2% of the vote. By contrast, sparsely populated provinces such as Muthanna and Dahuk would have only five seats, and 20% of the vote would be necessary to win. Because many areas are unstable, though, it would be difficult to gather enough demographic information to create more proportional districts, and too obviously drawing lines to increase particular groups' chances of winning seats would be politically contentious.

### **What would change**

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- The principle Sunni party – the Iraqis – would see its share of the seats more than double from five to twelve. Iyad Allawi's secular Iraqi List would also do better, primarily by picking up votes in predominately Sunni areas.
- The Kurds would gain fewer seats, though still more than their share of the population.
- Seat results among small parties would change drastically. Parties such as the People's Union, a communist party that had a level of support that was fairly consistent across the nation but not concentrated in any particular region, would lose out. By contrast, parties such as the Iraqi National Gathering, which had less overall national support but picked up 11% of the vote in the province of Salahad, would win representation.

### **What would stay the same**

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- The balance of power would not change. Under both a national and a regional list, the Shia party, the United Iraqi Alliance, would have a majority of seats in the parliament, but not the two thirds majority needed under the current constitution to choose a President. The UIA would need to reach out to one of the other large vote-getters – most likely the Democratic Patriotic Alliance of Kurdistan – to select an executive.
- Although Sunni representation in government would increase under regional lists, it would still fall well short of the Sunni share of the population. This is because turnout among Sunni in some areas was so low that minority groups were able to win a disproportionate number of the seats within majority-Sunni areas.

Although regional lists would result in some changes to who exactly won seats in parliament, they would have little effect on which groups were able to control the government.

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## **How would winner-take-all work in Iraq?**

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By contrast, it is possible to say with a high level of certainty that a winner-take-all system would serve to exacerbate the problems caused by the low Sunni turnout and drastically reduce the representativeness of the parliament. If all the provinces were treated as at-large winner-take-all districts (the method of election used for many U.S. County Commissions), only the three biggest parties could hope to win seats. The Sunnis would have no representation in government at all.

Moreover, the United Iraqi Alliance, although it actually won less than half of the popular vote, would end up with more than two thirds of the seats. With this super-majority, it would be able to control who was elected to the executive without input from any of the other groups. Giving all the power to a single ethnic group would likely greatly destabilize the country, possibly leading to civil war.

Although single member districts might disperse power more widely by making it easier for a single group to dominate a smaller area, they still do nothing to guarantee representation for minorities. In areas with more than two viable parties, it would be possible for parties to win seats with much less than half of the total vote, and there would be no mechanism in place to ensure that the overall makeup of the legislature even closely mirrored the wishes of the voters, much less those of the population as a whole.

The stakes in Iraq's elections are high. A legislature that is perceived as unrepresentative has the potential to lead to a popular rejection of democracy as a whole, and initiate a civil war. This is one reason why so much attention has been paid to the design of Iraq's electoral system, but this lens should also be used by other nations to improve and evolve electoral systems around the world. As policymakers move forward in studying the impact of past elections, around the world, democracy should be seen as a dynamic process of analysis and evolution.

Table 1. Regional List Seat Projection

Party/Coalition	National %	National List Seats	Regional List Seats
United Iraqi Alliance	48.19%	140	145
Democratic Patriotic Alliance of Kurdistan	25.73%	75	62
Iraqi List	13.82%	40	48
The Iraqis	1.78%	5	12
Iraqi Turkmen Front	1.11%	3	2
National Independent Cadres and Elites	0.83%	3	0
People's Union	0.83%	2	0
Islamic Group of Kurdistan	0.72%	2	0
Islamic Action Organization in Iraq	0.51%	2	0
National Democratic Alliance	0.44%	1	0
National Rafidain List	0.43%	1	0
Reconcilliation and Liberation Bloc	0.36%	1	2
Iraqi Assembly of National Unity	0.28%	0	0
Assembly of Independent	0.28%	0	0
Iraqi Islamic Party	0.25%	0	2
Islamic Dawa Movement	0.23%	0	0
Iraqi National Gathering	0.22%	0	2

Table 2. Winner-Take-All Seat Projection

Party/Coalition	National %	National List Seats	At-large seats
United Iraqi Alliance	48.19%	140	192
Democratic Patriotic Alliance of Kurdistan	25.73%	75	69
Iraqi List	13.82%	40	14
The Iraqis	1.78%	5	0
Iraqi Turkmen Front	1.11%	3	0
National Independent Cadres and Elites	0.83%	3	0
People's Union	0.83%	2	0
Islamic Group of Kurdistan	0.72%	2	0
Islamic Action Organization in Iraq	0.51%	2	0
National Democratic Alliance	0.44%	1	0
National Rafidain List	0.43%	1	0
Reconcilliation and Liberation Bloc	0.36%	1	0
Iraqi Assembly of National Unity	0.28%	0	0
Assembly of Independent Democrats	0.28%	0	0
Iraqi Islamic Party	0.25%	0	0
Islamic Dawa Movement	0.23%	0	0
Iraqi National Gathering	0.22%	0	0



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