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THE New Iraq – A Study in the Political and Democratic Developments Since 2003

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خلاصة

يسلط هذا البحث الضوءعلى طبيعة النظام السياسي في العراق الجديد الذى اضحى وبموجب الدستور العراقي الدائم لعام 2005 دولة حرة, ديمقراطية,موحدة,وبرلمانية(نيابية) تتمع بنظام فدرالي قائم على اساس الفصل بين السلطات الثلاث التشريعية والتنفيذية والقضائية.

فلقد شهد العراق اكبر تظاهرة ديمقراطية في تاريخه المعاصر منذ نشأة الدولة العراقية وحتى السابع من أذار 2010 . فالمسرح السياسي العراقي شهد منذ 2003/4/9 ولحد الان خمسة محطات دستورية مهمة غيرت الخارطة السياسية للعراق وأرست قواعد أكبر عملية ديمقراطية في المنطقة ,مارس من خلالها العراقيون حق الاقتراع والتصويت. وأضحت تمثل تجربة نموذجية يحتذى بها على مستوى العالم .

كما وان البحث يحلل التطورات السياسية والدستورية والديمقراطية التي شهدها العراق الجديد منذ عام 2003 .ويحلل الكيفية والالية التي اتبعها القادة الجدد في بسط الامن والاستقرار وفي بناء محطات التحولات المهة التي شهدها العراق وعلى مختلف الاصعدة. وبذلك يكون هذا البحث بمثابة محاولة جادة لمعرفة حجم التطورات التي حدثت في العراق الجديد و الدور الذي تمارسه الدولة من اجل وحدة العراق واستقراره.

فلقد مثلت التجربة الديمقراطية العراقية وعلى الرغم من حداثتها ,نقطة تحول هامة في التاريخ السياسي المعاصر للعراق. واصبحت هذه التجربة مؤهلة لأن تحدث تطورا شاملا في مختلف جوانب الحياة السياسية ، الاجتماعية، الاقتصادية و الثقافية.

ان مسألة بسط الامن والاستقراروسيادة القانون في العراق الجديد لها انعكاسات ايجابية اقليميا ودوليا من شانها ان تلقي بظلالها الايجابية على دول الجوار وتسهم في تعزيز الاستقرار الاقليمي والامن العالمي. وعلينا جميعا حكومة وشعبا تقع مسؤلية الحفاظ وادامة المكتسبات التي تحققت في ظل العراق الجديد والمساهمة الجادة في تعزيز الامن والسلام والالفة والمحبة بين جميع اطياف ومكونات الشعب العراقي .

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Introduction

The paper deals with the main concern of the new Iraqi leaders towards their country since 2003 and shows the many challenges facing them and the means they have been adopting to confront those difficulties and obstacles. The new Iraqi leaders had to work for a new political system. This involved a political process. Simultaneously, the new leaders had to work for creating a new constitution and institutions. They therefore went through constitutional process.

The paper also shows how the political and constitutional process in the New Iraq is not an easy process. It has been a re-birth period involving pains, sufferings, agony, threats, sacrifices, and violence. From a comparative prospective, one might say that the Iraqi Political Process is not different from any other political process through which the civilized societies went through in their early years of their struggle for independence.

This study discusses how the new Iraqi Leaders tackled the newly arising difficulties and problems. In fact, many of those issues which Iraq went through were resolved only after hard political work and sometimes violence.

I believe that one should find out what is the ultimate goal of the new leaders. It is imperative to know not only who rules Iraq, but how it will be ruled and what kind of a country Iraq will be. It is very essential that the new Iraqi leaders should tell their peoples as to how they will share power and resources among themselves.

The study will show how the new leaders faced some of the most profound political, economic, and security challenges. And, it is against this background that over-all development in Iraq must be seen.

The Research contains two main parts, each of which is divided into sub- divisions dealing with different issues related to the New Iraq.

Pre March 7, 2010 Parliamentary Elections

This part discusses the many new political and constitutional developments which the new leaders had to deal with in the hope of creating the New Political System. The new leaders had therefore to work for a new political system. And they had to work for creating a new constitution and institutions.

What is unique in this political process is that Iraqi people cast their votes in general voting **Three times** in one year that was in 2005. The first post war election took place on January 30th 2005 for electing a new Transitional National Assembly (Parliament). On October 15, 2005, a National Referendum was carried out through out Iraq to approve the new Iraqi Permanent Constitution. And on December 15, 2005 National Elections were held for electing new permanent council of Representative (COR), replacing the Interim Council of Representative.

Iraq went through FOUR STAGES in order to establish the current political and constitutional system.

1- The Coalition Provisional Authority (C.P.A.)..That was between 9/4/2003 and 28/6/2004.

2-The Interim Iraqi Government. 28/6/2004 -3/5/2005

3-The Iraqi Transitional Government- 3/5/2005 - 20/5/2006

4-The New Iraqi Permanent Government – May 20-2006 until present

1- **The Coalition Provisional Authority (C.P.A.). That was between 9/4/2003 and 28/6/2004.**

Between April 4th 2003 and June 28th 2004 Iraq was ruled by the Coalition Provisional Authority (C.P.A), with an Interim Governing Council, and a Law of Administration---TAL, for the state of Iraq during the Transitional period. (1) In March 2004, the Governing Council signed an Interim Constitution, which called for the election of a Transitional National Assembly

(Parliament), by January 2005. (2) The Latter was entrusted with the responsibility of drafting a permanent constitution that would be then presented to the Iraqi people for approval in a general referendum.

2-The Interim Iraqi Government.

On June28, 2004, the C.P.A. was dissolved and sovereignty was handed- over to an Interim Iraqi Government. A care taker sovereign government to govern Iraq.

The Interim Government was headed by a new Intern P.M. Ayad Allawi who was a member of the Governing Council. The new Interim P.M. was chosen by the Council before it was dissolved to govern Iraq during the Interim period- beginning with the United States hand over of Sovereignty on June 2004, until the next National Election scheduled for early 2005.

Barham Salih was the new Deputy Prime Minister and Ghazi Ajil Al- Yawer was the ceremonial head of the state during the Interim period.

3-The Iraqi Transitional Government- 3/5/2005 to 20/5/2006

On January $^{30\ th}$ 2005, the first post war election took place for electing a new Transitional National Assembly (Parliament). (3) The new Assembly began the process of writing the new constitution. The United Iraqi Alliance Party won the majority seats in that Assembly totaling to 140 seats. The women won Eighty-five seats in the Assembly.

The New Assembly met on March16, 2005 and the Assembly elected the new Iraqi President Jalal Al-Talabani and a new Transitional Prime Minister Ibrahim AL- Ja'fari to govern Iraq during the Transitional period.(4)

The Iraqi Transitional Government was formed on May 3, 2005 headed by the New Prime Minister Ibrahim Al-Ja'fari, replacing the Iraqi Interim Government.

On October 15, 2005, a National Referendum was carried out through out Iraq to approve the new Iraqi Permanent Constitution. The New constitution would be bicameral parliament with a Council of representatives and Council of Unions. (5)

4-The New Iraqi Permanent Government – May 20-2006

On December 15, 2005 National elections were held for electing new Permanent Council of Representatives (COR), replacing the interim Council of Representatives.(6) The new Council of Representatives consisted of 275 members elected for four years, with two sessions in each annual term. (7)

The Council of Representative was met for the first time on March 16, 2006, after one year from the first meeting of the Transitional National Assembly. The Council then endorsed Nouri al-Malaki as the new Iraqi Prime Minister.(8).

A new permanent Government was formed headed by Nouri al- Maliki and took office on May 20, 2006, following the approval by the new members of the Permanent Iraqi National Assembly. It was meant to be a government of National Unity.

The Council was entrusted with passing laws, overseeing the executive ratifying treaties and approving nominations of high ranking officials.

Birth of a new Political System

Following the Proclamation of The Iraqi permanent constitution in 2005, Iraqi main outline Political system has been materialized. According to the constitution, Iraq has been established as a Free, Democratic, Unified, Representative (Parliamentary), and Federal country. The

constitution guarantees basic rights to all Iraqis regardless of race, religion or belief.

Indeed, these TERMS are new to Iraqi political arena. And Iraqi people were not familiar with such political phrases in the past. Iraqi people for the first time acknowledge the birth of a political system consists of three branches: the Executive, the Legislative and the Judiciary similar to the most advanced democracies of the world. This system is now based on the principle of separation of Powers among these three Branches of government. This new political phenomenon is totally new and has not been existed in the past.

It is indeed a new democratic experiment to Iraqi people which needs to be studied in the context of the New Iraq. We must see how far it is feasible and to what extent it will transfer the society to a new phase and to elevate its people to a better position.

Now the new system has an executive branch consisting of the presidency council which includes one president and three vice presidents. It is also composed of council of ministers which includes of one Prime Minister, three deputy prime ministers and 42 Cabinet ministers.

Machinery of Forming the Government

According to the new constitution, the president is the head of the state, protecting the constitution and representing the sovereignty and unity of the state, while the prime minister is the direct executive authority and commander in chief.

Following of each new General Parliamentary Elections the new leaders must abide to the timing of forming the new government as set by the constitution .There are also certain constitutional steps to be followed regarding the formation of the government. Failing to respond to those steps would mean a kind of constitutional

violations and an infringement upon the constitution. And this in return would result in a political impasse that would halt the process of forming the new government in time as set by the constitution. In fact, such political deadlock took place in Iraq following the recent parliamentary elections of March 7, 2010.

The first step prior to the formation of the new government begins with the incumbent President of the Republic to call upon the Council of Representatives to convene within fifteen days from the date of the ratification of the results of the general elections. The Council's eldest member shall Chair the first session to elect the Speaker of the Council and his two deputies.

The Council of Representatives elects in its first session its Speaker and then elects his two deputies. Then the parliament (COR) elects the new President of the Republic and his vice presidents within thirty days of its convening: constituting the presidency council. The newly elected president in turn selects a prime minister within two weeks from among the majority coalition in the parliament. In case the president fails to do so, then the parliament under takes the responsibility of naming the new prime minister. The parliament then requires a two-thirds majority to confirm the nomination.

The nominated prime minister must then nominate his council of ministers within one month form the time of his nomination to the post. If the nominated prime minister fails to do so, the president shall then name another prime minister within fifteen days. The prime minister then chooses his deputies.

Shape of the new political system

Now the new system has executive and judicial branches. According to the Iraqi constitution the executive branch consists of the presidency council (one president, three vice presidents) and a council of ministers (one

Prime Minister, three deputy prime ministers and 42 cabinet ministers). Prior to March 7th parliamentary elections there were two vice presidents and two deputy prime ministers and 37 cabinet ministers. The executive branch serves a four year term concurrent with that of the Council of Representatives.

The president is the head of state, protecting the constitution and representing the sovereignty and unity of the country, while the prime minister is the direct executive authority and commander in chief.

The legislative branch consists of an elected Council of Representatives (COR). After the 2005 elections, the Council of Representatives consisted of 275 members, each of whom was elected to a 4-year term of service. Following the March 7, 2010 elections the COR consists of 325 members to reflect an increase in the population of Iraq. At least 25% of the members of the Council of Representatives must be female. The responsibilities of the Council of Representatives include enacting federal laws, monitoring the executive branch, and electing the president of the republic.

The judicial branch is independent, and is under no authority but that of the law. The federal judicial authority is consisted of the Higher Judicial Council, Federal Supreme Court, Court of Cassation, Public Prosecution Department, Judiciary Oversight Commission, and other federal courts. The Higher Judicial Council supervises the affairs of the federal judiciary. The Federal Supreme Court has limited jurisdiction related to intra-governmental disputes and constitutional issues.

The Security Issue

We have to look at the new security situation that prevailed during the first years of new Iraq.

The living conditions in Iraq were extremely dangerous. The country was witnessing deep security crisis. Violence

took different names and different reasons. The result unfortunately was one, i.e. death. Waves of car bombs, suicide attacks, and assassinations swept most of Iraq especially Baghdad which resulted in civilian deaths and displaced individuals.

The dramatic situation was accompanied by personal threats and kidnapping. Due to these catastrophic circumstances, the New Iraq was at a brink of collapse and turmoil. It was an organized deliberate movement intended to drain the country of experts, professors and even other religious groups of the Iraqi society.

Consequently, the country witnessed waves of immigration out of Iraq. Many people left the country and turned into refugees in the region and the whole world. Many university professors had to leave the country due to threats of kidnapping or fear of assassination .The same thing happened with the other professions. (9)

Besides, movement inside Baghdad was greatly limited, due to ethno- sectarian strife. Trips out of Baghdad south or north of the city were even greatly restricted and very risky. For instance to go south of the capital one had to pass through an area nicked named as the Triangle of Death. (10)

Early year of 2006, Iraq witnessed peak of the ethno-political and sectarian strife that swept Iraq. In February 2006, a bomb attack has badly damaged one of the most sacred religious shrines in Iraq invoking furious anger and protests. This incident intended to enflame the sectarian strife, and it nearly did. (11)

But God will and the role played by Iraqi wise people-managed to defuse the flame of sectarianism. (12)

SIGNIFICANCE OF INTERNAL SECURITY FOR IRAQ TO BRING ABOUT

The lack of security in Iraq and the sectarian strife which the country faced during that period of 2006-2007

resulted in deteriorating the conditions of Iraqi people. It also affected International efforts to assist Iraq in its socio-economic and political progress. The eruption in violence during that period has hindered efforts to engage Iraq with its neighboring countries as well as with the International Community. (13)

Iraq security, stability and unity are therefore essential task for Iraq to achieve and maintain. Success of New Iraq in bringing about an over- all security was a critical issue not only to Iraq itself but to the region wider.

As a democratic, secure and pluralistic state, Iraq would serve as a model for other countries of the Region. A Democratic, Federal, secure and unified Iraq may not exist or emerge without achieving first Iraq internal unity, security and stability.

These security elements are essential not only for Iraq, but for the Region and the whole world at large. De-stabilization of Iraq would unsettle the neighboring countries and the region beyond. This would consequently drag the whole region into conflicts.

As partitioning of the country or weakening its central government would lead to instability which would be exported to regional countries. Such fragmentation would have far reaching negative effect not only on Iraq's neighbor but wider region as well. These security elements collectively constitute solid background for the expected Iraqi Regional Security Role to play now and in the future.

The Security Council has proclaimed that security and stability is essential to the well-being of the people of Iraq as well as to the International community including the United Nations. Thus, federal, secure and unified Iraq will help its people to flourish and prosper in peace. Iraq in its new political system will also help to bring about

political, economic and security transformation and integration into the regional and global economy. (14)

The Road to Achieving Iraq's Security: main steps

Iraq has achieved great progress in building a political system that would ensure a full respect for human rights. It is a result of hard and continuous work by Iraqi people and its government.(15)

Drastic measures have been taken by the new leaders in order to confront the newly arising problems and challenges. Different means and methods were used to bring about security. Violence took different names and different motives

At the beginning violence was officially confronted with power and force. But later, new means and methods were taken by the government to confront those violent actions.

Later on, different other societal and political means were pursued by the government in order to deal with the security issue.

A major action was taken by the government in this regard .It was the National Reconciliation.(16)

According to this step thousand members of the Iraqi Army have been returned to their former jobs in the military or public service ,or offering them retirement. It was a kind of amnesty being granted without the proclamation of a general amnesty.

Another major step taken by the government to tackle the security problem was the De-Ba'athification . (17)

This measure allowed the Return of hundred former Ba'athists to civil life and many even to their former posts. As a result hundred of former Ba'athists were returned to their former jobs.

Indeed, in August 26, 2007 Iraqi major political leaders issued a communiqué that noted agreement on draft legislation dealing with De-Ba'athification

Again on August 26, 2007, those leaders formalized the use of the 3 plus 1- Quatrum Pact :a group consists of the Prime minister and the Three member Presidency Council in order to widen the area of Decision –making and to give more chance for Collective Decision-Making on sensitive and strategic matters.

The agreement which the Five political party leaders groups agreed upon –in addition to the Quatrum Pact (the 3 plus 1 group), constituted a guarantee for agreeing and executing a number of important laws passed by the Council of Representatives (COR).

Last but not least, the most significant step taken by the government was The Local Tribal Engagement Policy and the rise of the A Waking Movement (18).

Those new measures were a result of the increasing emergence of tribes and local citizens in rejecting violence. In fact, the **National Reconciliation Committee** engaged local tribes and other groups in joint efforts to help bringing about security in their local areas and to stand against violence. This experiment was applied in western Iraq and later on was transferred to many other areas of the country.

Assessment of the Security Situation in 2008.

Following those early security measures relative and stability has been achieved and security was brought about to a greater extent in comparison to the last two years of 2006 and 2007.

Iraq then became more secure, stable, and safer. Consequently, Iraq witnessed dramatic internal security improvements represented in:

1- Reduction of the Ethno-sectarian violence.
2- Decline of an Over-all civilian deaths.
3- Number of car bombings and suicide attacks were also reduced.(19)

On the domestic level these results have been achieved due to the:

excellent efforts of Iraqi people, Iraqi Security forces ,National Reconciliation , efforts of the Awakening movement ,and last but not least due to the help of the coalition forces.(20)

Federalism in Iraq- a New Era

According to the constitution, the new Iraq is established as a federal state. Iraqi leaders worked out what actually this meant and wanted this aim to be translated beyond the constitution.

Iraq is made up of a decentralized capital, region and Provinces. Kurdistan is established as a region (Ikleem), with full regional and federal authorities . It enjoys the rights to exercise executive, legislative, and judicial authority in accordance with this constitution, except for those powers stipulated in the exclusive powers of the federal government. (Article112) Iraq is broken up into 18 provinces (governorates). Each state has its own provincial council (local legislature), headed by a Governor.

The governorates are made up of number of districts, sub-districts and villages. (Article 118). Governorates that are not incorporated in a region are to be granted broad administrative and financial authorities to enable it to manage its affairs in accordance with the principle of decentralized administration (21).

The Governors are elected by the provincial Councils. They are the highest executive officials in the Province to practice their powers authorized by the Councils.

The Provincial Councils shall not be subject to the control or supervision of any ministry or any institution not linked to a ministry. The Provincial Councils shall have an independent finance.

Powers exercised by the federal government can be delegated to the Provinces or vice versa, with the consent of both governments and shall be regulated by law (Article 119).

The provincial councils are directly elected by the peoples of each province. They in return elect the Provincial Governors. The provincial Councils run the governorates. They are powerful and have a lot of influence. They handle all the distribution of public services (water, sewers, electricity, etc.). The councils also regulate local contracting and the distribution of state lands. The councils also nominate police chiefs. (22)

By the end of January, 2009, provincial elections took place throughout the country for the first time in Iraq history. They gave birth to new provincial councils, with more powers and more capability in decision making at local level. (23))

The newly arising provincial councils in return elected their provincial Governors. This important political event created a new political situation on the ground. (24)

Many parties now emerging and each one aspires to be represented in these councils or even to have more representation and thereby more powers.

These provincial councils are now given more powers, more money and funding. They are now empowered by local parties who look forward to have majority in them.

Provincial councils now enjoy more provincial powers, which are states' rights. Iraq has always been run tightly from the center. Now it is not. These provincial councils are now given more powers, more money and funding. They are now empowered by local parties who look forward to have majority in them.

Status of Forces Agreement (Sofa)

The status of the U.S. Troops in Iraq have been one of the main issues more frequently discussed and raised by Iraqi people, government, and Iraqi Law makers.

At the same time, it was subject of discussion and attention by American people, Government and Congress. The issue was also subject of discussion and disagreement between the Republicans and Democrats. (25)

Their disagreements were reflected in their campaigns to the U.S. Presidency. President Barack Obama stressed his support for timetable withdrawal of the U.S. Troops from Iraq. Finally, the issue is resolved by reaching a common agreement through signing the U.S.-Iraqi Security Pact in November 2008.

The Security Pact and the Strategic Framework Agreement was intended to cover a wide range of bilateral cooperation efforts. The two "establish a framework for cooperation in the fields of defense, health, the environment and science and technology."(26)

The executive and legislative Branches Approve Pact on U.S. Troops Future

On Sunday November 16, 2008, The Iraqi cabinet has approved the Security Pact with the US government regarding the future presence of 150,000 US troops. (27).The pact calls for a full withdrawal of American forces from Iraq by the end of 2011.

On Thursday 29, November 2008, Iraqi lawmakers approved The US –Iraq Security Pact Agreement after months of tough negotiations and intense political wrangling and negotiations between Iraqi and US representatives (28). I t is a historic step toward restoring Iraqi sovereignty.

There were 198 lawmakers from the 275-members parliament present for the vote; 149 of them voted for the Security Pact, which is to replace a U.N. mandate that expired at the end of 2008.

The agreement sets June 30, 2009, as the deadline for U.S. combat troops to withdraw from all Iraqi cities and towns, and all the U.S. troops to leave Iraq by December 31, 2011.

The vote comes after a compromise on a reform package that some politicians demanded in return for their backing of the agreement. However, it is quite clear that there were enough votes to approve the Security Pact even without the compromise.

But it seems that the government wanted to work out the political reform deal with those leaders so that there could be National unity on the Security Pact.

The main terms of the U.S.-Iraqi- Agreement Pact

Under this deal, the US troops would withdraw from the streets of Iraqi towns by June 2009, and leaving Iraq by the end of 2011. (29).

1- The agreement sets June 30, 2009, as the deadline for U.S. combat troops to withdraw from all Iraqi cities and towns, and all the U.S. troops to leave Iraq by December 31, 2011.
2- Placing US forces in Iraq under the authority of the Iraqi government
3- US forces to hand over their bases to Iraq during the course of 2009
4- US force to lose the authority to raid Iraqi homes without an order from an Iraqi judge and permission of the government.
5- It stresses respect for Iraqi sovereignty-"requests the temporary assistance "of U.S. forces, but severely restricts their role.
6- All military operations are to be carried out with the agreement o Iraq and must be "fully coordinated "with Iraqi. In order to facilitate this provision, a Joint Military Operations Committee would oversee military operations.

7- Iraq has the "primary right to exercise jurisdiction "over U.S. forces "for grave premeditated felonies".
8- The agreement adds that Suspects would be held by U.S. forces but must be available to Iraqi authorities for investigation or Trial
9- Iraq also would have the "primary right to exercise jurisdiction" over U.S. contractors and their employees..
10- 'Iraqi land, sea and air shouldn't be used as a launching or transit point for attacks against other countries".

The Strategic Framework Agreement

The Council of Representatives also passed another U.S. –Iraqi pact called- The Strategic Framework Agreement, along with the Reform legislation.

Iraqi Lawmakers also approved a referendum on the progress of the security agreement to be held by the end of July 2009(which has not been done as yet),

The Security Pact and the Strategic Framework Agreement are to cover a wide range of bilateral cooperation efforts.

In a statement, the US National Security Council spokesman Gordon Johndroe at that time said earlier:

"We remain hopeful and confident we'll soon have an agreement that serves both the people of Iraq and the United States well and sends a signal to the region and the world that both our governments are committed to a stable, secure and democratic Iraq." (30)

The then U.S. Ambassador to Iraq Ryan Crocker and Gen. Ray Odireno the top U.S. military official in Iraq issued later on a statement saying that: "these two agreements formalize a strong and equal partnership between the United States and Iraq. (31)

The statement added that the Agreement combined would" provide the means to secure the significant

security gains we have achieved together and to deter future aggression."(32)

It also said that the two " establish a framework for cooperation in the fields of …defense, political relations, economics, trade, culture ,education, the rule of law, health, the environment and science and technology."(33)

Post March 7th 2010 Parliamentary Elections

The March 7th 2010 Parliamentary elections are characterized with certain added features that did not exist before such as : (34) Passing The New 2010 Election law

On Sunday, December 6, 2009, the Iraqi parliament finally passed an election law for the 2010 elections which ensured an open list. It also expanded the Council of Representatives, to 325 seats (from 275), with eight seats reserved for minorities and seven Compensatory seats.

WOMEN QUATA –MINORITY AND COMPANSOTARY SEATS

By law, women will make up a quarter of the next parliament — 82 seats in the 325-member legislature. Under the rules, votes cast for a candidate in excess of a threshold — about 36,000 votes in Baghdad — are redistributed to the next top vote-getter.

The most controversial issues were the distribution of parliamentary seats among provinces, and the number and distribution of minority and compensatory seats, which are apportioned to parties too small to win election in any single province, but that win a large enough share of the national vote to earn a seat in parliament.

- The 325-seat parliament will consist of 310 seats for the provinces, eight seats for minority groups, and seven compensatory seats.
- Provincial seats will be distributed on the basis of the 2005 Ministry of Trade's population numbers (based on food ration cards), with 2.8% population growth added for all provinces.

- Iraqis living abroad will vote for representatives of their home provinces, with no special status attributed to them
- Minority seats will be distributed as follows: five Christian seats will be contested within a single national district reserved for Christians. In addition, Yazidis will have one reserved seat in Nineveh, Sabies one in Baghdad, and Shabakis one in Nineveh.
- The seven remaining compensatory seats will be distributed among parties that fare well on the national level but do not gain any seats on the provincial level.

March 7 , 2010 General Elections : Current challenges and Future Demands

The March 7, 2010 general election is Iraq's next big democratic test. It would decide the shape of the new parliament *and the type of the new government that formed in the aftermath of that elections as well as the* election of the prime minister who would lead that government.

Among the disputes which surrounded the elections were : Whether electoral lists should be closed (meaning that voters vote on a party as a whole while the party decides who in that party is to hold seats in parliament) or open (where voters directly decide the order in which particular representatives are elected from a party list). Sitting representatives wanted a closed list. Grand Ayatollah Ali Sistani called for an open list. The New Iraqi Election Law of 2009 has put an end to that dispute by calling for an open list.

Here are the main parties competing for power in the 2010 parliamentary elections:

State of Law Coalition, Iraq National Alliance, Iraqi National Movement, Kurdistan Alliance, Unity Alliance of Iraq.

March 7, 2010 Parliamentary Elections Results

The Parliamentary Elections decided the 325 members of the Council of Representatives of Iraq who elected the Iraqi Prime Minister and President. The election resulted in 91 seats for the Iraqi National Accord, led by former Interim Prime Minister Ayad Allawi. The State of Law Coalition, led by incumbent Prime Minister Nouri Al-Maliki, was the second largest grouping with 89 seats. The National Iraqi Alliance 70 seats and the Kurdistan Alliance 43 Seats. The latter are the three main Political Blocks that determine shape and nature of Iraqi Government. The following Table shows the Seats which each part won in the general elections.

e • d **Summary of the 2010 election for Council of Representatives of Iraq**

Alliances and parties	**Votes**	**%**	**Seats**	**+/–**
Iraqi National Accord (*al-Iraqiya*)	**2,849,612**	**24.72%**	**91**	**+54**
State of Law Coalition	2,792,083	24.22%	89	+64
National Iraqi Alliance	2,092,066	18.15%	70	–35
Kurdistan Alliance	1,681,714	14.59%	43	–10
Movement for Change (*Gorran*)	476,478	4.13%	8	+8
Unity Alliance of Iraq	306,647	2.66%	4	+4
Iraqi Accord Front (*al-Tawafuq*)	298,226	2.59%	6	–38
Kurdistan Islamic Union	243,720	2.12%	4	–1
Islamic Group of Kurdistan	152,530	1.32%	2	+1
Minorities	61,153	-	8	+6
Total (turnout 62.4 %)	11,526,412	100%	325	+50
Source: themajlis.org				

Conclusion

Iraq has witnessed many developments and changes since 2003 at all levels: political, democratic, constitutional, security. Indeed a new political system is born; rather we can say a New Iraq has come into existence.

Success of the New Iraq is critical to the future of Iraqi people. Success of a free Iraq is critical also to its neighbors and the region wider .A free Iraq will bring

about prosperity to the country, at all levels .A free and stable Iraq will deny extremists and all sorts of violent activities a safe haven. Success of the New Iraq will counter the destructive external ambitions that want to meddle in the Iraqi internal affairs.

Success of free Iraq in these fields will unleash the talent of Iraqi people, and consequently will be an anchor of stability in the whole region. And thereby, Iraqi new democratic experiment will set an example for people across the Middle East. Hence, success of the newly born Iraqi democratic experiment will drag Iraq- as a country and as a nation- closer to its neighboring countries and to the rest of the International community. And the latter achievement will create of Iraq a true partner to the rest of the world.

The success of free Iraq and the advance of freedom to its people matters to every civilized nation. And a Federal, Democratic, Stable, Secure and Unified Iraq will definitely bring about prosperity and socio-economic development to its people and would contribute in enhancing International Peace and Security.

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Summary

The research discusses the political and democratic developments in the New Iraq since 2003. According to the new constitution of 2005, Iraq has been reestablished as a free, democratic, united, representative (parliamentary), and federal country.

The research shows how the political and constitutional development in the New Iraq is not an easy process. The rise of the New Iraq involved a great deal of pain and agony, threats and violence. The study then illustrates the many challenges facing the new Leaders and the accuracy of the means they have been adopting to confront these difficulties.

Iraq's security, stability and unity are therefore essential tasks for Iraqi people to achieve and maintain. As a democratically secure pluralistic state, Iraq would serve as a model for other countries of the region. A unified democratic Iraq will not emerge without achieving Iraqi unity and stability.

Destabilization of Iraq would unsettle the neighboring countries and the region beyond, which may consequently drag the whole region into conflicts. Thus, achieving security and stability is essential not only for Iraq, but for the region and the whole world at large.

The new political system in Iraq will also help to bring about political and economic stability and even integration into the regional and global economy. Hence, a secure and unified Iraq will help its people to flourish and prosper in peace alongside the neighboring countries and would eventually enhance regional security and strengthen global peace.