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مركز المنصة للتنمية المستدامة  
Platform Center for Sustainable Development



# Using the Mixed Electoral System to Ensure Party Balance and Increase Independent Candidates' Chances

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## A brief overview of the Iraq Policy Program

The Iraq Policy Program aims to bridge the gap between youth elites and decision-makers by training young elites to effect positive change through influencing the decision-making process. The program aims to empower participants to prepare policy papers and propose policy alternatives aimed at enhancing system performance and supporting its legitimacy. This program enables participants to communicate with decision-makers and understand the main difficulties and problems affecting the implementation and follow-up of public policies. Additionally, the program seeks to provide participants with a realistic understanding of the decision-making environment in Iraq, as well as an understanding of the opportunities and challenges of change.

## The program stages

**Preparation:** Assisting participants in acquiring the fundamental skills to prepare policy papers and effective advocacy campaigns.

**Discovery:** Clarifying important public policies in Iraq by experts through stakeholder engagement, frameworks and institutional procedures, practical realities, and discussions surrounding each public policy, as well as reform prospects.

**Engagement:** Training participants to develop promotional campaigns and coordinate meetings with government officials to initiate their campaigns.

**Enrichment:** Supervising participants to prepare a policy paper in their area of interest to enrich dialogues, develop policy alternatives, which can help address current challenges.

## About the Center

The Platform for Sustainable Development is a registered center with the Non-Governmental Organizations Department at the General Secretariat of the Council of Ministers under the number (1S2106012). It serves as a space for thought, dialogue, and action towards positive change.

## Vision

We seek to establish a platform for dialogue and policies that contribute to achieving the Sustainable Development Goals in Iraq.

## Mission

Filling the gap between the state and society to ensure the essence of democracy by engaging citizens in the decision-making process through training, monitoring, analysis, research, awareness, and advocacy.

## Strategic Goals

- Preparing a youth elite that rises to its social responsibilities through studying problems, proposing policy alternatives, and working towards their implementation.
- Utilizing knowledge outputs and encouraging youth to work towards achieving the Sustainable Development Goals
- Presenting statistics and issues that occupy the political arenas and societal circles to reflect a deeper understanding of the Iraqi reality.
- Creating a network of active, informed, and committed citizens dedicated to the project of building the Iraqi government.

## Executive Summary:

After a change in the political system in 2003, shifting to a democratic system, Iraq conducted five elections for the parliamentary and provincial councils. During these elections, various electoral systems and modifications were used, sparking debates and discussions among experts, activists, political parties, politicians, and the general public. Notable among these laws were the Modified Sainte-Laguë Law (1.7) used in the 2018 parliamentary elections (the fourth parliamentary round ) and the Multi-District Law used in the 2021 elections (the fifth parliamentary session). This paper conducts a comparative analysis of the Modified Sainte-Laguë Law (1.7), the Multi-District Law, and the Mixed Electoral System using several indicators, including representation, political stability, wasted votes, and actual votes. It calculates election results when transitioning between these systems, utilizing the same number of votes for each candidate and political entity.

The paper highlights the drawbacks of each electoral system. The issue with the Modified Sainte-Laguë system and its modifications lies in the electoral threshold. In contrast, the Multi-District system reduces choices for voters and decreases competition for candidates in smaller districts, limiting the opportunities for candidates with broader regional support, beyond just a specific electoral district. This system tends to favor religious figures, tribal leaders, and others who have direct connections to their local communities due to their tribal or religious activities, disadvantaging university professors, activists, and others with a broader but less concentrated public following. To address some of these shortcomings, this paper proposes the adoption of a Mixed Electoral System. This system aims to achieve a higher level of electoral fairness for both candidates and voters, allowing voters more choice and preventing the wasted votes of independent candidates. The study uses the election results in Basra Governorate as a model for calculating new seats based on the proposed system.



## Introduction:

Elections are a fundamental component of democratic and representative systems. As direct democracy, where all citizens participate in decision-making, became impractical, the concept of “representation” emerged. Representation refers to citizens expressing their interests and preferences by electing representatives in national or local councils (parliament or legislative bodies), a concept that was developed through lengthy political and social struggles in Europe, the United States, and other countries that experienced early democratic development in the eighteenth and nineteenth centuries.

With the broadening of suffrage, the importance of elections as the procedural expression of the concept of representation has grown. The electoral system is the process through which voters’ voices are translated into parliamentary seats, allowing the people to govern through their elected representatives. Thus, representation lies at the core of democracy, as people choose representatives who constitute the authority accountable to the people through elections for the purpose of governance

## Background:

The first elections in Iraq after 2003 were held on January 30, 2005, for the National Assembly, under the law enacted by the Temporary Coalition Authority in Order 96 of 2004. This law adopted a proportional representation system using a closed list format, treating Iraq as one electoral constituency. The National Assembly later issued a new electoral law aimed at adopting a more representative electoral system, known as the multi-district system, while preserving the advantages of the single-district system. Under this law, Iraq was divided into 18 electoral districts based on the number of governorates, with each district allocated a number of seats proportional to the number of voters. These districts were assigned 230 seats, while Iraq as a whole remained one electoral constituency. For the remaining 45 seats, a proportional representation system was used. Later, Law No. 26 of 2009 (Amendment of Election Law No. 16 of 2005) was enacted, which maintained the proportional representation system, but introduced an electoral threshold and used the Sainte-Laguë method to determine the number of seats won by each list.



The distribution of seats within the list was based on a simple majority system. As for the distribution of vacant seats after the first round of distribution, this law did not use either the “largest remainder” or the “proportional representation” methods but introduced a new method where vacant seats were distributed only to winning lists that received votes equal to or greater than the electoral threshold. Lists that did not reach the electoral threshold were deprived of any seats, and their votes were disregarded in subsequent seat allocation rounds. Subsequently, the Iraqi Council of Representatives passed a new election law, Law No. 45 of 2013, which introduced an open list system, allowing voters to choose between a list or an individual candidate within the list, thereby giving individual candidates the right to run for membership in the Council of Representatives.

In the 2018 elections, the law was based on Law No. 45 of 2013, as amended in 2018. It employed a proportional representation system with open lists, which also allowed political entities to choose a specific candidate within the list.

Each governorate was treated as a single electoral district, with seats allocated based on the Sainte-Laguë method, with a divisor of 1.7, an increase from 1.6 in the 2014 elections. The new Law No. 9 of 2020 for the election of Council of Representatives members abandoned proportional representation and introduced a majority system. Paragraph two of Article 15 of this law specified the nomination method for these elections, relying on individual nomination and multiple districts within the governorate.

The 2021 elections adopted a multi-district system within a single governorate, which failed to ensure fairness for certain groups such as activists, university professors, and influencers at the governorate level. It gave an advantage to tribal sheiks, parties, and sectarian figures while limiting the geographic area a deputy represents to a small district, which should ideally represent a broader regional constituency within the governorate. Considering the challenges posed by the single-district system at the national level, applying it within a single governorate presents even greater difficulties.



Table (1) Advantages and Disadvantages of the Multi-District System Implemented in the 2021

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Ease of implementation and vote counting.</li> <li>• Candidates do not require high campaign financing.</li> <li>• Reduces the symbolism of tribal, religious, and nationalist leaders.</li> <li>• Dissipates the influence of party leaders or heads.</li> <li>• Limits the transfer of nominations from one governorate to another.</li> <li>• Reduces the dominance of political parties over candidates and deputies.</li> <li>• Helps voters understand the candidate's election program.</li> <li>• Facilitates the rise of independent candidates.</li> <li>• Ensures the winner is the most popular candidate in the district</li> </ul>	<ul style="list-style-type: none"> <li>• Wastage of a large number of votes.</li> <li>• Difficulty in calculating quotas.</li> <li>• Denies some districts representation.</li> <li>• Excludes minorities from representation.</li> <li>• Difficulty in achieving a majority in parliament.</li> <li>• Challenges in forming a government.</li> <li>• Challenges in passing laws in parliament.</li> <li>• Easy manipulation of corrupt money to win votes.</li> <li>• Does not contribute to system stability for at least two terms.</li> </ul>

As for the Modified Sainte-Laguë (1.7) system, it is unfair to emerging parties and independent candidates due to the electoral threshold and the potential for individuals to ride on the coattails of a party leader or influential political figures, even with a few hundred votes, while independent candidates with thousands of votes may fail to win seats.

Table (2) Advantages and Disadvantages of the Modified Sainte-Laguë (1.7) System Implemented in the 2018 Elections

Advantages	Disadvantages
<ul style="list-style-type: none"> <li>• Ensures no votes for the party or entity go to waste by utilizing the total number of votes for the party or entity.</li> <li>• Fosters genuine political work through parties and entities, giving prominence to party leadership</li> </ul>	<ul style="list-style-type: none"> <li>• Increases the dominance of bloc leaders and heads over candidates.</li> <li>• Waste of votes that do not reach the electoral threshold.</li> <li>• Difficult for new forces and parties to emerge.</li> <li>• Elevates individuals without popular support due to votes for party leaders.</li> <li>• Unfair distribution of seats; a candidate with a few hundred votes may win while another candidate with thousands of votes from another list loses.</li> </ul>

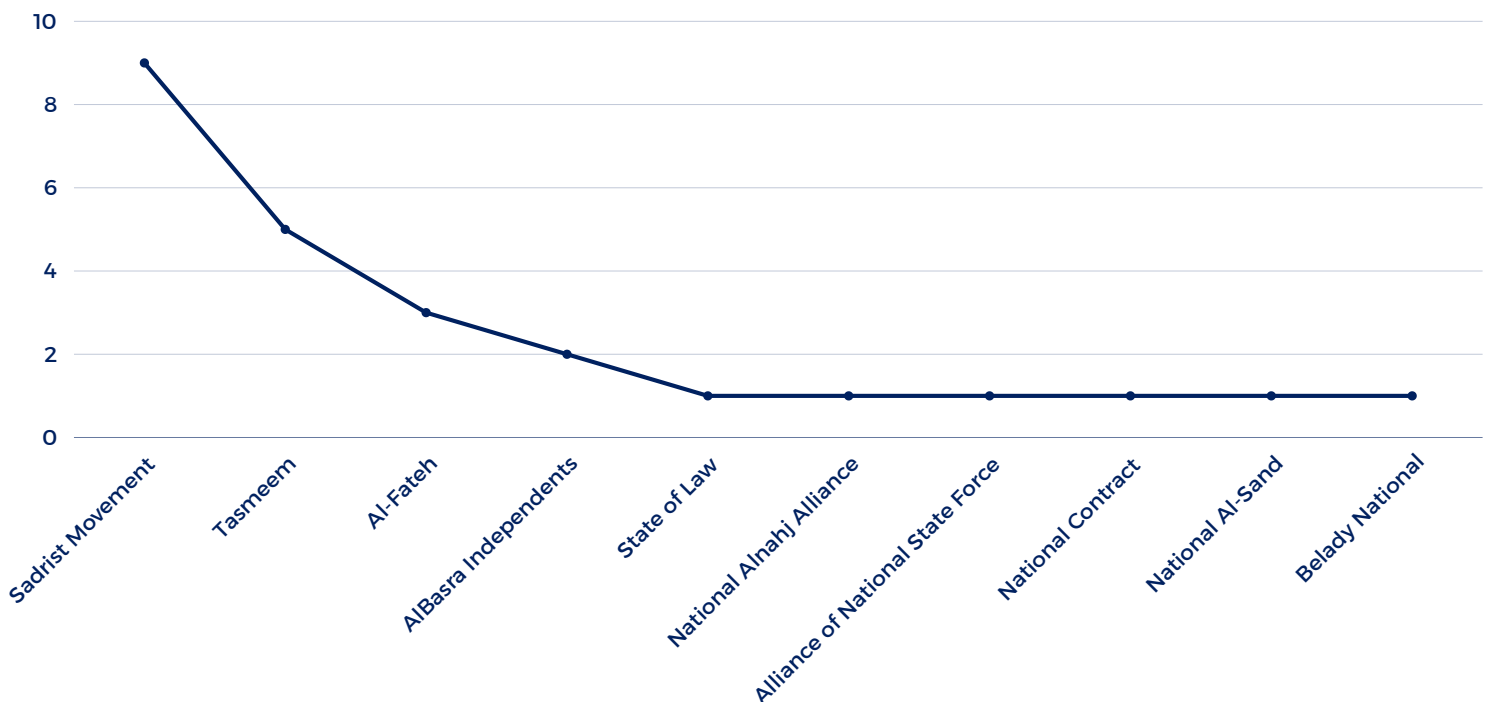


## Proposed Policy Alternative

The two aforementioned systems previously discussed, after being implemented in two consecutive electoral cycles have demonstrated a set of strengths and weaknesses. Therefore, the researcher proposes the adoption of a mixed electoral system in which 30% of the seats in the electoral district are allocated based on a mechanism that reorders the ranking of all candidates in both winning and losing lists, according to the number of votes each candidate receives. The first winner is the candidate with the highest number of votes across all lists within the same electoral district. It should be noted that the province is a single electoral district.

To demonstrate the effectiveness of the proposed system, we will analyze the results of the elections in Basra province using three systems: multi-member districts, Sainte-Laguë (1.7) modified, and the mixed system.

Figure(1): The number of winning seats in the 2021 elections for Basra province when applying the multi-member district system



Source: Independent High Electoral Commission, official website

When simulating the same election results and applying the Sainte-Laguë (1.7) modified system, the results are as follows:

Table (3): The number of winning seats for each political entity when applying the Sainte-Laguë (1.7) modified system.

No.	Political Entity	Votes Number	1.7	3	5	7	9	11	13	No.of seats
1	Tesmeem Alliance	108,044	63,555	36,015	21,609	15,435	12,005	9,822	8,311	7
2	Sadrist Movement	78,657	46,269	26,219	15,731	11,237	8,740	7,151	6,051	4
3	AL-Fatah	45,189	26,582	15,063	9,038	6,456	5,021	4,108	3,476	3
4	State of Law	41,594	24,467	13,865	8,319	5,942	4,622	3,781	3,200	3
5	National Contract	38,964	22,920	12,988	7,793	5,566	4,329	3,542	2,997	2
6	National State Force	36,104	21,238	12,035	7,221	5,158	4,012	3,282	2,777	2
7	AL-Basra Independents	32,978	19,399	10,993	6,596	4,711	3,664	2,998	2,537	2
8	National Alnahj	28,639	16,846	9,546	5,728	4,091	3,182	2,604	2,203	2

Source: Compiled by the researcher using data from the Independent High Electoral Commission.

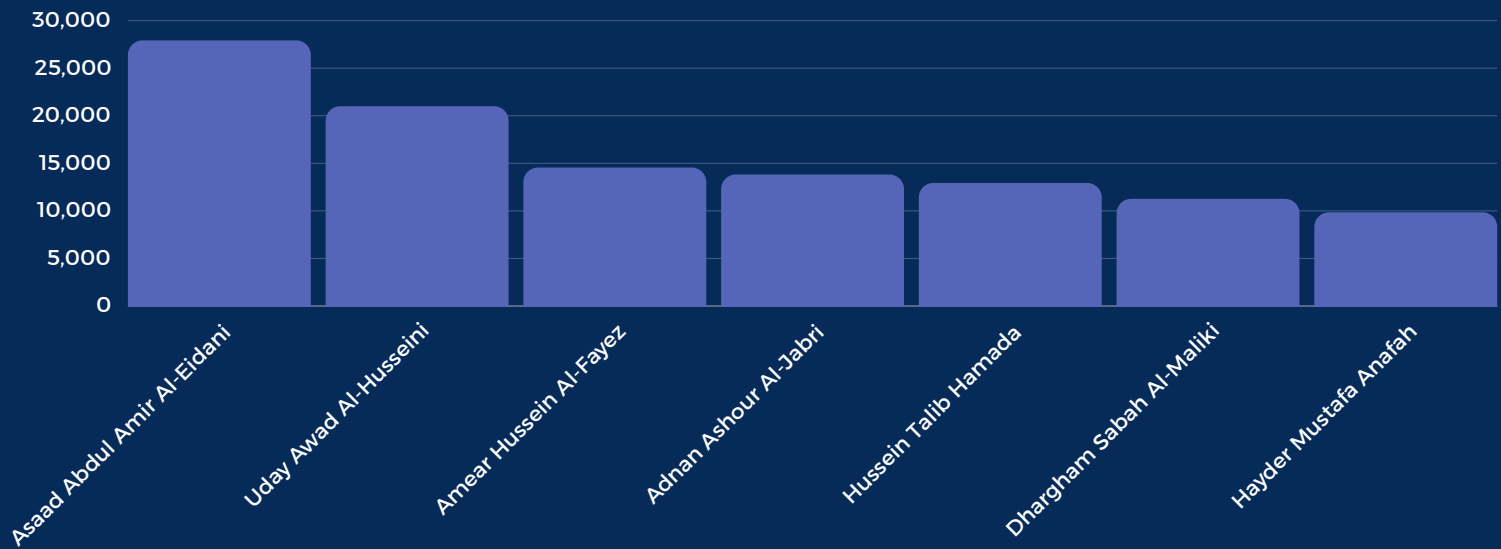
It is worth noting that the number of wasted votes when applying this system was 92,000 votes, representing the votes received by the other ten participating parties that did not secure any seats.

When simulating the same election results using the proposed mixed system, there is a direct increase of 8 seats, accounting for 30%, and an increase through the Sainte-Laguë (1.7) method of 17 seats, accounting for 70%, while the total number of seats remains at 25:





Figure (2): Winning candidates and highest vote earners in Basra province (30%).



Source: Compiled by the researcher using data from the Independent High Electoral Commission.

The table below represents the results of 70% of the votes after removing the votes of the winning candidates, who represent 30% of the total votes:

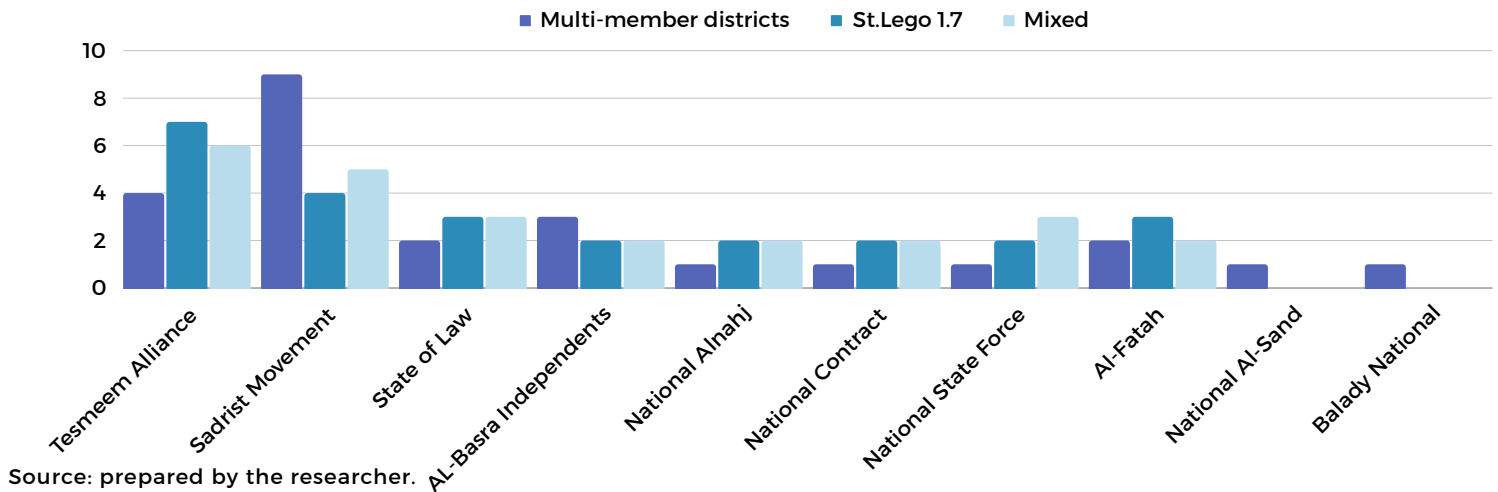
Table (4): The number of winning seats for each political entity when applying the proposed mixed system.

No.	Political Entity	Votes Number	1.7	3	5	7	9	Seats 1.7	Direct Seats	No.of seats
1	Tesmeem Alliance	65,566	38,568	21,855	13,113	9,367	7,285	4	2	6
2	Sadrist Movement	55,871	32,865	18,624	11,174	7,982	6,208	3	2	5
3	National Contract	38,964	22,920	12,988	7,793	5,566	4,329	2	0	2
4	State of Law	30,328	17,840	10,109	6,066	4,333	3,370	2	1	3
5	National Alnahj	28,639	16,846	9,546	5,728	4,091	3,183	2	0	2
6	National State Force	26,718	15,716	8,906	5,344	3,817	2,969	2	1	3
7	AL-Fatah	24,186	14,227	8,062	4,837	3,455	2,687	1	1	2
8	AL-Basra Independents	19,160	11,271	6,387	3,832	2,737	2,129	1	1	2

## Key Indicators for Analyzing the Results of the 2021 Basra Provincial Elections:

- Political Representation Index:** Comparing Sainte-Laguë and the mixed system reveals that the mixed system addresses the issue of independent candidates not being able to secure seats due to the electoral threshold on political entities. It allows for the direct election of candidates who receive the highest number of votes, representing 30% of the province's seats (electoral district). It also mitigates the disadvantage of candidates with hundreds of votes compared to candidates from other entities with higher vote counts, due to the electoral threshold applied to the entity by removing the votes of directly elected candidates from the entity's total votes when calculating the Sainte-Laguë allocation.

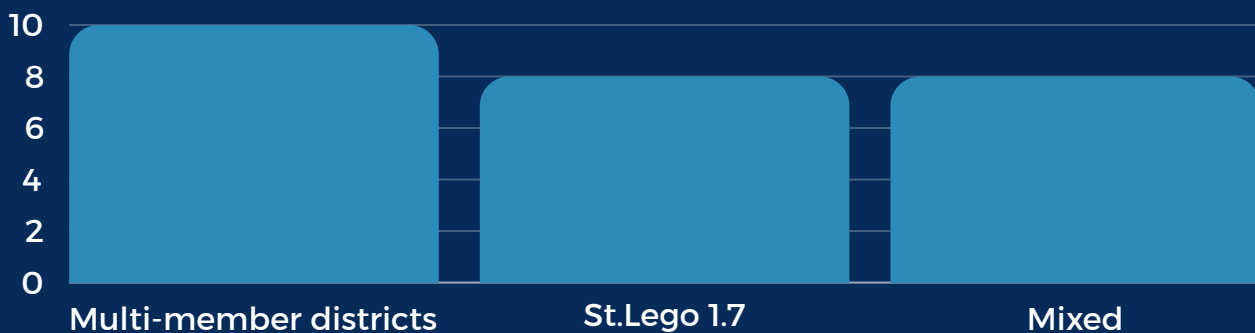
Figure (3): Comparison of the three systems in terms of the number of seats.



Source: prepared by the researcher.

- Political Stability Index:** In the figure below, we observe that the multi-member district system results in political instability due to ten political entities winning seats, leading to increased political conflict. In contrast, the Sainte-Laguë and mixed systems result in fewer political entities winning seats, contributing to greater political stability.

Figure (4): Number of entities winning seats

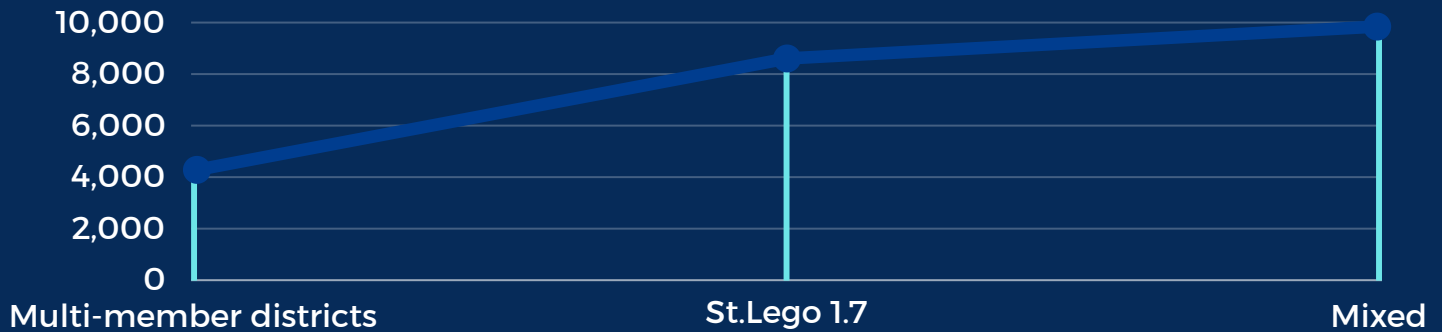


Source: prepared by the researcher.



- **Actual Votes Index:** Figure (5) demonstrates an advantage for the mixed system in terms of representing the most voters, providing greater societal legitimacy and genuine representation of voters.

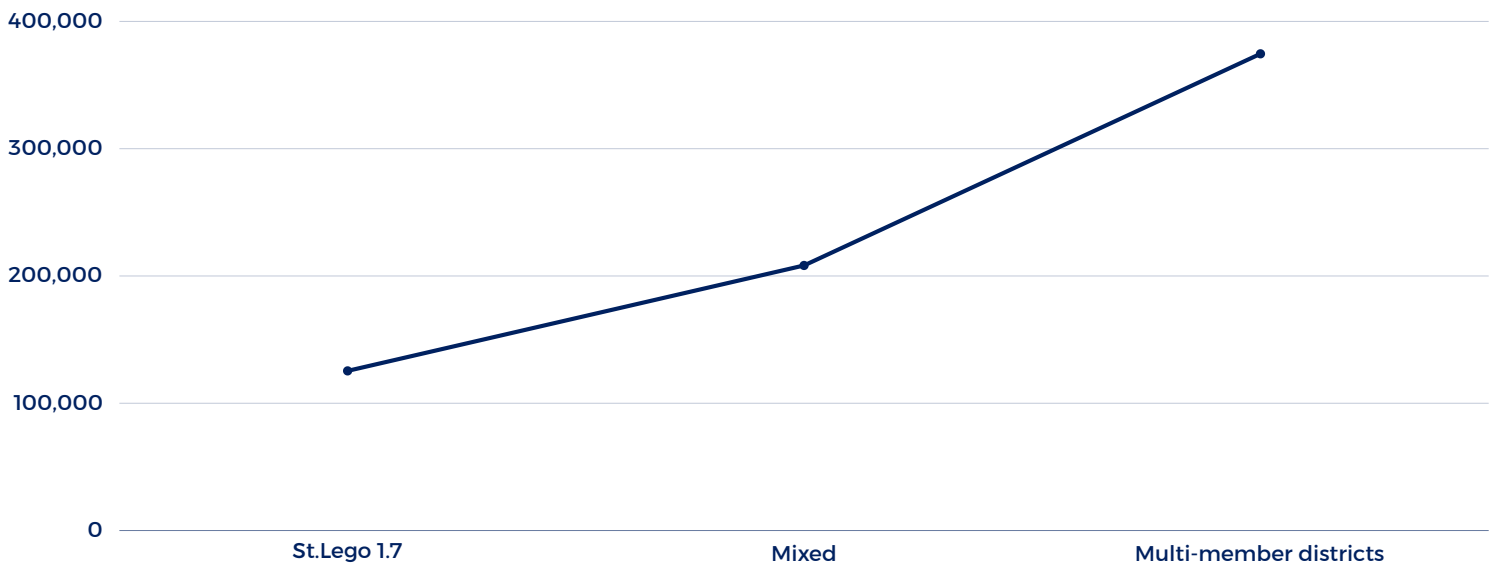
Figure (5): Comparison of the three systems in terms of the number of votes required to win a parliamentary seat.



Source: prepared by the researcher.

- **Wasted Votes Index:** Figure (6) shows that the mixed system ensures a moderate number of wasted votes compared to the other two systems. The analysis results indicate that the Sainte-Laguë system is the best in terms of wasted votes, while the multi-member district system results in the highest number of wasted votes. This is an important point in determining the most suitable and fair electoral system for vote distribution.

Figure (6): Comparison of the three systems in terms of wasted votes

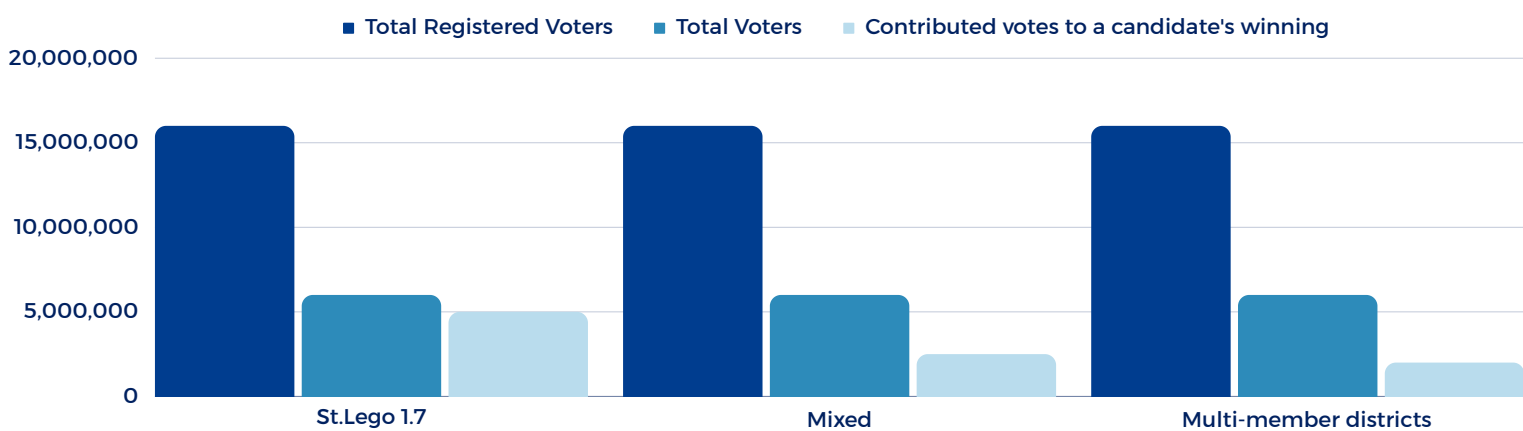


Source: prepared by the researcher.

## Analysis of Basra Provincial Elections Results 2021

Figure (7) indicates that the ratio of the total voters to total eligible voters is 36%, and the total votes that contributed to the election of 25 deputies in Basra province represent only 9% of the eligible voters in Basra. This highlights a significant portion of wasted votes and the fragility of representation for deputies when using the data. The Sainte-Laguë system is the best with 17%, followed by the mixed system at 11%, while the multi-member district system is only 9%.

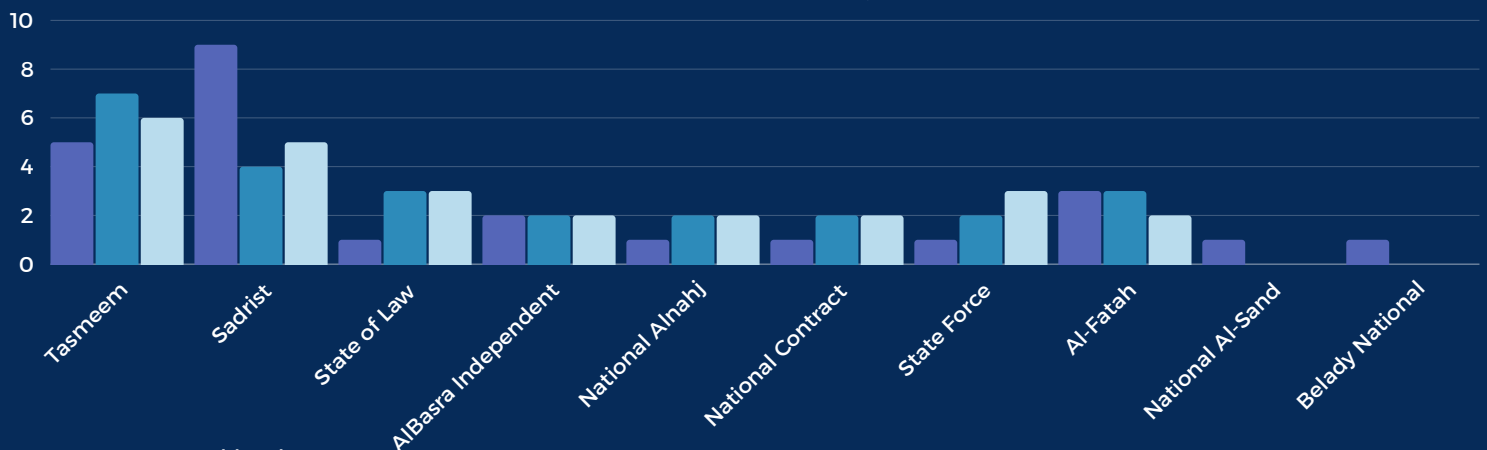
Figure (7): Comparison of the three systems in terms of votes contributing to the election of a deputy.



Source: prepared by the researcher.

Figure(8) illustrates the number of seats for each political entity under the three systems. The mixed system achieves a balance between political entities in terms of seat allocation, similar to what the Sainte-Laguë modified system accomplishes, whereas the multi-member district system grants seats to smaller entities that did not secure seats in the Sainte-Laguë and mixed systems.

Figure (8): The number of seats for each political entity according to the three electoral systems.

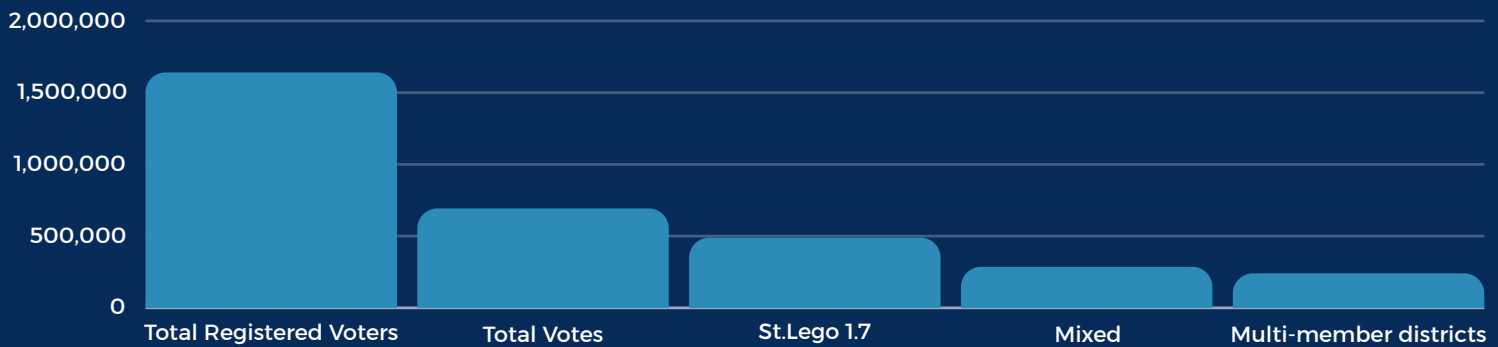


Source: prepared by the researcher.



Furthermore, the analysis results show that the Sainte-Laguë 1.7 modified system is the best in terms of numerical representation of voters, followed by the mixed system, and the multi-district system was the least represented.

Figure (9) :The total number of voters and the total number of votes that contributed to the rise of (25 deputies) in Basra according to each electoral system



Source: prepared by the researcher.

## Policy Alternatives Feasibility

Through examining the positives and negatives of each of the aforementioned laws, it becomes clear that both the modified Sainte-Laguë system and the multi-district approach have not achieved fairness from several perspectives. For instance, the multi-district system did not provide for a larger degree of choice. Additionally, it was biased against academics, activists, and groups whose constituents are at the governorate level rather than a specific district. The drawbacks of this system have been previously discussed.

As for the modified Sainte-Laguë (1.7), it discriminates against emerging political parties and independent candidates due to the presence of an electoral threshold for political entities. It also enables the ascent of weakly representative figures through the endorsement of the party leader or individuals with political and popular influence. This means that a candidate can ascend within a specific entity with only a few hundred votes while independent candidates with thousands of votes fail to secure a seat.

Therefore, the researcher suggests that the proposed policy alternative addresses the issue of independent candidates not winning, despite having significant support. It also seeks to rectify the situation for political parties to prevent the waste of their votes. After all, a political party is an entity and not just a collection of individuals, so it is fair for the party to benefit from every vote it receives.

## Conclusion:

The researcher concludes that the proposed system addresses some of the issues present in the other two systems, including:

1. The problem of wasted votes in the multi-district system.
2. The issue of unfair competition between independents or emerging parties and traditional ones.
3. The problem of candidates with a few hundred votes surpassing individual candidates with higher votes due to the Sainte-Laguë divisor in the ascent of candidates who receive the highest votes by 30%.
4. The problem of the ineffectiveness of political parties or entities is due to votes being counted individually for the candidate alone, using the Sainte-Laguë 1.7 method with a 70% ratio.
5. The problem of limited choices for voters in the multi-district system.
6. The issue of the low percentage of actual votes resulting in parliamentary seats. The researcher recommends the use of a mixed system to address the shortcomings of the other two systems. This system is more suitable and effective for the Iraqi situation. While it may not be perfect, it can address the most significant problems in the existing systems. It offers a middle ground between traditional parties, emerging parties, and independents. Perhaps the most significant problem with Sainte-Laguë is the

electoral threshold for entities or political parties and the issue of limited choices for voters in the multi-district system. These issues are addressed by the proposed mixed systems.

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## YOUR JOURNEY IN POLICY WORK STARTS WITH US



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