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Iraq's Elections: Will Boycott Efforts Delegitimize or Entrench Discredited Status Quo?

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About the Author

Geneive Abdo is a visiting fellow at the Arab Gulf States Institute in Washington and a consultant at the World Bank. She was most recently a visiting fellow at the Brookings Doha Center. Her current research focuses on the shifting political and religious alliances within Shia communities in the Middle East.

She has worked at several Washington-based think tanks, including the Atlantic Council and the Stimson Center. She was a non-resident scholar at the Brookings Institution from 2013-17.

Among her vast publications, including monographs and works in scholarly journals, Abdo is the author of four books on the Middle East, including *The New Sectarianism: The Arab Uprisings and the Rebirth of the Shi'a-Sunni Divide* (Oxford University Press, 2016). Her other books, also published by Oxford, include a groundbreaking study of the Muslim Brotherhood's rise to power in Egypt.

She has received many awards for her scholarship, including the prestigious John Simon Guggenheim fellowship. Abdo also was the recipient of the Nieman Fellowship for study at Harvard University.

She was formerly the liaison officer for the Alliance of Civilizations, a United Nations initiative established by former Secretary-General Kofi Annan, which aimed to improve relations between Islamic and Western societies. Before joining the U.N., Abdo was a foreign correspondent, where her 20-year career focused on coverage of the Middle East and the Muslim world. From 1998 to 2001, Abdo was the Iran correspondent for The Guardian and a regular contributor to The Economist and the International Herald Tribune. She was the first American journalist to be based in Iran since the 1979 Islamic Revolution.

Her thousands of articles and commentaries on Islam and the Middle East have appeared in The New York Times, Newsweek, Foreign Affairs, Foreign Policy Magazine, The Washington Post, and other publications. She is a frequent speaker at universities, think tanks, and international institutions in the United States, Europe, and the Middle East.

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Executive Summary

On October 10, Iraqis will go to the polls in parliamentary elections aimed at forming a new government. There is more at stake this time than in past elections because of the multiple crises facing the country: a campaign of violence and intimidation against a 2-year-old protest movement opposed to the state; an anemic economy; deficient services, including electricity shortages; and a competition for the future control of the country between Iranian-backed Shia militias on one side and some clerics, civil society, and some state institutions on the other.

These crises have caused malaise among the electorate and a low voter turnout is expected, perhaps as low as 30%, according to opinion polls. Even protesters who demanded elections be held in 2021, earlier than the scheduled 2022 elections, are vowing to boycott because they do not believe the poll will bring about political and economic reform. A low voter turnout could further delegitimize the Iraqi state in the eyes of its people. However, no matter the outcome, the elections will show that a young generation has altered the political landscape in Iraq. Even if there is no fundamental shift at the ballot box in October, Iraqi society's demands for change are likely to be realized in the long term.

Introduction

On October 10, Iraqis will go to the polls in parliamentary elections aimed at forming a new government. The elections will take place against a backdrop of multiple crises in the country: a campaign of violence and intimidation against a 2-year-old protest movement opposed to key state institutions and power brokers; an anemic economy; deficient services, including electricity shortages; and a competition over control of the country between Iranian-backed Shia militias on one side and civil society and some clerics and state institutions on the other.

All of these conditions have created a crisis of legitimacy for the state, with a decreasing number of Iragis believing in their government, according to a series of opinion polls conducted by the Baghdadbased Al-Mustekilla for Research Group's

Iraq's elections and subsequent government formation have been riddled with a lack of transparency and deal making long after the polls close, which have made the actual voting seem like a sideshow.

Independent Institute of Administration and Civil Society Studies, or IIACSS, over several years. Thus, on the surface, it would seem that much rests on the outcome of the October polls.

However, instead of Iraqis mobilizing to try to bring change through the ballot box, many are disenchanted. Major political figures and protest leaders - who in fact demanded that the elections be held early in October 2021, rather than in 2022 as scheduled - have vowed to boycott, even though some influential figures, such as Grand Ayatollah Ali Sistani, and Prime Minister Mustafa al-Kadhimi's government are urging a high voter turnout. Since the formation of an Iraqi state after the 2003 U.S.-led invasion, Iraq's elections and subsequent government formation have been riddled with a lack of transparency and deal making long after the polls close, which have made the actual voting seem like a sideshow. But this electoral season is even more problematic. The challenges to the system are not coming from the minority Kurds or Sunnis but from Shia-dominated parties and groups. A vicious cycle is developing:

Some of the same Shia parties and groups demanding change are now boycotting the polls and trying to persuade others to follow suit. Should a sizable boycott occur, a public crisis of confidence in the state could arise, raising doubt domestically and internationally as to whether the government truly represents Iraqis. "There is a trend toward boycotting, and it is worrying because peaceful change requires a large participation of people in the elections," noted Akeel Abbas, a sociologist and professor at the American University in Sulaymaniyah. Abbas explained that a boycott would allow the current political class - which is the focus of criticism of the protest movement and much of Iraqi society - to continue to dominate the political sphere.

This paper examines what the elections will look like – the key players and rejectionists – and whether the polls will negatively affect the fortunes of the ruling political elites or preserve the status quo and their place in power. Toward this end, the paper assesses the effects of a new election law implemented in November 2020, which aimed to address the protest movement's grievances, and the shifting allegiances among major Shia parties and factions. There are two main schools of thought regarding the elections' outcome: More optimistic forecasters, such as Abbas, believe these elections, unlike those in 2018, will bring about "a big and massive change." Over the last three years, Abbas said, "a new political awareness has emerged," as a

result of the protest movement, because the demands to end corruption and enact political reform have become a "broad discourse among the public." The other school of thought is far more pessimistic about the elections and their outcome.

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These political figures and experts believe there will be a boycott, with only an estimated 30% of eligible voters going to the polls, which would result in the lowest official voter turnout since 2003. A low voter turnout would likely empower the older generation of political Shia elites and parties, some of which are aligned with Iran. "Society is deeply divided, and this division will affect electoral attendance," said political analyst Rahman Al Jabouri, a former advisor to Kadhimi and head of the now defunct al-Marhala Party.²

Electoral System

Iraq today is marked by a hybrid form of politics. Although a younger generation, some of whom were on the streets in 2019 and 2020 to protest against the state, advocates for nationalism and an Iraq for all Iraqis, the electoral system is marred by Muhasasa consociational power-sharing arrangements, essentially a quota system, whereby ethno-religious affinities determine who is in power or how power is shared among different groups. The failures of this system, which places considerably greater influence in the hands of community and sectarian leaders than the voters, is inspiring political mobilization and a reconsideration of Iraqi identities. When the system was created, the ruling elite justified the power-sharing order by arguing that Iraq was divided among ethnic and religious groups, primarily Shias,

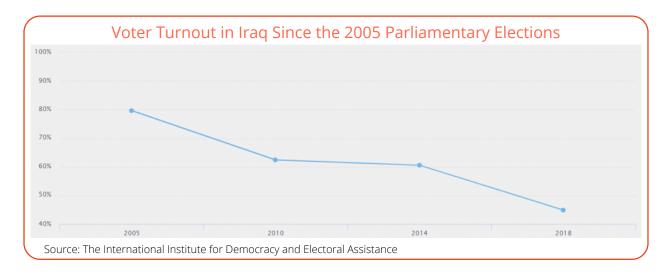
¹ Author interview in Iraq, July 2021.

² Author interview in Iraq, 2021.

Sunnis, and Kurds, according to Toby Dodge, a professor at the London School of Economics.³ When elections are held in Iraq, the voting is only one step in the process of forming a new government. Long negotiations follow the voting to create governments of national unity. "An examination of how government formation has functioned following each of Iraq's five national elections between 2005 and 2018 indicates that a consistent and inflexible set of informal rules has imposed a consociational logic on the system," Dodge wrote.⁴ According to various articles in the Iraqi Constitution, after the voting is completed, negotiations begin to appoint the speaker of the Council of Representatives, who must be a Sunni. Negotiations then continue to appoint a president, who must be a Kurd. The president is then tasked with selecting a representative from the bloc that won the largest number of seats in Parliament to become the prime minister, who must be a Shia. "The way the Iraqi constitution was drafted clearly indicates that it created an exclusive elite pact and as such exacerbated feelings of

This system, whereby sectarian identities fundamentally shape government formation after the outcome of parliamentary elections, is a major reason why Iraqis have become disenchanted with the polls. Since 2005, when the official voter turnout was 70%, there has been a persistent decline in voter participation. In the last parliamentary elections in 2018, the official turnout was 44%, but many Iraqi experts put the number closer to 20%.

resentment and alienation amongst key sections of Iraqi society."5



Analyzing the New Election Law

The protests in Iraq, which began on a massive scale in October 2019, placed pressure on the government to create a fairer and more accountable election system that would give smaller parties a better chance and ensure voters' representatives in government are more accountable to them. The central demand was to dismantle the Muhasasa system. In October

³ Toby Dodge, "The Failure of Peacebuilding in Iraq: The Role of Consociationalism and Political Settlements," *Journal of Intervention and Statebuilding* 15, no. 3 (December 2020): 1-17.

⁴ Toby Dodge, "Iraq's Informal Consociationalism and Its Problems," *Studies in Ethnicity and Nationalism* 20, no. 2 (October 2020): 145-152.

⁵ Ibid.

2020, Parliament officially finalized a new electoral law, which enacted significant changes but did not fulfill this key demand. The most significant change of the new law divides the number of electoral districts per governorate, allowing voters to choose individual candidates rather than party lists. Dividing Iraq into 83 electoral districts, in principle, should open up the electoral system by creating more competition and allowing for the adoption of individual nominations for candidates. Thus, individual candidates who are elected need to be accountable to the constituents in their districts. For the first time, voters will choose their member of parliament from their districts, rather than choosing a political coalition at the provincial level. This will prevent popular politicians from using their vote share to award seats to other candidates on their list who did not win seats outright in the polls. The old system favored established parties, and members of parliament affiliated with these parties benefited merely from their associations, not the popularity or support from the people they were supposed to represent.

Given these changes, there is debate over whether established parties still have the upper hand. Some argue the new election law hinders them for the reasons stated above. However, there are also possible advantages for the old parties in the election law, particularly in urban

districts with mixed ethnic communities. In his study of the new election law, Sajad Jiyad, an Iragi scholar, noted that in Baghdad, for example, some areas with majority Sunni voters have been merged with others that are predominantly Shia. This will make it difficult for Sunni candidates to win a seat in those areas.8 Even though the younger generation

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favors dismantling the Muhasasa system, Iraqi voters in general are expected to vote along sectarian lines. It is ironic that the new electoral law, in tandem with traditional voting patterns, could deliver results that reinforce rather than attenuate the power of the Muhasasa system.

One major downside of the new law is that it has not made it easier for new political parties to enter the elections, a defect that has been central to the disaffection that has fed the growing electoral boycott movement among protesters. Some leaders in the protest movement formed political parties to compete in the elections only to discover the enormous obstacles: Thousands of signatures are required to register a party as well as tens of thousands of dollars. Iraq's Independent High Electoral Commission requires every party to pay 30 million dinars to register, the equivalent of about \$20,000.9 Many of the poorly funded protesters could not raise the necessary funds and were not organized enough to file the signature petitions in time to meet firm deadlines. This disenchanted key members of an influential, if minority, constituency in the protest movement who had come to believe it is necessary to compete in elections and become part of the political process, having given up trying to reform the

⁶ Sajad Jiyad, "Protest Vote: Why Iraq's Next Elections are Unlikely to be Game-Changers," London School of Economics and Political Science Middle East Centre, April 23, 2021.

⁷ Akeel Abbas, "Iraq Elections: Why Ruling Parties Fear the Worst," Middle East Eye, August 25, 2021.

⁸ Sajad Jiyad, "Protest Vote: Why Iraq's Next Elections are Unlikely to be Game-Changers," London School of Economics and Political Science Middle East Centre, April 23, 2021.

⁹ Ibid.

system from the outside. Many protesters who tried to engage in electoral politics have folded back into the majority of protest leaders who have decided to boycott the elections because they have no faith that the electoral process can change the system or have been intimidated or angered by the lack of accountability for violence against protesters. "A large segment is heading toward a boycott due to the unrest in the streets, assassinations, insecurity, economic and health deterioration, and divisions in political conflicts that give the impression that hoping for change from the ballot box may be futile," said Rowa Alderwesh, an academic and activist in Najaf. 10

Some Iraqi activists who were involved in the protest movement ironically share similar expectations regarding the outcome of the elections with their main opposition - the Iranianbacked militias that have been responsible for assassinating, detaining, and kidnapping protesters. While the activists' views stem from the realpolitik calculations and frustrations in complying with the new electoral law, the views of those associated with the militias and their parties appear to be shaped by wishful thinking that assumes the protest movement can be easily eradicated. One of the many reasons the militias responded violently toward the demonstrators was to preserve their upper hand in the political sphere once the elections are held and a new government is formed. They also wanted to eliminate any real competition

from new, protester-led parties, which could present obstacles to the militias' further consolidation of power. Naeem Alabdi, a member of parliament from the Fatah Alliance, a group allied with Iran and headed by one of the most powerful Shia commanders in the Popular

Militias, such as those aligned with Fatah, have engaged in a campaign of intimidation against the protest movement, in part to prevent new parties from competing in the polls.

Mobilization Forces (an umbrella organization of militias that operate outside state control), said the new forces entering the elections - meaning the young demonstrators - will not matter. "There is still control by traditional political blocs, and these blocs have audiences and organizations. They are rooted. According to data, the new forces entering the elections will not affect the results."11 Militias, such as those aligned with Fatah, have engaged in a campaign of intimidation against the protest movement, in part to prevent new parties from competing in the polls. Several human rights organizations, such as Human Rights Watch, have documented the intimidation and killings. Human Rights Watch reported that the violence is being committed "in a vacuum of impunity." 12

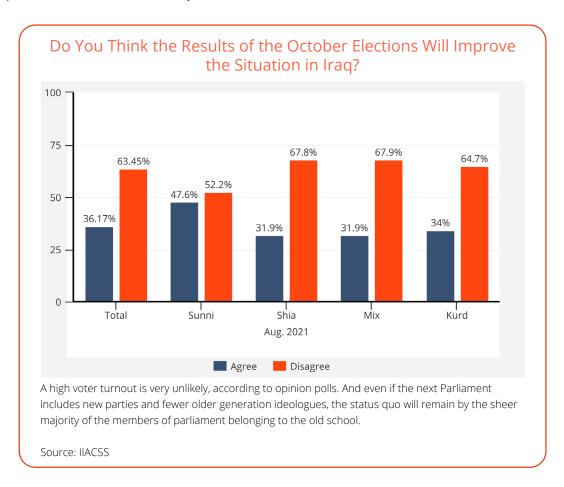
Indeed, Iraqi analysts describe the preelection environment as one in which new parties are struggling to change the status quo, and the established elite, whether politicians or militia strongmen – many of whom have been in politics in some form or another since the aftermath of the 2003 U.S.-led invasion – are fighting to block any change. Yet, despite this environment and the anticipated election boycott, many Iraqi politicians and experts believe new faces will enter the elections this year, and eventually this will lead to a generational shift. Even if the status quo prevails this time around, with 60% of Iraq's population under the age of 30, change is likely to take place a few election cycles into the future. By that time, wrote Jiyad in

¹⁰ Author interview in Najaf, July 2021.

¹¹ Author interview in Iraq, July 2021.

¹² Belkis Wille, "Impunity for Killings Will Cast a Pall Over Iraq's Elections," Human Rights Watch, May 20, 2021.

his study, "Identity politics may be much less relevant as issue-based politics, on which Iraqis of all backgrounds are much aligned, comes to dominate public discourse. This generational shift is already underway, but the upcoming elections may be too soon to witness its full impact."13 Abbas agreed with this assessment: "The election law will bring major changes in the medium and long term ... because the law links politics to society. The previous electoral law used to link politics to dominant political elites. As for the new law, it overturns this problematic equation, which much of society distrusts."14



The Landscape of Shia Coalitions and Parties: A House Divided

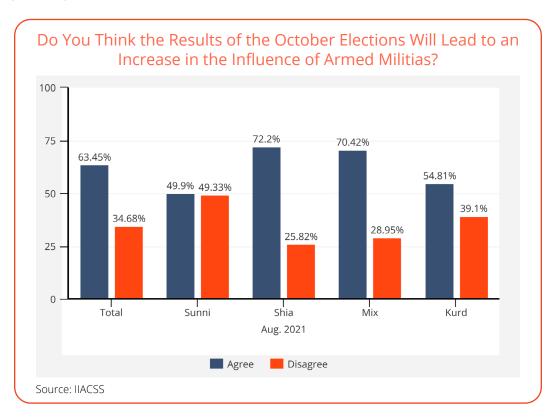
Unlike in past elections when the Shia coalitions competed against one another, but in the end made deals among themselves and other ethnic groups to ensure their domination over Irag's government, this time the Shias are divided. Opinion polls have indicated that Iraq's Shias, which comprise more than half of the population, are more dissatisfied with consecutive Shia-

¹³ Sajad Jiyad, "Protest Vote: Why Iraq's Next Elections are Unlikely to be Game-Changers," London School of Economics and Political Science Middle East Centre, April 23, 2021.

¹⁴ Author interview in Iraq, July 2021.

led governments than the Kurds or Sunnis. According to an IIACSS and Gallup International Iraq poll conducted in April, Iraq's Shias are dissatisfied and distrust the political system. As of January, around 27% of Shias said they trusted the federal government, meanwhile 46% of Sunnis and 55% of Kurds said they trusted the government.¹⁵

The splintering among Irag's Shia population has escalated over a long period of time, particularly since the 2018 elections. Many Iraqis fear that because of this fracturing and expected low voter turnout, those parties and coalitions aligned with the Iranian-backed militias within the Popular Mobilization Forces, such as Fatah, will become the dominant political force in the next Iraqi government. This would not only increase Iranian influence in Iraq but could lead to a further deterioration of security for Iraqis because the militias would have the upper hand to an even greater degree than they do today over the state-controlled Iraqi Security Forces.



Muqtada al-Sadr, a main Shia kingpin, for example, vowed in July to boycott the elections, but then, true to mercurial form, reversed his decision later. Sadr, who is infamous abroad for using his Mahdi Army militia to fight U.S. and coalition troops in Iraq after the fall of Saddam Hussein, has withdrawn from participation in several past elections when he believed he could gain politically by boycotting. There are two theories about the reason for his stated and withdrawn boycott of the upcoming elections: He either believed his Sairoon coalition would do poorly in the polls, or he tried to use the boycott threat to make deals in order to benefit before the elections are even held. His Sairoon coalition is the largest bloc in the current

¹⁵ Mungith Dagher and Karl Kaltenthaler, "As Polls Show Increasing Dissatisfaction, Will Young Shias Turn the Tables on Irag's Political System?," The Washington Institute for Near East Policy, May 25, 2021.

Parliament, with 54 of 329 seats. But since the 2018 elections, in which Sadr triumphed, his popularity outside his base has waned, primarily because he opposed the protest movement and even ordered his Blue Helmet fighters to launch violent attacks against the protesters. For decades a populist leader, Sadr's recent actions have cost him street credibility.

Regarding his possible strategy to use the threat of a boycott to make deals ahead of the elections, some Iraqi political activists believe Sadr was bargaining with the party leaders representing the Shia militias, who for years have been his opponents. "Shia political blocs competing with al-Sadr may be keen to reverse his decision not to participate in the elections," said Zaid Abdel Hadi, an activist from the National House Party - a new party formed by members of the protest movement. "The reason is that no government will be formed without

al-Sadr. And if one is formed, he will bring it down through protest and political tools that are protected by weapons," Hadi said.¹⁶

Influential Shia leaders, including former Prime Minister Haider al-Abadi, encouraged Sadr not to boycott for two Regarding his possible strategy to use the threat of a boycott to make deals ahead of the elections, some Iraqi political activists believe Sadr was bargaining with the party leaders representing the Shia militias, who for years have been his opponents.

primary reasons. He could act as a spoiler once the elections are held, and, in the absence of his Sairoon coalition, the Fatah Alliance, headed by Hadi al-Ameri who is aligned with Iran, could be the dominant actor with the largest bloc in Parliament, allowing him great influence in the selection of the next prime minister. "After the withdrawal of the Sadrist bloc, we were faced with one option, which is for the country to be ruled by the Fatah Alliance. This is because most of the seats would go to Fatah, because they have resources and their candidates have experience in managing electoral alliances," said Jabouri, the former advisor to Kadhimi.¹⁷

It appeared Sadr would not change his mind. A member of parliament from his movement, Riad al-Masoudi, stated that participation by the Sadrists in the elections was a futile effort because the outcome was predetermined. 18 However, Sadr announced his reversal during a televised address August 27, saying that participating in the elections was "now acceptable" as a means of putting an end to the Iraqi government's rampant corruption. "We will enter these elections with vigor and determination, in order to save Iraq from occupation and corruption," Sadr said. 19 He also announced a bit of a makeover of his Sairoon coalition, which is now called the Sadrist bloc and contains new faces.

One of the most notable Shia coalitions is headed by Abadi and the cleric Ammar al-Hakim, who is also a politician and formerly the head of the Islamic Supreme Council of Iraq. Hakim split from the Supreme Council to establish the National Wisdom Movement to gain broader appeal within Iraqi society, particularly with the younger generation, according to members of his movement.²⁰ In fact, one of the parties organized by protest leaders, Wataniyun (nationalists

¹⁶ Author interview in Iraq, May 2021.

¹⁷ Author interview in Iraq, July 2021.

^{18 &}quot;Sadrist Movement Reiterates Its Position on October's Elections, Multimillion Demonstrations on the Way," Shafaq News, August 26, 2021.

^{19 &}quot;Iraq's Muqtada al-Sadr Announces Support for Elections," Al-Monitor, August 27, 2021.

²⁰ Author interview in Irag, September 2019.

or patriots) movement, is part of Hakim's coalition, which they describe as a "civic" coalition not Islamist as it was characterized in the past. This coalition will compete against the parties headed by the Shia militias as well as Sadr. The other two notable Shia coalitions are Fatah, headed by Ameri and the State of Law Coalition led by former Prime Minister Nuri al-Maliki.

Among the most notable parties that emerged from the protest movement was al-Marhala, which was led by a group of older-generation activists close to Kadhimi. This party collapsed in April, according to Iraqi sources, because Sadr pressured Kadhimi to dissolve it to eliminate any competition it might bring. Some of the new parties to emerge from the October 2019 protest movement express uncertainty about whether they will participate in the polls. Following a leading activist's killing in Karbala in early May, protesters took to the streets calling for accountability, with some parties announcing an election boycott.

In late August, some of the protest leaders and activists gathered in Najaf to discuss the pros and cons of boycotting the elections. Those who are boycotting are doing so because many of their demands were not fulfilled by the government. For example, one demand was providing a safe electoral environment and placing those responsible for killing protesters on trial.

This has yet to happen, as documented by Human Rights Watch and other independent groups. What is more, the Iranian-backed Shia militias, which are responsible for many of the killings and

Making the decision to boycott is another form of protest – it is a sign of opposition to the Shia ruling elites and the system they perpetuate.

kidnappings of protesters, have threatened protest leaders to prevent them for entering the elections. Thus, the election environment is hardly secure, and the government claims it is unable to guarantee safety. Making the decision to boycott is another form of protest – it is a sign of opposition to the Shia ruling elites and the system they perpetuate.²¹

The dilemma that the October 2019 protest movement faces, however, is that a boycott will likely strengthen the exact parties and political elites the protesters are trying to remove from power. Husam Al Ghazali, a political analyst, said this boycott "is a disaster." He continued, "The boycott will mean that the audience of traditional parties will gain the most votes and we will probably witness a Parliament with many of its representatives in armed wings. You can imagine the impact of this on societal peace and the political process."22

At the meeting in Najaf, which was organized by Moja, a civil society organization, and attended by political figures and activists, one proponent of high participation in the elections, Hamid Alsayed of the National Awareness Movement, argued that elections are important for change and the only way to remove the dominant political class. But one advocate of the boycott, Yaser Al Salem from the Iraqi Communist Party, argued that the boycott is a protest against the rules of the electoral process, which he insists are unfair. He also said the boycott is a protest against the armed militias, which are intimidating voters. Finally, both noted that the

²¹ Jassim Al-Helfi, "The Case for Boycotting the Iraqi Elections," London School of Economics and Political Science, June 15, 2021.

²² Author interview in Iraq, July 2021.

state has lost legitimacy due to the way it handled the protest movement. The elections, some Iraqis such as Salem believe, are an attempt by the state to restore this false legitimacy, and therefore they say voters should not buy into this fraud.²³

Various predictions are circulating about the possible winners and losers. It is likely that the results will resemble those of 2018, particularly if there is a widespread voter boycott. In the 2018 elections, the top four alliances were all Shia. The Sadrists are likely to receive the most seats, followed by Amiri's Fatah Alliance. The Abadi-Hakim alliance is expected to do well.

The coalition that wins the most seats in Parliament generally has an important say in who will be appointed prime minister. Kadhimi, who has encouraged fair voting and high voter turnout, has indicated his desire to remain in office after the elections. He could be reappointed prime minister, even though he has no coalition competing in the polls. Although he has many detractors - the protest movement, which believes he failed to deliver on his promise to punish the perpetrators who killed demonstrators, and the Iranian-backed Shia militias,

which he is trying to rein in – Kadhimi has proved to be a leader with whom both the United States and Iran can work. U.S. and Iranian consent are seen as essential

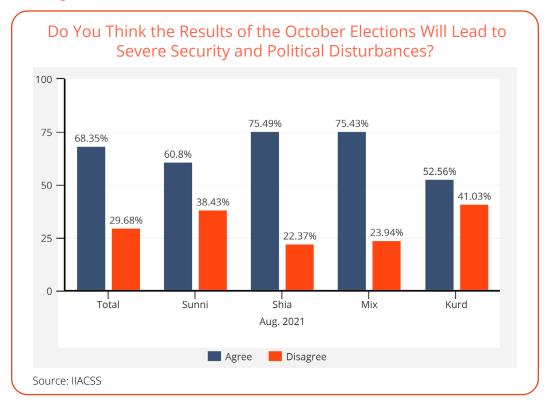
U.S. and Iranian consent are seen as essential for the appointment of any prime minister.

for the appointment of any prime minister. Even if his domestic successes have fallen short, Kadhimi has proved to be a regional power broker. He has initiated talks in Baghdad between Iran and Saudi Arabia, and he hosted a summit in late August with several regional states, including Jordan and Egypt, to find ways for economic and political cooperation. For the most part, the White House is comfortable with Kadhimi, and, although Tehran would prefer another prime minister who supports Iran's goals in Iraq, Kadhimi's popularity in Washington as well as Gulf states puts pressure on Iran to work with him. Kadhimi could very well be a compromise candidate.²⁴

²³ Moja, "Munatharat Al Muqataa wa Al Musharka fi Al Najaf" [Boycott and Participation Debate in Najaf], Facebook, August 27, 2021.

²⁴ Harith Hasan, "Polyvalent Prime Minister," Carnegie Middle East Center, September 3, 2021.

The Day After



Iraqi pollsters and activists expect a low voter turnout for the October elections, perhaps as low as 30%. If so, this would be the lowest official voter turnout since 2003. Despite the new electoral districts, they expect only a small number of new faces to enter Parliament. Intimidation by Shia militias is likely to continue up to the day of voting, and established parties are expected to win the most seats. As a result, a poll of Iraqis indicates that many expect the elections to spark a high level of protests because the demands of the protest movement will not have been met. This, in turn, could lead to more violence against the demonstrators. For example, Muhammad al-Najjar, a political advisor in the United Nations' mission in Iraq, told a forum held by the Al-Rafidain Center for Dialogue in Baghdad in September, "If the goals of the protest movement are not accomplished, this means we are facing waves of protest in the coming period." Still, even if such a scenario becomes reality after October 10, the protest movement has forced a reexamination of the system in place since 2003. Given Iraq's young population, this reconsideration will continue across Iraq no matter the outcome of the elections.

