

Conditions of Political Representation of Minorities in Iraq Post-2003

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Abstract

Objectives: The study aims to identify the challenges surrounding the political representation of minorities in Iraq, focusing on legal and legislative issues, the political party environment, and the impact of the security situation on minority rights. It is noted that there are over 43 million people in the country, consisting of 75-80% Shia and Sunni Arabs, and 15-20% Sunni Kurds. The country also includes various other groups, mainly religious and ethnic minorities living predominantly in the north and rarely in the south (5-7%).

Methods: The research employed qualitative methods, conducting personal interviews with political representatives of minorities, civil activists, and minority rights advocates across Iraq.

Results: The study concluded that there is a need to reform the minority quota system by amending election laws so that voting within minority communities is limited to candidates who genuinely represent and are accountable to those communities, enhancing the authenticity of representation. It also emphasized the necessity of expanding political representation for minorities by recognizing the political rights of all unrepresented minorities. Furthermore, increasing minority quotas within ministries by allocating specific quotas would enable minorities to play more significant roles in decision-making processes.

Conclusions: Effective political participation of minorities in Iraq remains a critical challenge. Therefore, the study concluded that continuous reforms in laws and policies are essential to enhance their roles in decision-making and to ensure the protection of their rights without bias or discrimination.

Keywords: Iraq, political representation, minorities, political participation.

ظروف التمثيل السياسي للأقليات في العراق مابعد 2003

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ملخص

الأهداف: التعرف على التحديات المحيطة بالتمثيل السياسي للأقليات في العراق، مع التركيز على القضايا القانونية والتشريعية، وبيئة الأحزاب السياسية، وتأثير الوضع الأمني على حقوق الأقليات، مع العلم أنه يعتقد أن هناك أكثر من 43 مليون نسمة يعيشون في البلاد، يتكونون من الشيعة، والعرب السنة 75-80%، والأكراد السنة 15-20%. وتضم البلاد أيضاً مجموعات أخرى مختلفة، وهي أقليات دينية وقومية تعيش بشكل رئيسي في الشمال ونادراً ما تتواجد في الجنوب 5-7%. **المنهجية:** استخدم البحث الأساليب النوعية، وإجراء مقابلات شخصية مع الممثلين السياسيين للأقليات، والناشطين المدنيين، والمدافعين عن حقوق الأقليات في جميع أنحاء العراق.

النتائج: وتوصلت هذه الدراسة إلى ضرورة إصلاح نظام حصص الأقليات؛ وذلك من خلال تعديل قوانين الانتخابات بحيث يكون التصويت داخل مجتمعات الأقليات مقتصرًا على المرشحين الذين يمثلون تلك المجتمعات حقًا ويكونون مسؤولين أمامها، مما يعزز صحة التمثيل. كما أن هناك ضرورة لتوسيع التمثيل السياسي للأقليات من خلال الاعتراف بالحقوق السياسية لجميع الأقليات التي لم تحصل على تمثيل سياسي. وكذلك زيادة حصص الأقليات داخل الوزارات من خلال تخصيص حصص محددة تمكن الأقليات من الحصول على أدوار أكثر جوهرية في عمليات صنع القرار. **الخلاصة:** لا تزال المشاركة السياسية الفعالة للأقليات في العراق تشكل تحدياً حاسماً، لذلك توصلت الدراسة إلى ضرورة إجراء إصلاحات مستمرة في القوانين والسياسات لتعزيز أدوارهم في صنع القرار وضمان حماية حقوقهم دون تحيز أو تمييز. **الكلمات الدالة:** العراق، التمثيل السياسي، الأقليات، المشاركة السياسية.



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Introduction

Iraq is a country with a diverse population composition, consisting of various social components that differ based on religion, ethnicity, culture, and language. It includes three large components: Shia, Sunni, and Kurds, in addition to various smaller minority groups such as Turkmen, Christians, Yazidis, Shabaks, and Kakais. As a result of the absence of recent statistical data and the spread of political sensitivities in Iraq There are no accurate figures about the numbers of minorities and their percentage of the population. However, it is believed that there are more than 43 million people living in the country, made up of Shiites, Sunni Arabs 75-80%, and Sunni Kurds 15-20%. The country also includes various other groups, which are religious and national minorities who live mainly in the north and rarely in the south 5-7%.

After the political changing in 2003, the political regime based on the theory of consociation democracy as the one of the models for exercising power in socially diverse countries that suffer from weakness in achieving national unity as Iraq. Therefore the Iraqi new political system depends on the political representation of the different social components and groups (majority and minority) in an attempt to contain ethnic and social diversity within the state. Minorities gained political representation through a quota at the federal level and the Kurdistan region, Accordingly The federal parliament consists of 328 seats, distributed in the form of 320 seats for Muslims, five seats for Christians, and one seat for each of the Yazidis, Mandaean, and Shabaks. As for the Kurdistan Regional Parliament It includes 111 seats, divided into about 100 seats for the Kurds, five seats for the Chaldeans, Syriacs and Assyrians, and one seat for the Armenians. However, this political representation did not constitute a real guarantee for the rights of minorities, because it is often subject to the will of the major powers controlling the political system in Iraq.

However, this - as minority representatives believe - was not sufficient to truly represent minorities within decision-making institutions. Moreover, the issue of discrimination and marginalization continued to haunt minorities, while the role of successive governments remained below the level of ambition, as minorities were exposed to various types of violence, the latest of which was the entry of the terrorist ISIS into their areas which was then reflected in the awareness of minorities of the importance of expressing their presence by participating in the policy and decision-making process at different levels within the political system.

In light of the control of the major political movements over all aspects of the state, minorities in Iraq feel unable to compete within the current political environment, which has weakened the participation of minorities in the institutions of the regime, which reduced their chances of heading senior positions in the state without relying on the quota share. Minorities also believe that their representatives obtaining certain positions and gains through the quota is nothing more than a symbolism that lacks effectiveness.

Therefore, this study revolves around what are the challenges facing the political representation of minorities and how institutions deal with the rights of minorities in representation, whether in terms of legal and constitutional legislation or terms of political representation in life of politics.

Based on this, the aim of this study is to identify the problems surrounding the political representation of minorities in Iraq from several perspectives. This includes issues related to legal and legislative problems, as well as the political party environment and security situation in Iraq, and how they impact the rights and achievements of minorities

This study relies on qualitative methodology through conducting personal interviews with political representatives and advocates for minority rights. The interviews took place in Baghdad, with each session lasting an hour and a half. During these interviews, participants discussed their personal experiences as representatives of minorities and the challenges facing their political representation. Non-probabilistic sampling was chosen for several reasons. Firstly, the nature of the research necessitates specific characteristics in the participants, such as being politicians and civil activists. Therefore, I adopted a method of interview analysis.

Minorities in the Iraqi Constitution and Legislations

Rights of minorities are fundamental in any democratic society that respects cultural and religious diversity. In Iraq, recognition and protection of minority rights are considered essential efforts towards building a tolerant and multicultural society. These rights are enshrined in the Iraqi constitution and legal frameworks, ensuring protection and equality for all

citizens regardless of religion, ethnicity, gender, or language.

In the Iraqi constitution, minority rights are affirmed as an integral part of the national identity, with emphasis on equal treatment before the law without discrimination. Iraqi citizens from minority groups enjoy multiple rights including citizenship rights, language rights, cultural rights, education rights, employment rights, as well as rights related to religion and belief.

Despite the existence of legal and constitutional frameworks guaranteeing minority rights in Iraq, the reality reflects a weak impact of these laws on achieving actual equality and protecting the rights of minorities in daily practice. Iraq faces significant challenges that negatively impact minority rights, including discrimination, marginalization, and a lack of justice, and Despite efforts to establish laws and legislation ensuring minority rights, effective implementation of these laws faces significant challenges. Weaknesses in the judicial system, administrative shortcomings, and corruption negatively affect the protection of minority rights and the application of justice, Additionally, there has been an increase in violence and threats facing minorities in Iraq, further complicating efforts to achieve their rights and undermining the effectiveness of existing laws in protecting them, This situation calls for a reevaluation of government policies, strengthening legal reforms, and enhancing the role of international institutions and civil society in monitoring and evaluating the protection of minority rights in Iraq, ensuring the achievement of social equality and justice for all citizens.

- **Minorities in the Iraqi Constitution 2005**

The constitution represents the fundamental principles of a democratic system and serves as the supreme legal document in the state. It establishes the legal foundations that define the form of the state and its governance system, organizing the authorities' jurisdictions and outlining the rights and freedoms of individuals. Therefore, affirming these rights and freedoms at the core of constitutions is crucial. (Articles 3, 4 of the effective Iraqi Constitution) Textual acknowledgment of rights granted to minorities within the constitution is vital for protecting their interests because the constitution determines and regulates state power, mandating government bodies deriving their existence from it to abide by its provisions, otherwise, these authorities or bodies would lose their legitimacy and existence . (Article (14) of the Iraqi Constitution) The legislators of the 2005 Iraqi constitution ensured the constitutional texts aimed at protecting minorities. So, it can be noticed that Article (3) stipulated that "Iraq is a country of nationalities, religions, and sects..." This statement should provide constitutional protection for religious and ethnic minorities. Any law contradicting this provision would be considered unconstitutional. Furthermore, Article (4) aimed to safeguard linguistic minorities by ensuring that "... Iraqis guarantee the education of their children in their mother tongue, such as Turkmen, Syriac, and Armenian, in government educational institutions..." In addition, the fifth paragraph of the same article allowed each region or governorate to adopt any other local language. The Iraqi legislators did not stop there; they reiterated that equality and non-discrimination among Iraqis is fundamental. They explicitly stated that Iraqis are equal before the law, irrespective of gender, race, nationality, origin, color, religion, sect, belief, or social and economic status The Constitution firmly emphasized that Iraqis have the freedom to adhere to their status according to their religion, sects, beliefs, or choices, ensuring everyone's freedom of thought, conscience, and religion. (Article (42) and Article (125) of the effective Iraqi Constitution) The Constitution also guaranteed religious rights for all religions and sects, stating that "this Constitution ensures the preservation of the religious identity of the majority of the Iraqi people and guarantees the full religious rights for all individuals in the freedom of belief and religious practice for Christians, Yazidis, and Sabaeans (Mandaeans)..." (Article Two/Second of the Iraqi Constitution) Despite the important guarantees regarding human rights in the Constitution, Article 2/1, which prohibits the enactment of any law that contradicts the principles of Islam and its provisions, unfairly affected the rights of minorities, nullifying all texts and laws allowing them to practice their rights. Therefore, the legislator should have considered the religious diversity in Iraq, resulting in diverse practices, rituals, beliefs, and ideas that might not align with Islam. Additionally, Article 2/2 overlooked mentioning the rest of the minorities and recognizing their rights officially in Iraq."

- **Minorities in Iraqi legislations**

Iraq has ratified fundamental international agreements on human rights and minority rights, including the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the International Covenant on Civil and Political Rights (ICCPR). It is

imperative to continuously incorporate international obligations into domestic law through legislation, and many Iraqi laws reflect the principles of international instruments to which Iraq is a party, ensuring Iraq adequately meets its international commitments to protect minority rights . (Penal Code No. 111 of 1969)

The Penal Code includes an important provision against discrimination to safeguard minority rights: “In the performance of their official duties, all individuals undertaking public functions or holding public office, including all police, public prosecutors, and judges, must enforce the law impartially without any discrimination based on sex, race, color, language, religion, political opinion, national or social origin, or birth.” This provision, alongside Article 372 of the Penal Code that prohibits hate crimes, criminalizes acts causing harm, attacks, insults, obstruction, or destruction of religious practices and sacred places of religious minorities in Iraq, establishing an important legal framework to preserve minority rights.

A robust set of laws has been enacted to protect the social and political interests of Iraqi minorities. The Official Languages Law aims to ensure respect for the constitution by regulating the use of official languages in the Republic of Iraq and promoting linguistic awareness to bridge gaps between Iraqi components, deepen and solidify human and national concepts, and support and develop Arabic, Kurdish, and other Iraqi languages such as Turkmen, Syriac, Armenian, and Mandaean-Sabean . (Article 2 of the Official Languages Law No. 6 of 2014)

Following the invasion of Mosul by the ISIS In June 2014 and the targeting of minority women by the group, Iraqi legislators did not overlook the rights of surviving minority women who escaped the clutches of Daesh. They enacted a law known as “The Law of Survivors of the Yazidi Women” which considered the crimes committed by Daesh against Yazidis and other communities such as Turkmen, Shabak, and Christians as genocide and crimes against humanity. The law mandates the Ministry of Foreign Affairs to coordinate with relevant official institutions to present the defined crimes to international forums and collaborate to extradite the criminals for trial before competent courts. Additionally, Article 8 of the same law designates the 3rd of August as a national day to commemorate what happened to the Yazidis and other components. The Ministry of Culture, Baghdad Municipality, and relevant authorities are tasked with taking necessary measures to immortalize the victims of the Yazidis and other components by erecting monuments and memorials. (Article 7/First and Second of Survivors Law No. 8 of 2021)

The Iraqi House of Representatives adopted the concept of “quota” for minorities in its election law, stipulating that the House of Representatives consists of 328 seats, with 320 allocated to provinces and the remaining eight seats for components and minorities as follows: 5 seats for Christians, Yazidis, Shabaks, and Mandeans one seat each. In the recent amendment to the law, an additional seat was added to the total seats of the House of Representatives, making it 329, added from the quota of the Faily Kurds in Wasit province.

As for the election law of the National Council in the Kurdistan Region, it specified the shares of coexisting components in the Kurdistan Region by 11 seats distributed as follows: 5 seats for Turkmen, 5 seats for Chaldeans and Assyrians, and one seat for Armenians. Note that the law designated a total of 111 seats for the Kurdistan Parliament. (Article 3 of the National Council Elections Law for the Region)

The Law of the High Commission for Human Rights also stipulates in Article 8/5 that the percentage of minority representation in the Council shall be no less than one original member and one reserve member. However, the Federal Supreme Court ruled the unconstitutionality of some paragraphs of Article 13 of the elections law regarding minority seats in 21 February 2022 . The court ordered equal treatment for the Shabak, Faily Kurds, and Yazidis, alongside Christians and Mandeans, granting each one a seat, which contradicts Articles 14, 16, and 20 of the Constitution (Article 13 of the elections law).

There has been controversy in interpreting the court’s decision, with some asserting it changes the number of minority seats, while others attribute it to the electoral district system. This has led to new demands by Iraqi components covered by the article, notably the Yazidi community, claiming to be the second-largest religion in Iraq terms of the number of people due to the decline in the Christian presence, alongside the Shabak community, demanding additional parliamentary seats.

In the Iraqi governorate councils’ election law, specific proportions of seats are allocated to minorities to ensure their

participation and defense of their rights within their provinces. For instance, Baghdad has three seats allocated for Faily Kurds, Turkmen, Christians, and Mandeans, each having one seat. In Ninewa province, there are three seats for Christians, Yazidis, and Shabaks, as well as one seat for Christians in Basra, one for Faily Kurds in Wasit, and one for Mandeans in Maysan. (Article 15/First of the Governorate and District Council Elections Law No. 12 of 2018)

It specifies a mechanism determined by the elected provincial council to share senior positions in the province, with the exception of federal positions, provided that priority is given to the people of the province if the legal conditions are met and to ensure the representation of the components. Despite key legal legislations such as the election law and citizenship law ostensibly providing adequate formal protection for all citizens without overt discriminatory provisions, they fail to consider the reality that years of violence and unrest in Iraq led to the displacement of numerous groups. As a result, certain segments of society are more vulnerable and less protected than others. To ensure these groups also enjoy basic privileges granted to all Iraqis, the law must give them some consideration and equal opportunities.

For example, the Iraqi Nationality Law of 2006 guarantees basic citizenship rights. Still, some minorities struggle to obtain Iraqi citizenship documents due to historical discrimination or recent events. The current issuance makes significant strides in granting citizenship to those deprived of it by older versions of the law, such as Faily Kurds, Bahá'ís, and Jews. Yet, the required procedures for citizenship reinstatement are challenging, with strict time limits potentially depriving individuals of fundamental human rights like education, healthcare, property rights, and freedom of movement. These challenges can prevent people who are eligible for citizenship from obtaining their previous status and regaining citizenship documents. In addition, several amendments to the law are necessary to facilitate the return of minorities who fled the country due to past persecution and violence, allowing them to regain their citizenship without unnecessary restrictions. (Habib, 2018, p. 212)

As for the Kurdistan Region, it has made significant progress in legislation guaranteeing minority rights. This includes the Components Protection Law, affirming every individual's right to disclose their religious identity, ensuring freedom of expression and religious belief. The government commits to protecting the religious heritage of these minorities, allowing them to practice their religious holidays. Additionally, the law of the Ministry of Endowments and Religious Affairs in the region, which focused on a set of principles and values, including caring for the affairs of the holy places of all religions and regulating their management, as well as strengthening ties between the various religions, sects and denominations in Kurdistan. This ministry took it upon itself to pay attention to the affairs of religions in the region in a way that enhances the spirit of tolerance and communication between them. (Hama, 2019, pp. 424-425)

Political Representation of religious Minorities in State Institutions

In Iraq, political representation of religious minorities is considered a vital aspect in the process of building a democratic system and achieving religious and cultural diversity. Recognizing the rights of religious minorities in political participation is a fundamental part of efforts to enhance inclusivity and social justice in Iraq.

Religious minorities in Iraq face numerous challenges in political representation, including discrimination, marginalization, and difficulties in accessing leadership positions. Despite these challenges, effective political representation of religious minorities is crucial for building an equal and diverse society.

The political process in Iraq witnesses increasing efforts to enhance the representation of religious minorities, by providing equal opportunities for participation in governance and decision-making. Establishing electoral regulations that ensure religious minorities secure seats in parliament and local councils is one of the key steps in this context.

Despite the challenges facing the political representation of religious minorities, it is important to emphasize the significance of strengthening their role in political life and encouraging their active participation in the democratic process. Enhancing political representation of religious minorities contributes to building an equitable and diverse society, and reinforces legitimacy and inclusivity in the political system:

• Christians

Christians are the second-largest religious group in Iraq after Islam, recognized by the Iraqi constitution. (Al-Saadi, 2014, p. 181) they are divided into 14 denominations, mainly comprising the ancient Assyrians, Chaldeans, and Syriacs

who have been in Iraq for centuries. Some identify themselves as three distinct ethnicities (Chaldeans, Assyrians, and Syriacs), while others speak of a unified "Chaldo-Assyrian" identity. The Syriac language, derived from Aramaic, is predominantly spoken among these groups, representing one of the oldest languages still in use and written form globally. The overall Christian population in Iraq declined to 657,000 in 2008, a sharp drop from around 1.1 million in 2003. The demographic distribution of this minority can be visualized on map number (The Iraqi Human Rights Society, 2016, p. 31)

Christians suffer from dispersion, which is reflected in their political representation and political gains within the institutions of the political system. The Assyrian Democratic Movement is considered the most popular one because it is an opposition party and one of the oldest Christian parties, in addition to the presence of other small parties such as the Popular Council, the Beit Nahrain Party, the Chaldean National Council, and others.

Christians consider that the large parties are exploiting some Christian parties for their partisan interests at the expense of the Christian component, which has affected the distribution of the party map of Christians among multiple parties, as we find that part of them is supported by the nationalist Kurdish parties, the other part is supported by the Shiite political parties, and a very small portion of the Christian parties are still independent Christian parties

The Assyrian Democratic Movement remained in control of most of the parliamentary seats and the position of ministry since the formation of the government after 2003 until 2015. Yonadam Kanna, the movement's general secretary, won the quota seat for four electoral terms. He participated in the second turn with Imad Youkhana and Basema Youssef. The third turn was also participated by (Imad Youkhana), while on the executive side, they headed the Ministry of Transport in 2004 headed by (Bahnam Al-Bazi) in the Governing Council government, and the Ministry of Migration and Displacement in 2004 headed by (Pascal Warda) in the interim government. They also headed the Ministry of Science and Technology headed by (Basema Youssef) in the transitional government in 2005, and the Ministry of Environment headed by (Sarcon Lazar) in 2010.

Christians believe that the post-2014 era had a bad and dangerous impact on the political representation of Christians in Iraq. Large party bodies began to support Christian parties and help them reach Parliament and the ministry allocated to the component because they represent the interests and agendas of the large parties that support them, and in reality, they do not represent the component. Christians and were not elected by Christians, and this is one of the serious problems associated with the quota system. (Kanna, 2022)

● Yazidis

Yazidiism is a religion dating back to the third millennium BC. They are a remnant of the oldest ancient Sumerian-Babylonian beliefs, and they are not missionary. There are three gods and they are considered the basic pillars of this religion. They are: Sheikh Shamas (Peacock King), who is the representative of the god on earth and forms the shape of the sun when the peacock spreads its feathers. It is believed that he is an extension of the sun god (Utu) in Sumerian and (Deacon) in Babylonian. Sheikh Sin, who is the moon god, is believed to be an extension of the moon god (Nanna) in Sumerian, (Sin) in Babylonian, and Sheikh Adi. Yazidi is considered older than Zoroastrianism and is not an extension of it, despite the presence of similar customs and traditions, and that Yazidi relies on the oral religious heritage (Ilm al-Sadr) in its practices. Religious. (KH., 2018, p. 31)

The Yazidis faced relentless accusations, stereotypes, and myths, deeply ingrained in contemporary research and public perceptions, creating a vulnerable profile for targeting as followers of a non-monotheistic or heretical faith. During the Ottoman rule, their territories witnessed forced attempts at Islamization. Fatwas were issued against them, labeling them heretics, reinforcing beliefs in the military's strength through nearly 72 genocidal campaigns. They practiced an ancient religion in a predominantly Islamic environment. (Salloum, 2017, p. 23)

Around 550,000 Yazidis out of 800,000 worldwide reside in Iraq. A majority, about 75%, live in the mountains close to the Syrian border, 10% in Kurdish-administered regions in Erbil, Dohuk, Sulaymaniyah, and the remaining 15% in the Sheikhhan area. Some consider their language, "Kurmanji," as one of the Kurdish dialects. (Salloum, Iraq's minorities at a crossroads, 2015, p. 183)

The Yazidi identity is acknowledged in the Iraqi constitution under Article (2-2), offering them official recognition,

which they previously lacked. The Yezidi Endowments Board was formed in Baghdad within the Non-Muslim Religions Endowments Directorate, and they gained parliamentary representation. (Salloum, Unity and Diversity - pluralism and promoting citizenship that embraces Diversity in Iraq, 2015, pp. 23-24)

Historically, the Yezidis, perceived as a non-Muslim minority, have endured discrimination, forced identity changes, and religious or ethnic persecution. Post the US occupation, they faced the imminent threat of genocide by extremist religious forces, culminating in a humanitarian catastrophe when Sinjar fell to ISIS in 2014. The subsequent displacement was the largest internally within Iraq, affecting minorities in the northern and western regions.

The Yezidis' collective suffering was immense, especially during the onslaught by ISIS on their main stronghold in Sinjar. The brutality they endured reached the level of organized genocide. After a year of ISIS occupation, around 400,000 Yezidis were displaced out of 550,000 in Iraq. Around 65,000 became refugees, 5,838 were kidnapped, 841 went missing, and there were documented 1,280 fatalities. (Salloum, Iraq's minorities at a crossroads, 2015, p. 183)

Yazidis' participation went through three stages: the pre-2003 stage, the post-2003 stage, and the post-2014 stage.

Before 2003, the Yazidis did not have any kind of political participation, as one party was in control of all aspects of the state. After 2003, or rather after 2005, after the formation of the government headed by (Iyad Allawi), the Yazidis had the position of Minister of State for Civil Society Affairs, which was headed by (Mr. Mamo Farhan) as the first minister, and the first position held by the Yazidis in the state. Three Yazidis arrived in House of Representatives, and they were: Adel Nasser, Kamiran Khayri Bey, and Haider Sheshu, but they were members in Kurdish parties and not independent. The two Kurdish parties, the Kurdistan Democratic Party and the Patriotic Union of Kurdistan, had a significant role in increasing the arrival of the Yazidis and their political representation in House of Representatives.

Consequently, the partisan Yazidis were voicing closer to the party to which they belonged than to the Yazidi issue, as this representation had a negative impact because it gave the impression to Baghdad that the Yazidis were entrenched according to the Kurdish vision.

While those who reached the quota position had votes belonging to purely Yazidi parties that represent the Yazidi vision, the Yazidis did not have representation at the level of ministries. In Nouri al-Maliki's second cabinet, (Mr. Dakhil Qasim Hassoun) was a minister for six months, then some ministries were merged and his duties ended. (Nayef, 2022)

The Yazidis were not given any sovereign ministry, and even the ministries they headed were given to them as Kurds belonging to one of the two Kurdish parties.

As of now, there has been no Yazidi minister, agent, or Yazidi ambassador. As for the directors general, there are only those in the Office of Endowments for Christians and other Religions.

In the 2010 elections, the Yazidi Movement for Reform won the quota seat for the second time, as did Amin Farhan Jijo, the head of the movement. As for the Yazidis in the Kurdistan list, they won 6 parliamentary seats, two of them for the Patriotic Union of Kurdistan and four for the Kurdistan Democratic Party. Thus, the Yazidis in the House of Representatives of Iraq won the largest number of seats for the first time in their political history reaching 7 seats.

However, in the 2014 elections, the Yazidis were the biggest losers of electoral seats, as two lists competed for the only quota seat, namely (the Yazidi Movement for Reform and Progress list), which won the seat, as did (Haji Kandor), while the other list competing for the seat was (the Yazidi Democratic Frontlist).) which was formed by (Mahma Khalil) with the support of the Kurdistan Democratic Party. As for the other lists that the Yazidis joined, none of their candidates won except (Vian Dakhil), who won the seat at the expense of the women's quota. (Salloum, political participation of minority in Iraq, 2017, p. 36)

While MP (Saeb Khader) won the quota seat in the 2018 elections, for the early 2021 elections, the quota seat was transferred to (Naif Khalaf Saydo) from the Yazidi Progress Party supported by the Kurdistan Democratic Party, and this is one of the basic problems that the Yazidis suffer from in their political representation. The geographical and political division affected the Yazidi community, becoming a politically divided society between groups close to the Kurdistan Democratic Party and supporting its being a religious minority with Kurdish community, and between groups that see it as a religious minority with Arab community close to the major Arab parties, and another group that sees it as a national

minority in itself and must Its representation should be independent, and this division was reflected in their political representation, their demands, and their outlook toward the Yazidi issue

- Kakai

The Kaka'i community stands apart as a tribe among the Kurdish tribes inhabiting Kurdistan and beyond due to their distinct belief system. They perceive religions and sects equally without discrimination, leading some to consider them within Islam while others regard them as outside of Islam. Consequently, they have faced various risks, including forced displacement, killings, Arabization, with the primary aim being genocide (Salloum, political participation of minority in iraq, 2017, p. 28) There are no accurate official figures confirming their numbers. However, some international sources estimate around 200,000 Kakais (Salloum, political participation of minority in iraq, 2017, p. 27) They were not mentioned in the Iraqi constitution, and therefore they did not obtain official recognition of their existence as a religious minority. However, they were able to obtain political representation within the parliament without the need for a quota, through the joining of Kaka'i figures to the Kurdish parties, but this representation did not represent the interests of the Kaka'is and their goals, the most important of which are obtaining official recognition for them as a religious minority in Iraq, similar to other religions, but rather represented the interests of the parties only.

The project for the Kaka'is to obtain a quota for their representation in Parliament collides with many obstacles, the most important of which is that the Kaka'is are considered to be largely Kurdish in their nationality. Therefore, the Kurdish parties support the quota project for the Kaka'is, because they believe that supporting the Kaka'is to obtain a quota will guarantee their loyalty as a result. Kaka'i activists presented the quota project to Parliament through the Kurdistan Alliance at that time, and Masoud Barzani even said that the Kaka'is should get two seats, but this did not agree with the desire of the Iraqi Arab parties. There is also a very important point, which is that recognizing the Kaka'is as a non-Muslim religious minority means demanding that the Kaka'i minority in other countries recognize it as well. For example, the numbers of Kaka'is in Iran exceed the numbers in Iraq, and they will demand their political presence and religious identity. Therefore, the Kaka'is believe that their failure to obtain political entitlement and representation is not only related to internal policy but also because there is also a regional will to prevent this (Kakae, 2022), a member of the Iraqi Minority Alliance Network, in Baghdad

- Sabian-Mandaean

The Mandaean or Sabian religion is one of the oldest religions that still remains in the world and dates back to the Mesopotamian civilization, and John the Baptist is its last prophet. Water and access to water flowing from its natural sources are considered a central ritual for practicing this religion (Rubin, 2016, p. 25)

The Mandaean speak the Mandaean language, which is a dialect of the Eastern Aramaic language, and is considered the language of the first Iraqis after the Sumerian language. In 2006, it was included in the UNESCO dictionary of endangered languages, and with the daily migration of members of the sect, its demise may be imminent from a country in which it has settled for more than twenty centuries (Salloum, political participation of minority in iraq, 2017, pp. 24-25)

The Mandaean Sabians have been suffering from challenges since the American occupation, and what makes this situation more severe is that the Mandaean religion forbids the use of violence or the carrying of weapons. Therefore, its adherents are practically deprived of the right to defend themselves, and this is combined with the violence inflicted on the sect and the Mandaean principle that marriage to Leaving the sect is tantamount to converting to another religion, which makes the possibilities of uprooting the Mandaean sect from Iraq real. According to the United Nations High Commissioner for Refugees, the Madaeans who do not carry weapons, do not kill, and do not have a social institution to defend them are the first and easiest targets, and estimates of the number of Madaeans in Iraq vary greatly. According to Human Rights Watch (HRW), about 30,000 Madaeans were living in Iraq. (Jordan, 2006, p. 27)

The Sabean-Mandaean people rely on the quota seat to obtain political representation within Parliament. The Madaeans believe that the quota does not fit with the constituents' desire for representation because they do not have a real role through which they can express their demands and deliver their voice to decision-making centers.

The Mandaean Sabians did not obtain political gains other than those provided by the quota share. The Representative

Osama Al-Badri received the quota seat in the last elections. Previously, they won membership in the Baghdad Provincial Council, as well as the position of General Director of Mandaean Endowments in the Office of Christian, Yazidi, and Sabian Endowments and headed by Mrs. Nadia Fadel Maghamis.

The Mandaean believe that the major parties are trying to gain control of the quota seat by supporting candidates to gain their loyalty, due to the Mandaean's reliance on individual nominations and their failure to form political parties (AL-Salhi, 2022), Director of the Media Office of Representative Osama Al-Badri and a member of the Sect's Information Office, in Baghdad

Political Representation of National Minorities in State Institutions

In Iraq, political participation of ethnic minorities is essential for building a political system that respects diversity and social equality. These minorities include the Turkmen, Kurds, Faili Kurds, Shabaks, and others, who constitute an integral part of the Iraqi national identity. However, they face challenges such as discrimination, marginalization in politics, and difficulty accessing leadership positions.

● Turkmen

"The majority of the Turkmen are Sunni and Shia Muslims, while another portion follows the Christian faith (Catholicism), and they have their own language (Turkmen). Turkmen is one of the Turkish dialects close to Azerbaijani. The Turkmen predominantly reside in northern Iraq, spanning from Tal Afar west of Mosul, across Mosul, Erbil, Tal Kaif Bridge, Kirkuk, Tuz Khurmatu, Kifri, and Khanaqin.

The Turkmen advocate for the legislation of a 'Turkmen Rights' law and the establishment of provinces like Tal Afar and Tuz Khurmatu, predominantly inhabited by Turkmen. They also demand special status or transformation into a region for Kirkuk province to ensure the preservation of the city's diversity and the position of Turkmen within it.

The Turkmen population was around 800,000 in 2001, estimated to be about 7% to 10% of the country's population, with Shiites constituting roughly 50% of them. Turkmen trace their origins to the Oghuz Turkish-speaking tribes and began settling in Iraq 1,500 years ago (MRG World Directory of Minorities, 2001, P: 349) They are the third-largest ethnic group in Iraq after Arabs and Kurds. However, after 2003, the Turkmen began to complain of marginalization, exclusion, and the weakening of their role in the political process. Their areas have faced demographic changes under the pretext of repatriating Kurds, leading to deteriorating political, security, and military situations (Mardan, 2004, p. 15)

The Turkmen have participated in writing the constitution and in the Governing Council. They also participated in all the local and federal elections that the political process took place in Iraq. Despite the demographic weight of the Turkmen component in Iraq, this was not reflected in their political representation, and this is due to the geography that necessitates the political equation for the Turkmen. The Turkmen are placed on three main lists, one within the Shiite component, the second within the Sunni component, and the third is a national list according to their demographic distribution. For example, the Turkmen in Tuz, Khurmatu, and Diyala participate with the Shiite forces, while the Turkmen in Nineveh are distributed between the Sunni and Shiite forces, while the matter is different in Kirkuk, as they are distributed among the national and religious lists, and in this way, the Turkmen component is dispersed and does not receive more than ten representatives. Turkmen parties are effective in the political arena, such as the Turkmen Front Party, the Turkmen Haq Party, the Islamic Union Party, and the Turkmen Justice Party, but their influence does not extend throughout the Turkmen geography. The parties in Kirkuk are very effective, but in Mosul, Tal Afar, and Diyala, this effectiveness varies from one party to another due to the nature of the orientations of the political leadership of those parties, as well as the financial capabilities of the Turkmen parties. The Turkmen have held several political positions in various governments, such as members of the House of Representatives, the Ministry of Construction and Housing, the Ministry of Youth and Sports, the Hajj (Pilgrimage) Authority, the Ministry of State for Convicted Affairs, the Ministry of Communications, the government representative in the House of Representatives, members of the governorate councils in Salah al-Din, Kirkuk, and Nineveh, a minister of the state within the Kurdistan Regional Government, and the Ministry of Industry in Erbil and other positions, These gains gradually declined (Al-Mufti, 2022).

The local government in Kirkuk was dominated by a Kurdish majority, even the General Directorate of Kirkuk Education, which was part of the Turkmen share, was taken from them on behalf of Arab figures. Besides, the provincial council was composed of 41 people, 26 of whom were Kurds, 9 Turkmen, and the rest were Arabs and Christians. The agreement was to hand over the position of Chairman of the Kirkuk Provincial Council to the Turkmen, but he also lost this position. The Chairman of the Kirkuk District Council was a Turkmen, but he was assassinated. As a result, the Turkmen no longer had important positions. Even the position of Minister of Human Rights, which was the share of the Turkmen, was abolished due to the cabinet reduction carried out by the government of (Haider al-Abadi). This is due to the problem of the fusion of national identity with sectarian identity, in addition to geographical challenges and the influence of external agendas on the orientations and policies of some Turkmen nationalist parties, as there is no single vision among the Turkmen parties to work to achieve the interests of Turkmen community (Rasoui, 2022) a Turkmen activist, As for those who want to engage in political work, they must submit to concessions at the expense of personal and national principle. The Turkmen headed the presidency of the Human Rights Committee in the Iraqi Parliament, as well as the position of Mayor of Kirkuk, who is Falah Yajili, and the Mayor of Tuz Khurmatu, Hassan Zain al-Abidin. The Turkmen are still demanding the position of Governor of Kirkuk because they constitute the majority in the governorate, and they consider this position to be their entitlement as a component (Ramzi, 2022) Turkmen activist.

- Faili Kurds

The Fayli Kurds constitute a segment of the Kurds in Iraq. Between 1940 and 1991, the Fayli Kurds endured a series of displacement operations. They were stripped of Iraqi citizenship due to political, ethnic, and sectarian reasons under successive governments. They also faced arrests, torture, executions, and disappearances during the Iran-Iraq War (1980-1988). The Faili Kurds were subjected to discrimination because they were Kurds first and Shiites second, which weakened their political presence and affected their gains in the institutions of the political system. The Faili Kurdish file was dealt with marginally, in terms of nominations for positions, as the Faili Kurds were treated sometimes on the Kurdish share and at other times on the Shiite share. As for the laws and decisions that concern the Faili Kurds as a special case, they were issued in several stages, but they were not implemented effectively, like many Iraqi laws. Among the most important reasons for marginalizing the issues of the Faili Kurds are internal reasons related to the component itself due to dispersion and external reasons related to the parties that took the reins of power after 2003 and which favor their interests at the expense of the issues of others. Although the Faili Kurds won some positions in the state, they do not represent the Faili Kurds as a component insofar as they represent the sect and party to which they belong. (Al-faili, 2013, p. 102)

- Shabaks

The Shabak community comprises a mixture of Arab, Kurdish, and Turkmen ethnicities. They inhabit the eastern side of Mosul, and a group among them attempts to present the Shabak as a distinct Iraqi community, not Arab, Kurdish, or Turkmen, but rather an independent ethnicity. The Shabak in Iraq primarily reside in the Ninawa Plains, sandwiched between the Tigris, Euphrates, and Khabor rivers. A small population of Shabak also resides in Mosul. Culturally distinct from Arabs and Kurds, the Shabak have their own traditions and their language is a blend of Persian, Arabic, Turkish, and Kurdish. Around 70% of the Shabak are Shia Muslims, while the rest are Sunni. The Shabak have been recognized as a distinct community in Iraq since 1952. (Shabib, 2016, p. 133)

There are no accurate statistics regarding the Shabak population, but estimates from Shabak sources or mere approximations from international organizations suggest their number to be over 250,000. The Shabak, as a minority, face challenges in preserving their cultural identity amid larger ethnic groups (Kurds and Arabs). They demand recognition under Article 125 of the Iraqi Constitution as a national minority and seek the same acknowledgment in the Kurdistan Region's constitution. However, conflicts over their areas as 'contested' places subject them to pressure from larger groups (Arabs and Kurds) due to the absence of institutions concerned with their culture, language, heritage, and the poor level of services in their regions, forcing many from this minority to leave their original areas and desire migration (Salloum, political participation of minority in Iraq, 2017, p. 32)

Their political representation surfaced after 2003, crystallizing their first representative entity on May 20, 2003, which

was the (Shabak Democratic Gathering), which included a group of intellectuals, tribal figures, and an elite of young people who took it upon themselves to represent the Shabak and highlight their independent identity. The Shabak were represented politically in the Iraqi Parliament and the Nineveh Governorate Council by a number of Shabak politicians whose political inclinations and alliances differed within two political movements (the Democratic Shabak Gathering) and (the Ahrar al-Shabak Gathering). In 2006, (Haneen Al-Qaddo) won membership in the Shabak according to the quota within the Federal Parliament. In the 2009 elections, Mr. Qusay Abbas won membership in the Nineveh Governorate Council according to the quota. As for the 2010 elections, Mr. Mahdi Jamshid won membership in the House of Representatives according to the quota. In the 2014 elections, Dr. Haneen al-Qaddo won membership as a candidate outside the quota, however, the position of Undersecretary of the Ministry of Immigration and Displacement was also assigned to Mr. Asghar Abdul Razzaq, who is considered the most prominent executive position held by the Shabak (Salloum, political participation of minority in Iraq, 2017, p. 41)

Conclusion and Recommendations:

Post-2003, Iraq's political landscape has undergone significant transformation aimed at integrating diverse minority groups into the governance framework through a quota system. This system, though well-intentioned, has been critiqued for its inadequate execution and the limited actual empowerment it affords to minority groups. The study underscores that while quotas have enabled some level of minority representation in legislative bodies, they often do not translate into real power or influence in decision-making processes. The ongoing security instability and dynamic political conditions in Iraq exacerbate these challenges, often sidelining the intended benefits of such political frameworks. Moreover, the representation tends to be nominal, with minorities continuing to encounter systemic barriers that diminish their influence in shaping policies that affect their communities.

At the end of this study, it must be emphasized that in addition to the internal factors that were mentioned previously in this study related to the major powers in the Iraqi political system, the security conditions, and the extremist forces that always target minorities, in addition to the legal system that is tainted by many weaknesses that we discussed here, but on the other hand, the actors from outside Iraq direct their effective and influential regional policies on Iraqi politics, which reflect their conflicts and proxy wars on the land of Iraq, or to impose their influence through the gate of playing on identity politics by supporting a specific group, whether of a religious, sectarian, or national character, and encouraging it to Rebellion and disobedience, or through pressure on the government or forces representing the majority, by practicing societal, security, or economic terrorism against minorities, with the intention of gaining full control over Iraq's capabilities or preventing it from stabilizing and rising again in a way that serves the interests and agendas of these countries.

Results

The research illuminates the stark contrast between the legislative intentions of quotas and the reality of their impact on the ground. Despite the establishment of legal frameworks intended to safeguard and promote minority rights, the actual empowerment of these groups remains conspicuously limited. The findings reveal a discrepancy where representation often does not equate to actual power or influence, serving more as a tokenistic acknowledgment rather than a substantive participation in governance. Discrimination and marginalization persist not only in societal interactions but are also entrenched within the legal and legislative domains, further complicating the pursuit of genuine equality and representation

Recommendations:

1. Reform of the Minority Quota System: It is imperative to overhaul the current quota system to ensure that it does not merely fill seats but empowers representatives. This can be achieved by modifying election laws to ensure that voting within minority communities is restricted to candidates who are genuinely representative of and accountable to those communities, thereby enhancing the authenticity of representation. This is done by setting a condition in the Iraqi election law that voters voting for the minority quota must be exclusively ethnic minorities, so that the political representation of minorities is realistic and reflects the desire of political minorities to choose their representatives..

2. Expansion of Political Representation: By recognize the political rights of all minorities, including the Kaka'is,

Zoroastrians, and all components that have not received political representation, so that the political process is inclusive of representation rights for all components without discrimination..

3. Increased Quotas in Ministries: By allocating specific quotas within ministries and other executive institutions, minorities can gain more substantial roles in decision-making processes, thus promoting a more inclusive governance model that reflects Iraq's diverse demographic makeup, This can be achieved by adopting a national strategy that takes into account the inclusion of minorities in ministries.

Overall, the study delineates the complex interplay of socio-political dynamics influencing minority representation in Iraq post-2003, revealing both strides and significant challenges. The establishment of quotas aimed to enhance minority representation in governmental decision-making. However, these quotas often serve as mere formalities rather than empowering vehicles, with the underlying structures still steeped in discrimination and marginalization. The research also highlighted the ineffectiveness of these measures in ensuring genuine representation, with many minorities feeling their voices are symbolic rather than substantive in the political arena.

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