

The Quota System and Its Impact on the Political Participation of Iraqi Women after 2005

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Abstract

The development of countries is now viewed through the extent of women's involvement in decision-making positions, which leads to the removal and change of the concept of backward and traditional values of public life, and that the adoption of the quota system has had positive effects when adopted by countries, as its adoption has led to an increase in the number of women in parliaments and forced parties to include women in their electoral lists. In Iraq, a percentage of (25%) of seats was allocated to women in the Iraqi State Administration Law for the Transitional Period in Article (30/c), and that percentage was also fixed in the Iraqi Constitution of (2005) (Article / 94 fourth) and was confirmed in the Elections Law No. (16) of (2005), and the accompanying amendments, and obligating political parties to integrate women into electoral lists, which helped increase the participation of Iraqi women in political life, so the quota system is considered a renaissance measure for women and a mechanism to support political participation.

Keywords: Quota, Political Participation, Iraqi Women.

1. Introduction

The change that Iraq witnessed after 2003 is one of the most important historical moments in its contemporary history. Political participation in the Iraqi political system is an aspect of democracy and a necessary component for the citizen whose entity has become defined by a set of rights represented in freedom of expression, assembly, establishing parties, and participation in decision-making, in addition to the right to education, work, equality, and the right to choose and monitor rulers, to highlight the importance of the political participation of Iraqi women within these issues, as it is possible to say that any country in the world that wants to build an advanced modern experience based on social cohesion must give women an important role in political life alongside men. For decades, Iraqi society has been subject to an individual system during which women's political participation has been weak, in addition to social traditions and customs that hinder their participation. Therefore, leaving society without intervention will only result in reproducing the existing and prevailing conditions previously. In order to provide

women with the opportunity to contribute to political decision-making, a set of legislative and executive mechanisms and means must be available to lead a democratic transformation process accompanied by respect for human rights, in addition to the existence of just electoral laws. Among these means is amending national legislation to ensure the elimination of all forms of discrimination against women to allow them to participate effectively in political life. Therefore, the (quota) system was enacted, which achieves comprehensive representation for all segments of society. Although elected structures are intended to be a mechanism to enable the people, groups and individuals to represent their ideas and interests through electoral systems and referendums, and because the obstacles are still great for women to reach the House of Representatives, and because overcoming them will not be easy or quick, providing women with the opportunity to reach parliament membership through this system allows them the opportunity to prove their ability and competence, and then the possibility of reaching it later. Without a quota. The feminist quota system in Iraq came about as a result of a combination of factors, the most prominent of which was the activity of some feminist civil society organizations that wanted to participate in this process, which also spread widely in Iraq as part of the results of the change.

First: The importance of the research:

It lies in studying the nature of the (women's quota) system in Iraq, the mechanisms of its implementation, and the results that the implementation of that system produced in the political participation of Iraqi women.

Second: Research methodology:

The research relied on the use of more than one method, including the historical method to clarify some historical points, in addition to the method of systems analysis to present the topic and analyze constitutional and legal texts and political practices, and we also used the comparative method to complete the analysis of comparative models.

Third: Research questions:

The research raises several questions, the most important of which are:

- 1- What is the purpose of implementing the women's quota system?
- 2- What are the results that resulted from implementing the women's quota system?
- 3- What are the repercussions of implementing the women's quota system on the political process in Iraq?

Fourth: Research hypothesis:

Which is based on the assumption that the political participation of Iraqi women after 2003 is an important matter, as there must be mechanisms to activate this participation, so the quota system was the mechanism that ensures women's access to the House of Representatives and decision-making centers.

Fifth: Research structure:

The research is divided into an introduction and three requirements in addition to the conclusion. The first requirement deals with the nature of the quota system, while the second requirement deals with the applications of the women's quota system at the global and Arab levels, while the third requirement deals with the application of the women's quota system in the Iraqi electoral systems.

The first requirement: The nature of the quota system:

The weak participation of women in the political process is a major problem for women's presence in the public sphere, as their participation is governed by several circumstances, including social, cultural and legal, so the rates of their participation and obtaining their political rights differ from one country to another, and women have suffered from marginalization and exclusion, which resulted in their absence from political life or at least their weak representation in parliaments, and their reluctance in many cases to participate in decision-making.

Therefore, the quota (electoral shares) is one of the most important political reforms, as it is a temporary solution that addresses the problems related to women's political participation, and to facilitate the participation of groups whose chances of winning in parliament are weak, so many countries have adopted the quota in their electoral systems, and the women's quota was the most widespread, and it is stipulated in constitutions or electoral laws that require a specific percentage for all parties, and the quota system has received mixed reactions between supporters and opponents.

The first section: The concept of quota:

The origin of the word (quota) is Latin and means in English (Quota) any allocated share or part, but in the Arabic language it has no literal translation, but it was transferred in its English pronunciation to Arabic in the modern era, and is used in Arabic as a word that refers to the relative share in parliamentary systems, and in terminology (quota) is known as the positive measure that establishes a fixed percentage, or a number for nominating or representing a specific group, most of the time in the form of a percentage, and quotas have been used in general to increase the participation of a group that is underrepresented in decision-making positions, for example in parliaments and local governments (Abdul-Hay 2009, 48).

It is also known as a number of seats in an elected body, or a specific percentage of candidates on party lists or political entities allocated to representatives of a specific group, and is used to ensure the nomination or election of a minimum number of women or minorities, and the quota is also known as (reciprocity), meaning that the candidate entering the list is either a man followed by a woman or a woman followed by a man, and so on.

The quota system also works to determine the rates or numerical conditions that guarantee the participation of the targeted groups, the goal of which is: broader representation of groups; due to their gender, geographic area, ethnicity, race, or disability (Larsrud and Taffron, 2007, 28). It can be defined as: an electoral system allocated in the general election law to guarantee the rights of minorities to reach political power, and it is: a type of positive intervention to accelerate

equality or reduce discrimination between different groups in society, especially between men and women (Al-Shar'a and Ghawanmeh 2009, 663). It can be said that the quota system is based on a central idea, which is the necessity of reconsidering the intellectual structure of equality and justice without departing from the circle of liberal political theory, from the perspective that justice requires dealing unequally and in favor of the harmed and deprived so that all members of society are equal in the long run. Originally, the quota is a type of special political representation rights, which are usually granted to national and religious minorities alongside non-ethnic social groups, such as women, as this is based on the idea that the democratic political system fails to express societal diversity, because parliaments in most countries are under male domination. In order for political institutions and the political system in general to be more representative and tolerant, they must include members of national and religious minorities, in addition to women, people with special needs, and others known as the "disadvantages," by allocating relative "quotas" of parliamentary seats and effective job positions (Majid and Al-Khattat 2018, 303).

Second Section: Women's Quota Types:

The criteria applied in classifying women's quotas vary. Some studies classify the quota based on its source into (constitutional quota, legislative quota, and party quota), while others classify it based on the method of its application into two categories: (nominating quota and representative quota), and there are those who classify it into legislative quotas and party quotas. We have chosen a classification through which we try to combine the different classifications of quota types, which is (mandatory quota and voluntary quota).

First: Mandatory or compulsory quota:

It means that it is stipulated in the constitutions or legislation of countries that adopt this pattern, and the reason for adopting the mandatory quota stems from the nature of society, cultural obstacles, and entrenched stereotypes that prevent women from obtaining their political rights, as the quota system did not come as a result of the gradual development in the awareness of peoples, but rather they imported it ready-made from previous experiences, which makes it difficult for parties to adopt this system voluntarily and by their will sometimes to achieve (Rasheed 2021, 517), and the mandatory quota pattern is divided into three types, which are:

A. Constitutional quota: which is included in the state constitution in an explicit text, allocating seats for women in parliamentary and local councils, and Iraq is the first Arab country whose constitution stipulated the quota system, as the Iraqi Constitution of (2005) stipulated in Article (49/Fourth) "The Elections Law aims to achieve a representation rate for women of no less than a quarter of the number of members of the House of Representatives", and this constitutional rule established legal rules that worked to achieve broad participation for women in elected councils (Zuwaini 2017, 90), and we find the same in the Algerian Constitution of (2008 AD) after its amendment, as Article (31) stipulated that the state work to promote women's political rights by expanding their chances of representation in elected councils (Balía 2017, 90), and Article (180) of the Egyptian Constitution of (2014 AD) also stipulated the allocation of a quarter of the parliament seats to women (Al-Qams 2017, 23).

B. Legal quota: It is the allocation of a share for women by issuing or amending laws that guarantee women's equal presence in elected councils. These laws stipulate the allocation of a certain percentage of seats or the reservation of a number of them for women (Al-Shabib 2017, 43). Jordan adopted this type within Elections Law No. (11 of 2003) amended by Law No. (9 of 2010), and Palestine and Tunisia (after the January 2010 revolution) also followed the legal quota (Rasheed 2021, 519).

C. Mandatory party quotas: Many countries apply them alongside the constitutional and legal quotas or come in conjunction with them. They are of two types: the first is a mandatory party quota at the level of nomination lists, where laws force parties to nominate a specific percentage of women on their lists as a condition for accepting their participation in the elections. The second is the mandatory party quota at the level of the party structure. Within this type of quota based on obligating parties to adopt a specific percentage of women at the level of their organizational structures, parties are obligated to strive to organize and motivate women and search for potential female candidates. It also gives women a guaranteed opportunity to occupy an important position within the parties. A number of Arab countries have adopted the party quota model at the level of nominations, such as: Palestine, Tunisia, and Egypt. As for the party quota model at the level of the party structure, Algeria is the only Arab country that has adopted it (Samina 2020).

Second: The voluntary women's quota system:

This type is based on the principle of voluntariness, as there is no binding legal text, but rather it is voluntarily adopted by political parties to ensure that a specific number or percentage of women are nominated on party lists. This type is not binding, and failure to adopt it does not result in any legal violations (Youssef 2005, 9). This type is of great importance in activating women's political participation, as parties' adoption of it reflects a belief in women's right to representation and not through the obligation of a legal text or legislation (Al-Shabib 2017, 88).

This type is adopted in most countries with a well-established democratic structure, as parties, especially large ones, adopt policies and procedures to support women's political role, by approving a share for them in party representation. The importance of this type lies in the fact that it changes the stereotypical image of women, as the majority parties nominating a percentage of women on their lists prompts other parties to adopt the same policy towards women, which leads to changing individuals' beliefs about women's participation (Al-Sheikh 2014, 293). Despite the success of the voluntary women's quota experiment adopted by parties and its importance in political empowerment and the adoption of the voluntary women's quota system by more than (125) political parties in (61) countries, there are only two Arab countries that have adopted this type of women's quota: Morocco and Tunisia (before the 2011 revolution) (Rashid 2021, 521).

The study also found that there is another division of quota patterns that depends on the application of the quota system and is divided into two patterns: (quota during the nomination process, and quota that targets the final results of the electoral process):

A. The women's quota system during the nomination process:

which aims to facilitate the placement of women in strategic positions among the candidates on the party lists (or to ensure their nomination in specific districts) in a way that guarantees them equal (or almost equal) opportunities to be elected to the elected bodies. The quota provisions applied during the nomination process also vary between (loose provisions) and strict provisions. The first does not set specific and encouraging nomination rules (for example, setting a minimum of 20%) for women on the list without clear rules about their order on the list, which may result (in electoral systems that use the list) in placing them at the bottom of the list, where their chances of being elected diminish, as in Algeria, where the electoral law obliges parties to submit party lists in which women occupy a percentage of (30%), without regulating the position of women on the electoral list and did not specify a specific order for them (Youssef 2005, 9). As for the strict provisions, they set strict rules that specify a specific order for women in the face of men on the lists. In this case, the order may take the form of an exchange order system where women exchange order with men on the list. The other option may be to set a specific ceiling on Nomination rates, and this approach was followed by (Iraq, Palestine, and Tunisia). In Palestine, for example, the electoral law required every list wishing to run to include one woman among the first three names, and two women among the four names that follow that, and the list includes a woman among every five names that follow that (Al-Shabib 2017, 88).

B. Results-oriented women's quota system:

This system guarantees a specific percentage or number of seats allocated exclusively to women. In this case, the quota system does not only guarantee women's candidacy, but also guarantees their access to the House of Representatives (Al-Azbawi 2014). For example, a percentage of (25%) of elected council seats is for women, or a number (for example, 30 seats out of 150 seats) of elected council seats are allocated exclusively to women. The existence of women's electoral lists or constituencies can be considered one of the forms of results-oriented quotas. This form assumes that candidacy in such constituencies or electoral levels is limited to women. The best-loser system can also be considered another form of this type of quota, as female candidates who receive the highest number of votes, not exceeding the number allocated to the quota, can be considered winners regardless of the votes received by male candidates (Al-Khalidah 2014, 229).

The second requirement: Applications of the women's quota system at the global and Arab levels:

A number of countries in the world have adopted the quota system or quotas allocated to women as a quick and effective means of dealing with the underrepresentation of women in legislative councils. After this system, a gradual procedure allows for the development of political culture and the removal of obstacles to women's participation in decision-making positions, and enhances the role of women in political life.

The first section: Applications of the women's quota system at the global level:

All electoral systems in Scandinavian countries operate on a proportional representation system, albeit in different forms. Which led to an increase in the rates of women's representation in parliaments there. In Sweden, for example, the percentage of women's representation is (44.7%), in Iceland (39.7%), in Norway (39.6%), and in Denmark (39.1%). Most Western European countries also operate with a party quota system at a rate that may reach (50%) (equal or quota).

As for Costa Rica, it chose the fast track by adopting a strict quota law (40%) and an effective system for implementation. Thus, the percentage jumped in a record period from (23.91%) to (31.58%) in the year (2002 AD). Denmark needed twenty years and eight electoral cycles to achieve such an increase (ESCWA 2013, 10). In Indonesia, the percentage of women's representation was (11.27%) in the year (2004 AD), after which legislation was passed that applies only to general elections, requiring political parties to include a percentage of women in the party candidates' list in each electoral region of not less than (30%), which led to an increase in their representation to (18.6%) in the year (2009 AD). In Bangladesh, in the year (1978 AD), the number of women's seats in parliament increased by presidential declaration to (30) seats out of (330) to constitute (9%) of the seats, then increased in the year (2011 AD) to (50) seats out of (350) to constitute (14.28%). India allocated (33%) of the seats to women in all elected local bodies and councils, according to the constitutional amendments (1973 and 1974 AD) (State Institution 2002, 42). The global classification of women's parliamentary participation for countries came after (20) years of adopting the women's quota, as shown. In Table No. (1).

Table (1): Global ranking of women's parliamentary participation.

| Category | Country | Percentage of Women (%) |
|----------|--------------------------|-------------------------|
| 1 | Sweden- Europe | 40.4 |
| 2 | Norway- Europe | 39.4 |
| 3 | Denmark- Europe | 33.5 |
| 4 | Finland- Europe | 33.5 |
| 5 | Netherlands- Europe | 32.5 |
| 6 | Seychelles- Africa | 27.3 |
| 7 | Austria- Europe | 26.8 |
| 8 | Germany- Europe | 26.3 |
| 9 | Iceland- Europe | 25.4 |
| 10 | Argentina- South America | 25.3 |

The above tables show that the women's quota system has yielded important results, represented by an increase in the number of women in parliaments. In 1995, eight European countries were among the top ten countries in the world in terms of the number of women in parliament, as well as one country from Latin America and one from Africa. However, in 2015, after adopting the quota system in African countries and Latin America, the number of women in parliament in these continents increased and significantly outperformed many European countries, which confirms the success of this system.

Section Two - Applications of the Women's Quota System in Arab Countries.

Women's presence in Arab parliaments has witnessed a remarkable boom since the beginning of the twenty-first century, as their representation rate increased from (3.5%) in the year (2000 AD) to reach nearly (18%) during the year (2020 AD). This progress is attributed to the application of quota systems that aim to address historical (gender) imbalances in terms of political participation. The introduction of the women's quota system gained momentum as a strategy that starts from the top of the pyramid to its base in an effort to accelerate women's participation in the political sphere. This quota was then viewed not only as a mechanism for enforcing women's

rights, but was also considered a means followed by Arab governments to comply with the standards of (democracy) (El-Husseini 2023).

A number of Arab countries took the initiative to adopt the quota system at the beginning of the second millennium, more than (30) years after the declaration of the Convention on the Elimination of All Forms of Discrimination against Women. The Arab experiences came in succession: The Arab Republic of Egypt adopted the quota system under Law (21 of 1979), which stipulated raising the percentage of women's representation in the People's Assembly to a share of no less than (30) seats. After the revolution (January 2011), this law was abolished. However, the Egyptian Constitution of (2014) stipulated guaranteeing women's representation with (70) seats, divided into (56) seats through the closed list, and (14) seats through appointment (Al-Fahs 2017, 6). In the Kingdom of Morocco, the legislator attempted in (2002) to allocate a percentage of the seats in the House of Representatives for women, but the Constitutional Council considered the content of the article concerned with the quota to be in conflict with the constitution, which guarantees gender equality. The parties, for their part, adopted the quota system for women without stipulating it in the law (Al-Shabib 2017, 63). The Hashemite Kingdom of Jordan also implemented the quota system for the first time in the year (2003 AD), under the Temporary Elections Law No. (11 of 2003 AD), which allocated (6) seats for women in the House of Representatives. In the year (2010 AD), an amendment was issued to the Elections Law, whereby the quota was doubled to (12) seats (Al-Khaza'i 2012, 283). The quota was approved in Palestine in the year (2005 AD), with the issuance of the Legislative Elections Law No. (9), which stipulated a nomination quota for women at a rate of (20%) as a minimum of the number of members of the Legislative Council, which consists of (132) members (Al-Shabib 2017, 104). In the Tunisian Republic, the quota was adopted for the first time in the 2004 elections, when the ruling party at the time adopted a quota system in the nomination lists at a rate of no less than 20%. In 2009, the percentage of women in parliament reached 27.5%, making Tunisia the first country in terms of women's representation in Arab parliaments (Rashid 2021, 517). As for the Algerian Democratic Republic, it adopted local legal reforms relatively late to expand women's chances of reaching elected councils. These reforms included the quota law as an incentive mechanism to increase women's participation in the political process. Parties were forced, according to Organic Law No. 12/35 issued in 2012, to adopt the women's quota system (Balía 2017, 93). As for Iraq, women did not have the opportunity to enter the political councils, but the conditions for building the state after the collapse of the previous political system in (2003 AD) helped to include women in the political body and expand their participation. The Iraqi State Administration Law for the Transitional Period came with a new system that was not known in the previous constitutions of Iraq, nor the election laws, regarding how to fill the seats of the National Assembly. This system is known as the (women's quota system) or (women's quota), in order to reduce the gap between the representation of men and women in parliament, which was wide in the previous systems, so the constitutional legislator took notice of it and included special provisions for it in the constitutional document and the election law confirmed it (Al-Ubaidi 2008, 32). It is worth noting that (11) countries out of (22) member states of the League of Arab States have adopted the women's quota system since the year 2000, in order to ensure the representation of women in their national parliaments, as shown in Table No. (2).

Table (2): Date of adoption of the quota system by countries and the percentage of seats allocated to women

| Number | Country | Quota Type | Date of Adoption | Percentage (%) |
|--------|------------|-------------------|------------------|----------------|
| 1 | Algeria | Political Parties | 2002 | 8 |
| 2 | Djibouti | Reserved Seats | 2002 | 14 |
| 3 | Egypt | Reserved Seats | 1979-1986-2009 | 2 |
| 4 | Iraq | Legal Nomination | 2004 | 25 |
| 5 | Jordan | Seats | 2003 | 12 |
| 6 | Mauritania | Legal Nomination | 2006 | 22 |
| 7 | Morocco | Political Parties | 2002 | 10.8 |
| 8 | Palestine | Legal Nomination | 2002 | 13 |
| 9 | Somalia | Reserved Seats | 2002 | 8 |
| 10 | Sudan | Reserved Seats | 1973-1984-2005 | 25 |
| 11 | Tunisia | Political Parties | 2004 | 28 |

The third requirement

Implementing the women's quota system in the Iraqi electoral systems

Iraqi women suffered from weak effective political participation in previous eras, the absence of democratic values and traditions, and the lack of political stability for many reasons, including: occupation, internal and external wars, lack of respect for human rights, the dominance of patriarchal authoritarian culture, weak culture of advocacy and support for the protection of women's rights, the spread of illiteracy among women, the lack of equal opportunities and incorrect upbringing and education, and other reasons that worked to marginalize and exclude women from political participation. As a result of these political, cultural and social challenges suffered by Iraqi women, the women's representation system (quota) was created as a positive intervention mechanism for the benefit of women, and a step on the path to equality, democracy and political reform, as it was necessary to amend their status in accordance with human values as they represent a productive and influential energy, and constitute half of society.

The first section: Women's quota in Iraqi legislation:

By following the constitutional and legal legislation that passed through Iraq since the Royal Constitution of (1925 AD) known as (the Iraqi Basic Law), and up to the Interim Constitution of (1970 AD), none of the legislations mentioned above stipulated the subject of the quota, and the same is the case in the electoral laws enacted at that time, as the quota system was not mentioned, which was not explicitly known even on a global scale. As for the Iraqi legislation after 2003 AD, the most important of them are:

1. The Unified Coalition Authority and the Transitional Governing Council on (12/July/2003) granted partial powers to manage the affairs of Iraq and included (25) representatives, and there were only three women in the council, namely (Raja Habib Al-Khazai, Salama Al-Khafaji who replaced Aqila Al-Hashemi who was assassinated in September 2003, and Sun Kul Jabuk from Kirkuk) who were chosen with the approval of the civil governor Paul Bremer, and thus they constituted a percentage of (12%), and did not witness any role for women.

2. The Iraqi State Administration Law for the Transitional Period, which was established by agreement between the Governing Council and the Coalition Provisional Authority on (November 15, 2003), which was considered a temporary constitution for the state, was considered a qualitative shift in the view of the status of women in decision-making centers. Article (12) of the Iraqi State Administration Law for the Transitional Period explicitly stated "equality in gender, sect, opinion, belief, nationality, religion, and origin," and Article (13) emphasized "the public freedoms of women and men, and with regard to the common social rights of women and men," and Article (20/a/b) also stated political rights, including freedom to vote in elections, and non-discrimination on the basis of gender. Article (30) stated that "the National Assembly shall be elected in accordance with the Elections Law and the Political Parties Law, and the Elections Law aims to achieve a representation rate of women of no less than a quarter of the members of the National Assembly." In line with the State Administration Law, the Elections Law stipulated that women be among the names of the first three candidates, i.e. two female candidates among the names of the first six candidates, and so on until the end of the list, i.e. the number of women in a single list that reaches a maximum of (275) may become (92) female candidates within this list (Abdul Ali 2012, 154-155). As a result of applying the (women's quota) system, women obtained (87) seats out of (275) total seats in the National Assembly elections held on (1/30/2005), i.e. (31%) (Hussein and Abdul Hussein 2015, 44).

3. The Iraqi Constitution of 2005: The first task of the National Assembly was to write the constitution, and all political blocs were represented in it. What concerns us in this matter is the number of women, which is (9) in this committee out of (70), i.e. (7.77%) of the total members of the Constitution Drafting Committee (Rasheed B 2018, 448). The Iraqi constitution came in the second chapter on rights and freedoms and was divided into two chapters. The first of them included rights, which are divided into civil, political, economic, social and cultural rights. As for the second chapter, it included freedoms. The text on human rights and basic freedoms in the core of the constitutional document means giving these rights a special sanctity. It stated: (Iraqi Constitution 2005).

A. Its preamble states that (no discrimination or exclusion), which indicates equality between male and female citizens. It also states that "We, the people of Iraq... are determined, with our men and women... to respect the rules of law, achieve justice and equality, care for women and their rights... and spread the culture of diversity..." Thus, the preamble explicitly acknowledged the achievement of justice and equality between men and women.

B. Article 14 also states that "Iraqis are equal before the law without discrimination based on gender, race, nationality, origin, color, religion, belief, opinion, or economic or social status," thus emphasizing the principle of equality among all Iraqis.

C. Article 15 affirms that "equal opportunities are a right guaranteed to all Iraqis, and the state guarantees taking the necessary measures to achieve this." Although equal opportunities is an explicit text in seeking to activate the role of women and their political participation, this article has been criticized by some specialists because it did not set the controls that guarantee this equality for women.

D. Article (20) came to guarantee women's right to participate politically and manage their country's affairs like men, as it indicated that "citizens, both men and women, have the right to participate in public affairs and enjoy political rights, including the right to vote, elect and run for office."

E. Article (49/4) stipulated that "the election law aims to achieve a percentage of women's representation of no less than a quarter of the number of members of the House of Representatives." Thus, this article is the most important guarantee for women's political participation, and it can be considered a clear and positive indication that the Iraqi state has adopted women's participation in the political process, and thus this in turn constitutes an incentive for women's movements to occupy their seats in parliament, despite the difficulties and obstacles that this entails (Khalil 2018, 430).

The second section: The impact of the women's quota on the parliamentary elections in Iraq:

After the Iraqi Constitution of 2005 included the political rights of women, and explicitly stipulated the quota system, and based on the above, Election Law No. (16) was enacted on 5/10/2005, and after that, Iraqi women participated in the legislative electoral cycles for the period (2005-2021), which are as follows:

First: The first electoral cycle (December 15, 2005): The 2005 Council of Representatives elections are of great importance as they are the first legislative elections to be held after the writing and approval of the permanent constitution of the Republic of Iraq for the year 2005, and they were characterized by the broad participation of Iraqi citizens, as the participation rate reached (79.62%) (Yasser et al. 2012, 81). Women obtained (73) seats out of a total of (275) seats, i.e. (26.5%), due to the application of the quota system stipulated in Article (30/C) of the Iraqi State Administration Law of (2004), which was later translated into the Iraqi Constitution of (2005) in Article (49/Fourth). Just as the electoral system in the National Assembly relied on the closed list, the electoral system in the first electoral cycle relied on the same system. Women's share was about a third (Al-Zuwaini 2016, 106). As for women's participation in parliamentary committees in the first electoral cycle, the percentage of women's representation in the Human Rights, Displaced and IDPs, Education, Labor and Services Committees exceeded 60%, while their representation in the Finance Committee did not exceed 29%, and in the Economic, Investment and Reconstruction Committee 23%. Women's participation was also absent in six committees out of a total of 24 committees, including security, defense, oil and gas, natural resources, agriculture, water and marshlands (Jassim 2012, 144).

Second: The second electoral cycle for the period (2010-2014): The number of female candidates in the elections (7/March/2010) increased, reaching (1815) female candidates, indicating a qualitative development in the view of the democratic system and women's political participation. The election results showed that women won (82) parliamentary seats, which achieves the quota percentage, and (66) of them were female representatives who won on the basis of the quota and (15) of them without a quota, which is equivalent to (4.5%). The Sadrist movement had the greatest share of them, as its female candidates won (12) seats, followed by the State of Law, who won (6) seats, while the share of each of the Iraqi List and the Kurdistan

Alliance was (2) seats each (Jassim 2012, 146). As for women assuming the presidency of committees, they chaired four committees, namely (Health, Environment, Services, Age, Women, Family, Childhood, Members' Affairs, and Parliamentary Development). The number of laws for the second electoral cycle was (217), the share of what pertains to women's affairs (five laws) that are the products of the Women's Committee in the House of Representatives (Al-Zuwaini 2016, 111).

Third: The third electoral cycle for the period (2014-2018): The third legislative elections were held on (30/4/2014) and (22) women reached the Iraqi Council of Representatives without the need for a "quota" out of (83) who constitute (25%) of the total members of the Iraqi Council of Representatives, which is (328) members. Thus, she achieved great success in these elections, the first of its kind in Iraq and the Arab world, by winning seats in the Council of Representatives in competitive elections with men face to face, with a percentage of (5.6%) of the total seats without the need for a quota. This is a positive indicator that shows the extent of the development in the trends of the Iraqi voter towards voting for women. These elections also witnessed the victory of the representative (Hanan Al-Fatlawi) with the highest votes in her governorate (Babil) and her ranking sixth in the list of those who received the highest votes in Iraq (Hashem and Zahir 2019, 172).

As for their representation in parliamentary committees, the situation remained the same in the sovereign and active committees in the Council. The Legal Committee includes (4) women out of a total of (17) members, the Oil and Energy Committee includes one woman out of a total of (16) members, the Integrity Committee also includes one woman out of a total of (21) members, and the Finance Committee includes (5) women out of a total of (21) members. Women chaired three committees, which are (the Civil Society Institutions Committee, the Women, Family and Children Committee, and the Culture and Media Committee). The number of committees in which women represent (50%) or more did not exceed four committees, and their presence was limited to secondary committees such as the Human Rights Committee, the Services and Reconstruction Committee, and the Martyrs and Political Prisoners Committee. (Official website of the Iraqi Council of Representatives)

Fourth: The fourth electoral cycle for the period (2018-2021): The parliamentary elections for the year (2018) took place and a positive phenomenon occurred, which can be called a decline in male awareness among the Iraqi voter, and this is not due to the slight increase in the number of seats won by women, as the quota percentage given by the Iraqi election law to women should not be less than 25%, which is equivalent to (81) women, and women won (84) seats in parliament, and perhaps what is more significant than that is that (Majida Al-Tamimi) occupied the first seat for Baghdad candidates and won more than (54) thousand votes. The importance of this data lies in the fact that an increasing number of female candidates no longer need the (quota) (Issam Al-Khafaji 2018), and this percentage indicates a positive state in the parliamentary performance of women, which encouraged voters who are accustomed to electing men without women to give their confidence to have a woman as their representative in parliament, and at the same time it is an indicator of the development of participation Quality and reality for women (Al-Azzawi 2012, 161).

As for their representation in parliamentary committees, it is still limited, as women have only chaired three of the total parliamentary committees, which are (the Education Committee, the Culture Committee, and the Women, Family and Childhood Committee), and they have not been represented in committees such as security, defense, and clans, and the Civil Society Institutions and Parliamentary Development Committee, and they have not been represented in sovereign and influential committees, similar to previous sessions. In the Foreign Relations Committee and the Legal Committee, their representation did not exceed (27%), and in the Finance, Integrity, Oil and Energy Committees, it did not exceed (18%), while in the Regions and Agriculture Committees, their representation did not exceed (8%) (official website of the Iraqi Council of Representatives).

Fifth: The fifth electoral cycle for the year (2021): The fifth legislative elections were held on (10/October/2021) after the popular protests that erupted at the end of (2019) and as a result of which the Abdul-Mahdi government submitted its resignation, during which Iraqi women achieved great progress, as they were able to win (97) seats, an increase of (14) seats over the quota allocated to women, while these results showed that (57) women won with their voting power without the need for the quota, and by calculating the total number of seats obtained by women, their parliamentary representation increases from (25%) in the past cycles to (30%), and the main reason for this increase lies in the reliance on the electoral district system that allowed them to exceed their fixed percentage (Al-Dabbagh 2021), as shown in Table No. (3).

Table (3): Participation of Iraqi women in the legislative electoral cycles for the period (2005-2021)

| Election cycle date | Quota seats | Non-quota seats | Number of members of parliament |
|---------------------|-------------|-----------------|---------------------------------|
| 2005-2010 | 73 | 21 | 275 |
| 2010-2014 | 81 | 15 | 325 |
| 2014-2018 | 83 | 20 | 329 |
| 2018-2021 | 84 | 22 | 329 |

2. Conclusion:

Women's political participation and access to parliament cannot be achieved by slogans and wishes, but rather requires the existence of legal mechanisms that guarantee and protect their participation and representation in most of the state's joints, which requires constitutional guarantees for women's rights and representation. Therefore, international organizations, headed by the United Nations General Assembly, worked to approve legislation related to human rights without discrimination between men and women, and these rights have become the most important challenges facing the human rights system at the national and international levels. Therefore, countries sought to establish constitutional texts in order to open the door to women's participation in the political work of the state and its representation, whether in government or parliamentary positions or others, and to empower women with these rights and not marginalize them.

At the global level, especially in the countries of the North, the first wave of women's movements appeared in European conferences and sessions, and this wave appeared in the United States of America in light of the movements opposing slavery and slavery that demanded that women be given the right to vote in elections, the right to marry, and the right to own property.

At the Arab level, women's participation in political life was one of the main popular demands in the post-independence period, and was an expression of Arab societies' recognition and appreciation of the role played by Arab women in various aspects of life. Hence, there was a keenness to advance women to help them activate their political role in society and place them in the position that suits their historical role. Most Arab constitutions included important texts to increase women's political participation and their access to parliament. As for Iraqi women, they achieved a lot of political participation after the change in 2003 and their entry into parliament, and after the approval of the Iraqi constitution of 2005, which stipulated in more than one place the importance of human rights in general and women's rights in particular. In order to overcome the obstacles and challenges that hinder women's political participation, many countries adopted quotas in their electoral systems, and the women's quota was the most widespread, and quotas are usually introduced through political reforms that involve changing constitutions or electoral laws that require a specific percentage of women to be specified on electoral lists and parliamentary seats.

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