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The Governance System in Contemporary Iraq: From Institutional Fragility to the Prospect of Smart Governance

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ABSTRACT

Political and institutional developments in Iraq after 2003 have demonstrated that weak governance structures, systemic corruption, the inefficiency of supervisory institutions, and ethno-sectarian divisions have been among the main challenges to the continuity of the state in this country. This study examines the pathology of Iraq's governance system, focusing on the incomplete democratic transition, elite empowerment processes, and the destructive effects of foreign actors' interventions. The governmental structure based on ethnic and sectarian quota allocation (muhasasa), although initially designed as a mechanism for inclusion and participation, has in practice led to the strengthening of sectarian identities over national interests, the weakening of the rule of law, and the emergence of a rent-seeking and corruption-based political economy. The analysis of the current situation reveals that Iraq faces a profound paradox: the coexistence of formal democratic structures alongside informal and quasi-state governance. Ultimately, this article outlines a vision for transitioning toward smart governance as a means to enhance transparency, accountability, and institutional efficiency in Iraq, and proposes strategies to reduce dependency on quota-based governance models.

Keywords: *governance, Iraq, historical analysis, political–social change*

Introduction

Iraq is considered one of the transitional countries in the Middle East. After the fall of the Ba'ath regime, the political structure of the country entered a new phase, as prior to that, Iraq was under the dictatorial rule of a Sunni minority represented by the Ba'athist government, while other groups such as the Shiites, Kurds, and Turkmens had no presence in the central government (1-3).

Following the occupation of Iraq in 2003, as mentioned at the outset, a turning point emerged in the country's trajectory of political stability and instability. In fact, after the occupation and the collapse of the Ba'ath regime, many expected the formation of a stable and democratic system. However, the post-Saddam years not only failed to bring political and economic stability but also dragged Iraq into a cycle of violent conflicts that resulted in the massacre of thousands of people and the destruction of the country's economic and social infrastructure (4-6).

According to researchers and considering Iraq's historical and current conditions, the country has not properly undergone the processes of either nation-building or state-building. The people of Iraq have never had the opportunity to reflect on their circumstances in a relatively stable environment. In this regard, Iraq has faced fundamental challenges not only politically but also economically. The main issue in designing an economic strategy for Iraq seems to be the failure to align its economic conditions with international standards (7, 8).

Good governance is an idea that emerged due to the inefficiency of previous development mechanisms. It seeks to direct states and their administrative and political structures toward minimizing corruption and internal dysfunctions that typically weaken political and administrative institutions (9). This concept is characterized by mechanisms such as enhancing accountability within government, promoting the rule of law, justice, participation, efficiency, and effectiveness. Although it has not been long since good governance was introduced as a new managerial paradigm, it has stimulated extensive debates among scholars and has become one of the most prominent and engaging concepts in social sciences, particularly in public administration (10, 11).

It appears that the principles and elements of good governance theory are not incompatible with the values of Islamic countries, and such countries can utilize these principles to establish more efficient and transparent systems (12, 13). Today, good governance, as a fundamental concept, holds great importance at all levels of organizations and societies. Focusing on transparency, justice, participation, and efficiency, this type of governance profoundly impacts performance and development. Through transparent and accountable processes, good governance strengthens public trust and contributes to sustainable development (14).

Effective participation by considering diverse opinions and needs leads to improved decision-making and implementation. Moreover, good governance reduces corruption, facilitates economic growth, and ensures human rights, enabling organizations and societies to evolve and flourish (15). Ultimately, good governance acts as a powerful tool that fosters balance, stability, and interaction across social structures.

On the other hand, unemployment represents a significant economic and social phenomenon that has profound consequences not only for individuals but also for economic systems. It leads to the loss of human potential and skills and results in resource underutilization. Unemployed individuals face financial and psychological difficulties, which can increase poverty and crime rates in society (16, 17).

In addition to the lack of stability and transparency and the high rate of violence, adopting good governance mechanisms in Arab countries in general and Iraq in particular has become an urgent necessity for ensuring a better life for citizens. Hence, good governance represents an integrated system of traditions and institutions essential for exercising governmental authority processes, such as elections, oversight, and power transfer. It enables the formulation and implementation of effective policies and ensures collective respect for institutions (18, 19).

The philosophy of good governance lies in creating a healthy environment that guarantees the sustainability of human development and a decent standard of living by integrating and interacting across three main dimensions: the political dimension—related to the nature of political authority and its legitimacy; the technical dimension—concerning administrative performance, efficiency, and effectiveness; and the socio-economic dimension—related to the nature of political legitimacy, the structure of civil society, its vitality and independence from the state on one hand, and the impact of public policies in economic and social fields on citizens' poverty and quality of life, as well as their connection with external economies and other societies on the other hand (20).

Thus, good governance is not an end in itself but a means to achieve broader objectives, the most important of which are economic and human development, preservation of state revenues, and the creation of a stable and

comfortable environment for human life. The six standards or indicators through which good governance is assessed reflect these comprehensive goals (21).

Regarding the subject of governance, a research gap remains, and few studies have been conducted by scholars. Ebrahimi (2021) concluded that based on the idea of good governance as a new model of administration, adherence to components such as the rule of law, responsibility, accountability, participation, and transparency is essential in decision-making and the actions of officials and policymakers (22). Nia (2022), in his article titled *A Pathological Study of the Political System and Governance in Iraq*, asserted that higher levels of per capita income, gross domestic product, equitable distribution of services, public projects, and nation-building in Iraq increase the durability and stability of electoral democracy in the country. Failure to adhere to good governance will influence the future of power relations in Iraq (7).

In this study, the researcher employs a descriptive–analytical method to examine the pathology of Iraq's governance system.

Research Method

This study adopts a descriptive–analytical method. Data collection was carried out through a library-based (documentary) approach.

Theoretical Foundations of Governance

The term *governance* derives from the Latin word *gubernare*, meaning "to steer" or "to guide." In its simplest sense, it refers to the management or direction of a group or institution. However, with the evolution of modern societies, governance has taken on a more complex dimension by incorporating principles of participation, transparency, accountability, and social justice (23). Today, the term is used not only to refer to the management of public resources and institutions but also to describe the interactions among governments, the private sector, civil society, and even individuals in managing shared domains. Governance, as a multidimensional concept, has its roots in political, economic, and administrative theories developed to understand and structure the management of public affairs. It is based on the principles of organization, decision-making, and cooperation among various actors—governments, international institutions, the private sector, and civil society (11).

From this perspective, governance is not limited to the actions of the state but encompasses a complex network of interrelations in which power is distributed and exercised at multiple levels. In recent decades, the concept has gained increasing importance, particularly in the context of globalization and the interconnection of modern societies, where traditional approaches to centralized authority have often shown their limitations (24).

At the heart of governance theories lies the idea of stakeholder participation. Citizens, businesses, and non-governmental organizations play key roles in shaping public policies and monitoring their implementation. Participatory processes not only enhance the legitimacy of decisions but also strengthen the accountability of decision-makers (25). Therefore, governance, with its emphasis on an inclusive approach where actors collaborate as partners in developing solutions to collective challenges, distinguishes itself from traditional bureaucratic management (26).

Another fundamental pillar of governance is transparency, which allows citizens to monitor and evaluate the actions of decision-makers. Transparency ensures that decision-making processes are conducted in a fair and accessible manner, thereby reducing corruption and reinforcing trust in institutions. However, transparency must

be accompanied by strong accountability mechanisms to achieve its full objectives. Systems that enable public access to information, independent auditing, and reliable judicial oversight play a crucial role in this framework (19).

Governance also relies on effectiveness and efficiency in managing resources and public policies. Institutions must not only respond swiftly to citizens' expectations but also be accountable for their decisions and adjust them based on outcomes achieved. This approach emphasizes the need for continuous evaluation and strategic orientation in decision-making, taking into account social, economic, and environmental developments (21).

Social justice and equality are equally fundamental to successful governance. Ensuring equitable distribution of resources, protecting minority rights, and guaranteeing universal access to public services such as healthcare, education, and security are essential for maintaining social stability and strengthening national cohesion. Inclusive governance, which respects cultural, religious, and social diversity, helps prevent conflicts and promotes harmonious development.

In the economic sphere, governance aims to establish a stable institutional framework that fosters sustainable growth, encourages investment, and promotes innovation. It seeks to balance the needs of the free market with public interests through regulations that protect both consumers and workers while preserving the environment. The underlying idea is to create an economic environment that supports long-term goals without jeopardizing the interests of future generations. On the international level, governance transcends national borders, encompassing global issues such as climate change, food security, and migration (22).

Modern governance theories also emphasize the importance of institutional resilience in facing crises. Governance systems capable of rapid adaptation, risk anticipation, and overcoming disruptions are considered vital. This flexibility ensures the continuity of public services while maintaining democratic and economic stability. In summary, governance, in its theoretical sense, represents a balance between participation, accountability, transparency, efficiency, and justice. It integrates a combination of actors, values, and mechanisms aimed at guiding societies toward shared goals while fostering mutual trust and respect for fundamental rights. Governance continues to evolve to meet contemporary needs while resting on firm foundations that interconnect local, national, and global systems (27).

Indicators of Good Governance and Their Application to the Iraqi Context

The indicators of good governance serve as a widely used theoretical and practical framework for evaluating the quality of management and administrative systems in various contexts. These criteria allow for the analysis of efficiency, transparency, participation, and accountability within public and private institutions. They are designed to measure the success of governmental structures in ensuring social justice, promoting sustainable development, and meeting citizens' expectations while respecting their fundamental rights (28).

Examining Iraq's situation through the lens of these indicators highlights the shortcomings that limit the country's ability to achieve effective governance. One of the fundamental criteria of good governance is **participation**. This principle is based on the notion that inclusive governance enables citizens, non-state actors, and minorities to take part in decision-making processes (29). In Iraq, this criterion faces significant challenges due to ethnic and sectarian divisions, which often restrict genuine inclusiveness. Political and social polarization prevents the emergence of a system in which every individual can truly participate in national decision-making and have a voice in shaping the country's future (3, 4).

Analysis of Iraq's Governance Structure

The governmental structure in Iraq is based on a federal parliamentary political system established after the fall of the previous regime in 2003. This structure is defined by the 2005 Constitution, which created a fragile balance among the country's ethnic, religious, and political components (1, 12). The system is built on the division of power among the executive, legislative, and judicial branches, with social balances significantly influencing appointments to key positions.

The presidency, often held by a Kurd, is largely symbolic and representative, while the prime minister, typically from the Shiite community, holds real executive power. The speaker of parliament, traditionally chosen from among Sunni representatives, reflects the enduring importance of ethnic quotas in Iraqi governance. The unicameral parliament, known as the Council of Representatives, is a key institution in Iraq's political structure. Its members are directly elected by the people from various provinces, reflecting the country's demographic diversity (30).

The executive branch primarily consists of the prime minister and the cabinet, who are responsible for the day-to-day administration of the state. Although the prime minister holds significant authority, his power is often constrained by the influence of political parties, armed factions, and regional or international pressure groups. Moreover, the decentralization provided by the 2005 Constitution has allowed regions, such as the Kurdistan Region of Iraq, to exercise considerable control over their administrations and resources—particularly their oil wealth—thus enjoying broad political and economic autonomy (2).

The judiciary, theoretically independent, plays an important role in Iraq's governance structure. However, it is often accused of being subject to interference from the executive branch or influential political actors. Legal disputes over jurisdiction between regional and national institutions remain a recurring challenge. Furthermore, the absence of a unified judicial system sometimes prevents fair law enforcement, especially in peripheral or unstable areas (31).

Regionally, the relationship between the federal government in Baghdad and the Kurdistan Regional Government (KRG) represents one of the most sensitive aspects of Iraqi governance. This relationship is marked by chronic disputes over the distribution of oil revenues, territorial boundaries, and administrative powers. Although the Kurdistan Region is constitutionally an integral part of Iraq, it often operates as a quasi-independent entity, complicating national cohesion and challenging central authority (32).

A major structural problem in Iraq's governance is the growing presence and influence of non-state armed groups, particularly after the rise of ISIS and subsequent conflicts. Although some of these groups have been formally integrated into national security forces, they often act independently and exert substantial influence over politics, the economy, and security, thereby undermining state authority and exacerbating sectarian divisions (33).

Administratively, Iraq suffers from a cumbersome and inefficient bureaucratic system inherited from previous decades. Widespread corruption has become a major obstacle to the delivery of essential public services such as electricity, clean water, and healthcare, fueling public anger and protests (19). Efforts toward administrative reform have often been thwarted by political rivalries and the lack of consensus among ruling factions.

Moreover, Iraqi governance is heavily influenced by foreign actors, particularly the United States and Iran, both of which maintain significant political and security presence in the country. These external influences further fragment domestic decision-making and complicate efforts to build an independent and sovereign system responsive to the needs of the Iraqi people. Such interference also deepens citizens' distrust and perpetuates political instability (4, 6).

Consequently, Iraq's governance structure is characterized by institutional and political complexity, where internal rivalries and external influences intertwine. Ethnic divisions, weak institutions, corruption, and the presence of armed non-state actors pose persistent challenges to establishing a strong and unified state. Despite attempts to consolidate democratic institutions, Iraqi governance remains fragile due to ongoing social, economic, and political tensions—requiring deep structural reforms to ensure sustainable stability (5, 7).

Governance Failures in Iraq

Governance in Iraq has been severely undermined due to weak state institutions and entrenched corruption that affects all aspects of public administration. Since the fall of Saddam Hussein's regime, Iraq has suffered from widespread political instability that has prevented institutions from meeting the basic needs of their citizens. Administrative structures are often poorly organized with few effective management and control mechanisms, allowing various forms of corruption to proliferate at all levels. These deficiencies not only weaken officials' ability to serve the public, but also erode trust between the state and its citizens. A lack of transparency in governmental processes is a key factor reinforcing irresponsible behavior and corruption. Officials and political leaders have often used their positions to advance personal or group interests at the expense of the public good. Practices such as embezzlement of public funds, bribery, and manipulation of public contracts are common, leading to the deterioration of essential services such as education, healthcare, and infrastructure. This systemic corruption not only harms public welfare but also blocks any meaningful reform efforts (5, 19, 28).

Institutional Weakness

In addition, the weakness of state institutions is evident in their inability to implement effective anti-corruption policies. Oversight and accountability systems are either absent or largely inadequate, allowing corrupt activities to continue without real consequences. This impunity has entrenched a culture in which corruption becomes normalized, making it more difficult to establish fair and transparent governance mechanisms. The impact of institutional weakness and corruption is not confined to administrative levels; it has a direct effect on the country's political and security environment. Rivalries among ethnic, religious, and political groups intensify divisions and paralyze governance efforts. These tensions fragment the political landscape even further and strengthen the emergence of armed militias and terrorist groups that exploit state weakness to impose their influence. Moreover, public resources—rather than financing development and reconstruction projects—are often wasted or diverted to private interests, thereby exacerbating poverty and social inequalities (5, 6).

Iraqi society also suffers from the consequences of these institutional weaknesses. Citizens often distrust their leaders and perceive the political system as inefficient and corrupt. This distrust heightens feelings of social exclusion and, in some cases, drives people toward complete disengagement from the democratic process, further undermining the state's legitimacy (34).

The weakness of Iraqi institutions also extends to the inability of political and administrative systems to combat corruption effectively. Oversight organizations and control structures have largely remained ineffective, and there are few legal–administrative mechanisms to hold corrupt actors accountable. Because of this institutional vacuum, individuals involved in corruption often enjoy complete impunity, which encourages the spread of these harmful practices. This vicious cycle further weakens state institutions and perpetuates the view that corruption is a normal feature of Iraq's political life (30).

Judicial Weakness

The lack of judicial independence and the absence of mechanisms for citizen participation in political decision-making are also aggravating factors. The concentration of power in the hands of political elites, combined with distrust of power structures, discourages civil society from actively participating in the political process and deprives the country of the forces necessary for social and institutional change. Younger generations, in particular, feel excluded from political and economic processes, which intensifies their sense of hopelessness and fuels instability. Ultimately, international efforts to assist in Iraq's reconstruction have often been ineffective or poorly coordinated, exacerbating rather than solving existing problems. The lack of coherence in international strategies, together with at times irresponsible use of resources and financial assistance, has failed to strengthen state institutions or combat systemic corruption. This has reinforced the perception that external actors pursue their own geopolitical interests at the expense of Iraqis' real needs (35). As a result, the weakness of state institutions and widespread corruption in Iraq present major challenges that require deep structural reforms and a coherent approach to restore public trust. These entrenched and interlinked problems cannot be resolved without strong political will, the strengthening of democratic institutions, and the active participation of civil society (19, 36).

Sectarianism

Deep social division and entrenched sectarianism are among the principal plagues that weaken governance in Iraq and render efforts to build a stable and unified state ineffective. Since the fall of Saddam Hussein's regime in 2003, the country has witnessed rising sectarian tensions among different religious and ethnic communities—particularly between Shi'a Arabs, Sunni Arabs, and Kurds. Although these differences have historical roots, they have been politicized and instrumentalized, turning Iraq's political landscape into a battleground where primary loyalties often trump the national interest. The post-2003 political system, based on power-sharing (*muhasasa*) among the main components of society, was initially designed to ensure fair representation. In practice, however, it has had the undesirable effect of reinforcing sectarian identities and rewarding factional leaders rather than promoting national unity. Key governmental and administrative positions are often allocated on the basis of ethnicity or religion, leading to inefficient administration and heightened polarization. This structure has created sectarian power fiefdoms where group interests take precedence over state interests (3, 4, 37).

The impact of sectarianism on governance is visible in many areas. Political decisions often result from bargaining among sectarian elites rather than from a process grounded in the real needs of the population. Public services, oil wealth, and economic opportunities are frequently distributed unevenly, benefiting some communities and disadvantaging others. This perceived discrimination fuels deep resentment and strengthens feelings of exclusion among marginalized groups, creating fertile ground for instability and violence (6, 37).

Sectarianism has also had a negative effect on political participation. In many regions, citizens vote based on sectarian affiliation rather than on candidates' platforms or performance. This undermines the democratic process and limits citizens' ability to hold their representatives accountable. Efforts to overcome sectarianism in Iraq have faced difficulties due to the complexity of the problem and the resistance of political elites who benefit from the current system. Although multiple initiatives have been launched to promote national reconciliation and intercommunal dialogue, they have not yet succeeded in producing a profound transformation in the country's political and social dynamics (38).

Lack of Transparency and Accountability

Governance in Iraq is profoundly affected by a lack of transparency and the absence of strong accountability mechanisms, both of which intensify challenges within public institutions and deepen distrust between the state and citizens. Since 2003, Iraq has faced a set of structural problems among which the lack of transparency in decision-making processes and opaqueness in the management of public resources are central. These shortcomings lie at the heart of many social, political, and economic upheavals and undermine efforts to establish a genuinely effective rule of law. The lack of transparency within Iraqi state institutions is evident at multiple levels. For example, budgetary processes are often opaque and insufficiently supervised. Revenues from oil exports—the main source of state income—are not always managed transparently (28, 32).

Accountability mechanisms, whether internal or external, are largely absent or ineffective in Iraq. Legal frameworks designed to ensure the accountability of senior officials are either inadequate or ignored by networks of influence and patronage. This lack of accountability allows many officials to continue in office despite credible accusations of mismanagement or corruption. Courts, which should play a fundamental role in combating such abuses, often lack independence and are at times influenced by political or sectarian interests (36). Another important aspect of this problem is the lack of access to public information. In a functioning democracy, citizens should have the opportunity to access transparent and accurate information about the management of public affairs. In Iraq, such access is hindered by insufficient transparency regulations and a political culture that prioritizes secrecy and information control. The media, although sometimes playing a watchdog role, are themselves frequently subject to political pressure or censorship, limiting their ability to expose abuses or hold public officials accountable.

The lack of transparency also directly affects the delivery of essential public services. Iraqi citizens often complain about their inability to understand why vital projects—such as healthcare, education, or electricity infrastructure—remain incomplete or ineffective despite the substantial resources allocated to them. This situation generates a sense of injustice in the distribution of services and further fuels social discontent and public protests. Periodic government interventions to reduce these tensions often result in unfulfilled promises, reinforcing the public perception of a lack of credibility and competence (8, 19).

The absence of transparency is further exacerbated by the sectarian and ethnic dynamics that dominate Iraq's political scene. Decisions taken by political leaders are often based not on objective criteria or the public interest but on sectarian, ethnic, or partisan considerations. This feeds the perception that state resources are monopolized by certain groups at the expense of others, creating favorable conditions for division and instability. Such politicization of public resources undermines all efforts to create a fair and equitable governance environment (9, 39).

Militia Groups and Their Impact on the State Structure

The presence and influence of militia groups in Iraq have had a profound and lasting impact on the state structure, affecting both governance and the country's social fabric. Since the fall of the former regime, weak state institutions and ongoing insecurity have enabled the emergence and consolidation of these armed groups outside the control of the central government. Their role gradually expanded beyond military functions, with significant interference in political, economic, and administrative domains. After the collapse of central authority, the resulting security vacuum

facilitated the spread of militias. Some were formed along communal or sectarian lines, pledging to defend their constituencies against external or internal threats. Others exploited this vacuum to advance their own agendas, often in competition with other state and non-state actors. This expansion, by multiplying armed centers of authority, has complicated the security environment (13). Partial integration of several militia factions into Iraq's official forces has sparked considerable debate. Although on paper this integration was intended to pacify the environment and strengthen state capacities, in practice it has often reinforced the autonomy of the respective groups. They continue to maintain parallel chains of command and cultivate loyalties that frequently supersede the authority of the state (40).

In the political arena, the rule of law is severely undermined by competition among multiple armed power centers. Justice is regularly impeded in investigations of crimes or offenses involving militia members, as these groups often possess tools to exert pressure or secure impunity for their ranks. Iraqi civil society has been weakened by the pervasive presence of non-state armed groups. Civic initiatives or social movements in favor of transparent and inclusive governance are routinely pressured and at times suppressed by factions that perceive any momentum for change as a threat to their patrimonial interests. The incorporation of some militia members into state administrations has further contributed to patronage and nepotism (6, 18).

The Impact of Artificial Intelligence on Democracy

Recent advances in artificial intelligence (AI) and its widespread deployment across social, economic, and political domains raise pressing questions about how—and to what extent—this technology affects democracy. The concept and experience of democracy remain among the most contested topics in political thought because of the many nuanced interpretations they invite. Theoretical debates in political theory have been particularly productive in identifying the normative, procedural, and structural dimensions of democracy and their implications (9, 21, 39).

Social scientists must account for AI when analyzing the features, risks, and capacities of contemporary democracy. This requires attention to AI's internal functions and sector-specific effects as a foundational technology. At the same time, computer scientists and engineers should consider the democratic implications of developing and deploying AI. This means focusing not only on the technology itself but also on its entanglement with economic, political, and social structures that mediate its impacts—positive and negative. Accordingly, examining AI's impact on democracy is becoming a vital area for future interdisciplinary research (27).

The quality of analyses concerning AI's effects on democracy depends on the precision with which the type of AI, its mode of operation, the conditions for successful deployment, and the particular democratic dimensions affected are specified. Narratives about an indeterminate superintelligent AI (AGI) and its hypothetical societal consequences—while theoretically or narratively engaging—provide little guidance for assessing real impacts on society or democracy. Indeed, interested groups could use such AGI debates and catastrophic risk scenarios as a smokescreen to divert public and regulatory attention away from more practical yet crucial questions concerning governance, regulation, and the social distribution of AI's benefits and risks. Although AI is often framed as a danger or threat, it can also offer opportunities to mitigate several contemporary democratic challenges. Open-minded exploration of democratic uses of AI may help reduce these challenges. Deliberate design, ethics-centered choices, and transparent audits can improve institutional performance and reveal hidden biases in data or algorithms (41).

Governance Horizon: Transition to Smart Governance

Given the inefficacy of current models, this chapter proposes that Iraq should move toward innovative governance models, particularly **Smart Governance**, which emphasizes the use of information and communication technologies (ICT) to enhance efficiency, transparency, and citizen participation (19, 24, 28).

Components of Smart Governance in the Iraqi Context

A transition to smart governance requires simultaneous institutional and technical reforms:

1. **E-Government and Fiscal Transparency:** Establish centralized systems for budgeting and public procurement that can be monitored in real-time by oversight bodies and the public. This entails replacing paper-based and manual contracting with blockchain-based contracting to combat collusion (8, 19).
2. **Data-Driven Public Services:** Use data analytics to improve service delivery (e.g., rationed commodity distribution, water and electricity management) and reduce opportunities for corruption at operational layers (10, 28).

Challenges of Technology Implementation in Iraq

Implementing a smart model in Iraq faces serious obstacles:

• **Resistance from Corrupt Stakeholders:** Groups benefiting from the traditional rent-seeking system will fiercely resist any centralized transparency enabled by technology (6).

• **Weak Infrastructure:** Internet coverage and grid stability are still insufficiently developed nationwide (28).

• **Skills Gap:** A shortage of specialized human capital within the bureaucracy to design, implement, and maintain advanced systems (11).

Proposed Strategies for Restoring Legitimacy

For a successful transition to smart governance, political preconditions must be established:

• **Security-Sector Reform:** Full stabilization and nationalization of security forces and disarmament of informal groups as an absolute priority (3, 6).

• **Technocratization of Management:** Appoint technically qualified, non-partisan managers to key ministries (e.g., Oil, Finance, Planning) for limited terms, insulated from the *muhasasa* system (4, 7).

• **Digital Rule of Law:** Strengthen the Supreme Court and the Public Prosecutor's Office to act decisively against those attempting to manipulate or hack transparency systems (9, 36).

Conclusion

The pathology of Iraq's governance system highlights the profound impact of political and social crises on the country's institutional performance. Iraq, marked by decades of instability, internal conflict, and foreign intervention, exhibits an almost permanent state of crisis consistent with the concepts articulated by Carl Schmitt and Giorgio Agamben. These theorists provide essential analytical frameworks for understanding the complex dynamics of power, suspended laws, and emergency mechanisms that shape Iraq's reality. According to Schmitt, sovereignty manifests in the ability to decide during exceptional circumstances when ordinary laws lose their effectiveness. Iraq represents a striking example in which states of emergency and instability are no longer exceptional but have

become a permanent mode of operation. The fall of Saddam Hussein's regime, accompanied by U.S. military intervention in 2003, plunged the country into successive crises—from security chaos to the collapse of state institutions. These crises prolonged the state of exception and fueled a vicious cycle of emergency interventions and fragmented power.

Governance in Iraq is particularly characterized by the fragmentation of authority. After the fall of the authoritarian regime, state institutions failed to reconstruct themselves on solid foundations of legitimacy and transparency. Instead of a centralized sovereignty, power has been dispersed among multiple actors, including militia groups, rival political forces, and external influences such as neighboring states and Western powers. This dispersion has made the effective implementation of any law extremely difficult and perpetuated the country's state of ongoing emergency.

From this perspective, Agamben's analysis offers an illuminating view of how the state of exception in Iraq extends beyond political crises. The very structures of the state seem to be designed to function under emergency conditions, rendering institutions incapable of addressing fundamental problems. Widespread corruption, the absence of judicial independence, and the weak decision-making capacity of successive governments reflect a condition in which sovereignty becomes an empty concept—devoid of meaning and incapable of meeting citizens' needs.

The 2005 Iraqi Constitution, while ambitious in its democratic aspirations, remains vulnerable to manipulation, particularly by groups with vested interests. Therefore, an inclusive approach to constitutional reform—one that involves all stakeholders—is essential to establish legal frameworks capable of addressing the diverse needs of Iraqi society. At the same time, the role of the international community must not be overlooked. Foreign interventions in Iraq have often exacerbated internal tensions and prolonged instability. To prevent this, international actors should support locally driven initiatives aimed at strengthening institutions and fostering inclusive dialogue, rather than imposing external solutions misaligned with the realities of the country.

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Authors' Contributions

All authors equally contributed to this study.

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The authors of this article declared no conflict of interest.

Ethical Considerations

All ethical principles were adheried in conducting and writing this article.

Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

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