Unpacking Challenges in the Path of Bureaucratic System and Institutionalization in the Kurdistan Region

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Abstract

This study delves into the intricate landscape of institutionalization and bureaucratic systems in the Kurdistan Region of Iraq (KRI). The KRI grapples with centralization tendencies, impacting both political-economic structures and reform initiatives. Balancing these dynamics is crucial to ensure effective governance and responsive institutions. The study explores the interplay between political elites and the trajectory of institutionalization, unveiling a divergence between revolutionary and post-revolutionary phases. This schism fosters conflict, resulting in the division of the KRI into two spheres. The study employs qualitative research, drawing insights from nine in-depth interviews with experts across sectors. Through this approach, it sheds light on the complex challenges within the KRI's institutional landscape, emphasizing the need for cohesive governance amidst intricate power dynamics.

KeyWords: Kurdistan Region, Bureaucratic System, Institutionalisation, Elite, administrative.

Introduction

In the realms of power, individuals, and academic discourse, the concept of institutionalization and the efficacy of bureaucratic systems emerge as critical focal points. Notably, the Kurdistan Region of Iraq (KRI)[1] grapples with a dissonance between its political-economic structures and reform initiatives. The former exhibits a pronounced proclivity for centralization, a characteristic mirrored in the latter's approach to political and economic processes. Consequently, a pivotal task at hand involves realigning the KRI's political, economic, and legal frameworks. This persistent centralization inadvertently hampers local engagement in governance processes. Paradoxically, a lack of robust centralization poses challenges to the institutionalization of governmental and administrative bodies, given the fractured authority landscape and the proliferation of unofficial power centers and parties entwined in governance and institutional management. The fundamental goal of the institutionalization process lies in assessing the resilience and adaptability of these institutions, ensuring their continued evolution to address systemic shifts and societal needs.

This study embarks on an exploration to gauge the extent of institutionalization and the accompanying bureaucracy within the KRI. Eschewing a rigid temporal scope, this study's rationale is twofold: firstly, the institutionalization journey initiated in 1992 within the KRI is an enduring endeavor, punctuated briefly by the civil conflict of 1994-1998; secondly, the prevailing political elites instrumental in the inception of these structures continue to shape the trajectory of governance. It is crucial to specify that "institutionalization" here pertains to political institutionalization, focusing on substantial establishments that significantly influence the interests of diverse societal segments (Amenta & Ramsey, 2010, p. 27). Interwoven and mutually influential,

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[1] KRI refers to the autonomous region of Kurdistan that emerged in northern Iraq following the establishment of the No-Fly Zone in 1991. Iraq's constitution in 2005 officially recognized KRI as the sole federal region within Iraq's borders, granting it a range of protected privileges. KRI encompasses four provinces, namely Erbil, Sulaymaniyah, Duhok, and Halabja, and is home to a population of over six million people. Additionally, it includes significant portions of territory known as the "disputed territories," which are claimed by both the central government in Baghdad and the regional government in Erbil. Since 1991, Kurdistan has steadily developed various state-like capabilities, ranging from security measures to visa regulations and control over its borders, among other functions. These developments have laid the groundwork for Kurdistan to effectively function as a de facto state (Palani et al., 2021, p. 421).

institutionalization and bureaucracy jointly shape the governance landscape. The KRI's challenge lies not in the absence of bureaucracy and institutionalization per se, but rather in the efficacy and depth of institutionalization within these entities, thereby impacting the efficiency of the bureaucratic apparatus.

Contrasting viewpoints advocating incremental change, this study underscores the imperative of "essential" change, wherein some institutions necessitate radical transformation while others warrant measured adjustments. This nuanced approach acknowledges the intricate interplay of societal realities, resource constraints, and the gradual nature of comprehensive changes. This paper endeavors to cast a spotlight on the barriers and challenges impeding the institutionalization process within the Kurdistan Regional Government (KRG) and the cascading effects – or their absence – on the bureaucratic framework. A notable correlation emerges between the mindset of the political elite and the trajectory of institutionalization within the KRI. Moreover, the evolution of Kurdish political elites transpires across two distinct epochs: the revolutionary phase preceding pre-1991 institutionalization and the post-revolutionary era marked by institution-building efforts (see Voller, 2014). In this latter phase, a divergence surfaces between the revolutionary and post-revolutionary political elites in their approach to institutional management. This schism generates conflict and discord, culminating in the bifurcation of the KRI into two spheres, each with autonomous institutions and bureaucratic systems. This intergenerational and intra-generational struggle profoundly influences the institutionalization process, persisting to the contemporary landscape. Consequently, this study underscores that despite the coexistence of institutions within the KRI, the realization of a cohesive governing entity remains an elusive aspiration.

This study adopts a qualitative research approach, with the overarching objective of gaining insights into the intricate dimensions of institutionalization and bureaucratic systems within the context of Kurdistan region. To achieve this, a multifaceted data collection methodology was employed, anchored by a series of nine in-depth interviews. These interviews were conducted with individuals of notable expertise and prominence in the realm of institutionalization and bureaucratic systems, with a specific focus on those occupying significant roles within pertinent sectors. The spectrum of participants encompassed senior government officials, advisors to the KRI president, members of the Kurdistan parliament, and academics, ensuring a comprehensive representation of diverse political perspectives.

The interview process, transpiring over the period from August 2022 to April 2023, embraced both Kurdish and English languages, thereby accommodating linguistic preferences and fostering a conducive environment for candid discussions. The open-ended nature of these interviews facilitated an exchange of insights, allowing participants to share their viewpoints and experiences in a thorough and flexible manner. Complementing the interview-driven approach, the study draws upon the author's personal observations of pivotal developments transpiring within the KRI. This lived experience bolsters the study's contextual understanding and augments its capacity to analyze the subject matter. Furthermore, the author's access to exclusive documents not readily accessible to the public provided a unique vantage point for examining the intricate interplay of institutionalization and bureaucratic systems within Kurdistan region.

Theoretical Framework

The intricate interplay of bureaucracy and institutionalization has captivated the attention of sociologists and economists since the early twentieth century, with notable thinkers like Max Weber making seminal contributions in this realm. According to Weber's perspective, a bureaucratic system emerges as the most effective means of organizing human activities and upholding order and stability, thereby rationalizing societal functioning (Lutzker, 1982). Distinguishing between the concepts of organizations and institutions is pivotal when examining bureaucratic systems and institutionalization. As posited by North (1993) and Knight (1992), institutions encompass the rules governing societal dynamics, while organizations represent the agents interacting within these established frameworks. Institutions encapsulate the formal and informal characteristics and structures of society and government, reflecting their essential features (Peters, 1999). Consequently, state institutions endure amidst political fluctuations and workforce changes, preserving their continuity (Kingsbury, 2007).

Historically, the period between 1950s-1930s witnessed a normative approach to institutional research, focusing on official entities like the executive, legislature, judiciary, constitution, elections, and civil society organizations. This approach, applied indiscriminately to both advanced democratic societies and less developed ones, progressively gave way to a nuanced understanding of institutions. In post-1960s, the study of institutionalization converged with behavioral analyses of governing bodies, a

shift from normative abstraction to what later became known as neo-institutionalism (Breuning & Ishiyama, 2014; Bodnieks, 2020, p. 86).

In this study, the aforementioned theoretical underpinnings serve as the foundation for analyzing the institutionalization process in the KRI. The study extends beyond assessing the impact of institutions on the bureaucratic system, delving into the profound influence of the political elite on institutional performance and bureaucratic dynamics. Notably, the behavioral patterns of the KRI's political elite are foundational to institutional performance, often imprinting on bureaucratic regulations. As emphasized by Ezrow and Frantz (2013, p.4), rules encapsulate institutional performance and direct human behavior, thus mirroring the prevailing political milieu.

In studying institutional performance within developing nations, Roxborough (1979) underscores the imperative of scrutinizing the social classes commanding institutions and decision-making mechanisms. This implies a symbiotic relationship between institutions and the cultural ethos of their stewards, significantly impacting institutional efficacy. This aligns with Huntington's assertion that the primary distinction among countries pertains to their degree of governance, influencing stability and effectiveness (Huntington, 2006, p. 1). A compelling perspective surfaces in Huntington's articulation that political development entails the institutionalization of political procedures, transcending mere form of government.

Parsons (1990, p. 326) underscores that the foundation of institutional respect is rooted in moral authority wielded over individuals, with institutions comprising interconnected norms. This process of institutionalization differentiates political and economic institutions, segregating authorities from economic activities and tempering the power of rulers (Glaeser et al., 2004).

While the aforementioned thinkers emphasize the role of institutions, other studies spotlight the significance of elites, unity, and public support in shaping government capacity and stability (Almond & Powell, 1969; Phillips, 2004; Nelson, 1984; Crone, 1988). The ability of a government to implement its agenda and address public demands contributes to national stability, mirroring Weber's assertion that an efficient bureaucratic system is linked to a rational political framework.

Synthesizing these perspectives, institutionalization emerges as a multifaceted and inherently political process, interwoven with legal, social, economic, and cultural dimensions. The ruling elite's political and social culture, societal norms and values, and governmental efficacy in enforcing laws collectively mold the institutionalization process

and the efficiency of the bureaucratic system. This theoretical foundation guides the subsequent exploration of the administrative system and the institutionalization process within the context of the KRI.

Literature Review

This study is novel in studying the mutual impact between bureaucratic system and institutionalization process in the Kurdistan region. They are some studies that indirectly shed light on the subject that some of them mentioned as following;

In a study entitled 'Communication Tools to Fight Bureaucratic Corruption in Iraqi Kurdistan: A Case Study' by Ahmed Omar Bal (2018) attempted to elucidate the corrupting effects of bureaucratic systems and how technology might be used to combat corrupt administrative groups in the KR. However, the institutionalization process in the Kurdistan region is the primary focus of our study.

In research conducted by Palani, et al (2019). Titled 'the development of Kurdistan's de facto statehood: Kurdistan's September 2017 referendum for independence'. The study concentrated on the Kurdistan region as a de facto statehood, however at one point the researchers mentioned the role played by outside forces in the creation of the KR and its institutions. The study in question, however, focuses on the referendum held in the Kurdistan area after 2017.

The published PhD by Barzan. J. Sadeq (2021) 'Political Trust in Kurdistan Region's Political system', By using a survey, the researcher tried to get insight into how much political trust citizens had in KR's formal and informal institutions. The results showed that this trust was limited to 30%. However, the bureaucratic structure and the nature of institution formation in the Kurdistan region were the main subjects of our study.

In a newly unpublished PhD thesis, 'Analysis the Nature of Political Authority from the Perspective of Institutional Theory: Public authorities in the Kurdistan Region as a Case Study' by Omed. A. Abdulkarim (2023), The researcher analyzed a range of data to assess the relationship between public institutions and authority in the KR, with an emphasis on how political power in the region was shaped and an attempt to tie it to institutional performance from 1992 to 2023; however, our study main concern is finding out the challenges faced bureaucratic system and its impact on institutionalization process in the Kurdistan region.

First: Administrative System and Bureaucracy in Kurdistan Region

The administrative system within Kurdistan region (KR) is characterized by centralism, a configuration rooted in several key factors. Firstly, the historical genesis of political parties in the KRI, dating back to the mid-20th century, was driven by the objective to counter the authority of the Baghdad government. The absence of democratic institutions in Iraq during that era translated into a deficiency of institutionalization, a void that eventually echoed in the performance of Kurdish political parties (Salih, 2020, p. 89). Secondly, the influence of the centralized Ba'ath regime, known for its military-authoritarian disposition, left an indelible mark on administration. The Ba'ath Party's aversion to opposition and its staunch centralism, in addition to its cultural and psychological underpinnings, further reinforced a centralized political paradigm (Khalil, 2016).

The third contributing factor can be traced to the enduring Marxist-Leninist structure of Kurdish political parties. Remarkably, despite decades in power, these parties persist with the organizational structure fashioned during the Cold War era. This enduring structure, coupled with its administrative ideologies, has permeated government institutions. Even until the collapse of the Berlin Wall, both major parties in the region, the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP), espoused Marxist-Leninist principles in their programs (Khalil, 2016). A fourth impetus for bureaucratic centralization stems from the persistent rivalry between these political parties. This continuous strife has engendered a race to populate government institutions with party cadres, underscoring the fragility of institutional foundations due to inter-party distrust.

This backdrop has given rise to a phenomenon known as "party-ialization" or partisanship within the Kurdistan Region's bureaucracy. An illustrative instance of this can be discerned in the aftermath of the initial elections in the region, yielding a fifty-fifty power-sharing arrangement between the KDP and PUK.[2] This distribution extended to official positions and parliamentary committees, exemplifying the depth of party influence (Leezenberg, 2017, p. 109). Moreover, a parallel administrative framework has persisted in the region since the civil war (1994-1998), often referred to as the concept of "two administrations" in the local political discourse. This

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[2] In the 1992 parliamentary elections, the KDP secured 51% of the votes, while the PUK obtained 49%. However, the PUK contested the results, prompting both parties to reach an agreement to evenly divide ministerial positions, a practice commonly referred to as the "fifty-fifty" division of posts in the Kurdistan Region.

phenomenon signifies the alignment of bureaucracy and institutions with party affiliations. This bifurcation has even given rise to a patronage system, where each party gathers supporters to uphold party principles and secure electoral victories. This system has been interwoven with the bureaucracy of the Kurdistan Regional Government and has occasionally facilitated collaboration between formal and informal institutions (Saleem and Skelton, 2020; Leezenberg, 2017, pp. 107-131).

However, it is noteworthy that this dual bureaucratic structure doesn't necessarily promote the institutionalization process. Despite instances of both parties participating as a single list in parliamentary elections and collaborating to form a unified cabinet, long-standing tensions between them occasionally manifest in divergent actions. For instance, even after forming four unifying cabinet between KDP and PUK (2006-2023), the events surrounding Zine Warte in 2020 led to confrontations between the Peshmerga forces of the both political parties,[3] resulting in the PUK's parliamentary faction temporarily abstaining from Kurdistan Parliament sessions to secure additional privileges from its partner, the KDP (Wahab, 2020). Hence, for Kurdistan to establish a robust bureaucratic system and foster the institutionalization of governmental bodies, a paramount focus must be placed on the institutionalization of the military sector, as it stands as a linchpin in the stability of the region.

On the contrary, the tendency towards centralism in Kurdistan region has encountered practical limitations, primarily stemming from historical and ongoing political dynamics. Prior to the establishment of the KRG in 1992, the KDP and PUK already held control over distinct regions. The subsequent political rivalry and armed conflicts between these parties culminated in the civil war (1994-1998) and the coexistence of two separate administrations until 2005. Even though a unified government emerged in 2006, the reality on the ground still reflects the presence of two administrative bodies. Notably, as mentioned in the ninth cabinet, the PUK's cabinet team temporarily withdrew from government operations from October 2022 to May 2023, retreating to Sulaimani, the party's stronghold (Jaff, 2022).

This withdrawal was attributed to the KDP's perceived unilateral decision-making, particularly concerning security matters. Even after the PUK's return to Sulaimani, the

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[3] **Zine Warte is a region located between the spheres of influence of the two major parties. During a specific incident, the KDP harbored suspicions that the PUK was using ambulances to transport PKK supporters to Erbil under the guise of coronavirus patients, with intentions to engage in subversive activities. Consequently, the KDP took the decision to block this route and deployed its armed forces in the Zine Warte area.**

Deputy Prime Minister initiated a Transparency website exclusively featuring revenue information from Sulaimani, Halabja, Garmian, Chamchamal, and Raperin – areas under PUK control. Subsequently, despite three decades of governance, the institutions within Kurdistan region remain fragile, susceptible to the influence of the political elite from the dominant parties, who have the capacity to either stabilize or destabilize the political landscape. Consequently, it becomes evident that the ongoing inter-party dynamics exert a tangible impact on the administrative system and the institutionalization process within the KRI. Addressing this complex challenge requires a multifaceted approach:

Firstly, restructuring the administrative divisions of the region and enhancing their authority. This could entail subdividing provinces like Erbil, Duhok, and Sulaimani into smaller administrative units. If constitutional constraints pose obstacles to creating new provinces, empowering these new units through legislation or official decree can be explored, akin to the Raperin, Soran, and Zakho autonomous administrations (Khalil,2021).

Secondly, expanding powers from the Council of Ministers to the ministries or subordinate offices. While Law No. 3 of 2009 was enacted in 2009 to address political opposition, its effective implementation has been limited. Bolstering the bureaucratic system to foster institutionalization necessitates delegating authority to lower administrative levels, accompanied by their increased autonomy. For instance, removing the need for the Prime Minister's or relevant minister's signature to appoint a teacher in Penjwen, Zakho, or Chamchamal can expedite processes. Such steps appear seemingly straightforward but are indicative of a larger issue – the administrative system's inefficiencies, exemplified by extensive layers of approvals and unnecessary bureaucratic challenges.

This approach underscores the need for the decentralization of administrative power, yielding both institutionalization benefits and heightened bureaucratic efficiency. It eliminates unnecessary red tape, streamlines processes, reduces costs, and mitigates the burden on the national budget caused by excessive employees and infrastructure requirements. This shift aligns with the goal of fostering institutionalization while simultaneously enhancing the administrative apparatus's effectiveness.

Second: The Institutionalization Process in Kurdistan Region

Institutionalization is an intricate and protracted endeavor, intertwined with the establishment of an effective bureaucratic framework. Stemming from the vacuum created by the central government's withdrawal after the 1991 uprising, the region's political elite took it upon themselves to erect institutions to bridge the ensuing administrative and legal void (Nuri, 2022, p. 128). This underscores the symbiotic relationship between the political elite's actions and institutional performance, wherein the influence of these elites on both governmental and non-governmental institutions significantly shapes the institutionalization process. As such, the success of institutionalization hinges on the prevailing political elite's cultural orientation and the extent of their power.

In practice, institutions often align not just with their designated structure and regulations, but also with decisions emanating from the ruling political elite, particularly those possessing command over armed forces. Consequently, in the Kurdistan Region, the trajectory of institutionalization is a reflection of the political elite's actions and cultural disposition; which can be seen in all level of political parties' activity that reflected on government actions. This In this context, it's arguable that for the institutionalization process to commence effectively, the political elite must themselves adhere to and genuinely believe in this process (Francis, 2011, p. 6). However, in the Kurdistan Region, measuring the indicators of institutionalization (such as the issuance of laws, specialization, internal centralization, legitimacy, and allocative power) (Zucker, 1987, p. 448) proves challenging, as numerous extraneous factors outside institutional boundaries wield influence over the process.

While robust centralization can theoretically facilitate institutionalization, it might simultaneously impede efficiency and escalate costs. Dr. Chwas Hassan, a university assistant professor and advisor to the Deputy Speaker of the KRI Parliament, expounded on this matter, asserting that institutionalization encompasses two facets: the initial establishment of the institution and the subsequent adherence to the rule of law. The KRI's home to numerous institutions, with few areas of daily life bereft of corresponding laws. However, challenges arise due to several reasons: certain laws necessitate funding or the creation of specialized institutions for effective implementation; some laws clash with cultural norms and exacerbate political conflicts. Consequently, the autonomy of the law becomes questionable; which means to what extend the accepted law in parliament can be executed by the government. Factors

contributing to this phenomenon include the potential flaws in law formulation, governmental limitations in enforcing laws, political considerations that sacrifice enforcement for loyalty or achievement, and discrepancies between legal provisions and societal values (interview with Dr. Chwas Hassan).

Further compounding the issue is the economic crisis of recent years, significantly eroding institutionalization efforts. This crisis, stemming from the KRI's budgetary exclusion and the rise of ISIS in 2014, has led to governmental violations of the law and weakened institutional efficacy (Wahab, 2023). For instance, the inability to pay employee salaries has compromised the government's capacity to collect electricity bills, creating a self-perpetuating cycle of law violations. While the government might not have achieved comprehensive institutionalization, it has managed to uphold a modicum of sovereignty and law enforcement, albeit tempered by challenges. As a poignant example, citizens adhering to traffic signals do so more from fear of fines than a genuine respect for the law.

### Third: The Conundrum of Non-Functional Structure

The bureaucratic system in Iraq, initially shaped by the United Kingdom in the 1920s, finds its reflection in the KRI. The KRI boasts a bureaucratic structure with relatively few legal and institutional gaps; each institution maintains a robust framework and regulations. However, the dissonance between the institutional framework and their actual performance yields perplexing conclusions upon evaluation. An illustrative instance emerges from a comprehensive doctoral study investigating political trust within the KRI. Involving a survey of 3,537 citizens, the findings underscore a disheartening reality. A mere 20% of participants express confidence in the parliamentary performance. Similarly, only 46% exhibit trust in the health sector's efficacy, while the performance of educational institutions garners satisfaction from just 36% of respondents. Strikingly, a mere 17% express contentment with the Ministry of Electricity's performance (Jawhar, 2021, pp. 159-171).

Furthermore, an evaluation criterion for institutional performance involves the contentment of visitors to these institutions. The narrative often unfolds where unsatisfied visitors blame their superiors or castigate the political elite, forming a disconcertingly routine occurrence within bureaucratic settings in the KRI. This reality underscores a noteworthy observation: the established rules and regulations governing institutional efficiency are not consistently adhered to.

Linked to these institutional challenges, Abdulkakeem Khosro, head of the KRG Coordination and Monitoring Office of the ninth cabinet, posits a thought-provoking insight. He notes that while in developed countries, institutions wield authoritative influence, the scenario appears different in developing countries where the elite tend to dominate institutions (interview with Abdulkakeem Khosro via personal communication). Indeed, historical dynamics provide context. In 2006 and 2007, a coalition was formed between the two main parties, only to gradually wane in its influence. This waning coalition impact reverberated across multiple facets, particularly affecting parliamentary performance. Evidently, even in 2016, the parliament was unable to pass a single law, underscoring the magnitude of the issue (Hali, 2019, p. 40).

Table: Kurdistan Region Parliament Performance Over Time
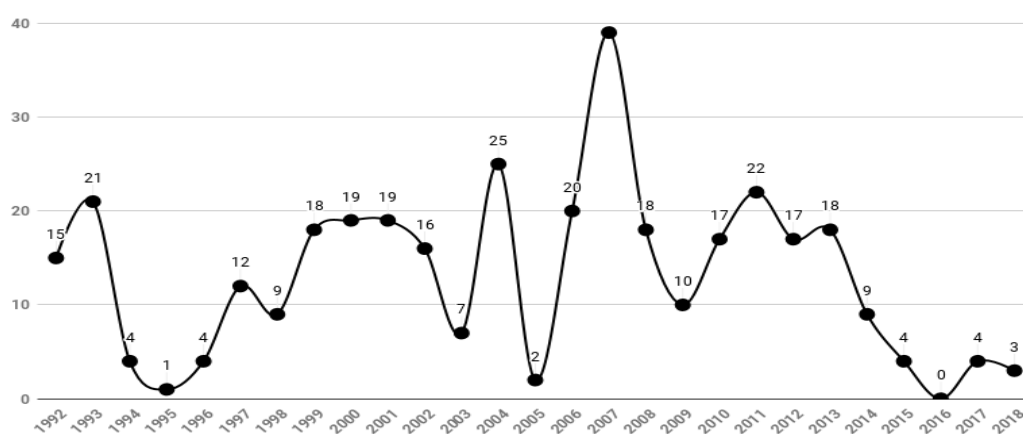
See:Hali, A. (2019) State-Building in Iraqi Kurdistan: A Success or Failure? Unpublished Master dissertation, University of Kurdistan Hewlêr.

In essence, the existence of well-structured institutions does not inherently ensure effective

 performance. This discrepancy alludes to a deeper issue, where the interplay between political elite, institutional rules, and public satisfaction holds the key to unraveling the complex puzzle of functional governance.

According to insights provided by Dr. Layla Amir, a former member of the Kurdistan Parliament, institutions encompass a dual nature: structure and function. These are governed by two sets of values—the enacted values by which institutions discharge their duties, and the socio-political and cultural values embedded within the broader context. A notable discord emerges within the KRI, where socio-political and cultural values often clash with legal values; which means in many cases the legal value neglected and socio-political one has been respected. This friction is evidenced in sectors marked by

political interference, debilitating the bureaucratic system and impeding the institutionalization process.

Another challenge arises from the static nature of institutional structures. While the region boasts well-established institutional frameworks, these structures frequently fail to adapt to contemporary demands, hampering their responsiveness to citizen needs. For instance, the implementation of a "one window" system in certain offices in Sulaimani province, aimed at streamlining citizen interactions, is only operational in PUK-influenced areas, reflecting a politicized approach to governance.

Efforts to enhance institutional efficiency have been attempted, particularly following the emergence of opposition forces in 2009. However, these endeavors have yielded limited outcomes, as political parties continue to exert dominance over government organizations. Despite forming the government, political parties maintain their partisan identity, operating within government institutions much like they do within their internal structures. This is evident in the parliament's continued utilization as a party platform, leading to its occasional closure or suspension—a consequence of its incomplete institutionalization (Dr. Zubir Rasool Ahmad, personal communication).

In the political and social context, the influence of political leaders often surpasses that of institutions (Aziz, 2022). Institutional strength becomes particularly evident during times of crisis. Notable instances include the battle against ISIS and the events of October 16.[4] These events highlight external pressures either to institutionalize or weaken various sectors. For instance, American aid allocated to the Peshmerga forces is contingent on their unification, while Baghdad's budget cuts signify a move to weaken KRI institutions (Office of the Secretary of Defense, 2023; Bakr, 2021, p. 3).

As Dr. Zubir Rasool Ahmed aptly puts it, the Kurdistan Region's pursuit of institutionalization has encountered obstacles. Crises have laid bare the fragility of the region's institutions, revealing their inadequacy to withstand prolonged turmoil.

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[4] Following Kurdistan's independence referendum held on September 25, 2017, the Iraqi government issued threats to potentially launch an offensive against Kurdistan, particularly targeting the province of Kirkuk. At that time, Kurdish forces, primarily those associated with the PKK and PUK, held authority in Kirkuk after the defeat of ISIS. In response to mounting pressure from the Iraqi government, the PUK withdrew its armed forces from Kirkuk, effectively leaving only the armed forces aligned with the KDP in control of the province. The critical turning point occurred on October 16, 2017, when Iraqi forces launched an attack against the KDP-affiliated forces in Kirkuk, successfully wresting control of the province from the KDP. This episode, commonly referred to in the political discourse of Kurdistan as the "October 16 events," significantly weakened Kurdistan (see Palani, 2022).

Consequently, certain political party elites recognize the imperative to bolster institutions. The opposition, too, must shift their focus towards institutionalization rather than the mere distribution of posts. Genuine tenure hinges on institutionalization, a lesson underscored by the events in the fourth session of the Parliament.[5] To enhance institutionalization and efficiency, a foundation of security and stability must be established, paving the way for the subsequent promotion of the rule of law. Only then can the region embark on the path of democratic institutionalization.

Within the context of institutionalization, the concept of "loyalty" to an institution emerges as a pivotal factor. Loyalty denotes the extent to which employees adhere to an institution's guiding principles, unfettered by external factors such as nepotism, party interference, or financial crises. The KRI exhibits a situation where these negative influences are prevalent, overshadowing loyalty to principles. Factors like tribalism or allegiance to party politics can often take precedence over loyalty to government institutions[•].

Samuel Huntington's (1965) perspective accentuates that government institutions possess their own interests, not confined solely to the public domain. This notion is particularly pertinent within the KR, where, during the four years of financial crisis 2014-2018, certain institutions, such as the Ministry of Electricity and the Ministry of Water Resources, failed to effectively collect utility bills and allocate revenue to employees. These institutions seemed to overlook their private interests in favor of their public obligations, highlighting the need for a comprehensive understanding of institutional interests beyond the public sphere.

Dr. Hussamaddin Ali Gilly, an assistant professor at the College of Political Sciences/Salahaddin University, delves into the historical context, noting that the KRI's institutionalization experience is relatively nascent. Prior to 1992, the region operated

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[5] In 2013, the term of the President of the KRI came to an end. In a move marked by political maneuvering, both the KDP and PUK factions decided to extend the president's term for an additional two years. However, due to the regional divide in influence, a complex situation unfolded. Given that the parliament is in Erbil, which falls under the sphere of the KDP's influence, the KDP's armed forces took measures to prevent the Speaker of the Parliament, who hailed from Sulaymaniyah and was associated with the PUK, from entering Erbil. This standoff resulted in the disruption of parliamentary sessions for an extended period of two years. For a more comprehensive analysis on this matter, see: Khalil (2016) and Palani et al. (2019).

[•] For more information see: Khalil, H. M (2016), The Obstacles to Political Development in the Kurdistan Region 1992-2014, Unpablished PhD Thesis, Chpter 8, Bangor University.

under an autonomous rule, yet institutionalization in the modern sense only commenced after this period. The region's institutions, even during autonomy, were extensions of those in Baghdad, signifying a lack of genuine autonomy and institutional experience.

The post-2003 period saw an acceleration in the institutionalization process, driven by attempts to merge the administrations of Erbil and Sulaymaniyah, as well as increased budget allocations to the KRI (Kurdistan Parliament legislation, 2006-2007; Kurdistan Parliament-Iraq, Law No. 20, 2007). The ongoing institutionalization process, though underway, encounters implementation challenges. These challenges often stem from a lack of unity within the ruling elite; which means the elites from different political parties that shaped the government in many cases stand against each other. Disagreements and lack of adherence to the rule of law between political factions, symbolized by the Green and Yellow zones (associated with the PUK and KDP flags, respectively), hinder integration and institutionalization (Megan Connelly and Mike Fleet, 2022; Khalil, 2016, p. 107).

Assistant Professor Omer Nuraddini highlights two core factors contributing to weak institutionalization in the KRI:

1. The KRI lacks full political sovereignty.

2. A constitution, which is pivotal for institution-building and institutionalization, is absent.

These challenges are compounded by the region's unique trajectory: political parties emerged prior to governance institutions. In contrast to European models where institutions predate parties, in the KRI, institutions developed within the confines of political parties, leading to distinctive challenges in the institutionalization process (Stansfield, 2003, p. 5; MacQueen, 2015, p. 432).

Assistant Professor Hemn Merany, director of the General Office of the Ministry of Interior in the ninth cabinet, elaborates on these challenges. The foremost challenge originates from the dominance of political parties, which consider themselves proprietors of institutions due to their revolutionary origins. Decisions are often made at the political bureau level, overshadowing parliament and government. Additionally, historical division between different zones and the influence of various political elites, present hurdles to institutionalization. The region's non-state status and dependence on developments in Baghdad and neighboring countries further compound these challenges. A concrete example is the Federal Court's dissolution of the fifth

parliamentary session and the High Election Commission of the KRI in 2023, creating an institutional void (Iraqi Federal Supreme Court, 2023).

Houssein Kordnejad, an economic researcher at the Kurdistan Institute for Research and Development, identifies several key challenges to the process of institutionalization in the KRI. Negative competition among political parties stands out as a significant hindrance, fostering instability and external interference. This competition undermines the confidence of elites and capitalists in entrusting their wealth and power to legal structures, which is a fundamental aspect of institutionalization. A sense of stability and enduring geopolitical structure is necessary for the effective concentration of wealth and power under the law. The division of the KRI into two zones during the civil war (1994-1998) exemplifies this challenge, as it obstructed the movement of capital and investors between the zones.

Conclusion

this study examined the requirements and criteria that contribute to the embodiment of the institutionalization process within the bureaucratic system in the Kurdistan region. The nature of bureaucracy and how it affects institutional effectiveness are also examined. As a result, the study attempted to explain the institutionalization process' level of implementation as well as the reasoning behind it and the difficulties the administrative sector presented.

The KRI's journey towards institutionalization is influenced by complex historical legacies, political dynamics, loyalty struggles, and an evolving regional landscape. Understanding these multifaceted factors is crucial for forging a path toward effective governance and institutional stability. While institutions do exist within the KRI, they often fall short in efficiently meeting the contemporary needs of society. Over the past three decades, various events have demonstrated the institutions' lack of effectiveness, including internal conflicts, armed factions, parliamentary suspensions, the multifaceted fight against ISIS, calls from political parties for direct dealings with the Baghdad government, demands for separate budgets for ministries in Baghdad, the events of 2017, prolonged teachers' demonstrations, and salary cuts. Also, the role of strong political personalities and family rule in KRG, can be account as another factor.

To conclude, the process of institutionalization is intricate and time-intensive, encompassing a multitude of political, economic, legal, cultural, and psychological barriers within the KRI. While external influences play a role, the crux of the matter lies

internally: the dominance of the political elite over institutions. Enhancing the institutionalization process requires a clear constitution, streamlining administrative procedures, formulating effective institution management rules (for both governmental and non-governmental entities), reducing political interference in bureaucratic matters, and fostering employee education for proper task execution. Above all, the commitment of political elites to the institutionalization process is crucial. The present state of institutions in the KRI directly impacts the efficiency of the bureaucratic system, emphasizing the necessity of institutionalizing these structures for optimal functioning. By undertaking the aforementioned measures, the bureaucratic system can be enhanced, and the institutions fortified.

List of references

First: Books

Almond, G, A., Powell, G, B. (1969) '*The Political System*', in Blondel, J. (ed.) Comparative Government. United Kingdom.

Breuning, M., & Ishiyama, J. T. (2014). Neoinstitutionalism. Encyclopaedia Britannica.

Ezrow, N. M., & Frantz, E. (2013). *Failed states and institutional decay: Understanding instability and poverty in the developing world*. Bloomsbury Publishing USA.

Huntington, S. (2006) *Political Order in Changing Societies*, 2nd edn. New Haven and London: Yale University Press.

Kingsbury, D. (2007) *Political Development*. United Kingdom: Routledge.

Knight, J. (1992) *Institutions and Social Conflict*. UK: Cambridge University Press.

Peters, B, G. (1999). *Institutional Theory in Political Science: The New Institutionalism*. London: Pinter.

Roxborough, I. (1979). *Theories of Underdevelopment*. London: Macmillan Press.

Jawhar, B. S. (2021). Political Trust in Kurdistan Region's Political System, Tehran, First Edition. [In Kurdish: متمانەی سیاسی بە سیستەمی سیاسی هەرێمی کوردستان].

Stansfield, G, R, V. (2003). I*raqi Kurdistan Political Development and Emergent Democracy*. London: Routledge Curzon.

Voller, Y. (2014). *The Kurdish liberation movement in Iraq: From insurgency to statehood*. Routledge.

Weber, M. (1968). *Basic Concept in Sociology*. Translated by Secher, H, P. London: Lowe and Brydone.

Second: Research and Articles

Amenta, E., & Ramsey, K. M. (2010). Institutional theory. Handbook of politics: State and society in global perspective, 15-39.

Aziz, S. (2022) Iraqi Kurdistan's Political Landscape After The 2021 Elections, Friedrich Ebert Stiftung https://library.fes.de/pdf-files/bueros/amman/19741.pdf

Bakr, M. (2021) The war at Home: The Need for Internarl Security Sector Reform in Iraqi Kurdistan, The Middle East Institute.

Bodnieks, V. (2020). The New Institutionalism: A tool for analysing defence and security institutions. *Security and Defence Quarterly*, *32*(5), 83-94.

Connelly, M. and Fleet, M. (2022), Living Apart Together: Decentralized Governance in the Kurdistan Region of Iraq, IRIS Report, American University of Iraq, Sulaimani. https://auis.edu.krd/iris/sites/default/files/Final%20%20Living%20Apart%20Together%20-%202%20Nov%2020.pdf

Crone, D, K. (1988) 'State, Social Elites, and Government Capacity in Southeast Asia', *World Politics*, 40(2).

Francis, S. (2011). *Institutionalizing elites: Political elite formation and change in the KwaZulu-Natal provincial legislature* (Vol. 23). Brill.

Glaeser, E, L., La Porta, R., Lopez-De-Silanes, F., Shleifer, A. (2004) 'Do Institutions Cause Growth?', *Journal of Economic Growth*, 9(3).

Hali, A. (2019) State-Building in Iraqi Kurdistan: A Success or Failure? Unpublished Master dissertation, University of Kurdistan Hewlêr.

Huntington, S. (1965) 'Political Development and Political Decay', *World Politics*, 17(3).

Khalil, H. M (2021) The Connection Between Good Governance and Decentralization: Kurdistan Region as a Case Study, Twejer Journal, Soran university, 4(1), pp375-400. [In Kurdish: هیوا مەجید خەلیل، (٢٠٢١) پەیوەندیی نێوان حوکمڕانی باش و سیستەمی لامەرکەزیی: خوێندنەوەیەک بۆ دۆخی هەرێمی کوردستان، گۆڤاری تویژەر، ٤(١)، ل ٣٧٥-٤٠٠.]

Khalil, H. M (2016), The Obstacles to Political Development in the Kurdistan Region 1992-2014, Unpablished Thesis, Bangor University.

Leezenberg, M. (2017). Iraqi Kurdistan: a porous political space. *Anatoli. De l'Adriatique à la Caspienne. Territoires, Politique, Sociétés*, (8), 107-131.

Lutzker, M. A. (1982). Max Weber and the analysis of modern bureaucratic organization: Notes toward a theory of appraisal. *The American Archivist*, 45(2), 119-130.

MacQueen, B. (2015). Democratization, elections and the 'de facto state dilemma': Iraq's Kurdistan Regional Government. *Cooperation and Conflict*, 50(4).

Jaff, N. (2022) PUK and KDP: A New Era of Conflict, Washington Institute, visited at: 29/1/2023   https://www.washingtoninstitute.org/policy-analysis/puk-and-kdp-new-era-conflict

Nelson, J, N. (1984) 'The Political Economy of Stabilization: Commitment, Capacity, and Public Response', *World Development*, 12(10).

North, D. (1993) 'Institutions and Credible Commitment', *Journal of Institutional and Theoretical Economics (JITE),* 149(1).

NURİ, Z. M. (2022). POLITICAL HISTORY OF THE DE-FACTO KURDISTAN REGION-IRAQ. *Kurdiname*, (6), 122-143.

Palani, K., Khidir, J., Dechesne, M., & Bakker, E. (2019). The development of Kurdistan's de facto statehood: Kurdistan's September 2017 referendum for independence. *Third World Quarterly*, 40(12), 2270-2288.

Palani, K., Khidir, J., Dechesne, M., & Bakker, E. (2021). Strategies to gain international recognition: Iraqi Kurdistan's September 2017 referendum for independence. *Ethnopolitics*, 20(4), 406-427.

Palani, K. (2022). *Kurdistan's de facto statehood: A new explanatory framework*. Taylor & Francis.

Parsons, T. (1990). 'Prolegomena to a Theory of Social Institutions', *American Sociological*, 55(3).

Phillips, N., Lawrence, T. B., & Hardy, C. (2004). Discourse and institutions. *Academy of management review*, *29*(4), 635-652.

Saleem, Z. and Skelton, M. (2020). LSE Middle East Centre Paper Series, https://auis.edu.krd/iris/sites/default/files/MEC_assessing_iraqi_kurdistans_stability_published.pdf

Salih, Y. (2020), Political Parties and Obstacles to Building Institutional Power in the Kurdistan Region, Shrovah Journal, Erbil, No 31. [In Kurdish].

Zucker, L. G. (1987). Institutional theories of organization. Annual review of sociology, 13(1), 443-464.

Third: Legislations and International Agreements

Kurdistan Parliament – Iraq, Law No. 8 (2011) An act against domestic violence, https://www.parliament.krd/english/parliament-activities/legislation/2011/

Kurdistan Parliament-Iraq, Law No. 20 (2007) An act for the Kurdistan Region – Iraq January 1 –December 31, 2007 Budget, https://www.parliament.krd/english/parliament-activities/legislation/2007/

Kurdistan Parliament– Iraq The Law of the Provinces of the Kurdistan Region, 2009 Law number 3.

Kurdistan Parliament – Iraq, Law No. 3 (2009) An act for the provinces of the Kurdistan Region – Iraq.

Kurdistan Parliament – Iraq, parliament legislation for all unified ministry in 2006.

Kurdistan Parliament – Iraq, parliament legislation for all unified ministry in 2007.

Kurdistan Parliament-Iraq, Law No. 20 (2007) An act for the Kurdistan Region – Iraq January 1 – December 31, 2007 Budget.

Fourth: Electronic Resources and Websites

Office of the Secretary of Defense (2023). Justification for FY 2024 Counter-Islamic State of Iraq and Syria (ISIS) Train and Equip Fund (CTEF). available at: file:///C:/Users/ElectroMall/Downloads/Iraq&syria%202024.pdf

Wahab, B. (2020). Divisions in Iraqi Are Costing the United States a Reliable Partner, https://www.washingtoninstitute.org/pdf/view/1072/en

Wahab, B. (2023). The Rise and Fall of Kurdish Power in Iraq, Washington Institute, https://www.washingtoninstitute.org/policy-analysis/rise-and-fall-kurdish-power-iraq

Fifth: Interview

Abdulkakeem Khosro, PhD in Political Science, the Head of Department of Coordination and Follow-Up In Ninth Cabinet. Date of Interview 23/8/2022.

Chwas Hassan, Assistant Professor In Constitutional Law, Kurdistan parliament Consultant, Date of Interview 18/8/2022.

Hemn Merany, Assistant Professor in Political Science, Director General of Diwan at Ministry of Interior KRG, Date of Interview 30/8/2022.

Houssein Kordnejad, Economic Program Manager in Institute for Research and Development-Kurdistan, MA in Democratic Development, Date of Interview 30/1/2023.

Hussamaddin Ali Gilly, Assistant Professor, Collage of Political Science, Salahaddin University. Date of Interview 26/8/2022.

Layla Amir, PhD in Sociology, Former member of Iraqi Kurdistan Parliament, Date of Interview 24/3/2023.

Omer Nuraddini, Assistant Professor, Former member of Iraqi Kurdistan Parliament, Date of Interview 29/4/2023.

Zubir Rasool Ahmed, Assistant Professor, Collage of Political Science, Salahaddin University, Researcher in National Research Center/ Kurdistan Region Presidency. Date of Interview 21/8/2022.

Saro Qadir, Head of the Institute for Research and Development- Kurdistan (Interview on 7 June 2014 for researcher PhD project.

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خوێندنەوەیەک بۆ ئالنگاریەکانی بەردەم سیستەمی بیرۆکراسی و بەدامەزراویکردن لە هەرێمی کوردستان

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پوختە

ئەم توێژینەوەیە، خوێندنەوە بۆ پرۆسەی بەدامەزراوەییکردن و سیستەمی بیرۆکراتی لە هەرێمی کوردستانی عێراق دەکات. هەرێمی کوردستان لەلایەک مەیلی ناوەندەگرایی هەیە و لەلایەکیتریش ناچارە دەسەڵاتەکان شۆڕبکاتەوە؛ ئەمەش، کاریگەری لەسەر ستراکتۆری سیاسی-ئابووری وڵات و دەستپێشخەرییەکانی چاکسازی هەیە. هاوسەنگکردنی ئەم داینامیکییانە زۆر گرنگە بۆ دڵنیابوون لە حوکمڕانی کاریگەر و دامەزراوە وەڵامدەرەکان. توێژینەوەکە بەدواداچوون بۆ پەیوەندیی نێوان نوخبە سیاسییەکان و ڕێڕەوی بەدامەزراوەییکردن دەکات، باس لە قۆناغی شۆڕشگێڕیی و قۆناغی دوای شۆڕشدا دەکات کە چۆن کارتێکەریان لەسەر ئەم پرۆسەیە هەیە. ئەم ململانێ و قۆناغبەندییە هەرێمی کوردستانی بەسەر دوو قۆناغی زەمەنی جیاواز دابەشکردووە. توێژینەوەکە، میتۆدی چۆنایەتی بەکارهێناوە، کە تێڕوانینەکانی لە نۆ چاوپێکەوتنی قووڵ لەگەڵ پسپۆڕان لە کەرتە جیاوازەکان وەرگرتووە. لە ڕێگەی ئەم ڕێبازەوە، ڕۆشنایی دەخاتە سەر ئاستەنگە پرۆسەی بە دامەزراوەییکردن لە هەرێمی کوردستان.

دراسة التحديات في مسار النظام البيروقراطي والمأسسي في إقليم كوردستان

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الملخص

تتعمق هذه الدراسة في المشهد المعقد للأنظمة المؤسسية والبيروقراطية في إقليم كردستان العراق. يتصارع إقليم كردستان العراق مع النزعات المركزية، مما يؤثر على الهياكل السياسية والاقتصادية ومبادرات الإصلاح. إن تحقيق التوازن بين هذه الديناميكيات أمر بالغ الأهمية لضمان الإدارة الفعالة والمؤسسات المستجيبة. تستكشف الدراسة التفاعل بين النخب السياسية ومسار المأسسة، وتكشف عن الاختلاف بين المرحلتين الثورية وما بعد الثورة. ويعزز هذا الانقسام الصراع، مما يؤدي إلى تقسيم إقليم كوردستان العراق إلى مجالين. تستخدم الدراسة المنهج الكيفي، وتستمد رؤى من تسع مقابلات متعمقة مع خبراء من مختلف القطاعات. ومن خلال هذا النهج، فإنه يسلط الضوء على التحديات المعقدة داخل المشهد المؤسسي لإقليم كوردستان العراق، مع التركيز على الحاجة إلى حكم متماسك وسط ديناميكيات السلطة المعقدة.