



# MECHANISMS FOR ENHANCING GOOD GOVERNANCE IN THE WORK OF PROVINCIAL COUNCILS IN IRAQ AFTER 2005

## COLLEGE OF LAW, UNIVERSITY OF BAGHDAD

Assistant Lecturer Azal Abdullah Hammoud

[azal.abdullah@colaw.uobaghdad.edu.iq](mailto:azal.abdullah@colaw.uobaghdad.edu.iq)

Article history:	Abstract:
<p><b>Received:</b> 8<sup>th</sup> March 2026 <b>Accepted:</b> 7<sup>th</sup> April, 2026</p>	<p>This study examines the mechanisms necessary to enhance good governance within the operations of provincial councils in Iraq following the 2005 democratic transition. Driven by the declining performance of local institutions and their inability to meet citizens' needs, the research investigates the theoretical framework, foundational elements, and core criteria of good governance. Employing systematic and legal methodologies, the paper analyzes the constitutional and legal organization of Iraqi governorates, focusing specifically on the 2005 Permanent Constitution and Law No. 21 of 2008 governing non-federated governorates. The findings highlight significant obstacles to effective local administration, including constitutional ambiguities, a misalignment between provincial and federal authorities, persistent nepotism in appointments, and pervasive corruption. To activate good governance and overcome these challenges, the study recommends strengthening the rule of law, building institutional capacities based on merit, enforcing central administrative oversight, and fostering active citizen participation to ensure transparent, equitable, and accountable local governments.</p>
<p><b>Keywords:</b> Good Governance, Provincial Councils, Local Administration, Administrative Decentralization, Rule of Law, Political Participation</p>	

### INTRODUCTION

The concept of good governance has emerged as a significant and contemporary topic, garnering increased attention as a pathway to enhance the performance of institutions and states founded on sound democratic principles. These principles encompass the rule of law, active participation, transparency in performance, empowerment of citizens' roles, and their legitimate representation. This approach aims to establish a robust state and institutions capable of delivering effective performance, addressing challenges, and producing outcomes aligned with individual and societal requirements.

Interest in good governance has intensified following the World Bank report, which expanded the concept of development and emphasized the role of local administration in implementing administrative and political reforms. Iraq is among the nations that have prioritized good governance following the regime change and the implementation of a democratic system post-

2003. This transition involved a fundamental restructuring of the political system, replacing it with a democratic regime that reinforces democratic foundations and confers rights and duties.

Several legislative measures were enacted to facilitate this systemic transformation, including the permanent Constitution of 2005 and Law No. 21 of 2008 governing non-federated governorates. Subsequent amendments have further emphasized the promotion of decentralization in Iraq. However, these legislative efforts alone are insufficient without genuine political will and effective implementation to overcome the obstacles hindering the application of good governance principles.

### Significance of the Study:

Good governance is considered a crucial topic as it addresses the functioning of institutions, the primary obstacles they face, and methods to enhance its implementation in provincial councils.

This study elucidates the significant mechanisms for its application to achieve its objectives.

### Research Problem:

Due to the declining performance of institutions, their inability to deliver desired outcomes for citizens, and challenges in reinforcing democracy on sound principles, the research problem is encapsulated in the following questions:

1. What are the key mechanisms of good governance, and what obstacles impede its implementation?
2. How can the role of good governance be activated in the operations of provincial councils?

### Research Hypothesis:

The study's hypothesis posits that good governance is the optimal approach for the success of a democratic system and the reinforcement of sound democratic principles. It serves as the foundation for a system and proper functioning that delineates public policies to achieve development. However, reality indicates the presence of obstacles that limit institutional operations and weaken the application of good governance.

### **Methodology:**

The study employed a systematic approach to elucidate the functioning of system institutions, complemented by a legal methodology to explicate the juridical foundations for its implementation.

### **Study Structure:**

The study comprises an introduction, two main sections, and a conclusion. The first section addresses the theoretical framework of good governance through three subsections: the essence of good governance, elements of good governance, and criteria of good governance. The second section, titled 'The Constitutional and Legal Organization of Provincial Councils and Mechanisms for Implementing Good Governance,' is devoted to two subsections: the first examines the constitutional and legal organization of provincial councils, while the second explores the mechanisms for implementing good governance in the operations of provincial councils.

### **First Section:**

#### **Theoretical Framework of Good Governance**

This section examines the theoretical framework of good governance through three subsections. The first subsection is dedicated to studying the essence of good governance. The second subsection addresses the elements of good governance, while the third subsection focuses on the criteria of good governance.

#### **First Subsection:**

##### **The Essence of Good Governance**

This subsection explores the origins and concept of good governance:

##### **I. Origins of Good Governance**

The term 'good governance' (al-hukm al-rashid) emerged in the 13th century in French as a synonym for 'government.' It later appeared as a legal term in 1478, used broadly to express governmental requirements. With societal development and the advent of globalization, interest in the concept of good governance and its practical application increased, aiming to facilitate social systems and reinforce democratic principles[1].

The World Bank emphasized the issue of global governance and the necessity for governments to respond to their citizens' requirements and meet their needs. Subsequently, the term evolved within the international community, garnering widespread attention encompassing crucial topics such as democracy, human rights, social security, and poverty alleviation. This led to calls for establishing international organizations and democratic governments seeking to ensure and achieve the requirements of good governance[2].

##### **II. Concept of Good Governance**

Perspectives on the concept of good governance have varied due to researchers' differing intellectual starting points. We will elucidate this as follows:

##### **1. Linguistic Definition of Good Governance**

The term 'hukm' (governance) linguistically denotes knowledge, wisdom, and justice. 'Mahkamah' (court) refers to the judicial body that adjudicates disputes. 'Hakim' (governor) is one who governs people and is appointed to rule. It is derived from the trilateral root 'tahakkama,' meaning to dominate[3].

'Rashid' (righteous) is one of Allah's beautiful names, derived from the root 'rashada,' meaning guidance, which is the antithesis of misguidance. It refers to the righteous person who guides towards the path of justice and achieves the interests of the subjects[4]."

##### **2. Conceptual Definition of Good Governance**

The World Bank defines good governance as 'the traditions and institutions by which authority in a country is exercised for the common good. This encompasses the process by which those in authority are selected, monitored, and replaced; the capacity of the government to effectively manage its resources and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them'[1].

Good governance is also defined as 'the process through which public policies are formulated and implemented, resources and wealth are distributed, and justice is achieved'[2].

Furthermore, good governance is conceptualized as 'the management of political, economic, and social institutions and authorities at various levels - centralized, decentralized, regional, and local'[3].

From the above, it is evident that good governance is a methodology and approach for administering governance within the state and societies at all levels. It encompasses all sectors - political, economic, social, and cultural - aiming through its prudent management to achieve justice and enhance productivity. This is accomplished through the adoption of sound public policies that aim to realize development and equity within the state and society.

#### **Second Subsection:**

##### **Elements of Good Governance**

Good governance comprises three essential elements: the state, civil society, and the private sector. These elements are crucial for realizing good governance. The state serves as the primary and effective actor in its embodiment by creating an acceptable environment. Civil society represents the aggregate of voluntary organizations that occupy the

public sphere. The private sector contributes to achieving good governance and is considered a fundamental partner of the state. We will elucidate each of these elements in detail as follows:

### **First: The State**

The state is one of the most significant concepts in the political domain, with numerous definitions owing to its nature as a legal and political institution. It emerges where there is a permanent group of people subject to a supreme authority that exercises sovereignty over them. The state is characterized by three fundamental pillars: the people, the territory, and the authority[1].

The state creates an acceptable political and legal environment. With all its institutions, it is the effective and principal party in applying the principle of good governance, as it is the entity that oversees and determines the formulation of public policies in the country[2].

Therefore, it can be stated that the state performs multiple functions. Among these functions, it focuses on the social dimension, monitors and controls the exercise of power, is responsible for providing public services to citizens, and works to provide an appropriate environment for achieving human development in societies[3].

### **Second: Civil Society**

The concept of civil society has become intrinsically linked to the modern state. The discourse has shifted from direct state-citizen relationships to indirect relationships mediated by civil society institutions and organizations. Civil society demonstrates the capacity to mobilize citizens for voluntary work in public affairs and participatory development. It provides a suitable environment for humanitarian work where citizens operate by choice. Civil society organizations should rely on methods that involve citizens in collaborative efforts with local authorities and official state institutions[1]. Civil society can monitor the performance and operations of official bodies by adhering to the principle of transparency in all its interventions. These interventions, achieved through stakeholders when formulating agreements, aim to reduce bureaucratic procedures and negative practices that significantly impact societal development, advancement, and the overall development process[2].

Civil society plays a crucial role in achieving good governance as it mobilizes groups to participate in political and social activities[3].

### **Third: The Private Sector**

The private sector plays a significant role in realizing good governance as it creates employment opportunities. It has a substantial role in consolidating good governance, especially for countries needing to reform their political, economic, and social systems. The private sector is a key partner to the state and, alongside state apparatuses and formal civil society organizations, provides capital, expertise, and knowledge to materialize development processes across various domains. Citizens can also contribute to building good governance when they attain advanced levels of political and cultural awareness necessary for establishing good governance[4].

The government can encourage the private sector by working to make the sector sustainable within the framework of what is termed economic governance. This can be achieved through various mechanisms, including:

- Reinforcing the rule of law
- Creating a stable macroeconomic environment
- Establishing a competitive market
- Strengthening institutions to generate employment opportunities
- Attracting investments for knowledge and technology transfer
- Protecting the environment and natural resources [1]

### **Third Subsection:**

#### **Criteria of Good Governance**

The criteria of good governance vary according to researchers' perspectives. Attempts to universalize these criteria across all societies and employ uniform standards may lead to arbitrariness and disregard for economic, social, and political disparities, as well as cultural specificities of societies and states[1]. The most salient criteria of good governance are as follows: **First: Participation**

Participation is defined as the engagement of all members of society in decision-making through institutions that enable them to express their opinions in the decision-making process, ensuring freedom of opinion, expression, and fundamental human rights standards[2].

Participation implies increased trust and acceptance of political decisions by citizens, indicating the presence and growth of local expertise. All stakeholders, regardless of gender, should have a voice in decisions affecting their lives, based on freedom of association, expression, and capacities for effective participation[3].

#### **Second: Responsiveness**

Responsiveness refers to the capacity of institutions to serve all constituents and meet their aspirations without exception.

#### **Third: Equality**

Equality signifies the ideal principle of equitability among all individuals in rights and dignity, without discrimination within the framework of good governance. It ensures that all individuals are equal in liberties, dignity, and rights.

#### **Fourth: Consensus Orientation**

Good governance seeks to reconcile differing interests to achieve consensus that serves all stakeholders. It provides procedures and policies that enable agreement between interests and consensus on beneficial outcomes[1].

### **Fifth: Rule of Law**

According to the United Nations Environment Programme Governing Council report, the law establishes necessary and formal rules, standards, and procedures adopted by decisions and implemented effectively. The law designs and enables essential institutions and establishes institutional governance based on transparency, inclusiveness, and accountability in its management. It also defines safeguards for vulnerable sectors in society[2].

### **Sixth: Strategic Vision**

In the context of good governance, strategic vision is determined through development partnerships between state institutions and the private sector. This is achieved by formulating longterm plans to develop community work and its members. To succeed and achieve positive results when formulating plans, internal and external variables and risks must be considered, and solutions sought.

### **Seventh: Accountability**

Accountability is crucial as it enables institutions to monitor, comprehend, and regulate their behaviors, and implement necessary corrective measures through interaction with parties subject to their accountability. It enhances legitimacy in decision-making, elevates the level of transparency, and prevents the disproportionate increase of influence by any particular stakeholder group[1].

### **Eighth: Transparency**

Transparency denotes complete clarity in decision-making, policy formulation, and strategic planning, presenting these to entities responsible for government oversight on behalf of the populace. Administrative and political practices are subject to continuous monitoring and accountability. It serves as an open channel of communication between stakeholders and officials, and as a tool to combat corruption, especially in developing nations. Transparency is also a strong factor of political stability, representing both a right of individuals towards the state and a duty of authority and administration towards individuals. The key components of transparency include[2]:

- The causal relationship between information and the subject to be monitored
- Access to information
- Accuracy in obtaining information

### **Ninth: Effectiveness**

The efficiency and effectiveness in managing public institutions and civil society organizations ensure the continuity of achieving prosperity, progress, and the constant aspiration to enhance the concept of development [3].

## **Second Section:**

### **Constitutional and Legal Organization of Provincial Councils and Mechanisms for Implementing Good Governance**

This section examines the constitutional and legal organization of provincial councils and the mechanisms for implementing good governance through two subsections. The first subsection is dedicated to studying the legal and constitutional organization of governorates in Iraq, while the second subsection addresses the mechanisms for implementing good governance in the work of provincial councils.

#### **First Subsection:**

#### **Constitutional and Legal Organization of Provincial Councils in Iraq**

##### **I. The Permanent Iraqi Constitution of 2005**

The process of drafting a new constitution is one of the most challenging tasks facing any state, as Iraq experienced post-2003. Crafting a new constitution for Iraq was not a simple endeavor; however, through the concerted efforts of specialized committees, the constitutional drafting committee, and support from the transitional government, it was accomplished by the Constituent Assembly and subsequently submitted for public referendum on October 15, 2005.

The constitution comprises six sections, with the first section delineating the fundamental principles. Article 1 of the constitution stipulates: 'The Republic of Iraq is a single federal, independent and fully sovereign state in which the system of government is republican, representative, parliamentary, and democratic'[1].

Article 116 of the 2005 permanent constitution defines the components of the federal system: 'The federal system in the Republic of Iraq is composed of a decentralized capital, regions, and governorates, as well as local administrations'. The Iraqi Constitution of 2005, since its inception, recognized the Kurdistan Region as a federal region[2]. It also provided for the possibility of forming an unlimited number of regions and established the general framework for the formation of federal regions. Additionally, it granted individual governorates or groups of governorates the right to form a region through a referendum process, as stipulated in Article 119 of the federal constitution[3]

The Iraqi legislator dedicated Chapter Two of Section Five of the 2005 Constitution to delineate the legal organization of governorates not incorporated into a region. Article 112 of the Constitution stipulates the following[1]:

**First:** Governorates shall be composed of a number of districts, sub-districts, and villages.

**Second:** Governorates that are not incorporated in a region shall be granted broad administrative and financial authorities to enable them to manage their affairs in accordance with the principle of decentralized administration.

**Third:** The governor, who is elected by the Governorate Council, is deemed the highest executive official in the governorate to practice his powers mandated by the Council.

**Fourth:** A law shall regulate the election of the Governorate Council, the governor, and their powers.

**Fifth:** The Governorate Council shall not be subject to the control or supervision of any ministry or any institution not linked to a ministry. The Council shall have an independent finance.

The 2005 Permanent Iraqi Constitution also affirmed the establishment of local governments based on administrative decentralization in organizing the relationship between the federal government and the governorates not incorporated into a region, founded on the principles of the federal system.

The Constitution also regulated the status of the capital city under Article 124, stipulating that the capital, 'within its municipal borders,' is subject to a law different from that of other governorates and possesses powers that are not within the exclusive competencies of the federal authorities[2].

From the above, we observe that the Iraqi Constitution adopted a quadripartite division for levels of administrative organization: the capital (Baghdad), the region (Kurdistan Region), governorates not incorporated into a region, and finally, local administrations. Additionally, the Constitution allowed each governorate or more to form a region outside the Kurdistan Region, but not exceeding three, except for Baghdad and Kirkuk, which cannot form a region between them. Furthermore, the law guarantees rights and freedoms for all nationalities present in the state.

### **Second: Legal Organization of Provincial Councils in 2008**

Pursuant to Article 122 (Second) of the Iraqi Constitution, legislation was enacted for governorates not incorporated into a region, superseding Governorates Law No. 159 of 1969 and its amendments. The Law of Governorates Not Incorporated into a Region was promulgated on March 19, 2008. Its issuance was necessitated by the need to address the broad competencies and authorities granted by the Constitution to governorates and their administration, and to organize them in a manner consistent with the form of a state based on the federal system and decentralized administration. This law was enacted due to the lack of current legislation addressing this situation.

#### **1. Formation and Membership of Provincial Councils**

We will discuss the formation of provincial councils and the organization of their membership.

#### **A. Provincial Councils**

Provincial councils are considered legislative and supervisory authorities within the administrative boundaries of the governorate[1]. They consist of 25 seats, with one additional seat for every 200,000 people exceeding 500,000. The text did not specify a quota for women's representation[2].

Members are selected through direct secret ballot, which enhances their independence from the central administrative authority and prevents them from being subject to its will. This allows the council to perform its duties with greater freedom.

Provincial councils elect the highest executive official (the governor) through a mechanism of absolute majority voting by council members within thirty days of the first council session. If no candidate obtains an absolute majority, a runoff is held between the two candidates with the highest votes, and the one who receives the most votes in the second round is elected[3]. The governor can be elected from within or outside the council[4]. After the election, the governor is appointed by presidential decree within fifteen days of the election date

#### **B. Membership in Provincial Councils**

The requisite conditions for those aspiring to candidacy for membership in provincial and local councils are as follows[1]:

1. The candidate must be an Iraqi citizen with full legal capacity, aged 25 years or older, which is considered an optimal age for assuming public office, wherein the candidate is capable of work and innovation.
2. The candidate must possess, at minimum, a secondary school certificate. However, a bachelor's degree is preferable to ensure the member possesses a high level of cultural and scientific knowledge necessary for fulfilling the responsibilities of this important position.
3. The candidate must be of good conduct, reputation, and behavior, and not have been convicted of a felony or a crime of moral turpitude[2].
4. The candidate for council membership must be either a native of the governorate or have resided there for at least ten years, being familiar with its problems and hardships, empathizing with the plight of its inhabitants, sharing in their aspirations, and assisting them in overcoming their current situation.
5. The candidate must not be a member of the armed forces or security institutions[3].

### **SECOND SUBSECTION:**

#### **Mechanisms for Implementing Good Governance in the Operations of Provincial Councils**

To establish the presence of good governance within Iraqi provincial councils, it is imperative to adopt a set of fundamental mechanisms upon which good governance is predicated. This adoption represents a critical step for provincial councils to overcome existing deficiencies and reform their operations through the implementation of these principles, thereby achieving their intended objectives. This requirement will address:

#### **First: The Rule of Law**

The existence and supremacy of equitable legislation are essential for creating a secure environment for citizens and ensuring the law's precedence over governance itself. This legislation must be applied universally without discrimination. Legal reform constitutes a crucial component of good governance, as Arab nations strive towards this ideal through the review and modernization of their existing legal frameworks. This process aims to eliminate obsolete and unnecessary laws, replacing them with contemporary statutes that align with international standards.

One of the primary obstacles to implementing good governance in Iraqi provincial councils is the conflict and overlap between provisions of the permanent constitution of 2005 and the current provincial law, as well as other potentially problematic provisions. To achieve good governance in Iraq, it is necessary to eliminate ambiguities in constitutional texts and amend the legal provisions of the current provincial law. There is a pressing need to enact a series of laws

that activate constitutional provisions and implement amendments that delineate the authorities of local powers in accordance with the general context of administrative decentralization. This approach would contribute to the stabilization of Iraq's administrative system.

Through the allocation of administrative powers to local governments, it becomes possible to achieve development and implement effective oversight to consolidate quality management and integrity standards. The ultimate goal is the reconstruction of Iraq, preservation of its unity, and empowerment of local governments to deliver services to the community as prescribed by law.

This approach to governance reform and legal restructuring aligns with contemporary theories of public administration and decentralization. It emphasizes the importance of clear legal frameworks, institutional capacity building, and the principle of subsidiarity in fostering effective local governance and sustainable development.

It is imperative to emphasize that the existence and supremacy of law should be accompanied by institutional operations and the institutional capacity to enforce legislation. However, current circumstances indicate that Iraqi state institutions and their structures have not been established on sound foundations. The general weakness of institutions, particularly regulatory and oversight bodies, the absence of effective laws to protect society, and the fragility of judicial institutions have all contributed to the weakened institutional framework of the state, which in turn leads to suboptimal governmental performance.

Consequently, there is a pressing need to build the institutional capacities of provincial and local councils. This can be achieved through a focus on human capital development, which involves enhancing the skills and capabilities of competent personnel within the institution and elevating individual skill levels. Additionally, it requires the development of resources and organizational processes, which pertains to the ability to cultivate essential resources and ensure the integrity of internal processes in utilizing these resources. Institutional development encompasses power relations between institutions, the delineation of their functions, and the reciprocal relationships within the organization. ([1])

### **Second: Participation**

Political participation is considered one of the fundamental characteristics of governance. Political openness and democratic progress cannot occur without institutions through which citizens can participate in selecting their rulers and representatives in the decision-making process and oversee its implementation. Through participation, citizens gain the right to influence decisions that affect their lives.

Participation at the individual level fosters a sense of dignity, value, and political significance. It alerts both the governing and the governed to their rights and duties. Participation serves to promote the general welfare of citizens and makes rulers more responsive to their demands. ([2])

This elucidates the impact of participation in governance, which is one of the distinguishing features of good governance. The permanent Iraqi Constitution of 2005 stipulates that "Citizens, men and women, shall have the right to participate in public affairs and to enjoy political rights including the right to vote, elect, and run for office." ([3])

This constitutional provision underscores the significance of citizen engagement in the democratic process and aligns with contemporary theories of participatory governance and democratic consolidation. It reflects a recognition of the importance of inclusive political participation in fostering legitimacy, accountability, and responsive governance.

The implementation of these principles—rule of law, institutional capacity building, and political participation—represents crucial steps towards establishing good governance in Iraq's provincial councils. These elements are interconnected and mutually reinforcing, forming the foundation for a more effective, transparent, and accountable system of local governance.

Citizen Participation in Public Policy Formulation and Democratic Processes with regard to public policy formulation, participation entails direct involvement in policy design. The role of citizens revolves around the acceptance or rejection of decisions through various means, including communication channels, political forces, religious institutions, political parties, or through demonstrations, protests, or non-compliance with decisions. Consequently, it is imperative to elevate the level of cultural awareness that enables citizens to comprehend their role in selecting their local representatives.

Historically, the Iraqi citizenry has not demonstrated a high level of cultural and political awareness, often lacking informed voting practices. The majority of Iraqi voters have cast their ballots based on religious, sectarian, or ethnic affiliations. Therefore, enhancing cultural awareness will enable citizens to make informed voting decisions, understanding the candidates' profiles and their past and future policy agendas. ([1])

Elections play a pivotal role in fostering participation and are among the hallmarks of good governance promoted by the United Nations Development Programme. A general characteristic that distinguishes elections is popular abstention, and the participation rate in elections serves as a crucial indicator for evaluating the democratic trajectory. As abstention from voting increases, the democratic value of elections and the genuine representation of the electorate diminishes.

Therefore, it is impossible to discuss good governance in the operations of provincial councils without effective participation across various domains, as it constitutes one of the fundamental principles for establishing good governance and enhancing the role of provincial councils. Increased citizen participation through voting leads to the election of individuals with diverse ideas and cultural backgrounds, ultimately improving the performance of local governments. Enhanced participation fosters citizens' sense of loyalty and willingness to comply with tax and fee obligations. Moreover, higher electoral participation motivates government officials to provide optimal services to citizens to ensure their satisfaction.

This perspective on citizen participation aligns with contemporary theories of participatory democracy and deliberative governance. It emphasizes the importance of active citizenship, informed decision-making, and the reciprocal

relationship between citizen engagement and governmental responsiveness. The focus on cultural awareness and informed voting practices reflects a recognition of the need for civic education and political literacy in consolidating democratic processes.

The emphasis on the relationship between participation rates and democratic legitimacy echoes scholarly discourse on the quality of democracy and the challenges of voter apathy in established and emerging democracies alike. It underscores the need for strategies to enhance voter turnout and civic engagement as crucial components of democratic consolidation and good governance at the local level.

In the context of Iraq's political development, these observations highlight the ongoing challenges of building a robust democratic culture and the importance of overcoming sectarian and ethnic voting patterns in favor of issue-based political participation. This transition is crucial for the development of effective local governance structures and the realization of the principles of good governance in Iraq's provincial councils.

### CONCLUSION

The implementation of good governance in the operations of provincial councils contributes significantly to enhancing citizen engagement and fostering public trust through accurate representation and sound principles. It also activates the role of law, establishing it as an enforceable power within the state, thereby paving the way for a legitimate system reinforced by its legitimacy derived from citizens who have secured their rights through a proper democratic system.

### FINDINGS

1. Despite the multiplicity of definitions for good governance, stemming from diverse researcher perspectives, it can be broadly defined as the effective and acceptable administration of government, ensuring citizens' rights and freedoms, mitigating violence, reducing corruption levels, and directing state resources towards holistic national development across various public domains.
2. Good governance is a fundamental prerequisite for achieving democracy. In essence, a governance system in any state that is not predicated on democratic principles cannot be classified as good governance.
3. Iraq has endeavored to achieve good governance by emphasizing transparency, accountability, participation, and the rule of law. However, the state remains distant from governance efficacy due to the absence of pragmatic practices.
4. There exists a misalignment between provincial councils in Iraq and the federal government, primarily attributed to legal and implementation-related issues.
5. Nepotism and favoritism persist in the recruitment of technical and administrative personnel, largely due to the absence of robust mechanisms for selection and appointment.
6. While oversight represents a crucial element of administrative decentralization, the permanent Iraqi Constitution of 2005 does not address the issue of administrative oversight by the central authority over local governments.
7. The pervasive phenomenon of corruption remains a significant challenge for provincial councils, permeating all Iraqi institutions.

### RECOMMENDATIONS

The researcher recommends that good governance necessitates appropriate appointments by placing individuals with requisite capabilities in suitable positions, based on several essential personality indicators. Institutional transformation and capacity building are crucial to enhance responsiveness to citizens, improve public service delivery, and execute projects through strategic vision implementation.

To combat corruption in Iraq, the optimal solution involves holding corrupt individuals accountable and eliminating patronage and favoritism, replacing them with principles of justice and equality. Achieving good governance requires the development and correct implementation of effective methodologies aimed at realizing sound governance.

Furthermore, the rule of law must be upheld and applied equally to all. Administrative oversight of local governments by the central government is essential to safeguard the public interest, maintain political and administrative unity, and protect citizens.

Efforts should be made to expand participation and raise citizen awareness. Through participation, there will be oversight of local government performance, and citizens will play an active role in selecting rulers and representatives in the decision-making process. This oversight and participation will facilitate constructive criticism.

These findings and recommendations align with contemporary scholarship on democratic consolidation, decentralization, and good governance in transitional contexts. They underscore the complex interplay between institutional design, political culture, and citizen engagement in fostering effective and accountable governance at the local level. The emphasis on combating corruption, ensuring merit-based appointments, and enhancing citizen participation reflects key themes in current debates on public administration reform and democratic deepening in postconflict societies.

The recommendations highlight the need for a multifaceted approach to improving governance, encompassing legal, institutional, and cultural dimensions. This comprehensive strategy resonates with international best practices in governance reform, emphasizing the importance of contextsensitive interventions that address both formal institutions and informal practices.

**REFERENCE:**

1. The Holy Quran
2. Al-Ajlouni, M. (2013). The impact of good governance on sustainable economic development in Arab countries. Yarmouk University.
3. Al-Kayed, Z. A. K. (2003). Governance (Issues and applications). Arab Administrative Development Organization.
4. Al-Manoufi, K. (1987). Foundations of comparative political systems. Al-Rubaiian Publishing and Distribution Company.
5. Al-Rashid, S. A. (2007). Management through transparency. Dar Kunuz Al-Ma'rifah for Publishing and Distribution.
6. Ashour, A. S. (2005). Rational administration for development service in Arab countries. Dar Kunuz for Printing and Publishing.
7. Atwan, K. A., & Hafez, A. A. J. (2013). The problem of administrative decentralization in the permanent constitution of the Republic of Iraq for 2005. Journal of International Studies, 27, 136.
8. Belkhair, A. (2009). Governance management and its role in improving developmental performance between theory and practice. University Publications House.
9. Constitution of the Republic of Iraq. (2005).
10. Ferjani, N. (2000). Arab elevation in good governance in Arab countries. Al-Mishkat Publishing Center.
11. Gharbi, M. (2014). Globalization and its impact on Arab integration. Ibn Al-Nadeem for Publishing and Distribution.
12. Hussein, A. T. (2008). Conceptual and practical indicators of good governance in Palestinian local authorities [Unpublished doctoral dissertation]. An-Najah National University.
13. Ismail, H. K., et al. (2004). Corruption and good governance in Arab countries. Center for Arab Unity Studies.
14. Jarrad, A. A. (2006). Good governance in public administration. University House.
15. Law of Governorates Not Incorporated into a Region. (2008).
16. Mahmoud, A. S. (n.d.). General principles of constitutional law in the United Arab Emirates. Al-Falah Library.
17. Mazlum, Q. K. (2017). The experience of local governance in Iraq and ways to enhance it [Unpublished master's thesis]. University of Baghdad.
18. Milad, A. H. (n.d.). Legal mechanisms for achieving good governance in Algeria and the Arab world. <http://sciencesjuridiques.ahlamontada.net/montada-f4/topic-t1108.hym>
19. Musleh, A. (2013). Integrity, transparency and accountability in combating corruption (3rd ed.). Al-Quds Lights Library.
20. Rizk, A. (2009). Good administration and governance. Arab Administrative Development Organization.
21. Shahinaz, W. (2015). Good governance and requirements for local administration reform in Algeria [Unpublished master's thesis]. University of Biskra.
22. Suleiman, A. Q. (2007). The rational foundations of politics. University Publications Office.
23. United Nations Environment Programme. (2013). Justice, governance and law for environmental sustainability. Twenty-seventh session of the Governing Council/Global Ministerial Environment Forum.
24. World Bank. (1998). Governance and development. World Bank Publication.
25. Yassin, B. J. (2003). The reality and requirements of good governance in the Arab world. Arab Administrative Development Organization.
26. International Development Research Centre. (2005, March 28). Arab League initiative for reform and good governance in the region. Issue 23.
27. Al-Fadhli, W. A. H. (2012, January 25). Local administrations. Iraq Political Electronic Newspaper. <http://www.tahayati.com/Articles/9997.htm>

**CONSTITUTIONS**

1. Constitution of the Republic of Iraq. (2005).

**LAWS**

1. Law of Governorates Not Incorporated into a Region No. 21 of 2008 and its amendments. (2008).

**ARABIC AND TRANSLATED BOOKS**

1. Akoum, F. I. (2006). Governance management and globalization. Emirates Center for Strategic Studies and Research.
2. Al-Ajlouni, M. (2013). The impact of good governance on sustainable economic development in Arab countries. Yarmouk University.
3. Al-Kayed, Z. A. K. (2003). Governance: Issues and applications. Arab Administrative Development Organization.
4. Al-Manoufi, K. (1987). Foundations of comparative political systems. Al-Rubaiian Publishing and Distribution Company.
5. Al-Rashid, S. A. (2007). Management through transparency. Dar Kunuz Al-Ma'rifah for Publishing and Distribution.

6. Ashour, A. S. (2005). Rational administration for development service in Arab countries. Dar Kunuz for Printing and Publishing.
7. Belkhair, A. (2009). Governance management and its role in improving developmental performance between theory and practice. University Publications House.
8. Bu Jarda, Y. (2003). The reality and requirements of good governance in the Arab world. Arab Administrative Development Organization.
9. Ferjani, N. (2000). Arab elevation in good governance in Arab countries. Al-Mishkat Publishing Center.
10. Gharbi, M. (2014). Globalization and its impact on Arab integration. Ibn Al-Nadeem for Publishing and Distribution.
11. Ismail, H. K., et al. (2004). Corruption and good governance in Arab countries. Center for Arab Unity Studies.
12. Jarrad, A. A. (2006). Good governance in public administration. University House.
13. Mahmoud, A. S. (2006). General principles of constitutional law in the United Arab Emirates. Al-Falah Library.
14. Musleh, A. (2013). Integrity, transparency and accountability in combating corruption (3rd ed.). Al-Quds Lights Library.
15. Suleiman, A. Q. (2007). The rational foundations of politics. University Publications Office.

### UNIVERSITY THESES AND DISSERTATIONS

1. Hussein, A. T. (2008). Conceptual and practical indicators of good governance in Palestinian local authorities [Unpublished doctoral dissertation]. An-Najah National University.
2. Mazlum, Q. K. (2017). The experience of local governance in Iraq and ways to enhance it [Unpublished master's thesis]. University of Baghdad.
3. Shahinaz, W. (2015). Good governance and requirements for local administration reform in Algeria [Unpublished master's thesis]. University of Biskra. **Studies and Research**
1. International Development Research Centre. (2005, March 28). Arab League initiative for reform and good governance in the region. Issue 23.

### FOREIGN SOURCES

1. World Bank. (1998). Governance and development. World Bank Publication.

### INTERNET

1. Al-Fadhli, W. A. L. H. (2012, January 25). Local administrations. Iraq Political Electronic Newspaper. <http://www.tahayati.com/Articles/9997.htm>
2. Milad, A. H. (n.d.). Legal mechanisms for achieving good governance in Algeria and the Arab world. <http://sciencesjuridiques.ahlamontada.net/montada-f4/topic-t1108.hym>