

Anti-Corruption Strategies in Iraq after 2003: The Challenges Ahead

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Abstract: Corruption has played a significant role in the devastation of Iraqi society and its citizen's lives. It renders true democracy impossible. It fosters government impunity, uses threats and violence, violations of human rights. The widespread of corruption is serious ailment and threat to the government of Iraq. This research is to ascertain the challenges of anti-corruption institutions in combating corruption. The qualitative technique via interview and observation was duly adopted as the methods for data collection whereby manual analysis was employed to present the result obtained from the field. The data that was collected from interviews with two groups (Iraqi members of parliament and academicians) for this purpose focusing on the challenges of anti-corruption strategies in Iraq after 2003. The study revealed that lack of autonomy to the institutions, incompetent staff and political interference were among the challenges that affects the anti-graft institutions in Iraq. The study recommends that autonomy of the institutions, strengthening the institutions and political will of government in combating graft and democratic principle should put in place in order to address the menace of corruption Iraq.

Key words: Iraq, corruption, anti-corruption mechanisms, challenges of the anti-corruption strategies, society, corruption

INTRODUCTION

Iraq is in the Middle East and bordered by Jordan, Saudi Arabia, Kuwait, Iran and Turkey. Its capital city, Baghdad is in the center East of the country. Iraq's modern borders were mostly established in 1920 by the league of nations when the Ottoman Empire was divided by the Treaty of Sevres. Iraq was placed under the authority of the United Kingdom as the British Mandate of Mesopotamia. It forms a monarchy was established in 1921 and the Kingdom of Iraq gained independence from Britain in 1932. In 1958, the monarchy was overthrown and the republic of Iraq was created. Iraq was controlled by the Ba'ath party from 1968 until 2003 (Iraqi Community Profile, 2011). Iraqi population is around 36 million (CIA, 2015). Arabs are majority of Iraqis who constitute 77%. Kurds represent the Second-Largest ethnic group in Iraq whereas Kurds constitute 20%. Two major Muslim groups constitute in Iraq which are Sunni and Shiite in addition to ethnic groups such as Yazidis, Christian, Turkmen and Armani (Kirmanj, 2013).

From 2003-2006, Iraqi history was overshadowed by American troop's deployment in most of its territories. With the beginning of the United States (US) invasion of Iraq in March 2003, the Ba'ath party was overthrown and Saddam Hussein's regime was removed. This invasion

brought violence, political turmoil and ethnic conflict to Iraq. For example, Iraq was kept under the Coalition Provisional Authority (CPA), the ethnic conflict and political anarchy continued till October 2005 where the Iraqi major and minor ethnic groups shared a referendum to write the new Iraqi constitution which would shape the political system of Iraq. Though, different Iraqi groups voted on the adoption of the federal system and parliamentary government (Jawad, 2013), violence was not over.

Politically, Iraq has adopted a parliamentary system of government which it operates until now. The parliamentary institution has played an important role such as adequate representation of the people, oversight and legislation. The system ensures certain degree of cooperation between the parliament and government particularly in policy making (e.g., each side is willing to bargain and compromise in order to get some policy benefits), the parliament must have some capacity to monitor the government in such that the government will comply with parliament enactments (Thompson, 2004). One of the elements of parliamentary system of government is power sharing which described as "a form of governance applied in some inhomogeneous countries. In this kind of ruling, the right of judgment for the basic issues in the state is on consensus among the

groups, differentiated from each other in ethnic and linguistic assets". This form of government is based on the background of contrast and retail among the people and resorts to compatibility in the event that there is a lack of mutual trust between these powers. The need for consensual democracy arises in some countries due to the presence of various sectors and ethnicities (Amir, 2013). Perhaps these conditions informed the Iraqis present choice of consensual democracy. Iraq is a country with many sectors, tributes, ethnicities including divisions. These divisions and ethnicities however have not helped the country's political system and structure as one crisis or the other often crop up. Until now a critical observation indicates that the adoption of consensual democracy otherwise known as power sharing by the Iraqis is still debatable. While many believe that consensual democracy is suitable for the Iraq system of government. While, others believe that consensual democracy is a complete failure which has negatively affected the functional roles of the Iraq anti-corruption strategies. This study therefore, examines the anti-corruption strategies after the demise of Saddam regimes and the challenges ahead.

Furthermore, the power sharing has badly affected the legislation of laws that fighting corruption, absence of parliamentary oversight, lack of the government commitment against corruption and lack of accountability for public officials. Firstly, the absence of political opposition because everyone is in the corridor of power. Secondly is the process of distribution of positions by political consensus while the third is concern on the process of issuing laws and decrees through political consensus among the political forces. This process allows them to participate in the political process (Hadi, 2010). Indeed, the power sharing has given opportunity for all parliamentary blocs to have quotas in the government and this has negatively reflected on the role of the Iraqi anti-corruption institutions particularly to monitor the performance of the government.

Corruption in Iraq after 2003: Corruption acts as a main impediment to growth, development and prosperity. It is a widespread problem that affects economic, social and political aspects, locally and globally. The worldwide communities have increasingly recognized the problem of corruption especially in developing countries (Owens, 2004). In this regard, Iraqi's citizens are aware of practices of graft as serious threat that decline the standard of living and prosperity; however they rarely contribute to any efforts to combat corruption. Since, emergence of Iraqi criminal law, it has stated some articles on fighting corruption (Agator, 2013). In 2003, the US led a coalition

to invade Iraq. Saddam Hussein's regime and his government was overthrown by this US invasion and led to bring freedom and prosperity to all Iraqis. But the invasion by US forces was accompanied by much chaos, violence and conflict that later allowed the invasion forces to intervene and manipulate the country's resources and wealth. From 2003 Iraqi history starts to be shadowed by a large American troop deployment in most of its territories. The corruption began into the American and British reconstruction companies that run by the invasion forces when they started working in Iraq. More than 80% of reconstruction contracts in Iraq were harvested by these companies but a lot of dollars has been stolen from Iraq's wealth through these contracts as it was later revealed (Whyte, 2007).

Furthermore, American companies such as Kellogg Brown and Root Incorporation were doubtless the biggest beneficiaries of the privatization of Iraq. Between 2003 and 2004 they were awarded More than 80% of reconstruction contracts including 150 firms whose contracts represented a total value of \$48.7 billion dollars. US firms received more than \$138 billion for government contracts with Kellogg Brown and Root Incorporation (A former subsidiary of Halliburton company and for which then Vice President Dick Cheney had served as the chief executive officer) being the number one recipient with a total of \$39.5 billion dollars in contracts; many of which were awarded without other companies being allowed to bid (Young, 2013). This is what was for Iraq planned was not reparations, reconstruction or rehabilitation but robbery: mass theft disguised as charity privatization without representation. This mass theft was accompanied and facilitated by protection and impunity. All persons and entities involved in the reconstruction of Iraq's economy were granted formal legal immunity by the American government including with regards to the development fund for Iraq and all Iraqi petroleum and petroleum products.

On the other hand, all individuals and entities which joint under the reconstructing the Iraqi economy were granted by the US through formal legal immunity to incorporate with regards to Iraqi petroleum and development funds for Iraq (Bush, 2003). The reason for the spread of more corruption was the absence of accountability and the immunity which were given to CPA. In fact, on June 2003 this immunity was expanded by the Ruler of CPA Paul Bremer to all CPA staff (coalition forces, contractors and sub-contractors) and this immunity granted them authority and power to do what they want without any charge. In 2006, an Iraqi people elected government which was led by the prime

minister Al-Maliki who ruled the country until 2010. He was then re-elected for another parliamentary period and served the same position until 2014. Corruption and negligence dominated Al-Maliki's leadership, several serious accusations were made against his closest allies (Al-Ali, 2014). There was chaos in the allocation of projects in Maliki's government according to the integrity committee which led to heavy financial losses through manipulation of the actual cost of projects by doubling the amounts allocated to those projects. It seemed that the projects which exposed to this loss were directly approved by the government and later these projects turned out to be fake. What makes corruption matters worse was that there were no charges or investigations that had been taken against Iraqi ministers. Instead of punishing them they were reshuffle their positions as well the anti-grafts institutions fail to investigate and prosecute them in accordance with the extant regulations. Most Iraqi politicians in post 2003 had a double nationality they were citizens of two states at the same time based on this, Iraq and either United States or Britain to enable them to laundered their Ill-Gotten wealth to abroad or to run away from any investigation by the anti-grafts institutions in Iraq (Allawi, 2008).

Another aspect of corruption during Al-Maliki's period was the magnitude of salaries and pensions charged by the heads of the three Iraqi presidencies and their deputies, the ministers and their agents as well as the members of the Iraqi parliament and their associates in government. Also, the appointments of large numbers of advisers for the three presidencies were not for the need of their experiences but for the purpose of expediency. The other aspect was illegal confiscation of political parties and religious figures of large territories of the state properties by force especially those territories belonging to the Baath Party and its leaders.

Gebeye (2012) nations that corruption deteriorate the Iraqi regime's capability to improve social justice, fairness and good governance as well as a greater level of corruption will be created. It generates greater level of income disparity and poverty. Economically, the corruption advance to deformation of the suitable and impartial contest in the marketplaces of Iraq, also it does not promote foreign investment. Therefore, it reduces the assets accessible aimed at the growth of economic substructure in Iraq as well as it upsurges the price of civic investment (Thompson, 2013). Furthermore, Elliott (1997) maintains that corruption has controlled more and deteriorated government's capability to obtain taxes and other accountability for revenues. Subsequently, it decreases government incomes and then effects the value of civic infrastructure.

Now a days, corruption has turn out to be the key hindrance to development, growth and prosperity in Iraq. It turns out to be general problem that upset Iraqi social, economic and political facets globally and locally (Gunter, 2013). However, the succeeding Iraqi political powers have accepted progressively the significance of fighting corruption particularly in authorized segments, all their approaches have demonstrated to be a comprehensive disappointment. This outcome gives the reassurance to expose the reasons of this disappointment aimed at these consecutive anti-corruption schemes. Although, the tactics and establishments of examination and fighting corruption do exist in Iraq constituted by Board of Supreme Audit, Inspectors General and Commission of Integrity, so far these establishments are incapable of producing any result suitable to government intrusions, manipulation and intransigence (Joint anti-corruption council. In Iraq, most the economic and political conclusions are founded on incompetent procedure, insufficient as well as low-quality data. Furthermore, carrying out decisions founded on such data might create ineffective anti-corruption guidelines. It was still sarcastic that as soon as this wrong proposition was worked to make anti-corruption plan this hypothesis was considered as being extra dependable than it was justified to be (Gunter, 2013).

Anti-corruption mechanisms in Iraq: The Coalition Provisional Authority (CPA) tasked three principal bodies with law enforcement and the fight against corruption (the Commission on Integrity, inspector general's offices and the Board of Supreme Audit). In addition, a joint anti-corruption Council was established in 2007 within the prime minister's office to enhance the executive co-ordination of anti-corruption efforts. At the legislative level, a parliamentary committee on Integrity has been put in place.

Commission on integrity: The above commission was been established by the (CPA) in early 2004 through C.P.A. Order No. 55, the Commission of Integrity is the main anti-corruption body of Iraq. Its mandate was last modified in 2011 with Federal Law 30. Its functions range from investigating cases of corruption to developing a culture of integrity, transparency and accountability in the public and private sectors. It is also in charge of preparing draft laws to prevent and fight corruption, issuing rules and standards of ethical conduct and overseeing the financial disclosures of public officials. It also produces statistics on corruption cases and bribery. Although, the Commission of Integrity is described as 'independent' in the constitution, a contested 2010 ruling by the Supreme

Judicial Council has granted the control of independent bodies to the Council of Ministers. This has led to the forced removal of previous commissioners recognized for their professionalism and independence including Judge Al-Ugaili and therefore raises doubts on the current Commissioner's actual independence from Prime Minister Al-Maliki. Beyond the issue of independence, most observers have doubted the Commission's ability to effectively combat corruption, dubbing it a 'study tiger' or toothless. The US Special Inspector General for Iraqi reconstruction described it in early 2013 as a "marginally effective force".

Board of supreme audit: The Board of Supreme Audit is one of the long-standing establishments of the republic of Iraq and is believed to be firmly created. The authorization of the Board has differed all through its history, also was changed in 1990 and 2011 (Federal Law 31). It is a administratively and financially independent organization, writing to the Parliament. Amongst other duties it is assigned with safe guarding public resources and guaranteeing their effective usage, enhancing the productivity of the establishments, directing audits of several public segments, constantly increasing audit, management and accounting guidelines hence that they complement universal criteria, also advancing the auditing and accounting careers and accountancy schemes. It denotes possible damages to the Commission of Integrity or the Inspector General. The BSA is a strong inadvertence establishment in Iraq, not withstanding restrictions such as the incapability to commence audits of its right (Agator, 2013).

Inspectors general: The Inspectors General were inaugurated in 2004 within the CPA Order 57 and symbolized an originality in the Iraqi official background. Alike to the American illustration they are located inside all the Iraqi Ministries to deliver a self-governing inner mistake. They direct audits examination and execution appraisals to increase integrity and accountability also to avert and recognize swindle, surplus and additional defilements, hence potentially performing a powerful task alongside corruption. Inspectors general can transfer issues to law enforcement for additional inquiry and trial. The inspectors general's attendance has not been simply acknowledged or tacit by Iraqi ministries as well as have been understood in several examples as American 'spies'. In addition they have confronted numerous resources, funding and working out problems damaging their efficacy. A change primarily intended at the termination of the offices of Inspectors General in 2012 was finally stopped and revolved into the withholding of just a not many of them. Nevertheless, their imminent remains undefined (UNODC, 2013).

Joint anti-corruption committee: The joint anti corruption committee has been created in 2008 and its task is on coordinating the anti-corruption framework, sharing information and overseeing the National anti-corruption strategy. It is chaired by the Secretary General of the Council of Ministers and composed of representatives of the Commission of Integrity, the Financial Audit Board and the Inspectors General.

Parliamentary committee: The parliamentary committee is in charge of corruption related issues and to provide monitoring and oversight function for various anti-corruption bodies. However, no documented account of its degree of efficiency or independence could be found (Agator, 2013).

MATERIALS AND METHODS

This study adopted interview method to avail the data on the challenges for combating corruption in Iraq as constituted in qualitative research. In this respect, informants were been engage in in-depth interview to ascertain their views and perceptions within the members of integrity committee in the Iraqi's Parliament (four members) and the members of the academics (four members). Then the data was being transcribed, coded and analyzed manually in order to understand their perception and to support it with the previous studies for better comprehension of the situation.

Challenges for combating corruption in Iraq: As highlighted earlier, some challenges to anti-corruption such as the political interferences in work of these institutions, intransigence and manipulation of laws. Also in Iraq, most political decisions are based on unprofessional and inadequate or low-quality data. Moreover, making decisions based on data may produce inefficient anti-corruption policies. This study is to examine the challenges for combating corruption in Iraq after 2003. In addressing this part of the study this study managed to conduct interviews with the respondents on the challenges faced by anti-corruption in Iraq. The respondents have responded as follows.

What are the reasons that lead to the weakness of anti-corruption institutions in Iraq from 2006-2014?: In this respect, the informant member of the Parliament believed, the absence of independence in the work of anti-corruption institutions such as the Board of Supreme Audit, the Integrity Commission and the Inspector General. The executive authority dominates and controls these institutions as it dictates their policies and appoints the heads of these institutions as well as all

employees. Therefore, these institutions are not able to combat government corruption because it is a subsidiary of the government. Also, the interventions of parties in the work of the authorities. The influences of the heads of parties and blocs is obvious in the decisions of the Council of Ministers, Parliament and all government institutions which weakens the work of the government. By influencing the anti-corruption institutions these parties have a clear impact on the decisions that serve the interests of the political elite, especially by condoning politician's corruption (Member of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

Institutions and mechanisms to investigate and fight corruption exist in Iraq but are incapable of efficacy due to "government interference, intransigence and manipulation, a deficient legal framework and ongoing threats of violence". When former or current Iraqi officials are being investigated for corruption, Maliki issues "secret orders" to prevent their cases from being referred to the courts. Further impeding the fight against corruption is the systematic defanging, marginalization or intimidation of corruption-combating state institutions. When the commission on Integrity, an Iraqi agency responsible for investigating official corruption began probing Maliki's administration he issued orders obstructing investigations. The head and investigators of Commission on Integrity received threats. The US Embassy later confirmed a report that a "death squad had been organized to take care of the government's political enemies-including Commission on Integrity officials" (Cockburn, 2013).

According to the informant member of academic asserted that the absence of strict punishment for the corruption crimes in Iraq and the weakness of mechanisms to punish corrupt government officials which encourage them to continue their corrupt practices. Most of the officials who were convicted of corruption have not been held accountable or were jailed, on the contrary they left the country to enjoy what they got by bribery or embezzlement. Also, the government officials Harass judges by canceling appointments, transferring them or bribing the prominent judges who are specialists in corruption cases. Failure to provide enough protection to the judges participates in weakening the power of the law. Most judges, under threat and pressure are forced to issue judgments and provisions that do not comply with the law (Professor of political science in Nahrain University, Interview, October 12, 2016). In addition to, the informant member of academic stated that the quota system which the government positions are distributed based on, blocks these institutions to function

properly. For instance, for sectarian considerations, anti-corruption institutions cannot proceed with their work exposing corrupt officials who belong to the same sect of those in charge of anti-corruption institutions. Also, inefficiency of the judiciary, its dependence and bias, influenced and interfered by especially by the executive authority. The executive authority in Iraq is the decision maker which influences and controls all state institutions even the judicial ones. At the same time, accusing of corruption, the executive authority is involved in corrupt practices therefore it is normal to defend the corrupters and impede the judiciary. Therefore, anti-corruption institutions have become a means of revenge by the officials on their opposition. Ruling parties are control these institutions and use them to take revenge on its opponents and foil them. These institutions are used to defame some officials for political purposes, especially those who oppose the government policy. On the other hand, they provide protections for the loyal ones (Professor of political science in AL-Mustansiriya University, Interview, October 10, 2016).

(The anti-corruption institutions in Iraq from 2006-2014 such as the bsa and the integrity commission and the inspector general are effective in the combating corruption?:

The informant member of the Parliament pointed to an important issue that the deterioration of security in Iraq is one of the obstacles that hinder the fight against corruption. Threats and pressure on members of the anti-corruption institutions by corrupt officials when a corruption case is detected and investigated. He states that he survived seven assassination attempts and his son was injured in one of these attempts. He asked: how can I do my job while I do not get protection from the government. He added that the Prime Minister Haider Al-Abadi in 2016, states that there are about a hundred armed militias which belong to the parties. He accused the previous government (2006-2014) to be the founder of these militias. These militias are armed wearing uniforms with government badges and riding government vehicles but they have not joined any governmental entity. They do what they want and cannot be controlled. Law enforcement is not possible in such deterioration of security and accountability of corrupters is also not possible as they own these militias (Member of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

Anti-corruption challenges are dictated by the political environment out of which they are established and out of which they operate. It all depends on the structure of government. Sometimes institutions had not

receive a lot of support from the executive for example in Iraq that generate a lot of resentment from anti-corruption institutions. These institutions had not support from the parliament, judiciary and media. In the context of Iraq, support from all three powers of the state (Legislature, Executive and Judiciary) is needed but where one arm does not extend this poses a challenge to how effectively an anti-corruption institutions can operate.

On the other hand, the informant member of the Parliament said that the illegality of those who occupy the headship of anti-corruption institutions. The weakness of the government is due to poor distribution of competence in positions of power as the government does not appoint staff in their right place at the anti-corruption institutions. Most of the staff of anti-corruption institutions are appointed for political and sectarian considerations instead of competence, experience and professionalism. He added despite having many supervisory institutions such as the Inspector general, the parliamentary integrity Commission, the Integrity commission and the office of Financial Supervision as well as the judiciary, the monitoring impact of these institutions is still poor which contributed to the spread of corruption. But there is a distinct lack of the role played by these institutions. The Inspector General, for instance, never disagree with the minister and they cover up each other because the minister is responsible for the appointment of the Inspector General (The head of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

In the same issue the informant member of academic focused on the issue that no coordination among anti-corruption institutions (The Integrity Commission, The Inspector General, Board of Supreme Audit) in the process of investigating the documents of corruption and revealing corrupt officials. Moreover, contradiction and conflict between these institutions and the lack of complementing each other waste time and effort. For instance, it could occur that a case is being investigated by all these institutions and one institution may take a decision before the investigation is completed by the rest of the institutions which causes intersection results. Modern technology is not utilized in government work, especially in the anti-corruption institutions which delays facts. Primitive methods of detection and investigation are among of the reasons for the spread and corruption especially in the investigation of electronic transactions carried out by corrupt officials such as money laundering (Professor of political science in AL-Mustansiriya University, interview, October 10, 2016).

Are some of the corrupt practices of officials is an obstacle to fighting against corruption in Iraq?: In this context, the informant member of the Parliament believed that the absence of strict laws to curb corruption and the corrupt officials led to a failure in combating corruption. For instance, absence of laws or 'legislative vacuum' is that there is no special anti-corruption act which clearly defines the forms, types, methods of prevention and strategies for combating debasement in Iraq. What is available is just separate provisions in different acts such as the penal code or other relevant acts. On the contrary, some legislations could cause corruption such as the provisions that provide individuals with powers enabling them to dispose the properties and resources of their institutions and distribute positions to achieve their interests and get what they want (Member of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

Heilbrunn (2004) pointed to the extent of the negative political impact on the effectiveness of anti-corruption institutions. Anti-corruption institutions have been the adoption by a government despite a mounting body of evidence they fail to reduce corruption. What drives policymakers to invest a portion of scarce resources in a commission that has such a doubtful impact? A response to the question above is that policymakers in what are usually the developing countries have no intention of reform. At an extreme, the reasons may be as simple as malice and greed; political leaders are engaged in looting the funds and an appearance of reform allows them to postpone meaningful policies. Anti-corruption institutions are manifest that lack independence from the executive, receive no support from the legislature to investigate venal officials and have no procedures for forwarding cases of corruption for prosecution by the relevant judicial authorities. Herein lays the dilemma for policymakers who do not want to reduce corruption and improve governance. Indeed, it is easy to explain why anti-corruption commissions fail in so many places it is far more difficult to explain why any succeed.

While the informant member of academic revealed an important issue that the weakness of the monitoring role on the government policies contributed to the spread of corruption and complicating efforts to reduce it. Monitoring is a controlling standard for government Performance as it monitored by the legislative authority to curb the violations and deviations in its work from the right track. In the case of poor monitoring, the country with its resources and wealth are often likely to be looted by corrupt officials (Professor of political science in Nahrain University, interview, October 12, 2016). With this line, the informant member of academic agreed that the

executive authority dominates country policy-making as it is the source of most of the legislations and has the power to implement them. It is authorized to issue the executive regulations of the acts and has the technical and managerial capacity and the necessary information rules for making and implementing policy. This dominance has effect on combating corruption because government officials are engaged in corruption so it is normal to issue policies and acts to protect them from accountability. Also, possessing dual nationalities obstructs anti-corruption process. Some politicians abuse the acquired nationality to avoid accountability in Iraq. Dual citizenship provides full protection for corrupt officials when they are charged or convicted by abandoning the Iraqi citizenship and flee the country.

Do you think that there is a political challenge on the work of the Iraqi anti-corruption institutions?: The informant member of the parliament said that the executive authority influences anti-corruption institutions while they should be independent and impartial as enshrined in the Constitution. For instance, the anti-corruption officials were appointed according to the constitutional standards and conditions and based on competence and experience as well as the approval from all political parties and blocs in the government. However, what happened after the inauguration of the Da'awah party is that the party controls these institutions to serve the ruling party by appointing their people in these institutions. They dismissed all their opponents from these institutions or those reveal their corrupt documents. Judge Rahim Al-Akili, the former head of the Integrity Commission, was dismissed by the prime minister and replaced by Judge Alaa al-Saadi after disclosing corruption documents from the Office of the Prime Minister (Member of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

Saleh (2015) pointed to an important issue, it is difficult to put an Iraqi official on trial for corruption because of a provision that gives them a sanction over investigations. Public officials can for example sanction the release of a terrorist who is jailed for ideological reasons, monetary rewards and political purposes without being held accountable for corruption. Because corruption starts at the top, it is very difficult to deal with those at the bottom. And because those at the top enjoy immunity, it is very difficult to deal with them because they are the very people who oversee the business of the government. Also, cases are heard by judges who are easily swayed by payment of large amounts of money and only the rich can buy their freedom. In the same way, the rich usually hold government seats, making the situation a whirlwind of corruption.

RESULTS AND DISCUSSION

In this context, the informant member of the Parliament believed that the duplication of duties of anti-corruption institutions is one of the main obstacles that weakens anti-corruption in Iraq. For instance, the acts of these three institutions (Board of Supreme Audit, the Integrity Commission and the Inspector General) are similar and overlapping with each other. The three institutions practice their roles at the same time in monitoring and inspecting which leads to duplicate efforts and disrupt the activities of the follow-up corruption measures (Member of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

In the other hand, the informant member of academic focused on the issue that the violation and disrespected of laws by the ruling class encourage anti-corruption institutions officials not to comply with laws related to these institutions. For example, when an act was passed require the staff of anti-corruption institutions to sign a commitment to disaffiliate any political party, both the head of the Integrity Commission and Inspector General refused to sign because they are member's political parties (Professor of political science in AL-Mustansiriya University, Interview, October 10, 2016).

The government gives insufficient finances, personnel and resources to the anti-corruption institutions which cannot make any arrest or even facilitate detention. All the anti-corruption institutions existing in Iraq is not reliable and can provide adequate information on anti-corruption due to the dominance of the ruling power over these institutions. Often the heads of these institutions were frustrated by their inability to perform their work properly. This has resulted in the changing of many of them with claims that were not efficient in their jobs although it is clear that this results from political reasons. Heads of the anti-corruption institutions are usually political appointees. Therefore they can not effectively hold senior corrupt officials accountable (Faraj, 2013).

The informant member of academic revealed an important issue that the absence of the oversight role of The Parliament which is considered the main body in anti-corruption process. Basically, the role of parliament is to control all aspects of life which is more important than the legislative role. This role is limited because the primary concern of the majority of members is to achieve privileges so we have not seen a member working on monitoring government officials or question them for corruption cases. If that occurs and a member questions, it is either to take revenge or for personal, political reasons. Parliament is supposed to be active and able to

monitor the government to hinder corruption through the withdrawal of confidence from the corrupt officials as the parliament is authorized so according to the constitution (Professor of political science in Nahrain University, Interview, October 12, 2016).

While the informant member of the Parliament believed that the lack of coordination among anti corruption institutions when investigating corruption cases. Moreover, the interference in the work of these institutions which weakens the prosecution against the corrupt activities. For instance, some legal texts grant the head of the Integrity Commission and the Inspector General the right not to refer cases to the judiciary (Member of the Integrity Committee in the Iraqi Parliament, Interview, August 24, 2016).

The informant member of academic asserted that the Imbalance in power distribution between the authorities in the political system as the executive authority is dominant. This dominance obstructs the legislative authority role. The executive branch interferes frequently in the work of parliament to provide legal cover for the ministers in order to prevent hold them accountable. When a minister is called to Parliament he consults the Prime Minister to go or not, most probably the minister is advised the second option and this encourages them not to respond to the call of parliament (Professor of political science in Nahrain University, Interview, October 12, 2016).

CONCLUSION

In fact, since the US invasion in 2003 up to date, Iraq is suffering from legitimacy crises, sectarian conflict and regional dispute. This study discussed the challenges facing the fight against corruption in Iraq after 2003 which has a major role in the spread of corruption. This became clear after the interviews analysis there is a set of challenges that caused obstructing anti-corruption institutions. The results showed the proportion of weakness in the anti-corruption institutions by interfering in the work of these institutions by politicians and those in power. Political parties and blocs have the strength and power that allows them to take control of state institutions and corrupt practices with impunity and without accountability. The corruption that is spreading among the ruling political elites in Iraq is a major role in the waste of the country's resources to achieve personal interests at the expense of public interest. Bribery, nepotism, embezzlement, smuggling, greatly contributed to the weakness in the fight against corruption and undermining democracy and good governance in Iraq. Widespread corruption has had a negative impact on all aspects of life (political, economic, social and cultural).

RECOMMENDATIONS

The study recommends full independence and neutrality of anti-corruption institutions, activating the role of the judiciary and protecting it and preserving its independence. The good governance should be put in place to deal with this menace of corruption in both the public and private sector management in Iraq. Therefore, justice, equality and the rule of law, separation of power and democracy are the essential elements to be established in order to get out of all this saga of corruption in Iraq's development.

REFERENCES

- Agator, M., 2013. Iraq: Overview of corruption and anti-corruption. U4 Anti-Corruption Resource Centre, Bergen, Norway. [www.u4.no/publications/iraq overview of corruption and anti-corruption/downloadasset/3106](http://www.u4.no/publications/iraq%20overview%20of%20corruption%20and%20anti-corruption/downloadasset/3106)
- Al-Ali, Z., 2014. The Struggle for Iraq's Future: How Corruption, Incompetence and Sectarianism Have Undermined Democracy. Yale University Press, New Haven, Connecticut, ISBN:9780300187267, Pages: 295.
- Allawi, A.A., 2008. The Occupation of Iraq: Winning the War, Losing the Peace. Yale University Press, New Haven, Connecticut, ISBN:978-0-300-11015-9, Pages: 517.
- Amir, H., 2013. Problems of democratization in Iraq: A Study in consensual democracy Diyala university. Diyala J. Hum. Res., 58: 134-204.
- Bush, G.W., 2003. Executive order 13303 protecting the development fund for Iraq and certain other property in which Iraq has an interest. Fed. Regist., 68: 31229-31932.
- CIA., 2015. The world factbook. Central Intelligence Agency, Fairfax, Virginia, USA. <https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html>.
- Cockburn, P., 2013. Iraq 10 years on: How baghdad became a city of corruption. Independent Publisher, Chicago, Illinois. <http://www.independent.co.uk/news/world/middle-east/iraq-10-years-on-how-baghdad-became-a-city-of-corruption-8520038.html>.
- Elliott, K.A., 1997. Corruption as an International Policy Problem: Overview and Recommendations. In: Corruption and the Global Economy, Elliott, K.A. (Ed.). Peterson Institute for International Economics, Washington, D.C., USA., ISBN:0-88132-233-4, pp: 175-177.
- Faraj, M., 2013. Story of Corruption in Iraq. Vol. 1, DAR Publications, Damascus, Syria.,

- Gebeye, B.A., 2012. Corruption and human rights: Exploring the relationships. Master Thesis, Jijiga University, Jijiga, Ethiopia.
- Gunter, F.R., 2013. The Political Economy of Iraq: Restoring Balance in a Post-Conflict Society. Edward Elgar Publishing, Cheltenham, UK.,
- Hadi, H.Y., 2010. The oversight role of the Iraqi parliament after 2003. Master Thesis, University of Baghdad, Baghdad, Iraq.
- Heilbrunn, J.R., 2004. Anti-corruption commissions: Panacea or real medicine to fight corruption. World Bank Institute, Washington, DC., USA. <http://siteresources.worldbank.org/WBI/Resources/wbi37234Heilbrunn.pdf>.
- Jawad, S., 2013. The Iraqi constitution: Structural flaws and political implications. LSE Middle East Centre, London, England. <http://eprints.lse.ac.uk/54927>.
- Kirmanj, S., 2013. Identity and Nation in Iraq. Lynne Rienner Publishers, Boulder, Colorado, USA., ISBN:9781588268853, Pages: 321.
- Owens, R.G., 2004. Organizational Behavior in Education: Adaptive Leadership and School Reform. 8th Edn., Pearson Education, New York, USA., ISBN:9780205380855, Pages: 440.
- Saleh, S., 2015. Challenges in combating corruption and fixing accountability: In Iraq's perspective. Intl. J. Bus. Soc. Sci., 6: 162-162.
- Thompson, K., 2013. Does anti-corruption legislation work. Intl. Trade Bus. L. Rev., 16: 99-99.
- UNODC., 2013. Legal resources for anti-corruption authorities. United Nations Office on Drugs and Crime, Vienna, Austria. <http://www.track.unodc.org/LegalLibrary/pages/LegalResources.aspx?%20country=Iraq>.
- Whyte, D., 2007. The crimes of neo-liberal rule in occupied Iraq. Br. J. Criminology, 47: 177-195.
- Young, A., 2013. Cheney's halliburton made \$39.5 billion on Iraq war. Reader Supported News, Virginia, USA. <http://readersupportednews.org/news-section2/308-12/16561-focus-cheney-halliburton-made-395-billion-on-iraq-war>.