

The Problem of Performance and Efficiency in the Evaluation Department of Civil Society Organizations in Iraq After the Year 2003: An Analytical Study

Fatima Ali Abdul Reda

Kufa Technical Institute, Al-Furat Al-Awsat University, Najaf, Iraq

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ABSTRACT

The increasing number of civil society organizations, or what is known as "non-governmental organizations," and the diversification of their fields of work and roles are prominent phenomena in post-2003 Iraq. The transformation that occurred during this period, especially on the political level, and the initiation of a new state-building project based on democratic parliamentary foundations have contributed to internal and external support for these organizations. They are gaining constitutional legitimacy as they become a fundamental component facilitating the promotion of civic values on one hand and supporting the state's democratic transition efforts on the other. However, the reality of the achievements of civil society organizations in Iraq after 2003, measured by their large numbers and extensive institutions spread across most Iraqi provinces, along with the modest level of internal and external support they receive, seems to fall short of the aspirations and goals these organizations have set. This research attempts, through a critical analytical perspective, to evaluate the work, activities, and programs of civil society organizations in Iraq after 2003. It relies on performance and functional efficiency criteria, whether regarding their staff or the strategies, plans, and goals that consequently determine the trajectories, tasks, roles, and effectiveness of such organizations.

Regarding the procedural nature of the approach in this research, it unfolds in three levels: First, it defines the concept of civil society organizations, articulates the philosophy upon which they are based, elaborates on the nature of their relationship with the modern state, and delineates the tasks, roles, and functions they undertake. Second, it examines the conditions and contexts that necessitated emphasizing the importance of establishing civil society organizations in Iraq after 2003, particularly from a constitutional perspective. Third, it attempts to evaluate the performance and efficiency of civil society organizations in Iraq, diagnose the most significant weaknesses and flaws within them, which consequently have led to their diminishing impact and effectiveness in terms of achievement.

Keywords: *Civil Society; organizations; performance; achievement; efficiency*

INTRODUCTION

The latest American occupation of Iraq in 2003 brought about several changes, most notably in the political arena. Iraq shifted from a vision of building a state based on the concept of an authoritarian, monopolistic state that derives its legitimacy from the dominance and authority of a single party, to a parliamentary state that believes in party pluralism, ensuring freedoms and public civil rights, and separating the legislative, executive, and judicial powers. It also embraces the democratic approach, which is reinforced and manifested through free and fair elections as the sole and essential gateway to peaceful power transition.

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The reflection of such a direction in the construction of the Iraqi state on new foundations and paths included giving a greater role to the institutions and organizations of civil society to become a fundamental source that dedicates dimensions of the state's project vision in social change and reform, building civil peace, and enhancing citizenship. These are the values and goals that the newly established civil society organizations prioritized in their programs and operational mechanisms.

The nature of this research and its fundamental idea revolves around an attempt to evaluate the tasks, functions, and roles undertaken by civil society organizations in Iraq after 2003. It aims to understand the nature of their achievements, which align and correspond with the tasks and functions entrusted to them, especially considering their increasing numbers and expanding the scope of work in most Iraqi provinces.

This means that the fundamental problem of the research will revolve around answering a set of central questions, including: Did civil society organizations in Iraq after 2003 possess the professional and functional competence required to perform their work from an organizational perspective or the strategic plans they adopted? Did civil society organizations truly reflect the concerns and demands of the groups and segments they claimed to represent? Were civil society organizations in Iraq after 2003 an essential part contributing to the state-building project, or were they one of the aspects of the crisis of this construction? In comparison to the level of "internal" government support and external support for civil society organizations operating in Iraq after 2003, can it be said that they have achieved their objectives and functions? Did civil society organizations in Iraq after 2003 contribute to establishing the foundations of civil values, such as citizenship, respect for differences, the preservation of civil peace, and raising awareness of the duties and rights of Iraqi citizens in the context of the democratic transition witnessed by Iraq after 2003? Were the founders of civil society organizations in Iraq from intellectual and academic backgrounds that qualified them for this role? Was civil activism in Iraq after 2003 and its organizational and institutional manifestations an "emergent" phenomenon in Iraq necessitated by the nature of the historical stage, or was it an "authentic" phenomenon built on solid foundations and determinants in the structure of Iraqi society?

As for the methodological approach pursued by the research in attempting to evaluate the performance, effectiveness, and efficiency of civil society organizations in Iraq established after 2003, we endeavored to adopt the data of the analytical method due to its impact that extends beyond the boundaries of describing the phenomenon – in this case, civil society organizations – to the stage of critiquing and reassessing their orientations and roles scientifically and objectively.

In terms of the procedural nature of the research, it proceeded through three complementary paths. Firstly, it focused on the connotations carried by the term "civil society organizations" or "non-governmental organizations" and revealed the fundamental conditions for the work, tasks, roles, impact, and, most importantly, their relationship with the modern state-building project. The second path involved addressing the dimensions and considerations that necessitated the establishment of civil society organizations in Iraq after 2003 from a legal and constitutional perspective. It aimed to understand the primary goals and objectives behind this establishment. The third path consisted of evaluating the work and performance of civil society organizations in Iraq after 2003 in terms of operational efficiency, the boundaries of influence, and the effectiveness they have brought about. This entails a reassessment of the overall achievements sought by these organizations, whether in the social, political, cultural, developmental, or economic spheres.

Firstly: Civil Society Organizations: Problem of Scope and Concept

The concept of civil society organizations is considered one of the gains resulting from the paths of development in the modern state-building concept (1). This is evident in the latter's endeavor to initiate a democratic transition that extends its dimensions and outputs to a stage of rehabilitating, rebuilding, and engineering the social space based on civil values and principles. Thus, civil society organizations, from this perspective, are those voluntary free institutions or organizations that fill the public sphere between the family and the state to achieve the interests of their members, and consequently, the interests of society, committed to values and standards of respect, fraternity, tolerance, cooperation, peaceful conflict, while providing humanitarian work values and peaceful management in diversity and differences. They do not aim for profit, are not affiliated with the government, and voluntarily converge around a set of common values and interests. They are located between authority and its institutions on one hand, and other sectors on the other. Therefore, civil society can be described as a collection of non-governmental institutions that aim to achieve the public interest of society away from profitability. Civil society organizations include associations, unions, parties, clubs, and cooperatives, i.e., anything non-governmental and non-familial or hereditary (2).

Based on the dimensions and contents of this definition, "non-governmental organizations" become one of the most important components of civil society, sometimes even synonymous with the concept itself. In this context, the term "non-governmental organizations" refers to the type of organizations that have a minimum level of institutionalization, where they do not take the form of temporary activity and do not aim for profit. If they do achieve it, it aligns with their purpose of formation, such as assisting the disabled, caring for the elderly, organizing families, etc. These organizations enjoy relative independence from the state, manage their activities autonomously, and are not affiliated with political parties or seek to attain power. However, they have the potential to perform political functions, such as promoting women's political participation, for example (3).

It is worth mentioning that in common usage, the term "non-governmental organizations" may be used synonymously with the term "civil society organizations," despite the differences in meanings and connotations between the two terms. Civil society organizations consist of bodies known as secondary institutions, such as civil associations, professional and labor unions, business companies, chambers of commerce and industry, charitable organizations, civic associations, volunteer organizations, human rights associations, women's rights associations, sports clubs, consumer protection associations, and similar voluntary institutions. The term "civil society" refers to institutions and non-governmental organizations that engage in voluntary work. Therefore, it is largely independent of direct state supervision. Despite the differences in the names and forms of civil society organizations, they share a set of basic characteristics, such as being private, non-profit, independent, and voluntary organizations, allowing individuals the freedom to join or support them (4).

While civil society organizations may align in terms of their general objectives and goals, their roles, effectiveness, and required efficiency in performing their work vary from one country to another. This variance depends on social contexts and the extent of advancement or delay in the democratic "experiences" within which they operate. This is because these organizations may differ from one society to another and from one temporal context to another. However, the essence of their formation and their non-profit, community-oriented activities are what drive their establishment "As civil organizations, they do not engage in political activities like parties and political organizations. However, politics intersects with some of their activities. They do not represent the authentic element in them as is the case with political parties and organizations. Civil society organizations do not operate at a unified pace or rhythm; rather, they form within the framework of the prevailing social, cultural, political, and economic context. Consequently, they may differ from one society to another and from one temporal context to another. However, the essence of their formation and their non-profit, community-oriented activities are what prompts their establishment" (5).

Civil society institutions or organizations must integrate with the functions of the state. There is also a dialectical relationship between the strength of the state and the weakness of civil society institutions, and vice versa. This means that "the state's policy towards society is based on the premise that as civil society institutions grow and strengthen, and as their effectiveness and frequency of activity increase, the state's ability to arbitrate citizens' rights and freedoms weakens. These institutions act as watchdogs over the state's policies and its relationship with its citizens, serving as intermediaries between the state and the citizenry. They do not deal with the state as isolated individuals but as citizens belonging to larger groups or institutions that provide them with a degree of protection. Conversely, as civil society institutions weaken their effectiveness diminishes, and their activities cease, the state's arbitrariness towards citizens and the role of power in the relationship between citizens and the state increase at the expense of their rights and freedoms (6).

Furthermore, the role of civil society organizations is not limited to merely supporting the democratic and ideological trajectory championed by the state. Rather, these organizations seek, through their activities and educational programs, to instill the concept of patriotism and make it the highest value that transcends narrow sectarian, partisan, and tribal affiliations. Hence, some researchers argue that "the delay in democratic transition in the Arab world is attributed to the absence or stagnation of civil society growth, leading to a political culture that performs multiple functions, including serving as an alternative to traditional groups in 'nurturing' the individual and meeting some of his needs, such as the need for 'belonging,' developing skills and learning abilities, and protecting him from the state's arbitrary use of its coercive powers. Civil society organizations train their members to exercise 'citizenship' rights, including civil and political rights. These organizations transcend ethnic loyalty, meaning membership in them is either professional, class-based, or based on adherence to a principle or belief in a particular cause, not necessarily linked to religious, sectarian, or tribal loyalties within the same society. This implies that the proliferation and effectiveness of civil society organizations can create competing or alternative identities to traditional ones (7).

This means that civil society organizations, as active and functioning institutions in a specific social field and space, differ in terms of roles, organizational structures, objectives, and goals from other "traditional organizations." Tribes, for example, are vertical organizations that include members who share homogeneous characteristics based on ethnic "blood," and membership in them is linked to birth and lineage. In contrast, membership in civil society organizations is open to all citizens based on acquired abilities, competencies, and skills. Similarly, religious institutions differ from civil society in being traditional and vertical, encompassing homogeneous elements based on "faith," and membership is determined from birth. Although religious institutions share one important characteristic with civil society, namely, human values such as "love, assistance, and charity," there is also a fundamental difference in how these values are interpreted and practiced (8).

Secondly: Establishing civil society organizations in Iraq after 2003: Determinants, legal and constitutional foundations.

It can be said initially that it cannot be argued that awareness of the dimensions and values of civil society was absent in social and cultural circles in Iraq, especially since the establishment of the Iraqi state in 1921. However, such awareness - for both internal and objective reasons - remained an elite awareness specific to certain groups and segments. It could not impose its organizational and institutional presence within the social incubators. Its forms appeared through labor, youth, and women's activities (9), often expressing the ideological character of the ruling system rather than acknowledging the "authority" of a civil public opinion that takes its legal and constitutional legitimacy. It becomes one of the fundamental dimensions in building the state project.

The most significant event that led to the reconsideration and greater emphasis on building the foundations and values of civil society through supporting, legitimizing, and facilitating the work of organizations and institutions concerned with this matter occurred following the American invasion of Iraq in 2003. The Americans, from the early days of assuming control of the country, initiated what became known as the transitional period. This period resulted in the formation of the Transitional Governing Council, consisting of 25 members selected on a representative basis (10). During this period, Decision No. 45 was issued by the occupying authority on November 27, 2003, regulating the functioning of civil society organizations, which were then described as non-governmental organizations.

According to this decision, civil society organizations were defined as "any organization or institution established to engage in one or more of the following activities:

- 1- Providing humanitarian assistance and relief projects.
- 2- Advocating for human rights issues and raising awareness about them.
- 3- Rehabilitating residential areas and resettling communities.
- 4- Charity work, including educational, health, and cultural activities.
- 5- Conservation and maintenance operations.
- 6- Environmental protection activities.
- 7- Economic reconstruction and development.
- 8- Promotion of democratic practices.
- 9- Civil society development.
- 10- Promotion of gender equality.
- 11- Or any non-profit activity serving the public interest (11).

Such a direction, which the Americans institutionalized through this decision, later gained greater constitutional legitimacy through the ongoing work and tasks of the permanent Iraqi government. This was solidified after the structure and pathways of the government were endorsed following the referendum on the Iraqi Constitution in 2005. This included the establishment of an independent ministry and organization to oversee these institutions, initially referred to as the "Ministry of State for Civil Society Affairs." Later, according to Order No. 122 of 2008, it became known as the "Department of Non-Governmental Organizations" (12) within the General Secretariat of the Council

of Ministers. However, the actual transition in the functioning of such organizations and the legislation governing them began in 2010 with the enactment of Law No. 12 (13). This law provided for the review of all organizations operating before this date as "unregistered" and then worked to establish new legal and administrative regulations to regulate the legal licensing process for these non-governmental organizations (14).

Such a trend, enshrined by legislation and guaranteed by the constitution, witnessed a widespread proliferation of civil society organizations in Iraq. The missions, goals, and orientations of such organizations are diversified, but they can be classified based on funding sources and expenditures into four main groups:

The first group consists of organizations or political parties primarily, benefiting from the promotional nature provided by civil society organizations affiliated or cooperating with them, especially during election times.

The second group comprises organizations characterized by their protest-oriented nature and opposition to the government. These organizations organized numerous demonstrations, particularly after the Arab Spring events in 2010. Some of these protests were ambiguous in their subject matter and slogans, such as the February 25, 2011 protests. Some observers noted the detachment of these organizations from Iraqi street concerns, as seen in demonstrations supporting the military coup against Egyptian President Mohamed Morsi on June 30 of the same year. However, some protests were demanding, highly organized, clear in purpose, and impactful, such as those on August 31, 2013, demanding the cancellation of parliamentary privileges and pension salaries.

Protest-oriented organizations typically do not seek significant funding as long as their activities are limited to street presence or social media platforms like Facebook.

The third group consists of organizations termed "salons" that avidly participate in elite gatherings, conferences, seminars, and media engagements. However, this does not necessarily reflect their deep roots in Iraqi society or their representation of genuine Iraqi segments. Such practiced organizations in dealing with international organizations and Western embassies were the most prominent beneficiaries of American aid received by civil society organizations during the presence of foreign forces in Iraq. It is worth noting that this assistance amounted to approximately \$850 million, as reported by Lucie Chang, the senior democratic advisor at the U.S. Embassy in Baghdad.

The last group of civil society organizations seeks to provide specific services, benefiting from self-funding or donations. These organizations are often small in size but impactful in their services (15).

According to the Iraqi Permanent Constitution of 2005, emphasis was placed on the importance of civil society and the organization of its institutions' mechanisms in two constitutional articles. The first article is Article 39, which guarantees the freedom to establish associations and political parties and to join them, stating: "First: the freedom to establish associations and political parties and to join them is guaranteed and regulated by law. Second: no one may be compelled to join any party, association, or political entity or be forced to continue membership therein." This constitutional article was intended to establish a new understanding of political and social work, represented by the freedom for citizens to participate or not in partisan and social institutions. As it is known, Iraqi citizens were subjected in the past to various forms of coercion and compulsion to submit to authority and engage in the partisan institutions associated with the regime in one way or another. It is stipulated that this freedom be regulated by the issuance of a law to that effect (16).

As for the second article, it is Article 45, paragraph "First," which addressed the issue of civil society and the state's commitment to supporting its institutions. It stated the following: "Firstly, the state endeavors to enhance the role of civil society institutions, support their development and independence in a manner consistent with peaceful means to achieve their legitimate objectives, regulated by law." This article emphasized the importance of civil society institutions and their role in the democratic process in Iraq, as well as their role in organizing the relationship between the individual and the state and providing support to them, which must be done in a way that does not affect the independence of these institutions' work and associations. This should be coupled with a law regulating the work of these institutions and their relationship with the state. The current law regulating the work of civil society institutions in Iraq is governed by the authority of the Provisional Coalition Authority Order No. 45 of 2003, which is still in effect to this day (17).

The large number of such organizations established in Iraq, along with their diverse orientations, backgrounds, and sources of funding, has raised several concerns and fears regarding the nature, efficiency, and even legitimacy of their work. Among the most notable concerns are the following:

- Civil organizations and media institutions may serve as fronts for political parties or political leaders.
- Civil organizations and media institutions may prioritize profit-making through obtaining international grants and donations.
- Some civil organizations or media institutions may not adopt programs that serve the state-building process, instead resorting to defamation and undermining, taking on the role of political opposition rather than serving as a bridge for communication between society and state institutions.
- Civil organizations and media institutions may serve as fronts, passages, or tools in the hands of foreign countries or hostile terrorist organizations (18).

Some researchers have attempted to classify and categorize the mechanisms and orientations of civil society organizations in Iraq after 2003 based on the local and international ideological backgrounds that contributed to their establishment and supported their orientations. Thus, the classification of these organizations from this perspective can be summarized as follows:

1. Women's and youth organizations, most of which receive clear American support. Many of them focus on awareness-raising and cultural issues, while others align with active political parties in the Iraqi arena.
2. Human rights organizations, many of which receive support from donor countries.
3. Associations for retirees, the search for missing persons, the National Organization for the Defense of Workers' Rights in the Iraqi state, and similar organizations that attract the attention of political parties and express social needs.
4. Organizations representing an extension of institutions from the previous era, such as the General Union of Cooperation and Professional Unions. Some of them may undergo name changes to align with the requirements of the new phase.
5. Charitable and religious institutions, especially.
6. Organizations attempting to propose a practical national program to confront occupation pressures. These organizations emphasize Iraqi nationalism and call for rejecting sectarianism, ethnic bias, and the like, but they suffer from financial constraints and difficulty in competing with other organizations.
7. Charitable institutions operating with external support, such as the Sheikh Zayed Hospital, shelters for the disabled, organizations like CARE, and the like (19).

Activating the values of civil society must be paralleled by profound structural transformations on the social, cultural, political, and economic levels. Therefore, the constitutional legitimacy of representation for civil society organizations in Iraq after 2003 is not sufficient alone to affirm a new civil reality in Iraq. The civil society in Iraq lacks a clear and influential historical reference, as some of its aspects in contemporary political history have been overshadowed by a unionist and ideological character. This characterization may label this society as embryonic, weak, and lacking effective, independent, and voluntary private institutions that define the identity of civil society. Additionally, many decision-makers in official institutions have not yet been reassured about the identity and references of this virtual society in producing cultural messages and influencing social events due to its limited consideration of the concept of civil society and the lingering impact of old ideas and frameworks that have not yet freed themselves from the legal references of the old center (20).

Furthermore, "relevant entities, especially legal entities in the context of their professional responsibilities, still face a crisis in defining and legally characterizing the work of civil society organizations, and ensuring the proper mechanisms to support them and accepting their internal systems, and adopting their roles in a complex society that has long lived under the dominance of centralization and the dominance of its orientations (21).

This problematic reality of the concept of civil society has also been reflected in the nature of its work and its influence on social and cultural structures. The absence of traditions and determinants, the weakness of the federal state and the fragility of its institutions, and the staggering size of international entities seeking to support civil formations in Iraq, coupled with the lack of clarity of the legal frameworks that bind or affect the activities of this society, have led to the influence and temptations of foreign interests. Many of its civil activities and programs have become part of the "street chaos" and manifestations of its randomness, searching under misleading names and facades for sources of funding and support, and perhaps affiliating with vague agendas (22).

Based on this basis, if we intend to seriously consider giving a role to civil society environments, similar to the role given to other environments, in reshaping the cultural landscape in Iraq and preparing the community for a historical transformation, this requires establishing an operational framework to define the formations of the civil society

environment through clear legislation that frames the work of these formations and limits the spread of the phenomenon of "civil chaos" among its ranks. This legislation should address the proliferation of fake organizations and individuals who engage in irresponsible roles that distort the institutional construction of civil culture. When discussing many proposed drafts to define the Civil Society Law, we are confronted with numerous problems related to the nature of this law on one hand, and the understanding of it by the elites who contributed to proposing these drafts on the other hand. The drafts reflect a crisis of conceptual clash between authority and the specificity of civil society, which is based on freedom and voluntarism (23).

Thirdly: evaluating the work, performance, and efficiency of civil society organizations in Iraq after 2003: The problem of representation and achievement.

The issue of initiating a reevaluation of the work and performance of civil society organizations in Iraq after 2003, especially after this prolonged period of operation, has its objective justifications. It will not only reveal the extent of influence, effectiveness, and nature of the achievements made, but also uncover the nature of constraints and structural imbalances that these organizations have encountered in terms of visions, programs, and objectives. Furthermore, the outputs of such evaluations can be utilized in the future to correct the trajectories and paths of such organizations if they truly aspire to be a fundamental contributor to the success of the civil state project in Iraq after 2003.

Generally speaking, the capabilities, effectiveness, performance, and efficiency of civil society organizations and institutions vary from one country to another, and sometimes even from one place to another within the same country. This is because the experiences and "models" of civil society, in general, and the Arab world in particular, vary in strength and weakness according to contexts and dimensions, as we have previously emphasized. These contexts and dimensions relate to the nature of the evolution of the concept of the state and the supporting political system for the civil society project, as well as the evolution of parallel systems, frameworks, and structures necessary for the success of this project, including cultural, economic, and social frameworks (24).

The criterion of professional and functional performance is considered one of the fundamental criteria in determining and presenting the value, efficiency, and role of civil society institutions - especially in Iraq after 2003. Most civil society institutions operating in this regard have been characterized by limited activities and programs and limited impact in their social environment. This is partly due to the absence of a professional performance standard, whether at the level of planning and management or in developing strategies to enhance skills and increase the capabilities and efficiency of employees in such institutions.

One of the reasons behind the weakness of professional performance in a large section of civil society institutions is related to the nature of the qualifications of the staff working in such institutions. Highly competent human resources "do not prefer to work in civil society organizations" due to low wages and salaries and the lack of comprehensive insurance coverage for employees. Therefore, the limited availability of specialized personnel is a major problem explaining the responses of organizations - in field research - indicating a need to develop their performance, including improving their teamwork abilities, communication with society, effective management, communication technology skills, strategic planning, and more (25).

Another reason is related to limited skills in strategic planning, which have led to the dispersion of work for many civil society organizations among several objectives and projects, without focusing on a specific issue or issues within clear societal priorities. This has resulted in the majority of associations and civil institutions, when seeking legal registration, ensuring that their activities include providing services, social care, development, women's empowerment, children, and others. Thus, they resort to a "broad" legal registration of their activities and programs, exceeding their capabilities and capacities, in anticipation of future funding opportunities, without considering the need for specialization (26).

Another possible reason behind the weakness in professional and functional performance, which can affect the nature of the objectives pursued by civil society organizations, is the shortage of volunteer human resources willing to work in such organizations. Additionally, there is a dominance of older generations in leadership positions, a lack of clear delineation of responsibilities and roles within the organizational structure of these organizations, as well as weak participation in policy and program development and a lack of teamwork spirit (27).

Regarding the model for building the civil society experience in Iraq after 2003, if we base our evaluation of the professional and functional performance of active civil society institutions in Iraq on data such as this criterion, we

will find that the organizational capacity of most of the staff and workers within these institutions is low, if not impaired. This was highlighted in the International Sustainability Report of Civil Society Organizations for the year 2012, which identified the organizational capacity dimensions of civil society institutions in Iraq and their level of efficiency by stating, "Civil society organizations have limited access to organizational training. As a result, according to some civil society experts, most civil society organizations do not have well-defined organizational visions or strategic objectives, and very few of them have clear strategic plans. Many organizations copy mission and vision statements from other organizations when registering, but eventually realize that their visions do not reflect their activities, as some civil society organizations shift their focus to obtain more funding (28).

This report also confirms that "the electoral system for council members within civil society organizations is still weak, and most civil society organizations do not pay sufficient attention to developing internal management systems. Most civil society organizations rely on two or three key individuals to manage the organization, and the success of the organization largely depends on these individuals. When these individuals leave, the future of the organization is jeopardized. Most civil society organizations do not have job descriptions for their employees, and in many civil society organizations, there is significant overlap between the administrative apparatus and the executive councils. Some donors have begun to question job descriptions and request the establishment of human resources departments to ensure organizational transparency. Civil society organizations find it difficult to engage volunteers. Most employees of civil society organizations are employed part-time, and only a few people are employed full-time in civil society organizations. Additionally, civil society organizations face difficulty in hiring officials for permanent positions. Many organizations do not use computer programs to manage their financial resources for two reasons: first, these programs are costly, and second, they require special training, not to mention the need for higher salaries (29).

If the weakness in efficiency and organizational performance in the structure of civil society organizations in Iraq after 2003 - as previously outlined in the report - has contributed to diminishing the effectiveness and role of these organizations, thereby weakening their capacity to influence the social and political environment, then there are a series of problems and obstacles that such organizations have faced, and they have been unable to overcome or find appropriate solutions to them. Among the most significant issues that have directly or indirectly contributed to exacerbating the crisis of civil society organizations in Iraq, thus impacting their functional efficiency, are as follows:

1. Weak societal awareness of the importance of the activities, events, and works of civil society organizations due to their novelty on one hand, and the weak role of the media in raising awareness and educating about their concepts, coupled with the lack of interest from the governments of Third World countries, including Iraq, in the activities and works of these institutions in various social, cultural, educational, sports, humanitarian, women's, children's, youth, labor, student, environmental, union, association, and club fields on the other hand.
2. Weakness, ambiguity, and obscurity of sources of support and financial funding for civil society organizations in Iraq due to some of these organizations not adhering to transparency, integrity, and clarity standards in disclosing their funding sources, expenditure methods, project types, and the connection of some of these institutions and organizations, or some of their leadership, with political and party leaderships of the country or external parties, leading to their loss of independence, will, role in planning, decision-making, activity, and even legitimacy of their presence among civil society organizations, as they fail to meet the conditions and criteria of belonging to the house and objectives of these organizations. Article 45 of the Iraqi Constitution, which regulated the work of organizations from the beginning, and the Law on Civil Society Organizations that was passed at the end of the legislative term of the previous parliament in January 2010, did not address the issue of funding for the work of these organizations, which is the essence of the problem (30). Thus, these organizations remained at the mercy of donor agencies and their agendas. Moreover, donor agencies focused their grants on several known organizations aligned with or executing the goals and agendas of those agencies without restriction or condition.
3. Weakness in legislation and laws about civil society organizations in Iraq that regulate their work, programs, funding, and objectives, hindering their work and placing obstacles in their way, not responding to the requirements of international standards and criteria for the work of these organizations, thus weakening their effectiveness, paralyzing their movement and activity, and depriving them of financial, moral, and logistical support that could come from the Iraqi state or large international institutions such as the United Nations in their field of specialization, as civil society organizations in Iraq, except for the Kurdistan Region, continue

to suffer from confusion, randomness, and ambiguity due to the absence of clear and explicit laws and regulations to guarantee and regulate their work and funding.

4. The absence of a national or regional union, association, or network in Iraq or the region to bring together civil society organizations under its umbrella for cooperation, alliance, and exchange of experiences to ensure success, progress, and development. Most civil society organizations in Iraq still operate with traditional and classical work formats and patterns, in need of a common umbrella and framework to safeguard the rights and interests of their administrative and general bodies, as well as beneficiaries of their services, activities, and various initiatives, to activate their role in innovation, renewal, volunteering, excellence, and creativity in developing new methods of serving the community in their area of expertise.
5. The absence of democracy, dialogue, discussion, freedom of opinion, and opposing views within civil society organizations in Iraq, with the concerns of their boards of directors and general bodies often leading to individual and impromptu decisions that may have negative and unacceptable results. Additionally, the non-election of their boards of directors by the general bodies in a democratic manner, but rather through appointment and endorsement, exacerbate the prevalence of administrative and financial corruption in many parts and aspects of these organizations (31).
6. Ignorance, backwardness, illiteracy, and inherited outdated traditions, in addition to terrorism, extremism, and gangs, are challenges faced by most civil society organizations in Iraq today. They struggle with numerous challenges, risks, difficulties, and complexities in carrying out their activities and initiatives smoothly, coherently, agilely, and flexibly, sometimes conflicting with various inherited societal values, customs, and traditions, which have deeply rooted impacts and are considered real obstacles and barriers to providing their services and conducting their activities in many areas, including, but not limited to, women, youth, students, marriage, divorce, polygamy, and others.
7. Finally, among the obstacles hindering the work of civil society organizations is their registration. The registration department for non-governmental civil society organizations is a department affiliated with the Secretariat of the Council of Ministers, not subject to the Ministry of Civil Society Affairs. Initially, when it was formed under the Ministry of Planning, the process was easier, with clear coordination and a distinct departmental structure. However, the department still faces significant pressure from the Secretariat of the Council of Ministers, despite the issuance of the Law on Non-Governmental Organizations in early 2010. The instructions from the registration department have not yet been finalized. Despite many organizations attempting to build a relationship of trust and cooperation with them and offering assistance to facilitate the registration or re-registration processes, as well as training the employees in the department, there are ongoing tensions due to the complexity of the obstacles hindering the registration or re-registration of organizations, which limits the effectiveness of civil society organizations and undermines their independence (32).

In addition, the practical reality of the nature of civil society institutions in Iraq after 2003 has revealed that most of them have been taken over by internal and external forces. Some of them are linked to fundamental forces in the political process and government, while others are undoubtedly subject to external forces under the pressure of aid, grants, training programs, and travel. Therefore, many of the goals of most civil society institutions in Iraq have been emptied of their national, societal, and even humanitarian content, becoming mere echoes of the controlling powers (33).

Similarly, relevant authorities, especially legal entities within the context of their professional responsibilities, still face a crisis in defining and legally characterizing the work of civil society organizations, ensuring proper mechanisms to support them, accepting their internal systems, and adopting their roles in a complex society that has long lived under the domination of centralization and the hegemony of its orientations (34).

This problematic reality of the concept of civil society has had repercussions on the nature of its work and its influence in social and cultural structures in Iraq. The absence of traditions and guidelines, along with the weakness of the federal state and the fragility of its institutions, coupled with the overwhelming presence of international entities seeking to support civil formations in Iraq, has led many of these civil society activities and programs to become part of the "street chaos" and manifestations of its randomness. These activities often operate under ill-defined names and facades in search of funding and support sources, perhaps even linked to obscure agendas (35).

Based on such data and due to the lack of required efficiency in the work of civil society organizations in Iraq after 2003, most of these organizations - regardless of the slogans and goals they espoused - were far from the values, goals, and directions of civil society. Many founders and members of these organizations and associations were primarily

driven by achieving personal goals and gains, such as seeking social status for political and partisan purposes. Some even worked to transform the organization or association into a commercial project aimed at profit through obtaining donations and grants and transferring them to accounts and banks instead of channeling them into community projects and programs. Additionally, some charitable organizations and associations were used as covers or fronts for terrorist activities aimed at financing terrorist operations under the guise of charitable work. Some were even used by external parties to achieve their goals and agendas against the interests of Iraqi society, especially due to the lack of oversight over the performance of these organizations and associations. As a result, many organizations, associations, and active social movements were lost amidst the crowd of this vast number of illusory utility and for-profit associations, leading to a setback in building civil society and contributing to distorting the concept of civil society (36).

From all that has been presented, it becomes clear that if we were to review the work and assess the performance and efficiency of civil society organizations operating in Iraq since 2003, and if we were to base it on the legitimacy of achievements rather than the constitutional and legal representational legitimacy, we would find that the vast majority of these organizations - with limited exceptions that do not make a significant difference in terms of size, presence, and impact - have failed to meet expectations and fulfill the commitments placed upon them, especially in terms of achieving the success and required efficiency in their organizational work. Therefore, they may have failed in the path of democratic transition in Iraq by not embodying the principles, components, and goals of civil society in Iraq after 2003.

CONCLUSION

The reflections of the democratic transition in the political system in Iraq after 2003 included giving a greater role and space to civil society organizations to support the state's project on the one hand and attempting to consolidate the principles and values of civil society on the other. These organizations exercised their role in the public social sphere, and their numbers increased significantly - especially after being constitutionally recognized. However, despite all the support and funding these organizations received, whether internally or externally, after all this time they have not been able to achieve tangible accomplishments in reality, whether politically, socially, culturally, or developmentally. Through research, we attempted to critically evaluate the mechanisms and orientations of civil society organizations in Iraq after 2003, especially in terms of achieving the concept of performance and functional efficiency. The most important conclusions reached in this regard were as follows:

1. If the project of establishing the dimensions and values of civil society in Iraq gained its legal and constitutional legitimacy due to the nature of the political change that occurred in the state structure in Iraq after 2003, such a matter, despite its importance, remains insufficient to achieve its legitimacy in reality. One of the main problems accompanying the implementation of such a project is that the nature of the orientation toward building the foundations of a civil society in Iraq did not match a similar transformation in the societal, political, cultural, and economic structures, supportive of its goals and objectives. Additionally, civil society organizations themselves, despite all the efforts they made through their activities, failed to bring about the required political and societal reform. They remained limited in their impact and effectiveness, as they have not yet acquired the necessary experience or accumulated the time required to build their administrative and functional capacities to bring about the desired change that aligns with the nature of the goals they sought to achieve, whether at the societal or state level in Iraq after 2003.
2. Most civil society institutions operating in Iraq after 2003 have been associated with their goals and objectives by engaging in the process of popularizing and activating the state's public policies more than being associated with the process of building the Iraqi society itself. Consequently, these institutions and organizations lost their legitimacy and proper representation of the fundamental goals they were established to defend, one of the most important of which is to act as intermediaries between the state and society.
3. One of the most negative indicators reflecting the inefficiency of civil society organizations operating in Iraq is the absence of the principle of functional adaptation, meaning these organizations and institutions cannot adapt to political, economic, and security challenges in Iraq. Additionally, there is a lack of the principle of temporal continuity in terms of work and practice. Many institutions and organizations in Iraq have not continued their work for long periods, either due to weaknesses and confusion in the organizational and administrative structure, or because their activities violated the laws and regulations applicable in this regard, leading to their suspension. In both cases, they failed to achieve the principle of qualitative accumulation that qualifies them to effectively and influentially engage in activities within society.

4. Another negative indicator that can be noted regarding the nature and performance of civil society organizations in Iraq after 2003 is the absence of volunteer work and individual initiatives, which are fundamental in developing and activating the role of civil society institutions. Additionally, there is the dominance of self-interests and personal agendas, a lack of clear programs and plans of action, and the absence of genuine, purposeful, and organized popular participation that would sustain the continuity of the work of these institutions.

FOOTNOTE

- 1- There is a debate among researchers and political theorists regarding the nature of a governance system capable of enabling the success of civil society organizations. Some of them link the latter, in terms of reference, legal foundation, and constitutional basis, exclusively to the liberal state model. The other group relies on the diversity of experiences and governance patterns worldwide, thereby leading to numerous "experiences" of democracies that cannot be reduced to the liberal democratic model. This means that there is a plurality in the nature of political modernity specific to each country, regardless of the nature and pattern of the prevailing governance: liberal, republican, monarchical, etc. The latter opinion, in our estimation, is closest to objective reality, as evidenced by the success of some modern state-building experiences in Asian countries such as Malaysia, Singapore, and India. Civil society organizations in these countries have shown the ability to influence public affairs and support the democratic transition process, regardless of the prevailing governance style and ideology. Saad Eddin Ibrahim emphasizes that civil society experiences in Arab countries are diverse, varied, and unequal, subject to the evolution of political, social, and cultural systems in each country. They also differ from models of civil society development in Western countries. Therefore, he states that "modern social and economic institutions are the backbone of the modern state and civil society, but they have not developed sequentially, uniformly, or consistently, as is the case in the West." [Source: Samuel Huntington, "The Third Wave: Democratization in the Late Twentieth Century," translated by Abdulwahab Aloub, Dar Saad Al-Sabah, Egypt, 1991, p. 17, Introduction.]
- 2- Mohammed Harchaoui, "The European Strategy in Enhancing Local Governance through Activating Civil Society Mechanisms towards Southern Mediterranean Countries: A Case Study of Morocco and Algeria," Unpublished Master's Thesis, University of Kasdi Merbah Ouargla, Faculty of Law and Political Science, Department of Political Science and International Relations, 2013-2014, p. 23.
- 3- Ali Al-Din Hilal, Nevine Massad, "Arab Political Systems: Issues of Continuity and Change," Center for Arab Unity Studies, Beirut, Lebanon, 1st edition, 2000, pp. 179-180.
- 4- Ali Ahmed Abdul Hameed Al-Rahamneh, "The Political and Security Role of Non-Governmental Organizations in the Arab Region (2011-2017)," Unpublished Master's Thesis, Middle East University, Faculty of Arts and Sciences, 2018, p. 14.
- 5- Regarding the procedural operations or mechanisms involved in constructing terminology - especially in terms of linguistic formulation - see: Mahmoud Fahmi Hegazy, "The Linguistic Foundations of Terminology Science," Gharib Printing, Publishing, and Distribution House, Cairo, n.d., pp. 35-87.
- 6- Baqer Salman Al-Najjar, "Stagnant Democracy in the Arab Gulf," Dar Al-Saqi, Beirut, Lebanon, 2008, p. 37.
- 7- Ahmed Shakir Hamoud Al-Sabaihi, "The Problems of Civil Society and Its Future in the Arab World," Unpublished Doctoral Dissertation, University of Baghdad, College of Political Science, 1998, p. 121.
- 8- The same source, pp. 126-127.
- 9- Abdul Wahab Hameed Rashid, "Democratic Transition and Civil Society," Al-Mada for Culture and Publishing, Damascus, Syria, 2003, p. 79.
- 10- It can be said that "civil society institutions have existed in Iraq for decades, but they did not carry the same name and were referred to as charitable organizations, trade unions, cooperative associations, women's organizations, youth organizations, labor unions, and so on..." Kauther Abbas Al-Rubai, "Civil Society in Iraq: Concept and Application," International Studies Journal, Issue 57, 2005, p. 7.
- 11- The same source, pp. 9-10.
- 12- Regarding such terminology and to avoid confusion, given the interchangeability of the terms "NGOs" and "civil society organizations," and the significant intersections between the contents of these two designations, it is worth noting that civil society organizations consist of entities referred to as secondary institutions, such as civil associations, professional and labor unions, business companies, chambers of commerce and industry, charitable institutions, civil societies, voluntary organizations, human rights associations, women's rights associations, sports clubs, consumer protection associations, and similar voluntary institutions. The intention

- is that the scope of civil society is confined to non-governmental organizations engaged in voluntary work, and therefore it is largely independent of direct state supervision. Despite the differences in the names and forms of civil society organizations, they share a set of basic characteristics, such as being private, non-profit, independent, and voluntary organizations, allowing individuals the freedom to join or support them... Ali Ahmed Abdul Hameed Al-Rahamneh, "The Political and Security Role of Non-Governmental Organizations in the Arab Region (2011-2017)," Previous source, p. 14.
- 13- To know the important provisions of Law No. 12 of 2010 regarding Non-Governmental Organizations in terms of defining the duties and obligations on organizations and institutions registered under the provisions of this law... see: Ronak Ouda Abbas, "The Legal Organization of Civil Society Organizations - A Comparative Study," Unpublished Master's Thesis, Faculty of Law, University of Al-Nahrain, Baghdad, 2013, pp. 133-136.
 - 14- Despite the increasing demand for obtaining legal approvals from the Non-Governmental Organizations Directorate to establish new institutions or centers dedicated to civil society work, the approximate number of actual civil society institutions in Iraq - according to Iraqi provinces - reached (5000) civil society organizations. It is worth noting that after restricting the work of these organizations with the regulations and the 2010 law, (1000) organizations were deregistered and suspended from operation until 2020 because they were not subject to the administrative and legal regulations that define the scope of their work.
 - 15- Jamal Nasser Jabbar Al-Zaidawi, Constitutional Studies, Iraq Studies Center, Baghdad, 2009, p. 208.
 - 16- The same source, p. 209.
 - 17- Ali Taher Al-Hamoud, "The Embers of Governance: The Shia of Iraq and the Challenges of State and Nation Building after 2003," Dar Al-Rafidain, Beirut, Lebanon, 2017, p. 219.
 - 18- Kauther Abbas Al-Rubai, "Civil Society in Iraq: Concept and Application," Previous source, p. 10.
 - 19- Ali Hassan Al-Fawwaz, "Challenges of the National State from History to the Modern Context," Previous source, p. 169.
 - 20- The same source, pp. 169-170.
 - 21- The same source, p. 170.
 - 22- The same source, p. 170.
 - 23- The same source, p. 170.
 - 24- The same source, p. 170.
 - 25- It can be said that civil society has "three interrelated roles: economic, political, and social. The economic role of civil society focuses on securing livelihoods and providing services where states and markets are weak, and on enhancing social values, various communication networks, and institutions that support successful market economies, including trust and cooperation... In its social role, civil societies are seen as reservoirs of care, cultural life, and intellectual creativity, teaching people citizenship skills... As for the political role, voluntary associations are seen as a crucial counterweight to states and institutional power, and also as a fundamental pillar for promoting transparency and accountability." Michael Edwards, "Civil Society: Theory and Practice," translated by Abdul Rahman Abdul Qader Shahin, Arab Center for Research and Policy Studies, Beirut, 2015, pp. 32-34.
 - 26- Amani Qandeel, "What Role Does Civil Society Play? - A Critical Reading in Reality and Literature -," Arab Network for Civil Society Organizations, Egypt, 2010, p. 70.
 - 27- The same source, p. 71.
 - 28- The same source, pp. 70-71.
 - 29- "Sustainability Report of Civil Society Organizations for 2013 for the Middle East and North Africa Region," issued by the United States Agency for International Development, the Bureau of Democracy, Conflict, and Humanitarian Assistance, and the Middle East Bureau, 2013, p. 22.
 - 30- The same source, p. 22.
 - 31- Sarah Ibrahim Hussein, "Civil Society Institutions and Public Policy: Iraq as a Model," unpublished master's thesis, University of Baghdad, College of Political Science, 2012, pp. 53-54.
 - 32- The same source, p. 54.
 - 33- The same source, pp. 54-57.
 - 34- Abd Ali Kazem Al-Maamouri, "The State, the Private Sector, and Civil Society in the Transitional Phase," Human Development Report in Iraq for 2006, House of Wisdom, Ministry of Planning, 2006, p. 20.
 - 35- The same source, pp. 169-170.
 - 36- Ali Hassan Al-Fawwaz, "Challenges of the National State from History to the Modern Context," Neneveh House for Studies, Publishing, and Distribution, Damascus, Syria, 2012, p. 170.

REFERENCES

1. Ahmed Shakir Hamoud Al-Sabaihi, "The Problems of Civil Society and Its Future in the Arab World," unpublished doctoral thesis, University of Baghdad, College of Political Science, 1998.
2. Amani Qandeel, "What Role Does Civil Society Play? - A Critical Reading in Reality and Literature -," Arab Network for Civil Society Organizations, Egypt, 2010.
3. Baqer Salman Al-Najjar, "Resilient Democracy in the Arab Gulf," Dar Al-Saqi, Beirut, Lebanon, 2008.
4. "Sustainability Report of Civil Society Organizations for 2013 for the Middle East and North Africa Region," issued by the United States Agency for International Development, the Bureau of Democracy, Conflict, and Humanitarian Assistance, and the Middle East Bureau, 2013.
5. Jamal Nasser Jabbar Al-Zaidawi, "Constitutional Studies," Iraq Studies Center, Baghdad, 2009.
6. Rownaq Oudah Abbas, "The Legal Organization of Civil Society Organizations - A Comparative Study -," unpublished master's thesis, College of Law, University of Al-Nahrain, Baghdad, 2013.
7. Sarah Ibrahim Hussein, "Civil Society Institutions and Public Policy: Iraq as a Model," unpublished master's thesis, University of Al-Nahrain, College of Political Science, 2012.
8. Samuel Huntington, "The Third Wave: Democratization in the Late Twentieth Century," translated by Abdul Wahab Alouby, Dar Saad Al-Sabah, Egypt, 1991.
9. Abdul Wahab Hameed Rashid, "Democratic Transition and Civil Society," Dar Al-Mada for Culture and Publishing, Damascus, Syria, 2003.
10. Abd Ali Kazem Al-Maamouri, "The State, the Private Sector, and Civil Society in the Transitional Phase," Human Development Report in Iraq for 2006, House of Wisdom, Ministry of Planning, 2006.
11. Ali Ahmed Abdul Hamid Al-Rahamneh, "The Political and Security Role of Non-Governmental Organizations in the Arab Region (2011-2017)," unpublished master's thesis, Middle East University, College of Arts and Sciences, 2018.
12. Ali Al-Din Hilal, Nevine Masad, "Arab Political Systems: Issues of Continuity and Change," Arab Unity Studies Center, Beirut, Lebanon, 2000.
13. Ali Hassan Al-Fawwaz, "The Challenges of the National State from History to the Modern Framework," Dar Ninawa for Studies, Publishing, and Distribution, Damascus, Syria, 2012.
14. Ali Taher Al-Hamoud, "The Ember of Governance: Shiites in Iraq and the Struggles of Nation and State Building after 2003," Dar Al-Rafidain, Beirut, Lebanon, 2017.
15. Regarding the issue of the processes or procedural mechanisms involved in constructing terminology - especially in terms of linguistic formulation - see: Mahmoud Fahmi Hegazy, "The Linguistic Foundations of Terminology Science," Dar Ghareeb for Printing, Publishing, and Distribution, Cairo, n.d.
16. Kawthar Abbas Al-Rubai'i, "Civil Society in Iraq: Concept and Application," International Studies Journal, Issue 57, Year 2005.
17. Michael Edwards, "Civil Society: Theory and Practice," translated by Abdul Rahman Abdul Qadir Shahin, Arab Center for Research and Policy Studies, Beirut, 2015.
18. Muhyiddin Harshawi, "The European Strategy in Enhancing Local Community Management through Activating Civil Society Mechanisms towards South Mediterranean Countries - A Case Study of Morocco and Algeria," unpublished master's thesis, University of Kasdi Merbah Ouargla, Faculty of Law and Political Science, Department of Political Science and International Relations, 2013-2014.