

The Effect of Separating Authorities on the Relationship between these Authorities in the Iraqi Constitution 2005

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ABSTRACT--*When we ask about the relationship between legislative and executive authorities, and ask again inversely what's the relationship between executive and legislative authorities, the answer here is not one and things aren't similar, where the legislative-executive authorities relationship has features that differ from the executive-legislative authorities relationship. It is not just advancing and delaying. The Iraqi constitution in item 47 stated that federal authorities consist of legislative, executive and judicial authorities and depend in practicing their specialties and duties on authorities separation dogma, but when reviewing these authorities duties in the constitution, we find a lot of common duties between federal authorities; so, any authority can't achieve them alone. This would indicate that the correct conception of authorities separation dogma in the Iraqi constitution, especially, doesn't affect their cooperative work and does not limit it to call for the isolation between these authorities to activate separation.*

Keywords-- *The Effect of Separating Authorities on the Relationship Between these Authorities in the Iraqi Constitution 2005*

I. INTRODUCTION

The dogma of law dominance is a major principle the law state stand on and there's a fixed relationship between the both because law state is raised on a bunch of installations that share the power in a certain amount within the state. With these foundations stand on a pyramid chain which makes some of them higher than the others. This would imply that state authorities aren't dependent from each other but there are correlative means of effect between each authority and the other in a state, which make each authority combined to the other but in the same time we find the state constitution includes a dogma that denies this concept though there's a cooperative relationship between every authority in the valid Iraqi constitution 2005 where in item 47, separating federal authorities is depended for legislative, executive and judicial authorities when it texted: (federal authorities consist of legislative, executive and judicial authorities and practice their specialty and duties on the basis of authorities separation), the purpose is to avoid any possible dictatorship, power misuse and keep population's rights

Practically, it has certain effect on these authorities and we're here about to concentrate on the degree and type of this effect that comes by this dogma application with realizing its limits in the Iraqi constitution 2005 and knowing is the separation would cause isolating these authorities in absolute way or there is some relationship or

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correlation despite the presence of this dogma in a way that doesn't affect applying it and is it possible for this dogma to exist with authorities powers in one constitutional document.

To focus on these queries, this study has been divided into three parts:

- Part one: the legislative-federal authorities relationship.
- Part two: the executive-federal authorities relationship.
- Part three: the judicial-federal authorities relationship.

II. RESEARCH PROBLEM

The problem of scientific research is to know how the federal authorities practice their work on the basis of the principle of separation of powers and whether this can be applied in practice without there being cooperation and a relationship between these authorities, especially that the Iraqi constitution in force has been mentioned and emphasized the application of the principle of separation of powers clearly and explicitly in the article (47) () From it, and here we are for the correct application of this principle according to the effective Iraqi constitution.

research importance:

The importance of the research lies in preserving the implementation of the constitution and its implementation in a manner that derives its basis from the principle of the supremacy of the constitution and that the different directions of the ruling parties should not have an impact on the directions of the three authorities in a way that does not work in the constitutional path and that the implementation of any constitutional text is not in isolation from the rest of the constitutional texts This is what justifies the existence of the principle of separation of powers, while the Iraqi constitution maintains aspects of cooperation in its various forms between these authorities despite this principle.

Research Methodology:

In this study, the researcher relied on the descriptive analytical approach to the provisions of the Iraqi constitution in order to clarify the constitutional basis for the three authorities not to contradict each other despite the existence of the principle of separation of powers in the folds of the Iraqi constitution.

To this end, we have clarified the work that each of the three authorities enjoys in a way that combines it with the rest of the authorities and in a manner that is not considered interference by one of the authorities in the work of the other as it is a manifestation of cooperation between the authorities and is not far from the failure of one of the authorities to interfere in the work of the other.

The first topic

The relationship of the legislature with the federal authorities

This topic deals with explaining the constitutional relationship between both the executive and the judiciary in the legislature and knowing whether the principle of separation of powers has an impact on this relationship and this is through this topic is divided into two requirements: -

The first requirement: - The relationship between the legislative authority and the executive branch:

In the beginning, we define that the legislative authority in this field, that which has the authority to issue binding general rules governing the group's actions in the country's domain, is determined. (The Iraqi constitution for the year 2005 in force determines the nature and extent of this relationship through what was

included in the competences of the House of Representatives in Article (61) from it, as this article contains a relationship of a supervisory nature, another of a financial nature, and a relationship of an external nature and one related to the legal capacity of the government ().

The first branch: A relationship of a supervisory nature:

Before we show the manifestations of this relationship, we show that it embodies what Parliament has in the supremacy of the government. Whoever takes the role of the watchman has the authority to evaluate and decide on the fate of the thing that is subject to this evaluation. To evaluate her work, the aspects of this relationship are limited to the following tools:

• First: - Asking questions: -

The question is about a member of Parliament inquiring about a specific issue from the concerned minister .

The questions are considered a monitoring tool that places the member of the parliament with the position of the questioner and the speaker

The ministers and ministers on the subject of the official, and that is when the deputy requests clarification on a specific point or topic that falls within the jurisdiction of the official and the questioner alone has the right to comment on

The answer is that the right to ask the question is fixed for each deputy alone. Parliamentary questions find their constitutional basis in Article (61 / VII / A) () of the effective Iraqi constitution. What distinguishes the questions from other censorship procedures, such as interrogation, is the absence of a direct political penalty.

Second: - Interrogation: -

The questioning is more general and comprehensive than the question, and it usually carries between its two accusations of negligence, negligence or departure from some rule, so the discussion about the questioning is not limited to the questioner and the questioner, but all members of the council are entitled to participate in the discussion after hearing the minister's answer, and the questioning usually ends with a vote that expresses On the ruling of the House of Representatives on the government's answer ().

The interrogation mentioned in Article (61 / seventh / c) of the effective Iraqi constitution, which stipulates that (for a member of the House of Representatives, with the approval of twenty-five members, the interrogation is directed to the Prime Minister and the ministers to hold them accountable in matters within their jurisdiction. The discussion in the interrogation takes place only after seven days in Less than present it ().

We have deliberately included the constitutional text as it has for its serious consequences and results that may end the work of the minister or the entire ministry when interrogation is followed by the withdrawal of confidence, and this withdrawal of confidence is decided in light of the material presented by the person being questioned in response to the interrogator, and for this

The dangerous result, we note the legislator's strictness in the quorum required to direct the interrogation, which made him subject to the approval of at least twenty-five members.

• Third: To present a general topic for discussion: -

The Iraqi constitution allowed members of the House of Representatives with a quorum of no less than twenty-five members to present a general topic for discussion in order to clarify the policy and performance of the Council of Ministers on this.

The topic under discussion or clarifying the policy and performance of one of the ministries and submitting it to the Speaker of the House of Representatives, meaning that to present a topic for discussion has objective controls related to the fact that this topic under discussion must be characterized by generalization. Members behind his presentation seek knowledge of government policy or ministries towards this issue and clarify its performance and also have controls A formality related to the number of members of the House of Representatives who are empowered to bring up a general topic for discussion where they number not less than twenty-five members and also is one of the permissible matters that leaves its appreciation to the members where the constitutional text was mentioned in Article (61 / seventh / b) of the Iraqi constitution in effect the phrase (may) ().

The second branch: A relationship of a financial nature:

This relationship lies with the parliament's role in approving the draft general budget law, as this project is submitted by the executive authority through the Council of Ministers, as the financial system in the country is controlled (Constitutionally) is a special area for the legislative authority, as it has the primary jurisdiction in that, and this is done after Discussing the project, and for this purpose, conducting transfers between the chapters and chapters of the general budget and reducing the total amounts thereof, and he may, when necessary, propose to the Council of Ministers to increase the total amount of expenditures, and all this in implementation of the provisions of Article (62) of the effective Iraqi constitution.

Consequently, the aspects of the relationship of a financial nature are more evident in particular in the ability of the House of Representatives to propose to the Council of Ministers to increase the total amount of expenditures no matter how high, but this relationship in its entirety does not give the Parliament the right to make adjustments to the general budget, but that is confined only to the Cabinet, as it is the only one with jurisdiction in that .

The parliament's role does not end there, but it has to extend to the budget disbursement aspects, even if they are of a financial nature, but it has appeared in a legal garment, and thus the oversight role of the government extends to clarify the state of proper application of this law.

Relationship of an external nature:

The features of this relationship become clear when we know that parliament has a role in the field of international treaties and agreements concluded by the Iraqi government, as Article (61 / IV) of the Iraqi constitution in effect indicates that the way to implement any international treaty or agreement must pass through the Iraqi parliament and the parliament's role is in That is the ratification of these treaties and agreements by a law enacted by a majority of two-thirds of the members of the House of Representatives, meaning that the application of the treaty or agreement is subject to ratification of the Iraqi Council of Representatives. Otherwise, these treaties and agreements do not have any executive power ().

Hence, we note here that the role of the government in the field of international treaties and agreements represents only the substantive side. As for the formal aspect of this treaty, the constitution has assigned it to the House of Representatives, which in turn gives legitimacy to these agreements and treaties by ratifying them and applying any treaty or agreement on the ground to what is the result of joint action Between the executive and the legislature, this reflects the nature of the common relationship that the constitution has drawn between the two authorities in the administration of the Iraqi state.

The fourth branch: a relationship related to the legal capacity of the government:

The Iraqi government or the executive authority with a dual form related to the nature of the parliamentary system () as a whole derives its legitimacy from the Iraqi parliament, as it has the primary role in choosing the president of the republic, the prime minister, and ministers, and that is according to the following clarification: -

(1) Election of the President of the Republic: -

The President of Iraq is elected by the House of Representatives, with a quorum of no less than two-thirds of the number of its members, and that is through the submission of a group of candidates to the House of Representatives to occupy this position and regulates the nomination process by law.

In the event that none of the candidates obtains the required majority, then the two candidates who obtain the highest votes are to compete, and the president who obtains the majority of votes in the second ballot () is declared president, and this is all according to Articles (69, 70) of the effective Iraqi constitution ().

The House of Representatives does not stop at this role only, but the constitution gave him the right to exempt the President of the Republic from his position, as he has inherent jurisdiction in that, and this is after the Supreme Federal Court condemns him for the act of perjury or violating the constitution or high treason only, and in other than these acts they are not The Federal Supreme Court has the jurisdiction to hold the President of Iraq accountable, and this is based on Article (61 / VI / B) of the effective Iraqi constitution (), and also in the event that the President of the Republic wishes to submit his resignation, the House of Representatives is the party to which this resignation is submitted and the decision to decide on it is left It is based on Article 75 / First of the effective Iraqi constitution. In the event that the position of the President of the Republic becomes vacant and no deputies have him

This position shall then be replaced by the Speaker of Parliament, provided that this does not continue for more than thirty days, during which a new president of the country is elected ().

(2) Election of the Prime Minister and the ministers:

The relationship of the legislative authority is most evident in this regard, where the Prime Minister comes out and is chosen from the womb of the legislative authority, where the Iraqi constitution in force in Article (76 / First) charts a way through which the President of the Iraqi Council of Ministers is chosen that the President of the Republic within 15 days. From the date of his election, he assigned the most numerous parliamentary bloc to form the cabinet, meaning that the candidate here is chosen by the largest bloc that won the parliamentary elections (), and this is the rule followed in parliamentary systems for the President of the Republic ().

This is with regard to the Prime Minister. As for the ministers chosen by the Prime Minister, they do not acquire legitimacy and do not receive their duties as ministers except after they have the confidence of Parliament, where they are presented to Parliament individually in order to be voted upon, and here we see the parliament's role and relationship with the ministers and this is what I showed Article (76 / IV) of the effective Iraqi constitution ().

The second requirement: - The relationship between the legislative authority and the judiciary:

We have indicated in the first demand of this research what the legislative authority has to do with the executive authority and we touched on the nature of this relationship according to what the constitution drew, and here we ask about the possibility of a relationship drawn up by the Iraqi constitution in force between the legislative and judicial authority as he did with the executive authority.

From the extrapolation of the texts of the Iraqi constitution, and after examining the contents of the texts addressing the judicial authority, it becomes clear to us that there is a relationship between the legislative authority and the judicial authority, but it is not the same relationship that links the legislative authority to the executive authority, but the relationship here goes out of the supervisory role and here the difference lies as the legislative authority It has the power to monitor the performance of the executive authority and by means created by the constitution to exercise this control, but it has no control over the performance of the judiciary nor in any way.

To find out the form and type of relationship between the legislature and the judiciary, we refer to Article (61 / V / a) of the effective Iraqi constitution, which made it clear that the role of the Iraqi parliament in the work of the judiciary is determined by agreeing to appoint each of: -

- President and members of the Federal Court of Cassation.
- Leader of the general supplication.
- Head of the Judicial Supervision Authority ()

In other than this field, we did not find the effective Iraqi constitution to define a role for the parliament in the work of the judiciary, and this includes the Supreme Judicial Council and the Federal Supreme Court.

Therefore, it becomes clear to us that the judiciary is not subject to the control of the legislative authority and that, according to Article 87 of the Iraqi constitution, it is independent (), but there is a clear relationship created by the Iraqi constitution between these two authorities.

The second topic

The relationship of the executive branch to the federal authorities

Section Two: The Relationship of the Council of Ministers with the Legislative Authority:

The constitutional legislator mentioned a number of texts through which it was revealed that there is a relationship between the parliament and the legislative authority, and that what came in these texts will be dealt with in the following points:

□ First: Calling Parliament to an extraordinary session: - As a result of the Iraqi constitution adopting the parliamentary system of governance, then the executive authority has the right to call the Parliament to convene (), where the Prime Minister has the right to call the House of Representatives to hold an extraordinary session. Article 58 / Firstly To this right, but it was not restricted by certain conditions or situations, but what it referred to is only that this meeting should be limited to the topics that necessitated the invitation to it, and this is what is required by logic and is not considered a new thing that adds to the content of the text.

□ Second: Request to extend the legislative term: - The Prime Minister has the right to submit an application to the House of Representatives that includes the extension of the legislative term for the session of the House of Representatives. Article (58 / second) stipulates that the extension period in the application does not exceed (30) days and that this request has what It is justified as the article mentioned a phrase to accomplish the tasks that call for it.

□ Third: Submit a draft general budget law: - The Council of Ministers alone has the right to submit a draft general budget law with the final account to the House of Representatives for approval, because it has the status of a law and Article (62 / First) did not require the cabinet to present this project within a specified period.

Fourth: Request to dissolve the House of Representatives: - The Prime Minister has the right to submit an application to the House of Representatives that includes dissolving the House, provided that this request is accompanied by the approval of the President of the Republic before it is submitted. It is clear that the Prime Minister is prevented from using this authority to escape the parliamentary issue.

□ Fifth: The Ministry obtained the confidence of Parliament: - Article (76 / Fourth) obliged the Prime Minister to present the names of members of his ministry with the Ministerial Curriculum to a House of Representatives in order to give him the confidence of the Council and obtain confidence, subject to the Council's approval of individual ministers and the Ministerial Curriculum by a majority Divorced.

□ Sixth: Proposing draft laws: - The Council of Ministers has the right to submit to the legislative authority draft laws (), and the Council of Ministers exercises this right unconditionally, as Article 80 / Second mentioned this right absolutely.

□ Seventh: Preparing the draft general budget and the final account and development plans: The authority of the Council of Ministers does not stop when submitting the draft general budget law with the final account of the legislative authority only, but is the owner of competence technically in preparing the draft public budget with the final account with development plans based on Article (80 / Fourth) that singled out this work for the Council only.

□ Eighth: Recommendation to the House of Representatives in the appointment: - It is not permissible to appoint the representatives of the ministries, ambassadors, those with special ranks, the chief of staff of the army and his assistants, those who are in the rank of division leader and above, the head of the National Intelligence Service and the heads of the security services, except after a recommendation issued by the Council of Ministers to the House of Representatives By doing this, this is based on what the constitution mentioned in Article (80 / Fifth).

□ Ninth: The Prime Minister and the ministers are accountable to the House of Representatives: - According to the text of Article (83) of the Constitution, the responsibility of the ministers and the Speaker of the Council is fulfilled in front of the House of Representatives, in both its solidarity and personal aspects.

The second requirement: the relationship of the executive authority with the judicial authority:

In this requirement, we are trying to show whether the executive authority has a relationship with the judicial authority, which the Constitution has created in its texts. As for what the judicial authority has to do with the executive authority, and this is what you will address in the next topic.

And by reference to the provisions of the constitution, we find that the Iraqi legislator drew this relationship in Article (73) of it, which created two types of relationship and we will deal with it as follows: -

- The First Type: Issuing Special Pardons: - One of the important and dangerous authorities granted by the Iraqi Constitution to the President of the Republic is that granting him the authority to issue a special amnesty for criminals, provided that

- The use of this power shall be within the conditions defined by Article (73 / First) of the Constitution, as it stipulated that the pardon should not be issued without a recommendation from the Presidency of the Council of Ministers, and that the pardon not include the following categories.

- Those convicted of international crimes.

- Those convicted of terrorist crimes.

- Those convicted of financial corruption.
- Persons convicted of administrative corruption ().

- The second type / ratification of death sentences: - The President of the Republic alone has the right to ratify death sentences after they are issued by the competent courts and have acquired an absolute degree. Article (VIII / VIII) did not specify a specific time for ratification, but it came free from that and left the matter within the discretion of the President Ruled here by officer of the public interest and the supreme interest of the country ()

- The third researcher

The relationship of the judiciary with the federal authorities

The Iraqi constitutional legislator has been keen on affirming the principle of the independence of the judiciary, and that the implementation of this in its texts should be adopted and that the principle of separation of powers should be enshrined in the constitutional organization of the judicial authority, as articles (19, 87, 88) of the constitution included the legislator's desire to find an independent judiciary and an independent judiciary and judges Independents with no authority in their work except the law, and no authority has the right to interfere in their work.

Here we ask, with the presence of such texts, which were keen to keep other authorities away from the work of the judiciary. Is there a relationship between the judiciary and other authorities? Is it correct to say that no matter how strong the tendency to independence of the judiciary has been, this institution cannot be considered completely independent in the state, as it must be linked in some respects to the executive branch, and this is why the supervision of the judiciary is divided between the executive authority and higher judicial authorities ().

The answer to this question will be by dividing this topic into two requirements:

The first requirement: the relationship of the judiciary with the legislative power:

To begin with, we make it clear that what is meant by the judicial authority in this field is that it is the competent authority to interpret the law and apply it to the disputes brought before it (). Judicial bodies in the legislative authority through the following points: -

- First: - Approving the final results of the general elections for membership in the House of Representatives (): - The Iraqi constitution entrusted in Article (93 / seventh) to one of the organs of the judicial authority represented by the Federal Supreme Court the task of certifying these results and thus takes its role to scrutinize all the conditions that Nomination is required for membership in the House of Representatives, and as a result, it approves.

- Second: - Appealing the decisions of the House of Representatives for membership of its members: -

The Iraqi constitution, in Article (52 / second) of it, specifies the Supreme Federal Court as a body that handles the appeals submitted by members of the House of Representatives to the decisions of the House of Representatives and related to the membership of its members. The text restricts the use of this right of appeal before the Supreme Federal Court for a period of thirty days from the date of the decision and decisions The court here is final, final and not subject to appeal ().

Third: Nomination of the presidencies of the judiciary:

The Supreme Judicial Council shall nominate judges to present them to the House of Representatives to approve the appointment as heads of the judiciary, which includes the nomination of the President and members of the Federal Cassation Court, members and head of the Public Prosecution and the head of the Judicial Supervision Authority, and this is in accordance with the text of Article (91 / second) of the effective Iraqi constitution.

Fourth: Proposing the draft annual budget for the Federal Judicial Authority:

The Iraqi constitution, in Article (91 / III), entrusts the Supreme Judicial Council with the task of proposing the general budget for the Federal Judicial Authority and submitting it to the House of Representatives for approval () being the most capable of defining all requirements of the federal judiciary and is considered exempt from the draft general budget bill presented by the Council of Ministers.

Fifth: Monitoring the constitutionality of laws and regulations in force (): -

The effective Iraqi constitution has adopted this role as it is considered one of the rigid constitutions, and this role is not achieved except in the rigid constitutions (), and in this task the role of the judicial authority represented by the Federal Supreme Court as a body that works to nominate the work of the authority from impurities

And consolidate the legislative authority's outputs from the laws, whereby the Iraqi constitution, in Article (93 / First), made this work one of the exclusive powers of the Federal Supreme Court ().

The second requirement: the relationship between the judiciary and the executive.

The executive authority in its two parts is subject to the judicial authority as a body concerned with the settlement of the accusations against them and here lies the relationship between these two authorities where the Iraqi constitution was assigned in articles (61 / VI / B, 93 / VI) this task of the Federal Supreme Court, as is clear in the following points: -

First: The responsibility of the President of the Republic before the Federal Supreme Court: -

It is scheduled that the President of the Republic asks, like other individuals, about the criminal acts stipulated in the law (), and the constitutional legislator mentioned a set of actions exclusively and that in the event that the President of the Republic undertakes these acts and the court condemns them, then the House of Representatives exempts the absolute majority of the number of its members These actions include (breaking the oath, violating the constitution, and treason), and here, and based on the text of Article (61 / VI / B), the Federal Supreme Court is the only one with jurisdiction to hold the President of the Republic accountable for these actions ().

Second: Settling the accusations against the President of the Republic, the Prime Minister and the ministers:

Here, the text of Article (93 / VI) came to give the Supreme Federal Court full jurisdiction and jurisdiction to hear and decide all charges against members of the executive authority from the President of the Republic, the Prime Minister and ministers (). But what distinguishes this text from the text of Article (61 / VI / B), and with regard to the President of the Republic is that the jurisdiction of the court is here

The legislator required it to be regulated by law, whereas the acts mentioned in Article (61 / VI / b) did not require the legislator to organize by law, but once they did take place then the House of Representatives would, according to the researcher's opinion, refer the president to the Federal Supreme Court.

III. RESULTS

The study showed that the three authorities, on the occasion of activating their constitutional duties, are not isolated from each other and are gathered by many participants and actions based on their union to accomplish this at a time when the Iraqi constitution affirmed its adoption of the principle of separation of powers. The joint actions between the authorities are the following summarized results:

- When we ask what is the relationship of the legislature with the executive, and we ask again what is the relationship of the executive with the legislature, the matter here is not the same and the answer is not the same as the relationship of the legislature with the executive is manifested in different aspects of the executive and the legislative authority and the matter is not about Submit and delay only.

- On the occasion of carrying out its constitutional work, the legislative authority has proven that ties related to the executive authority indicate that the legislative authority is not isolated from the executive authority, and these ties have a supervisory, financial and other appearance of an external nature and an appearance related to the legitimate character of the government.

- The legislature meets with the judiciary on the occasion of the first carrying out of its constitutional duties because the president and members of the Federal Cassation Court, the chief prosecutor, and the head of the judiciary oversight body cannot start exercising their functions except after the legislature has approved their appointment.

- The executive branch participates with the legislature on the occasion of the assumption of its functions and manifestations of this participation, including the constitution when it gave the president of the republic the authority to call the parliament to convene in its regular and extraordinary session. He also has the right to extend the legislative term to parliament and submit draft laws to parliament as well as the president of the republic the authority to ratify international treaties and agreements and that Dissolution of the Chamber of Deputies is tied to its approval and has the right to call for general elections.

- As for the Cabinet, the aspects of its relationship with Parliament come with its authority to invite the latter to an extraordinary session and request to extend the legislative term. He also has the authority to present a draft general budget law and request to dissolve the House of Representatives and that the ministry must obtain the confidence of Parliament and recommend to the House of Representatives to appoint job owners Finally, the important determinants are that the prime minister and the council members have their responsibilities before the legislature.

- The executive branch participates with the judiciary on the occasion of the first performance of its work, in the role given to the executive by the role granted to him by the constitution in the area of issuing special pardons and ratifying death sentences.

- The judiciary participates with the legislative authority on the occasion of the first role of its role set by the constitution, through its authority to endorse the final results of the general elections for membership of the House of Representatives, as well as being a body challenging the decisions of the House of Representatives for the membership of its members and also has the right to nominate the presidents of the judiciary and propose a draft budget Annual jurisdiction of the federal judiciary and finally it has the right to consider requests for the constitutionality of the laws and regulations in force.

- The judiciary participates with the executive authority on the occasion of its first functioning, and this participation is embodied by the role of the Federal Supreme Court in deciding the charges against the President of the Republic, the Prime Minister and the ministers.

IV. SUGGESTIONS

- We call on the three authorities not to abide by the text of Article (47) of the Iraqi constitution in a way that hinders and hinders the joint cooperation between the authorities, and this is a negative impact on state institutions in general.

- Emphasizing on the legal committee in the Iraqi parliament to take its role in spreading constitutional awareness and real understanding of the correct constitutional texts among the parliamentary circles, especially with regard to the correct understanding of the principle of separation of powers in order to reach a successful application of this principle in a manner that does not contradict the Iraqi constitution.

- Each of the three authorities must qualify their legal cadres in a manner that ensures correct application of the provisions of the Iraqi constitution and in a manner that excludes allergies at work if the expression is true between the three authorities and reduce the lack of acceptance of criticism between the authorities on the pretext of working with the principle of separation of powers.

- After we indicated that there is no isolation between the authorities, we recommend the Iraqi legislator to work on enacting legal texts between its various legislations that enhance joint work between the authorities and take advantage of the exchange of experiences, as the employees of the three authorities do not undertake areas to develop their expertise at the same level and equally.

- Having indicated that there is no isolation between the authorities, we call on the Iraqi legislator to adopt the principle of balance between the employees of the three authorities with similar specializations regarding rights and privileges.

REFERENCE

1. Tawfiq,WA.(2009). Integrated Management of Childhood Illnesses “IMCI”: The situation in Iraq (Abstract, Al Nahrain University website),.Accessed25July2015.at:<http://www.nahrainuniv.edu.iq/en/node/1759>.
2. Center for Health Policies and Analysis in Health, Evaluation of Integrated Management of Childhood Illnesses Initiative in the Republic of Moldova years:2010-2011.https://www.unicef.org/evaldatabase/files/Moldova_2011_009_IMCI_Evaluation_ENG.pdf.
3. Eastern,K.(2008).Integrated Management of Childhood Illness (IMCI) strategy in the District Rwanda Ministry of Health. Evaluation report of the Province in Rwanda:2008; p 14-34.
4. Addis Ababa.Essential services for health in Ethiopia &oromia Regional Health Bureau Health Facility survey v:2004;14 p 9-25.
5. Efeal,G.,nelson,R., Nahi,B.(2016).Childhood Illnesses (IMCI) Guidelines for the Assessment of Pneumonia in the Under 5s in Rural Malawi, PLoS one jour. ;;11(5).
6. El Habashy, S. A., Mohamed, M. H., Amin, D. A., Marzouk, D., & Farid, M. N. (2015). Evaluation of

validity of Integrated Management of Childhood Illness guidelines in identifying edema of nutritional causes among Egyptian children. *The Journal Of The Egyptian Public Health Association*, 90(4), 150-156.

7. Horwood, C., Vermaak, K., Rollins, N., Haskins, L., Nkosi, P., & Qazi, S. (2009). An evaluation of the quality of IMCI assessments among IMCI trained health workers in South Africa. *PloS one*, 4(6).
8. Engen, K. (2015). *Dream a little dream: Using dreams in literature*: posted by Kelsie Engen in *writing: writing tips*.
9. Fox, S. (). *Dreams: Guide to The Soul: 40 Ancient Secret Keys to Healing, Renewal, and Power*: Cambridge.
10. Freud, S. (1900). *The Interpretation of Dreams* (Joyce crick, Trons.). London: Oxford University Press.
11. Hartmann, E. (1996). Outline for a theory on the nature and functions of dreaming. *Dreaming*, 6(2), 147-170
12. Hemingway, E. (1952). *The Old Man and The Sea*: NY:scribner.
13. Oliver, C. (1999). *Earnest Hemingway A to Z: The essential Reference to the Life and Work*. New Work: Chechmark.