

Chapter 3

Hybrid Governance with Armed Non-State Actors in a Fragile State: The Case of Iraq and the Kurdistan Region



Akiko Yoshioka

Abstract This chapter explores Iraq's hybrid governance, where formal state authority and armed non-state actors (ANSAs) coexist in a fragile and contested political order. Through case studies of Iraq and the Kurdistan Region, it examines how this hybrid governance is established, sustained, and contested. The chapter highlights the evolving relationship between the central government and ANSAs, shedding light on the dynamics of political stability in fragile states.

Since 2003, the Iraqi state has struggled to monopolize the legitimate use of force, leading to the emergence of various ANSAs with diverse backgrounds. Rather than framing Iraq solely as a failed state, this chapter considers it as an instance of hybrid governance—a fluid and contested political order shaped by both the central government and ANSAs. It further argues that the Kurdistan Region represents a distinctive case of hybrid governance, simultaneously acting as a formal authority and as an ANSA within Iraq's political structure.

Drawing a parallel to the international system, where order is maintained through mutual recognition of international laws and regimes, the chapter contends that the authority of the central government—even when fragile and non-hierarchical—remains essential in shaping a certain political order. By examining how such a hybrid governance structure can achieve political order and stability, this chapter offers broader insights into the possibilities and limitations of political order in fragile states where formal authority and ANSAs coexist.

Keywords Iraq · Kurdistan Region · ANSAs · Hybrid governance · Fragile state

A. Yoshioka (✉)
JIME Center-IEEJ, Tokyo, Japan
e-mail: yoshioka@jime.ieej.or.jp

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3.1 Introduction

Since the regime change in 2003, Iraq has experienced a prolonged period of political turmoil and violence. The country has witnessed anti-US armed resistance, intense sectarian conflict, and the rise of the jihadist organization Islamic State (IS), which at its peak controlled approximately one-third of Iraqi territory. Despite these challenges, a new political process gradually took root. Between 2005 and 2021, six parliamentary elections were held, and successive governments were formed based on the electoral outcomes. This contradictory reality—where formal political institutions exist alongside persistent instability and violence—raises important questions about the nature of governance in post-2003 Iraq.

To understand this complex political landscape, it is essential to examine not only Iraq's formal political institutions, such as its constitution, government, elections, and laws, but also the informal and often destabilizing factors that have shaped the country's governance. These include civil wars, counter-terrorism campaigns, anti-government protests, and secessionist movements. Such events have not only undermined Iraq's political order but have also, at times, contributed to its transformation.

A key feature of post-2003 Iraq is the state's inability to monopolize the legitimate use of force. Instead, various armed non-state actors (ANSAs) have emerged, operating alongside and sometimes in opposition to formal state institutions. This chapter argues that some of these ANSAs have become embedded within Iraq's political system, contributing to a form of hybrid governance—a fluid and contested political order in which formal institutions and informal actors coexist.

Among these ANSAs, particular attention must be paid to the Kurdistan Region and its governing body, the Kurdistan Regional Government (KRG). While the KRG is formally recognized as an autonomous government within Iraq, it possesses its own military forces and exercises considerable authority independent of the central government. In this sense, the KRG can also be conceptualized as an ANSA that plays a central role in Iraq's hybrid governance. This chapter examines how the KRG's dual character—as both an official governing authority and an actor operating outside the central government's control—reflects and shapes the dynamics of hybrid governance in Iraq. By analyzing the relationship between the KRG and the Iraqi state and by exploring the internal governance structure of the Kurdistan Region itself, this chapter seeks to provide a deeper understanding of the nature of Iraq's political order and the broader implications of hybrid governance in fragile states.

In this chapter, section 3.2 reviews the existing literature on state fragility and hybrid governance. It discusses key theoretical debates and conceptual frameworks that help explain governance in contexts where state authority is weak or contested. Drawing on these discussions, the section formulates the research questions that guide the analysis of Iraq's political order, with a particular focus on the Kurdistan Region.

Section 3.3 examines the development of Iraq's hybrid governance since 2003. It explores the establishment of formal political institutions alongside the persistent presence of armed non-state actors and chronic instability. The section analyzes how the interplay between state and non-state actors has shaped Iraq's political landscape, highlighting the conditions under which hybrid governance has emerged and evolved.

Section 3.4 turns to the Kurdistan Region as a case study of hybrid governance within Iraq. It investigates the relationship between the KRG and the Iraqi central government, analyzing the KRG's role as both an autonomous regional authority and an armed non-state actor. The section also explores the internal governance structure of the Kurdistan Region itself, focusing on how formal institutions and informal powerholders—such as armed political parties—interact to form a distinct hybrid political order. By comparing the governance structure of the Kurdistan Region to that of Iraq as a whole, the section aims to shed light on the broader patterns and implications of hybrid governance in fragile states.

Previous studies have often treated the autonomy of the Kurdistan Region as an exceptional case, analytically separated from the broader issue of the role of ANSAs in Iraq. This chapter seeks to bridge this gap by examining the Kurdistan Region as an integral part of Iraq's hybrid governance structure, highlighting both its external relations with the central government and its internal dynamics shaped by ANSAs. Through this analysis, the chapter seeks to contribute to a more nuanced understanding of how hybrid governance functions in post-conflict and fragile contexts, and what lessons can be drawn from the Iraqi case for the study of state-building and political order.

3.2 Reexamining State Fragility

3.2.1 *A Fragile State and Hybrid Governance*

Since the 1990s, the concepts of “fragile states,” “state failure,” and “state collapse” have attracted increasing scholarly attention. This is largely because many newly independent states—whether emerging from decolonization or the dissolution of the former Soviet Union—lacked the administrative capacity and enforcement power necessary to maintain order, even though they were recognized as sovereign entities within the international system. These states differed significantly from those that underwent a long process of state formation in Europe, during which authority was gradually consolidated and control over territory was established through the monopoly of legitimate violence (Spruyt 2007).

In the Middle East, many states attempted to forge national unity by imposing a single identity within their territories and limiting transnational connections (Owen 2004). However, these efforts were often unsuccessful, as seen in the political unrest that followed the Arab Spring. Iraq has been a notable example of persistent

fragility. The Fragile States Index, published by the Fund for Peace, ranked Iraq as the second most vulnerable state in 2007. While its ranking improved slightly to seventh in 2010 and 17th in 2020,¹ Iraq remains one of the most fragile states globally.

Yet, the very notion of “state fragility” has been critically reexamined in recent years. Scholars, particularly in African studies, have argued that this concept overlooks local forms of governance that operate alongside formal state institutions.² Boege et al. (2008) introduced the concept of hybrid political orders, emphasizing that what is conventionally labeled as “fragile states” often consist of complex and competitive governance environments where formal state structures coexist with informal actors (Boege et al., 2008; Endo, 2013).³

In this chapter, I adopt the concept of hybrid governance. It refers to a political order composed of formal and informal governance structures and is shaped by both the central government and ANSAs, in contexts where state authority is weak or contested. ANSAs emerge in areas where the government’s authority is limited or absent. While they are often associated with criminal or terrorist activities, ANSAs can also provide governance functions, such as maintaining security or delivering public services, thereby contributing to local stability (Keister, 2014; Mazarr, 2014).

In the broadest sense, ANSAs can be situated within civil society, alongside NGOs, social movements, religious institutions, and informal authorities such as tribal leaders. In fragile states, these actors often play vital roles in governance and directly impact the lives of citizens by providing services and maintaining order. For instance, in Somaliland, customary institutions rooted in clan-based society have worked in tandem with modern state institutions to sustain political order (Boege et al., 2008).

However, this chapter focuses specifically on ANSAs that play a role in the security dimension of hybrid governance. For analytical clarity, I exclude purely criminal organizations such as mafias or transnational crime groups whose primary objective is economic gain and who lack political aspirations. ANSAs, as defined in this chapter, are armed groups capable of exercising sustained territorial control and conducting coordinated military operations to achieve political objectives (Yeşiltaş & Kardaş, 2018).

It is important to note that the absence of effective state governance does not manifest uniformly. Fragile contexts range from “black spots” controlled by criminal networks to unrecognized or *de facto* states that, despite lacking international recognition, possess many of the attributes of sovereignty (Stanislawski, 2008). Governance in such settings is typically fluid, unstable, and fragmented. Nevertheless, in a fragile state, governance resembles the international system in

¹<https://fragilestatesindex.org/>.

²For example, see Meagher (2012).

³In recent years, as more countries in the Middle East, such as Syria, Iraq, and Yemen, have experienced instability in domestic governance, debates on the hybrid political order of state and non-state actors have emerged in the Middle Eastern studies as well. See, for example, (Yeşiltaş & Kardaş, 2018; Polese & Santini, 2019).

terms of its absence of an enforcer or hegemon, but anarchic conditions allow for cooperation (Risse, 2013). In the international community, the recognition of the legitimacy of international law and an international regime by each state forms a certain order. Similarly in hybrid governance, the recognition, at least nominally, of the authority of the central government, which may be weak but still exists, could be the key to bring order to multiple competing ANSAs.

In the context of hybrid governance, the recognition—whether formal or nominal—of the central government’s authority is a key factor in maintaining political order among competing ANSAs. As Krasner (1999) notes, while control may be achieved through brute force, authority is rooted in mutual recognition. In Iraq, although the central government has often lacked the capacity to monopolize the legitimate use of violence, its authority has nevertheless been acknowledged by many ANSAs, at least nominally. The authority possessed by the central government is likely to be an important factor for establishing a certain level of order. This is because a central government is in a position to negotiate with all of the various ANSAs in a territory and exercise power in the form of allocating budgetary funds or asserting a certain legitimacy, even if the central government is weak and lacks the ability to govern hierarchically (Risse, 2013).

This dynamic of hybrid governance is particularly relevant to the case of the Kurdistan Region. As subsequent sections will show, KRG occupies a unique position in Iraq’s governance structure. While the KRG is formally recognized as an autonomous entity under the Iraqi constitution, it maintains its own military forces and exercises substantial authority independent of the central government. In this sense, the KRG can be analyzed as an ANSA embedded within Iraq’s broader hybrid governance framework. Understanding the theoretical underpinnings of state fragility and hybrid governance is therefore essential to analyzing the relationship between the Iraqi government and the Kurdistan Region, as well as the internal governance structure of the Region itself.

3.2.2 Iraq and the Kurdistan Region Since 2003

The case of Iraq since 2003 illustrates how hybrid governance has developed in a fragile state. Following the fall of the Ba’ath regime, Iraq experienced significant political and security turmoil. Nevertheless, the postwar political process led to the establishment of formal political institutions, including the enactment of a new constitution in 2005, the implementation of parliamentary elections, and the formation of successive governments. Although the country witnessed repeated political crises, anti-government protests, and violent conflicts—including the rise of IS—the authority of the central government and the existing political order persisted and were never fundamentally dismantled.

This continuity of formal authority, even amidst chronic instability, reflected the emergence of a hybrid governance structure in Iraq. Many ANSAs, such as the Popular Mobilization Units (PMUs), maintained their own armed capabilities while

recognizing the authority of the central government. They even actively sought to secure their status within the formal political order, as demonstrated by the legalization of the PMUs by the Iraqi parliament. This effort reflected a broader pattern in which ANSAs recognized, at least nominally, the authority of the central government and maintained a relationship with it—often not out of loyalty, but to preserve their own interests and secure political and economic benefits. This pragmatic recognition of state authority contributed to the formation of a loose but persistent political order, in which the coexistence of formal institutions and ANSAs became the foundation of Iraq's hybrid governance. Others, such as most of Sunni insurgent groups and IS, rejected the political order entirely and thus became spoiler forces.⁴

Within this broader hybrid governance framework, the Kurdistan Region represents a particularly distinctive and complex case. Its historical trajectory has been shaped by a long-standing struggle for autonomy and a fraught relationship with the central government. Since the establishment of the Iraqi state in 1921, successive governments have faced persistent difficulties in governing the Kurdish minority in the north. From the 1960s onward, armed conflict between Kurdish forces and the Iraqi government escalated, with cycles of negotiation, ceasefires, and renewed violence (Stansfield, 2003; Bengio, 2010).

A significant turning point occurred after the Gulf War in 1991. Following a popular uprising and the imposition of a no-fly zone by international coalition forces, the Iraqi government withdrew its authority from the Kurdish areas in northern Iraq. This created a power vacuum that enabled the two dominant Kurdish parties—the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK)—to establish *de facto* autonomy over the Region. In 1992, the first KRG was formed; however, inter-party rivalry between the KDP and PUK soon led to political fragmentation and armed clashes, which continued throughout the 1990s (Leezenberg, 2005; Zaman, 2016). It was only after the US-led invasion of Iraq in 2003 and the subsequent political transition that the autonomy of the Kurdistan Region was formally recognized and incorporated into the new Iraqi constitution as a federal entity (Galbraith, 2006).

Since 2003, the KRG has exercised broad administrative and security authority over the Kurdistan Region. The influence of the central government within the Region has been extremely limited; no Iraqi army units or federal government offices operate there, and the KRG controls its own security forces, the Peshmerga (Chapman, 2011; International Crisis Group, 2015). As a result, the Kurdistan Region has frequently been referred to as a “*de facto* state” (Bengio, 2010; Rafaat, 2018).

The characteristics of the Kurdistan Region are consistent with the broader trend observed in unrecognized or quasi-states, where governing authorities seek to build internal legitimacy and effective governance structures despite lacking full international recognition (Caspersen, 2012). For most unrecognized states, since their

⁴The exception is the Awakening Councils, the Sunni tribal forces, which are discussed in Sect. 3.2.2.

ultimate goal is to obtain international recognition as sovereign entities, ruling ANSAs often have an incentive to establish a degree of internal stability and democratic governance to enhance their legitimacy (Closson, 2011). Moreover, it has been observed that hybrid governance led by ANSAs—though inherently unstable—tends to be sustainable in the long term when the governing authority succeeds in securing domestic sovereignty as a quasi-state (Börzel & Risse, 2021). This also applies to the Kurdistan Region, which has sought to strengthen its autonomy and domestic governance capacity.

Concurrently, Kurdish political actors have actively participated in shaping Iraq's post-2003 political order. They played a key role in drafting the 2005 constitution, which introduced federalism and enshrined the autonomy of the Kurdistan Region. Furthermore, Kurdish parties have held influential positions within the federal government, including the presidency and key ministerial posts (Mansour, 2017). Voter turnout in the Kurdistan Region has consistently been higher than in other parts of Iraq, reflecting a certain degree of engagement with the formal political process.

At the same time, the autonomy enjoyed by the Kurdistan Region has also posed significant challenges to the authority of the central government. The KRG has maintained its own military forces and extended its effective control over disputed territories beyond the formal boundaries of the Region, particularly following the security vacuum created by the rise of IS in 2014 (International Crisis Group, 2015; van den Toorn et al., 2016). This has resulted in an inherently hybrid governance structure, in which the central government and the KRG coexist in a fragile and contested political order.

Against this backdrop, this chapter proposes three hypotheses to analyze the dynamics of hybrid governance in Iraq, with a particular focus on the Kurdistan Region:

Hypothesis 1: The relationship between the Iraqi government and the Kurdistan Region constitutes a form of hybrid governance, similar to other parts of Iraq where ANSAs operate alongside formal state institutions.

Hypothesis 2: The Kurdistan Region's pursuit of independence and secessionist tendencies threatens to destabilize this hybrid governance structure by undermining the authority of the central government.

Hypothesis 3: Within the Kurdistan Region itself, a form of hybrid governance exists between the KRG and the dominant Kurdish political parties—the KDP and PUK—which maintain their own armed forces and exert de facto control over security functions.

Through an examination of these hypotheses, this chapter aims to clarify how hybrid governance functions not only at the national level in Iraq but also within the autonomous Kurdistan Region, shedding light on the complexities and contradictions inherent in governance structures in fragile states. In principle, the scope of this chapter is limited to developments up to the year 2021.

3.3 State Authority and ANSAs in Iraq

Before turning to the main analysis, this section provides an overview of the development of Iraq's hybrid governance at the national level from 2003 to 2021. It first analyzes how the formal political order was established following the regime change, despite persistent instability. It then considers how the presence and activities of ANSAs shaped the country's security environment and contributed to the formation of a hybrid political order.

3.3.1 *Establishment of Official Authority*

Following the collapse of the Ba'ath regime in April 2003, the Coalition Provisional Authority (CPA), led by the United States, assumed control of Iraq. The occupation was marked by the CPA's lack of preparedness and the rapid expansion of armed resistance against the occupying forces. In March 2004, the CPA enacted the Law of Administration for the State of Iraq for the Transitional Period (Coalition Provisional Authority, 2004), which outlined a political transition process aimed at ending the occupation and establishing a new Iraqi government. This process culminated in the formation of a formal government in 2006, although the continued instability of the security situation delayed the complete withdrawal of US forces until the end of 2011.

The legitimacy of the first postwar elections in January 2005, conducted under military occupation, was highly contested. Voter turnout was particularly low in Sunni-majority areas, reflecting widespread disillusionment with the political process. Nevertheless, the elections proceeded, and the resulting constitution, drafted without significant Sunni participation, entrenched the new political order. In subsequent elections, political actors increasingly recognized the need to compete within the electoral framework to gain political power.

Elections in Iraq functioned, in effect, as a form of "a racial census" (Horowitz, 1985) with political parties mobilizing support primarily along ethnic and sectarian lines. This trend persisted across successive elections, albeit under evolving coalition dynamics. To manage this pluralistic political environment, a consociational democracy was adopted, characterized by grand coalitions, mutual vetoes, proportionality, and federalism. While this system enabled peaceful transfers of power and helped maintain a functioning regime, it also contributed to the entrenchment of a patronage system in which economic resources were distributed among major political parties. The absence of opposition further weakened checks on governmental authority. Nonetheless, the postwar transition period and the establishment of regular parliamentary elections throughout the country contributed to the consolidation of a formal political order that would form the foundation of Iraq's governance structure.

Despite these developments, the new political order faced growing public disillusionment. Voter turnout remained relatively high until 2014, hovering around 60 to 70 percent. However, in 2018, turnout fell below 50 percent for the first time,⁵ reflecting widespread frustration with the government's failure to deliver public services, address corruption, and improve economic conditions. This decline coincided with a series of large-scale anti-government protests, particularly among young people. Demonstrations erupted repeatedly in 2015, 2016, and 2018, demanding political reform, improved governance, and accountability. In response, the government announced reform plans, including administrative reforms and the appointment of technocratic ministers. However, these measures largely failed due to resistance from entrenched political interests (International Crisis Group, 2018).

In 2019, widespread protests escalated into what became known as the October Revolution, centered in Baghdad and southern Iraq. The scale of these demonstrations was unprecedented, resulting in hundreds of casualties as clashes between security forces and protesters intensified (United Nations Assistance Mission for Iraq, 2020). Confronted with the gravity of the situation, the government introduced a series of reforms, including the dissolution of governorate councils, the lifting of immunity for lawmakers suspected of corruption, and the reduction of privileges for senior officials. The Iraqi parliament quickly passed amendments to key laws, including the electoral law, which had previously been a subject of protracted political negotiations. For the first time since 2003, the prime minister resigned mid-term, and Mustafa al-Kadhimi, the head of the intelligence service and a nonpolitical figure, was appointed as his successor.

These developments demonstrated that Iraq's political elites, despite their vested interests, could not ignore mass public pressure and were compelled to take steps to preserve the legitimacy of the formal political order. The protests gradually subsided over the following months, partly due to the spread of COVID-19 and partly because key protest demands had been addressed through leadership changes and electoral reforms.⁶ While some protesters continued to demand fundamental regime change, others chose to pursue gradual reform within the existing political framework. These events reaffirmed the resilience of Iraq's formal institutions and underscored that, despite recurring protests, election boycotts, and other challenges, the

⁵Even the very first election in the January 2005, when a massive boycott of Sunni populations occurred, the national average of voter turnout was 58%.

⁶It is important to note, however, that one of the reasons why protests came to an end was the harsh repression from the regime side. Over the half of a year between October 2019 and the spring of 2020, when the protests were at the most intense, 487 protesters were killed in clashes (United Nations Assistance Mission for Iraq, 2020). Much of the repression was carried out by pro-Iranian Shiite militias, which form ANSAs in Iraq, having their own command structures and weapons independent of the military and police (Middle East Center for Reporting and Analysis, 2020; Day, Felbab-Brown & Haddad, 2020). Since they were deeply involved in existing economic vested interests, they took an extrajudicial and coercive approach to the protesters to protect the political order. Their behavior clearly reveals the problem of ANSAs that use force in association with the official authority in an arbitrary manner without public accountability.

legitimacy and authority of the central government never collapsed but instead remained firmly rooted in Iraq.

3.3.2 Destabilization of the Security Situation and the Presence of ANSAs

While Iraq's formal political institutions took shape after 2003, the security situation remained unstable, and the central government struggled to monopolize the use of force. Various ANSAs emerged during this period, exploiting the power vacuum and the state's limited capacity to ensure security and order. These actors played significant roles in both exacerbating violence and, paradoxically, contributing to the maintenance of a fragile political order.

The rise of the jihadist organizations following the US invasion marked a turning point in Iraq's security landscape. Jihadist and ex-Ba'athist insurgent groups capitalized on widespread resentment toward the occupation and sectarian tensions, particularly among Sunni Arab communities. Between 2004 and 2007, Iraq experienced a sharp increase in violence, culminating in the outbreak of large-scale sectarian conflict in 2006.

The US military surge in 2007 and the Sunni tribal "Awakening" movement temporarily improved the security situation. This improvement was facilitated by a shift in US military strategy, which prioritized cooperation with local actors and emphasized population security over offensive operations (Pirnie & O'Connell, 2008). As part of this strategy, many Sunni tribes entered into alliances with US forces, organizing local militias to combat jihadist groups. These "Awakening Councils" were initially formed in Anbar Province but soon expanded to other governorates as well. At their peak in 2009, approximately 118,000 members were organized under about 130 different groups across the country (Zorri, 2016). By cooperating with US forces, these tribes succeeded in regaining control of their local areas and reducing violence. The Awakening thus represented an early example of how the involvement of ANSAs could contribute to improving local security conditions, even as it further blurred the boundaries between state and non-state authority. However, despite these temporary gains, the underlying political grievances and structural weaknesses of the Iraqi state remained unresolved.

The main factor behind the second peak of insecurity in Iraq during the mid-2010s was the accumulation of Sunni discontent resulting from the government's coercive and exclusionary policies. Heavy-handed arrests, discrimination, and marginalization of Sunni communities by security forces and state institutions deepened grievances and alienation. Anti-government protests began to spread in Sunni-majority areas around 2013, and jihadist organizations, including IS, exploited this discontent to expand their influence. By mid-2014, IS had taken control of approximately one-third of the country, including Mosul, Iraq's second largest city, and declared

the establishment of a “Caliphate.” This event fundamentally destabilized Iraq’s political and security environment.

However, the Iraqi government, with military and financial support from the international coalition, gradually regained control over the territory occupied by IS. Over the course of 3.5 years, the government and allied forces recaptured its territories, and in December 2017, the government officially declared victory over IS. Throughout this campaign, the Iraqi government sought to frame the conflict not as a sectarian struggle between Shiite and Sunni communities but as a law enforcement operation conducted by the legitimate government against a terrorist organization. This careful positioning helped mitigate the perception of sectarian conflict and ultimately contributed to broader acceptance of the existing political order, both at the national level and within local Sunni communities.

In the immediate aftermath of the IS assault in 2014, the official security apparatus—the Iraqi army and police—collapsed or withdrew from many areas, creating a vacuum in which the role of pro-government ANSAs expanded significantly. The PMUs were formed mainly from Shiite militias and volunteer fighters and were deployed widely across Iraq, with the exception of the Kurdistan Region. Sunni tribal forces, known as Tribal Mobilizations, were also established, drawing upon local Sunni populations and incorporated into the PMUs. These forces resembled the earlier Awakening Councils and played a similar role in securing their local areas (Day, Felbab-Brown & Haddad, 2020). Although the presence of the PMUs was not always welcomed by Sunni communities, their involvement was widely accepted as a necessary measure, given the demonstrated incapacity of regular Iraqi forces to defeat IS, even with coalition air support (Haddad, 2017).

In ethnically and religiously diverse areas such as Sinjar, the security landscape became even more complex. Various armed groups, including several PMU-affiliated militias, local forces supported by KRG, and even Kurdish forces from outside Iraq, were deployed simultaneously, resulting in a highly fragmented and contested security environment (van den Toorn et al., 2016). Consequently, while the military campaign succeeded in restoring territorial control at the macro level, it also created a fluid and multi-layered governance structure at the local level, characterized by competition and occasional skirmishes among ANSAs.

Under these circumstances, it was extremely difficult for the Iraqi government to achieve a monopoly over the legitimate use of force or to dismantle the ANSAs and establish hierarchical control over them. Nonetheless, Iraq’s formal political institutions—its government, parliament, and security apparatus—survived the war against IS and emerged with increased legitimacy as the sole authority. The PMUs, originally established as volunteer militias, were formally incorporated into Iraq’s official security institutions through the enactment of the Law of the PMUs Committee in November 2016 (Ministry of Justice, 2016). This law defined the PMUs as a public organization, guaranteed them the same salaries and pensions as the Iraqi army, and placed them under the direct authority of the Prime Minister as the Commander-in-Chief of the Armed Forces. In practice, however, the Prime Minister’s control over the PMUs remained limited.

Even so, the formal incorporation of the PMUs reflected their partial recognition of the state's authority and of the existing political order. At the same time, the PMUs sought to exploit this recognition to advance their own interests. They did not attempt to dismantle or overthrow the state; rather, they sought to secure their share of political and economic resources within the state framework (Natali, 2017). In this sense, as long as they acknowledged the authority of the state, the PMUs and other ANSAs played a complementary role in Iraq's hybrid governance structure by maintaining order and security at the local level.

3.4 The Kurdistan Region in Iraqi Hybrid Governance

This section focuses on the Kurdistan Region and examines its role within Iraq's hybrid governance structure. It analyzes the KRG and the dominant Kurdish parties not only as formal components of Iraq's federal system but also as ANSAs that operate within and alongside the state. Furthermore, it explores how the Kurdistan Region's secessionist movement has posed challenges to the stability of Iraq's hybrid governance. Finally, this section investigates whether the Kurdistan Region itself can be considered a form of hybrid governance, if it is viewed as a fragile quasi-state.

3.4.1 Relation Between Iraq and The Kurdistan Region

The relationship between the Iraqi central government and the Kurdistan Region exemplifies the dynamics of hybrid governance in Iraq. Although the Kurdistan Region is formally recognized as an autonomous federal entity under the 2005 Iraqi constitution, its governance structure is characterized by a combination of formal authority and informal power exercised by the KRG and the dominant Kurdish parties.

To ensure that their autonomy would not be threatened again by the Iraqi regime, the Kurdish parties fully supported the US invasion of Iraq in 2003 and actively participated in the postwar political transition process, aiming to formalize their autonomous status. In particular, the KDP and PUK set aside their party rivalry and took a joint stand during the negotiation of Iraq's new constitution in 2005. They successfully introduced federalism into the constitution and secured the official recognition of almost all the governing structures they had established in the 1990s, including their security apparatus, as the rights of an autonomous region (Galbraith, 2006).

After 2003, the involvement and influence of the Iraqi central government within the Kurdistan Region remained extremely limited, much like during the 1990s. The central government exercised little to no control over intra-regional governance and KRG, which was reestablished in 2007, remained the sole governing entity. For

these reasons, the Kurdistan Region has often been described as a “de facto state,” possessing far greater autonomy than what is typically assumed under a federal system.

Importantly, while maintaining this high degree of autonomy, the Kurdish parties also worked to strengthen the authority of the Iraqi state, recognizing that their own political and economic rights depended on the stability and functionality of the central government. They played a major role in shaping Iraq’s postwar political order: members of Kurdish parties have consistently held important positions in the federal government, including the presidency of the Iraqi state, as well as key ministerial posts such as the foreign and finance ministries. The Kurdish parties sought to secure their interests as a minority under Iraq’s consociational democratic system.

Furthermore, the Kurdistan Region has generally recorded higher voter turnout in Iraqi parliamentary elections than other areas of the country, reflecting a degree of support for the federal political framework. As mentioned earlier, the Kurdish parties were actively involved in drafting the 2005 constitution and recognized the authority and legitimacy of the Iraqi state as a necessary condition for securing their significant autonomy based on federalism and decentralization. Within this formal framework, the KRG enjoyed budgetary allocations from the federal government and engaged in quasi-diplomatic relations with foreign actors as part of Iraq’s broader foreign policy.

One of the main reasons why the central government has been unable to exert effective control over the Kurdistan Region is that the KRG has maintained its own military forces, and the Iraqi government has never achieved a monopoly over the legitimate use of force in the Region. The nascent and fragile Iraqi state lacked the capacity to reestablish authority over the Kurdistan Region after 2003, whereas the KRG and the Kurdish parties had long consolidated local authority and provided security on behalf of the central government.

In this respect, the KRG can be understood as an ANSA. The relationship between the central government and the KRG exemplifies a hybrid form of governance, in which an ANSA that has established a certain degree of local legitimacy recognizes and utilizes the authority of the central government while simultaneously complementing its role by maintaining order and governance in its own territory.

3.4.2 The Secession Movement of the Kurdistan Region

Despite participating in Iraq’s federal political framework, the KRG has often challenged the authority of the Iraqi central government. The most prominent example of this was the Kurdistan Region’s secessionist attempt. The KRG sought to expand its authority as an autonomous region by taking advantage of the central government’s vulnerability, with the expectation that it might ultimately achieve independence.

Officially, the Kurdish parties had consistently demanded autonomy within the Iraqi state, rather than outright independence. However, in July 2014, KRG President Masoud Barzani publicly declared, for the first time, the Kurdistan Region's desire for independence. Several factors motivated this bold move. One was the prospect of achieving financial self-sufficiency, as the KRG had begun independent oil exports 2 months earlier.⁷ Another factor was the war against IS, during which the KRG gained effective control over disputed territories whose status had long been contested. Article 140 of the Iraqi constitution, which had aimed to resolve the status of these territories through political settlement, had effectively been abandoned by that time. For the KRG, the incorporation of key disputed areas, including oil-rich Kirkuk, was essential to any prospect of secession. With almost all of these disputed territories under its control amid the conflict, the KRG appeared to believe it could consolidate its annexation of these areas and unilaterally determine the future of the Kurdistan Region.

The results of the independence referendum, held in September 2017, were overwhelmingly in favor of independence, as widely expected. However, the domestic and international backlash was far stronger than the KRG had anticipated. Neighboring Iran and Turkey increased military pressure on the KRG, including conducting joint military exercises with Iraqi forces along their borders. Simultaneously, the Iraqi central government imposed economic sanctions, such as closing air routes to the Kurdistan Region. In October 2017, Iraqi forces and PMUs regained control of large swaths of the disputed territories, including the vital Kirkuk oil fields, through a swift military operation. Faced with mounting pressure, the KRG announced that it would "freeze" the results of the referendum. Shortly afterward, President Masoud Barzani, who had led the referendum initiative, resigned from the presidency of the KRG, a position he had held since 2005.

In general, for a parent state, the loss of part of its territory entails significant costs in terms of security, wealth, and prestige, making it rare for governments not to oppose secession (Bartkus, 1999). Many unrecognized states have managed to overcome the opposition of the central government and neighboring states largely because of the support of a patron state. Such patron states provide military, economic, and diplomatic assistance, including arms, loans, passports, and even mediation in peace negotiations, which enable unrecognized states to sustain their *de facto* independence despite lacking formal recognition (Caspersen, 2012). In the case of the KRG, however, no such patron exists.

The international community has generally sought to maintain a balance between the territorial integrity of Iraq and the autonomy of the Kurdistan Region (Riegl et al., 2017). Although many Western countries have treated the KRG as a "de facto state" and maintained close and unique diplomatic relations with it, these relations have been framed within their official relations with the Iraqi state. If the Kurdistan

⁷In 2007, the KRG enacted the Law of Oil and Gas for the Kurdistan Region-Iraq (Kurdistan Parliament-Iraq, 2007) and started to sign oil exploration and development contracts with more than 40 international oil companies. Then in May 2014, international oil exports from the Kurdistan Region began through a new oil pipeline built with the help of Turkey.

Region were to declare independence over the objections of the central government, it is certain that the Iraqi government would demand the closure of foreign consular offices in the Region. Ultimately, it is highly unlikely that the international community, which has supported Iraq's post-2003 reconstruction and democratization, would abandon its principle of preserving Iraq's territorial integrity in favor of the Kurdistan Region's claim to self-determination.

While the Iraqi government remains fragile, it possesses a certain degree of authority as the sole representative of the Iraqi state. The ANSAs that recognize this authority have functioned as complements to the central government, helping to sustain Iraq's hybrid governance. The KRG and Kurdish parties have similarly played a complementary role, so long as they acknowledged the authority of the Iraqi state. However, the move toward independence constituted a direct challenge to that authority. Given that the government lacks a formal chain of command over ANSAs, their cooperation with the government depends primarily on their own interests and circumstances. In the case of the Kurdistan Region's unilateral independence attempt, the PMUs and other major Iraqi ANSAs had no interest in supporting the secession, which would have resulted in the loss of Iraqi territory. As a result, their interests aligned with those of the central government, and they actively opposed the KRG's move toward independence. The same was true for neighboring states, which faced similar concerns over Kurdish secessionism. The KRG's move toward independence, which rejected the authority of the Iraqi state, undermined the existing political order based on hybrid governance and triggered a major backlash.

Although the Kurdistan Region, like many unrecognized states, has sought to strengthen its autonomy and establish a state within a state as a step toward independence, it is difficult to imagine that this process will ultimately lead to formal statehood. The extensive autonomy of the Kurdistan Region—often described as a “de facto state”—has been possible precisely because it has stopped short of declaring independence. The current situation appears to represent a point of equilibrium in Iraq's hybrid governance, in which the Kurdistan Region's autonomy is maintained within the framework of the Iraqi state.

3.4.3 Power Structure in the Kurdistan Region

Following the intra-Kurdish conflict of the 1990s and the political changes brought about by the Iraq War, the Kurdistan Region established a formal and unified governing authority. In January 2005, elections were held for the Kurdistan Parliament, and in May 2006, the fifth KRG cabinet was formed. Since then, the KRG has served as the sole official authority representing the Kurdistan Region. Subsequent parliamentary elections were held in 2009, 2013, and 2018. Although government formation negotiations after each election were often protracted, new KRG cabinets were eventually established in accordance with the election results.

It should be noted that previous studies on the Kurdistan Region have tended to consider the KRG as a single actor that governs the Region or negotiates on its

behalf with the central government (Aziz, 2011; Ahmed, 2012; Jüde, 2017; Mansour, 2017; Seyder, 2017; Rafaat, 2018). However, the KRG does not have a monopoly on violence and, in practice, has often struggled to function as a unified actor with consolidated decision-making authority over political, social, and economic affairs. This gap between formal authority and actual governance reflects the enduring power of the two dominant Kurdish parties, the KDP and PUK, which continue to exert control over key security and administrative institutions within their respective spheres of influence.

The clearest example of this fragmentation was the armed conflict between the KDP and PUK in the 1990s. At that time, economic conditions in the Kurdistan Region were severe due to the impact of UN sanctions against Iraq. Moreover, after the Iraqi army withdrew from the northern region in 1991, the Iraqi regime demanded that civil servants relocate to government-controlled areas and subsequently imposed an economic blockade. The central government halted salary payments, suspended food distribution, cut off electricity supplies, and restricted the flow of goods to the Kurdistan Region. As a result, the region was left economically vulnerable and became dependent on international aid and limited internal economic resources (Graham-Brown, 1999).

In this context, tensions between the KDP and PUK over economic interests, such as tariff revenues and control of land, escalated and culminated in armed clashes in May 1994 (Leezenberg, 2005). These conflicts, which caused hundreds of deaths on both sides, finally ended in 1998 after US-brokered mediation (Zaman, 2016). The outcome of the conflict was the division of the Kurdistan Region into two areas: the KDP controlled the northwestern area, primarily Duhok and Erbil, while the PUK controlled the southeastern area, mainly Sulaymaniyah (Leezenberg, 2015). The KRG's administrative structure was effectively split, resulting in two parallel KRGs, each dominated by one party. Even after the formal reunification of the KRG in 2006, the actors capable of exercising military force remained the political parties rather than the KRG itself, and this situation has not changed significantly since then. Both the KDP and PUK have continued to maintain effective control over their respective Peshmerga forces, while the authority of the KRG's Ministry of Peshmerga Affairs has remained extremely weak (International Crisis Group, 2015; Chapman, 2011). Similarly, intelligence agencies and the Asayish (internal security forces) are separately controlled by the two parties (International Crisis Group, 2011; Wilgenburg & Fumerton, 2015).

The KDP and PUK also sustain strong patron-client networks, incorporating their supporters through access to economic resources and employment opportunities. Major companies and economic interests in the Region are closely tied to one or the other party, reinforcing these networks (Najm, 2022). These economic interests not only fund their respective security forces but have also fostered corruption and cronyism. For instance, there have been cases of inflated salary payments, with

party members and supporters registered as active or retired soldiers, and promotions often tied to party loyalty rather than merit (Saleem & Skelton, 2020).⁸

A key issue is that such economic vested interests can fuel tensions and potential internal conflict, particularly during times of economic crisis, when maintaining the patron-client networks becomes difficult. When the two parties struggle to secure sufficient resources, they may encroach upon each other's interests to survive, as they did during the armed clashes of the mid-1990s.

This structural dynamic was evident in a series of incidents in the late 2010s and early 2020s. In March 2017, while Kurdish forces were in control of Kirkuk, the PUK dispatched special forces to occupy the oil facilities of the Kirkuk oil fields, temporarily halting the export of crude oil. Although Kirkuk Governorate was broadly considered part of the PUK's sphere of influence, the overall oil industry in the Kurdistan Region and Kirkuk was under KDP control. In August 2016, an agreement was reached between the Iraqi central government and the KRG to transport crude oil from Kirkuk to refineries within the Kurdistan Region. This arrangement provoked strong opposition from the PUK, which argued that it enabled the KDP to profit from oil resources located in PUK-controlled areas. The occupation of the oil facilities was resolved only after about a week, when an agreement was reached to distribute crude oil to refineries in Sulaymaniyah Governorate as well.

Tensions flared again in February 2020 over a dispute concerning contracts for the transportation of liquefied petroleum gas (LPG). The conflict originated when the KRG's Ministry of Natural Resources, controlled by the KDP, awarded a new transportation contract to a company less closely aligned with the PUK, excluding the PUK-affiliated company that had previously held the contract. Since the LPG was sourced from the Chamchamal gas field in Sulaymaniyah Governorate, a PUK stronghold, the move was seen as an attempt by the KDP to erode the PUK's economic dominance in this sector. The dispute escalated into armed incidents, including the shooting of 22 LPG trucks, and the PUK imposed an embargo on fuel shipments to KDP-controlled areas in Erbil and Duhok Governorates. This resulted in supply disruptions and a sharp rise in LPG prices. Although the immediate crisis was resolved within a week, it exposed the persistent fragility of economic and security arrangements between the two parties.

These accumulated tensions culminated in April 2020, when, for the first time since the end of the intra-Kurdish conflict in 1998, Peshmerga forces affiliated with the KDP and PUK faced off in an armed standoff at Zini Warte, near the former ceasefire line. The incident was triggered when KRG Prime Minister Masrour Barzani, citing COVID-19 containment measures, ordered Peshmerga forces under the Ministry of Peshmerga Affairs to deploy in the Zini Warte area. The PUK regarded this move as a provocation over a historically PUK-dominated area. In

⁸In response to this, opposition parties calling for a change have entered politics in 2010s, gaining a certain number of seats in the Kurdistan Parliament, but the major parties never relinquished power, and the opposition failed to enact concrete reforms. In the elections held since 2018, citizens' disappointment has appeared in the form of lower voter turnout.

response, the PUK deployed its own forces, resulting in a tense military standoff and underscoring the deep-rooted mistrust and rivalry between the two parties.

These episodes illustrate that the KRG, as an official governing body, lacks the capacity to control the actions of these militarily powerful ANSAs, namely the KDP- and PUK-affiliated Peshmerga, within the Kurdistan Region. Economic interests and party rivalries have repeatedly undermined the potential for unified governance, contributing to a persistent risk of intra-regional conflict.

Another problem arising from the concentration of power within the parties, rather than in the KRG, is that the interests of the parties often take precedence over those of the Region as a whole. During the war against IS from 2014 to 2017, the approximately 1000-kilometer front was divided into eight sections, with KDP-affiliated Peshmerga forces deployed in the northwest and PUK-affiliated forces in the southeast, reflecting their traditional spheres of influence. In areas where both parties sought to maintain influence, such as the oil-rich Kirkuk area, they frequently attempted to limit each other's control, making smooth cooperation difficult (International Crisis Group, 2015; van Wilgenburg & Fumerton, 2015).

These divisions were evident during the 2017 independence referendum as well. The KDP led the initiative and maintained a hardline stance against the Iraqi central government, while the PUK remained skeptical about the feasibility of independence. Following the advance of Iraqi forces and PMUs after the referendum, some PUK members independently negotiated with the Iraqi and Iranian governments and withdrew their forces from Kirkuk without coordinating with the KDP. The KDP condemned this move as “the greatest betrayal in modern Kurdish history,” but the military weakness caused by this lack of coordination was clear, and the KDP itself was forced to retreat (Palani et al., 2020). The failure of the two parties to cooperate politically and militarily resulted in the loss of effective Kurdish control over much of the disputed territories.

From the perspective of hybrid governance, the situation within the Kurdistan Region reveals a structure similar to that observed in the rest of Iraq. The official authority of the KRG, which is supposed to represent the autonomous region as a whole, remains weak, while the major Kurdish political parties—the KDP and PUK—exercise significant power as ANSAs, supported by local legitimacy and backed by superior military capabilities. As discussed in the previous sections, at the national level, the KRG has been understood as one of the ANSAs that participate in Iraq's hybrid governance structure alongside the central government. However, within the Kurdistan Region itself, the KRG is supposed to act as the central government, but its ability to do so remains limited. This creates a dual structure in which the KRG functions as the formal authority, but its governance is fragile and relies heavily on the two dominant political parties, which, as ANSAs, both complement and compete with its authority.

A key difference between hybrid governance in the Kurdistan Region and in other parts of Iraq is the limited number of ANSAs. In the Kurdistan Region, the primary ANSAs are confined to the KDP and PUK, and these parties are also the main actors that constitute the KRG itself. In contrast, in the areas under the Iraqi central government's control, there is only partial overlap between the political

parties that form the government and those that command ANSAs; many ANSAs operate outside the formal political framework. The limited number of ANSAs in the Kurdistan Region contributes to the relative stability of its governance structure, with less fluidity and fewer shifts in the balance of power compared to the central government's areas. Moreover, unlike the tensions often observed between the Iraqi government and ANSAs such as the PMUs, there is little visible tension between the KRG and the Kurdish parties, given their structural integration.

At the same time, however, this structural closeness means that efforts to strengthen public authority by curbing the power of ANSAs, as well as momentum for administrative and political reforms, are less likely to emerge in the Kurdistan Region than in the central government's domain. Furthermore, because the ANSAs in the Kurdistan Region are not merely militias or local security providers but the very political parties that constitute the KRG, their political survival depends on maintaining their dominant position within the KRG. This has effectively excluded the possibility of them becoming opposition parties. To sustain their status as ruling parties, the KDP and PUK must secure electoral victories at all costs, ensuring continued access to economic resources and control over security forces. This dynamic creates strong incentives to preserve existing patronage networks and may hinder efforts to advance governance reforms, regardless of repeated elections.

In sum, hybrid governance in the Kurdistan Region is characterized by the interdependence of the KRG and the Kurdish parties, which function simultaneously as formal authorities and ANSAs. While this structure has contributed to political stability by limiting competition among ANSAs, it has also entrenched vested interests and obstructed governance reforms. The distinctive nature of hybrid governance in the Kurdistan Region, where the boundary between the state and ANSAs is blurred, underscores the complex interplay between stability and stagnation inherent in this system.

3.5 Conclusions

This chapter has examined the dynamics of hybrid governance in Iraq and the Kurdistan Region. In the case of Iraq, despite persistent political and security turmoil, the authority of the central government and the existing political order were maintained and never collapsed after 2003. While the central government lacked the strength to monopolize the legitimate use of force, it nevertheless preserved a limited capacity to shape the political order by providing salaries and conferring legitimacy on ANSAs, notably the PMUs, that formally acknowledged its authority. These ANSAs played a complementary role by maintaining order in specific local areas where state governance was limited.

In the case of the Kurdistan Region, an autonomous region under Iraq's federal system, the central government has had no control or influence over its internal affairs, including its security forces. The Kurdish parties, while consolidating their authority within the autonomous region, actively participated in shaping Iraq's

post-2003 political order and contributed to reinforcing it. If the KRG and the Kurdish parties—backed by their control over the Peshmerga and other security forces—are regarded as ANSAs, they too can be seen as having recognized the authority of the central government and complemented its security functions, while simultaneously building their own local legitimacy based on Kurdish nationalism. In this respect, the Kurdistan Region constitutes a form of hybrid governance alongside the Iraqi government, as suggested in Hypothesis 1.

However, the KRG's pursuit of secession posed a direct challenge to the authority of the central government. This attempt was perceived as a clear threat to the existing political order, not only by the central government but also by other ANSAs and neighboring countries, provoking a major backlash following the independence referendum in 2017. As indicated in Hypothesis 2, the Kurdistan Region's move toward secession destabilized Iraq's hybrid governance structure, revealing that its extensive autonomy as a "de facto state" had been possible precisely because it had remained within the hybrid political order of Iraq.

While the KRG represented the Kurdistan Region in Iraqi politics and foreign relations, a closer examination of its internal power structure reveals that the real authority resided with the two dominant Kurdish parties, the KDP and PUK, rather than with the KRG itself. This was most clearly reflected in their separate control over security forces. During periods of crisis, such as the war against IS and the aftermath of the 2017 referendum, conflicts of interest between the two parties resurfaced, repeatedly threatening to escalate into armed confrontation. The KRG's governmental authority remained weak, while the political parties that controlled the security forces assumed substantial security functions as ANSAs, operating under the nominal authority of the KRG. This supports Hypothesis 3, which argued that if the Kurdistan Region is regarded as a quasi-state, its governance structure can be understood as hybrid governance, constituted by the formal authority of the KRG and the informal authority of the Kurdish parties.

For hybrid governance—characterized by the coexistence of formal and informal political orders—to be sustained, it is essential that the central government possess a certain degree of authority, recognized even nominally by ANSAs. When ANSAs attempt to challenge the political order to secure their own primacy, it provokes opposition not only from the central government but also from other ANSAs who derive their legitimacy from the existing political framework. This dynamic was clearly demonstrated in the reaction to the Kurdistan Region's attempt to secede. However, if the Kurdistan Region had benefited from the support of a patron state, as many unrecognized states do, the outcome might have been different. How external actors influence the equilibrium of hybrid governance remains an important question for future research.

The case of Iraq illustrates how hybrid governance can maintain a fragile but functional political order through a balance between state authority and ANSA autonomy. A comparative view of Iraq's hybrid governance structure reveals important variations between the central government's domain and the Kurdistan Region. In both cases, hybrid governance has emerged as a response to weak state authority and the proliferation of ANSAs, with formal institutions relying on these actors to

maintain political order. However, in the central government-controlled areas, the number of ANSAs is large, their organizational structures are fragmented, and their relationships with the state are fluid and often unstable. In contrast, the Kurdistan Region's hybrid governance is shaped by a limited number of ANSAs—the KDP and the PUK—which not only command security forces but also constitute the KRG itself. This structural overlap has contributed to relative stability but at the same time has entrenched patronage networks and limited the space for governance reforms. These findings underscore that hybrid governance can take multiple forms even within a single state.

Across the Middle East, the number of fragile states has increased, particularly since the Arab Spring. However, many of these states are not in a condition of complete anarchy; rather, they are characterized by hybrid governance structures in which weak but recognized governments coexist with ANSAs that play complementary roles in maintaining security. This framework provides a valuable lens through which to analyze the realities of governance in other fragile Middle Eastern countries. Further research should explore the processes through which ANSAs are integrated into formal state governance structures, as well as the role of external actors in stabilizing or destabilizing hybrid governance.

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