

Summary:

Federal experiments varied in the causes and mechanisms of its inception, depending on the circumstances formed by which, and federal constitutions different on the governing rules for sharing of wealth and its distribution according to the factors that influenced in the development of these rules, which include the style of the emergence of the federation newborn and his philosophy, the size of wealth and population, geographic location, and political factors. Federal constitutions distributed between two-ways, the first granted the wealth management to the authority of the Union, as in Switzerland and Brazil. While Turn the other to give the wealth management to the States as in the United Arab Emirates, Canada. And between the two approaches went some federal constitutions to involve the powers of the Union and the States in wealth management such as Germany. But the Constitution of the Republic of Iraq in 2005 taken a unique curriculum in the wealth-sharing and distribution and control it for subscription, but it lacked to accuracy and characterized in weakness, and appeared to apply legal disputes and political disagreements between the Kurdistan region and the federal government concerning the compatibility of the Kurdistan region's policy with the provisions of the Constitution in the contracts concluded by the region with foreign oil companies and policy in other natural minerals management, particularly in light of the failure to enact federal oil and gas law until now, which the constitution referred to it the organize of this wealth.

Certainly, among the factors influencing the sharing of wealth and distribution in the State of the federation principle of justice in the utilization of national wealth, States producing wealth is not feudal, controlled the wealth for themselves, and the federal government has always sought to solve the contrast economic problems among States by financial transfers to the states that non-producing wealth, and remains on the size of the state and

its political impact a clear impact in shaping the policy of wealth sharing and distribution, so the contrast in the relationship of Union and States may appear, some of the states have legal situation not enjoyed by others as in Canada and the United Arab Emirates, which may feel some states no justice in the utilization of national wealth, also kind of wealth and its importance, have an impact in shaping the rules of sharing it.

If wealth sharing and distribution in the federation stems from the Constitution's mechanisms to distribution of the powers between the federal and state, constitutional provisions governing such matter may come lacked accuracy and ambiguity, so cause the creation of disputes between the Union and the states over the validity of each other over the wealth. The regulation of the relationship between Iraq's territory and provinces and between them and the authority Federation came in enormous legislative dereliction. Constitution confusion between the federal statutory and administrative decentralization, also dominated territory or provincial law above federal law outside the exclusive powers of the authority of the Federation, a trend that has not softened the prestigious federal trials and must be corrected to amend the Constitution, and therefore mechanisms of wealth revenue distribution came confusing, producing provinces are taking what is not enough to carry out its tasks while the provinces of Kurdistan territory enjoys of a clear economic luxury, which is the reason of the latest legal problematic political bickering between the center and the territory.

The federal constitutions has taken several approaches to solving disputes of wealth sharing and distributed either by amending the constitution, or the political consensus, or resort to the Constitutional Jurisdiction of the Supreme Court, which dissolved some of these conflicts, as in the United Arab Emirates, Australia, and Iraq. But the Iraqi constitution when entrusted the Court of the Federal Supreme empowered to

adjudicate disputes the center and the territory and provinces, this Court has not characterized the actual autonomy by the political domination of its work, and therefore has to be legislate the law of Court in a manner terminate this confusion which made the political consensus is a scene familiar. As the federal system in Iraq expanded the role of the territories and provinces above status despite the fact that this system may be formed by disintegration, while the federations that arise in this way it seeks to strengthen the role of union authority, and therefore has to be corrected federal formula in Iraq to amend the Constitution in matter to ensure justice in the utilization of wealth and giving priority to Center authority over toward ending the legal disputes and political disputes.