The Kurdish and Iraqi Counter-Quests for Nationhood

and

the Transformation of Iraqi Kurdistan into a Quasi-state

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Abstract

This thesis addresses the protracted Iraqi-Kurdish conflict that has been plagued the country since the incorporation of the Kurdish region into the newly created Iraq in the 1920s. Rejecting the legitimacy of the Kurdish annexation since the beginning, Kurdish nationalists rejected Iraqi rule in Kurdistan and portrayed Iraq as an occupier rather than legitimate ruler. The 'liberation of Kurdistan' from 'Iraqi occupation' became the main objective of the Kurdish nationalist movement (Kurdayeti) since the formative years of Iraq. Kurdayeti manifested itself as an alternative to Iraqi nationalism. Kurdayeti created Kurdish political parties as autonomous political entities outside of Iraqi control and monopolised the political sphere in Kurdistan. Advocating for the Kurdish quest for nationhood, Kurdayeti challenged the Iraqi quest for a unitary state that insisted upon Iraqi state sovereignty over all of Iraq.

Viewing Kurdayeti as a main challenge to the integration of Iraq, successive Iraqi regimes were unwilling to include or even tolerate Kurdayeti. To eliminate its influence in Kurdish society, Iraq adopted policies intent on de-legitimatising and criminalising Kurdayeti, while authorising the use of violence against it. This process proved to be counter-productive. It not only resulted in the failure of the Kurds to integrate into Iraq, but it also resulted in the weakness of Iraqi nationalism in Kurdistan and the gradual deterioration of Iraqi authority in the Kurdish region. Consequently, the Iraqi state failed to rule a significant part of the region, particularly rural Kurdistan. The absence of Iraqi authority in rural Kurdistan helped the Kurds to establish de facto self-rule, at least after 1961. In many cases the Kurdish de facto self-rule areas were so developed that they could be considered as unrecognised quasi-states. The Kurds experienced three unrecognised quasi-states in the modern era: the first was from 1961 to 1975; the second from 1991 to 2003, and the third from 2003 onward.

A theme that runs throughout the thesis is that nations without states that have their own nationhood projects are less likely to integrate into what is considered to be a 'foreign' or imposed state. It is less likely that Nations Without States (NWS), that have *de facto* control of their own territories, and that have achieved the establishment of a quasi-state, can be administered by the central government, even if the territory in question were to be recaptured by the central government. The development of a separatist region into an unrecognised quasi-state is more likely to result in the devolution of the parent state from a sovereign state to a recognised quasi-state. Countries that have gone through these developments are in fact countries of two quasi-states. Since 1961, Iraq can be considered, albeit intermittently, as a country of two quasi-states: a recognised Iraqi quasi-state and an unrecognised Kurdish quasi state.

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ABBREVIATIONS

ABSP   Arab Ba'th Socialist Party

ARK   Autonomous Region of Kurdistan

CIA   Central Intelligence Agency

CPA   Coalition Provisional Authority

CRS   Congressional Research Service

CW   Chemical Weapons

EC   Executive Council

EIA   Energy Information Administration

FFC   Fact-Finding Commission

HRW   Human Rights Watch

ICG   International Crisis Group

ICP   Iraqi Communist Party

IGC   Iraqi Governing Council

IKF   Iraqi Kurdistan Front

INC   Iraqi National Congres

INP   Iraqi nation-building project

KCP   Kurdistan Communist Party

KCP   Kurdistan Communist Party

KDP   Kurdistan Democratic Party

KDPI   Kurdistan Democratic Party-Iran

KDS   Kurdish *De facto* self-rule

KLM   Kurdish Liberation Movement

KNA   Kurdistan National Assembly

KNP   Kurdish Nationhood Project

KRA   Kurdistan Revolutionary Army

KRG   Kurdistan Regional Government

KRG-ME Kurdistan Regional Government
        Ministry of Education

KRP   Kurdistan Regional Presidency

KTU   Kurdistan Teachers Union

MECS Middle East Contemporary Survey

NFZ   No-Fly Zone

NML   No-man's Land

NNS   None Nation State

NP   Negative Patronage

NPC   Negative Patronage Criteria

NWS   Nation Without a State

OFFP The Oil-For-Food Program

PII   Post Invasion Iraq

PUK   Patriotic Union of Kurdistan

RAF   Royal Airforce

RCCI   Revolutionary Command Council of
        Iraq

RCCK Revolutionary Command Council of
        Kurdistan

RI-MI Republic of Iraq, Ministry of
        Information

RQ   Recognised Quasi-state

RQC   Recognised Quasi-state Criteria

SCR   Security Council Resolution

SFA   Strategic Framework Agreement

SOFA US–Iraq Status of Forces Agreement

TAE   Traditional Autonomous Entities

TAL   Transitional Administrative law

UKQ   Unrecognised Kurdish Quasi-state

UN   United Nation

UQ   Unrecognised Quasi-states

UQC   Criteria for Unrecognised Quasi-state

USD   United State Dollar

USSR Union of Soviet Socialist Republics

WMD Weapons of Mass Destruction

GLOSSARY

Agha	A Kurdish term for tribal chieftains
Anfal	an Arabic term means spoils of the war, it used by Iraq for a series of major military campaigns carried out against the Kurds from 1987 to 1988
Ey Reqib	A Kurdish term literally means "O enemy", the Kurdish national anthem is popularly known as *Ey Reqib*, which is the Title of the Poem that used for the anthem
Jash	a Kurdish term degjotory literally small donkey, but popularly used to mean pro-government tribal militia
Kurdayati	*a Kurdish term for* Kurdish nationalist Movement
Mujama'at	an Arabic term means collections, it used by the Iraqi government to refer collection camps, majority of Kurdish villagers were relocated in Mujama'at between 1976 and 1991
Mustashar	An Arabic term, litrally means Adviser or consultant; it used for Kurdish tribal commander of a *jahsh* unit
Newroz	Kurdish national day
Peshmarga	a Kurdish term means those who face death, used by Kurds for
Tanzimat	an Arabic term used to refers to a series of reforms promulgated in the Ottoman Empire between 1839 and 1876
	those fighting for Kurdayeti

LIST OF NEWS AND NEWSPAPER SOURCES

AFP (Agence France-Presse)	Baghdad
AKnews	Khabat
Al-Ahram	Kurdistani Nwe
Al-Hayat	Rizgari
Al-Iraq	*Rizgari*
Al-Jamhuriya	*Rudaw*
Al-Thawra	The New York Times
Al-Waqai' al-Iraqiya	Trend
Asharq Al-Awsat	*Waqai' Kurdistan*
Asharqalawsat	Zhiyan
Awene Newspaper	

DECLARATION

This work contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution to Aram Rafaat and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text.

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Aram Rafaat

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Chapter One

1. Introduction: Theoretical Framework

On April 9th, 2003, US troops advanced into Baghdad. Shortly after the entry of the US marines into the capital city, a small crowd of Iraqis gathered in *Firdos* Square in the middle of Baghdad, where a huge statue of Iraqi President Saddam Hussein had been erected. In a highly symbolic act, a group of men climbed the statue's pedestal and attached a rope around the image of Saddam Hussein. Failing to topple the statue, the US marine armoured recovery vehicle helped Iraqi citizens pull it down. The Iraqis jumped with joy on the toppled statue, and waved the country's pre-1991 flag, signalling to the world that Americans were 'liberators' of the Iraqi people. Nineteen months later, on January 30, 2005, the 'new era of democracy' commenced with the Iraqis' purple-stained fingers. They had just voted in, probably, the first free election in modern Iraq. One of the most significant parts of this development was that the overwhelming majority of the Kurds participated in the election. Another important development was the 'settlement' of the Kurdish issue in the new Iraqi constitution. On 15th October 2005, in a national referendum, the majority of Iraqis voted for the constitution, which recognised Kurdistan as a federal region run by its own regional parliament and government. The referendum also demonstrated that 80 percent of the Kurds voted in favour of the constitution. This was taken to be proof that the Kurds supported Iraqi unity and its federal system of governance. Another important building block in the Kurds' participation in the new Iraq was the election of Kurdish president Jalal Talabani by Iraq's parliament. This was the first Kurdish president to be elected in Iraqi history and carried enormous symbolic importance.

The 'liberation' of Iraq from 35 years of dictatorship, the Kurds participation in popular elections, the recognition of the federal status of the KRG, and the election of Talabani as president of Iraq resonated well with western media outlets imagining that 'freedom' and 'justice'for the Kurds had now been established in Iraq and the Kurdish issue was settled. The dominant and popular interpretation of the Kurdish issue is that it was an issue of citizenship and human rights. All that was needed to settle the Kurdish issue was to remove the dictator, create a democratic atmosphere, include the Kurds into Iraqi state institutions, and introduce a degree of federalism to insure their control of their local affairs. However, Iraq/Kurd politics are far more complex than it may appear, and it has a nine decade history. Kurds as a nation without a state have their own nationhood project which is in opposition to the Iraqi nationhood projects. Each has its own identity, loyalty and sovereignty. This thesis analyses the contradictions and incompatibilities between the two different nationalisms: Iraqi and Kurdish. The study

answers the question as to how the Kurdish quest for nationhood has been treated by Iraqi successive regimes, and it fills in the literary gaps pertaining to the Iraqi-Kurdish conflict by specifying and categorising the cardinal conditions that drive ethnic and nationalist conflicts, moving them towards separatist entities.

1.1. The Hypotheses and the Research Question

This thesis tests five interconnected hypotheses regarding the nature of the Kurdish-Iraqi conflict. They are as follows:

(1) *The root cause of the Kurdish-Iraqi conflict lies in these two entities' respective statuses as (a) a nation without a sate (NWS), in the case of Iraqi-Kurdistan, and (b) a non-nation state (NNS), in the case of Iraq. Each possesses a nationhood project that differs from and opposes the other's. Iraq is unwilling to accommodate the Kurdish National Project (KNP), and the Kurds are unwilling to accept the Iraqi national project (INP).*

(2) *Iraq's failure to accommodate or eliminate the Kurdish nationhood project resulted in the evolution of the Kurds' status from a NWS to a de-facto self-rule or unrecognised quasi-state, and the devolution of Iraq, as a parent state, from a NNS into a recognised quasi-state.*

(3) *If a NWS establishes de-facto self-rule or quasi-state status on part of its territory, and the territory is recaptured or reabsorbed by the NNS (parent state), then it is less likely to be re-administered or governed by the parent state.*

(4) *A NWS is outward looking because it must find external patronage to support its nationhood project and establish independence. It is less likely to look inward or within the boundaries of the NNS for support as this would compromise its nationhood project and diminish its political and cultural rights.*

(5) *A quasi-state of a NWS that attracts only negative patronage, to the exclusion of positive patronage, is unlikely to achieve independence or to develop into a more functional quasi-state because negative patronage involves goals that are external to the unrecognised quasi-state's purposes for seeking assistance.*

Investigating these hypotheses entails tackling other crucial and less explored questions and issues related to nationhood and statehood, such as: (i) what are the main principles and characteristics of Kurdish

nationalist movement (hereafter Kurdayeti)[1] and Iraqi nationalism? (ii) Why may the Kurds be considered as a nation without a state (NWS) and Iraq as a non-nation state (NNS)? (iii) What are quasi-states and what determines whether a secessionist region may be considered as a quasi-state? (iv) What makes an independent state considered as a quasi-state? (v) How has the Kurdistan region of north Iraq, as a NWS, evolved into a nation with quasi-state status? (vi) Why may the status of Kurdistan be considered as both a symptom of, and a trigger for, the quasi-state character of Iraq? (vii) How, and to what extent, have the political and administrative structures of Kurdish *de facto* self-rule negated the status of Iraq as a functioning state? (viii) Is Iraq a country of two quasi-states? If so, (ix) how has the quasi-state status of both the Kurdistan region and the Iraqi state caused the failure of the nation building process and how has it affected the process of Kurdish integration into the Iraqi state? (x) What are the main challenges and obstacles that caused the Kurdish failure to establish an independent state?

1.2. Methodology

The research is based on a textual analysis and critical evaluation of materials relating to the Kurdish issue in Iraq, including books, journal articles, essays, official documents and textbooks. It also draws on official statements and documents published by Iraqi and Kurdish leaders. Iraqi and Kurdish newspapers as are other important sources that have contributed to the insights contained in this research. Kurdish and Iraqi political parties' programmes, goals, and ideologies and ideas of the 'intelligentsia' that have been published by different institutions and articles in political party newspapers. Iraqi and the KRG constitutions, laws, decrees and regulations are also a vital source for this study as they allow for the scrutiny of Kurdish-Iraqi relations, Iraq's Kurdish policies, and Kurdish self-rule as revealed in the state's formal documents. Official documents, issued from international organisations, particularly the United Nations Security Council Resolutions (SCRs), are critically reviewedt. This approach enables a better understanding of the issues of sovereignty, external support and interference, as well as the international dimension of the Iraqi-Kurdish conflict. A review of US post-invasion documents including decrees, regulations, bilateral (Iraqi-US) agreements and public statements have also been scrutinised to add to the richness of coverage.The research draws on contributions from the theoretical debates on nationalism/quasi-states, comparative politics and ethnic groups, ethno-nationalism, nation-states and quasi-states as well as the empirical literature relating to Kurdish-Iraqi relations. The approach investigates these issues as they relate to the Kurds' integration/disintegration into/from the Iraqi state.

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1 *Kurdayati* is a popular term in Kurdish that stands for the Kurdish Nationalist Movement.

With the exception of Chapter Two, this thesis draws on the comparative-historical method to analyse Iraqi-Kurdish relations. Chapters are divided into chronological periods based on historical events.

There are several limitations and challenges that affect the methodology of this study. First, due to the Australian government's ban on travel to Iraq and the Kurdistan Region, this project has not been enhanced with original empirical research. However, the inability to design and conduct an original survey with Kurdish and Iraqi politicians should not be interpreted as a failure to ascertain and identify their perceptions on the core issues of my thesis. This is because the author has spent most of his life in Iraq and witnessed firsthand most events in the period of 1970-2000, which represents intensive fieldwork of this study. Furthermore, the Kurdish and Arabic languages were the author's mother tongues and educational languages, a fact that has enabled the author to follow the public statements and discourse of Iraqi and Kurdish politicians and political parties. This work contributes to the field by providing insights gained from investigating unexamined materials written in the Arabic and Kurdish languages that relate to the issues encompassed by this research.

Second, the thesis does not address the enduring conflict between Shia and Sunni Arabs in Iraq; nor does it undertake research relating to the internal struggle of Iraqi rulers over the control of the Iraqi state or the nature of Iraqi political parties that are not connected in some way to the Kurdish issue. While focusing on the perceived internal legitimacy of the Iraqi state, this thesis scrutinises Iraq's status as perceived in Kurdistan and excludes its relations vis-a-vis the Arab population (Shia and Sunnis) in other parts of Iraq. The thesis does not include the study of intracommunity relations, namely Kurdish-Sunni and Kurdish-Shia. The research target is aimed more at tapping into the level of Kurdayeti by way of accessing the perceptions of Kurdish leaders, the Kurdish community, and Kurdish *de-facto* rule vis-à-vis the Iraqi state. Another area not included in the purview of this study is the issue of intra-Kurdish rivalry, especially the conflict between the two main political groups: the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK).

1.3. Thesis Structure

The structure of this work is based on five hypotheses that were outlined in section 1.2. above. The thesis consists of twelve chapters including an introduction and conclusion. With the exception of Chapter Two, the thesis draws on the comparative-historical method to analyse Iraqi-Kurdish relations. Chapters are divided into chronological periods based on historical events. Chapters Three, Four, and Five deal with

the three stages of Iraqi-Kurdish relations during the monarchy. The remaining chapters reflect the nature of Kurdish *de-facto* self-rule that emerged after the monarchy (1958-present).

Chapter One, *Introduction: Theoretical Framework*, outlines the research problem, significance of the research, literature review, and theoretical framework for the thesis. Chapter Two, *Opposing Interpretations of Kurdish Ethnicity and Nationalism as Revealed in Kurdish and Iraqi Narratives*, examines the opposing narratives of the Kurds' and Iraqi views relating to Kurdish ethnicity and nationalism. It also explore how the status of the Kurdish people as a nation without a state (NWS) and Iraq as a non-nation state (NNS) affected Kurdish integration or dis-integration into/from Iraq. It also addresses the developing perceptions of Kurdish and Iraqi perspectives from the formation of the Iraqi state to the present time. Chapter Three, *The Annexation of Kurdistan to Iraq and its Role in Reshaping Kurdish-Iraqi Relations*, explores the connections between the process of attaching Kurdistan to Iraq in the 1920s and the nature of the Kurdish-Iraqi conflict. It highlights how the annexation process configured the nature and principles of Kurdayeti and its nationhood project. Chapter Four, *The Iraqi Monarchy and the Contradictions between the Kurdish and Iraqi Nationalist Projects*, explores the main characteristics of Kurdayeti between 1921 and 1958 and the monarchy's policies to contain and/or eliminate it. Chapter Five, *The Evolution of the Kurdish Nationalist Project during the Monarchy* (1921-1958), explores the internal dynamics of Kurdish society, the emergence of modern Kurdish political parties and their ability to monopole the Kurdish political scene during the monarchy. Chapter Six, *The First Unrecognised Kurdish Quasi-state (1961-1975)*, focuses on the first period of Kurdish *de facto* self-rule (KDS) that was established in 1961 and lasted until 1975. It concentrates on the grounds and factors that contributed to the establishment of the KDS and examines whether it may be considered as an unrecognised Kurdish quasi-state. Chapter Seven, *The Case of Negative Patronage*, analyses the pivotal role that external patronage played in the emergence, survival and the collapse of the Kurdish quasi-state of 1961-1975. It also examines to what extent the Iraqi state during the period concerned may be considered as a recognised quasi-state (RQ).

Chapter Eight, *The Rise and Fall of Kurdish de facto Self-rule (1976-1988)*, examines the nature of the Kurdayeti during the period encompassing 1976 to 1988 and the different phases it went through including the establishment of a limited Kurdish *de facto* self-rule (KDS). It also traces the impact of the KDS on the devolution of Iraq into a recognised quasi-state (RQ). Chapter Nine, *Iraq and the Policy to Annihilate Iraqi Kurdistan (1975-1991)*, analyses Iraq's ability to administer and re-govern the territory that was previously ruled by *de facto* self-rule between 1975 and 1991. Chapter Ten, *The Second*

Unrecognised Kurdish Quasi-state (1991-2003), examines the status of Kurdish *de facto* self-rule established in 1991-1992 and sustained until 2003. It also scrutinises the status of Iraq and the issue as to whether Iraq from 1991 to 2003 was a recognised quasi-state. Chapter Eleven, *Third Unrecognised Kurdish Quasi-state (*UKQ -III) after the 2003 Invasion*, focuses primarily on the convoluted period after the invasion of Iraq. It examines the status of the Kurdistan Regional Government and Iraq and whether they are unrecognised and recognised quasi-states respectively. Chapter Twelve, the *Conclusion*, evaluates the validity of the five working hypotheses based on findings presented throughout this work and in light of the applicable theories on nations and the development of quasi-states.

1.4. Literature Review

Many studies have dealt with good governance policies (Brinkerhoff and Mayfoeld 2005: 59–73), political space (Natali 2000), democratisation (Anderson and Stansfield 2005), and the Kurdish integration with or secession from Iraq. However, little attention has been given to the question of the significance of Kurdish and Iraqi counter quests for nationhood and the evolution of the Kurdayeti into a quasi-state and its influence on Kurdish integration into Iraq. Few, if any, studies have focused on the question as to whether Iraq may be considered as a quasi-state, and if so, how that state of affairs impacted Kurdish integration into Iraq. The literature relating to the Kurdish-Iraqi conflict is categorised into two types as outlined below.

1.4.1. Literature on the Oppositional Nature of the Kurdish and Iraqi Quests for Nationhood

Analyses of the relations between the Kurds and the state of Iraq have often focussed on Iraqi nationalism as the factor to be explained. Davis (2005: 276) and Yaphe (2004) have argued that Iraq has already achieved nation status. However, this Iraq-centric perspective fails to explain the nine-decades of ongoing Kurdish-Iraqi conflict and the enduring clash between Shia and Sunni Arabs. Davis (2004) insists that the current ethno-sectarian violence in Iraq is a direct result of America's invasion. In contrast, Dodge (2006: 187-188) argues that the Iraqi predicament is rooted in both the British (in the 1920s and 30s) and the US (post-2003) failure to create the elements that would enhance state-building in Iraq.

The concept of 'political space' is another relevant variable that sheds light on this issue. Natali (2000: 3) argues that "the extent of ethnicisation of Kurdish national identity is due to the character of the political space [of] the state". Iraq's current political predicament, its ethno-sectarian conflict and the desire by the Kurds for their own ethnic-based organisations are the result of discrimination by Sunni-Arab rulers (Wimmer 2004: 112; al-Janabi 2004). According to this reasoning, if the Kurds were accorded more

suitable political space, they might leave their secessionist dreams and develop an enduring loyalty to the Iraqi state (Natali 2000: 77-79). Bozarslan (1996: 113) argues that providing more acceptable political space may not terminate the conflict, but discrimination may provoke a shift from peaceful interaction to a more violent expression by the Kurdish opposition. Similarly, Gurr and Harff (2004: 103) state that discrimination encourages ethnic groups to "organise for action against the source of discrimination". Nevertheless, Gurr and Harff (2004: 109) acknowledge that "the most serious political grievance of Kurds […] is not discrimination in the usual sense but, rather, involves restrictions on their efforts to express and pursue their group interests". In this sense, regardless of the extent of political space, the Kurds are likely to remain a politically active ethnic group.

Another relevant variable that aids our understanding of the Iraqi-Kurdish conflict is ethno-political conflict. Gurr (2000: 5) views ethno-political groups as "identity groups whose ethnicity has political consequences". Scarritt (2008: 115) depicts the Kurds and their ongoing agitation for independence as an ethno-political conflict. He points out that the grievances, clash of identities, and violence are three main characteristics of ethno-political conflicts. The ethno-political approach, however, fails to adequately describe the current Kurdish conflict because the theory ignores the size and character of the ethnic group and does not take into account the various underlying causes and unique demands of this people group. Gurr and Harff (2004: 19) have refined a model of ethnic conflict based on group demands and goals of statehood, economic autonomy, and political power-sharing. Their model applies to four important types of contenders: ethno-nationalists, ethno-classes, indigenous peoples, and communal contenders. They used the Kurds as their case study and defined them as ethno-nationalists. However, their analytical work is based on the assumption of the superiority of Iraqi civic-nationalism over Kurdish ethnic-nationalism. Their work also excludes the fact of Kurdish intermittent self-rule since 1961 and all the experience and history that the self-rule period involved.

Other studies, such as Cottam and Cottam (2001: 197) and O'Leary (2007), classify Iraq as a non-nation state (NNS). Both studies assert that the identity and comparison patterns of a NNS produce deeper conflicts and greater violence than they do in nation states. Cottam and Cottam (2001: 197) outline three significant scenarios of NNSs. First is "intensity of group identity"; second is the "lack of a common identity"; and third is the weakness of the notion of citizenship. O'Leary (2007) attributes most of the violence of the Iraqi-Kurdish conflict, including the slaughter of the Kurds by the Ba'ath regime, to the status of Iraq as a NNS. However, like ethno-nationalist models, the NNS model was built in abstraction without regard to the fact of Kurdish *de facto* self-rule since 1961. The model also ignores the question as

to why the establishment of the Kurdish quasi-state after 1991 culminated in the most peaceful period in Iraqi-Kurdish relations in history.

There are several gaps in the literature relating to the nature of the Iraqi-Kurdish conflict. For example, the literature overlooks the contradictions between the Kurdish quest for nationhood and the Iraqi quest for a unitary state that guarantees Iraqi state sovereignty over all Iraqi territory, including Kurdistan. The literature also fails to explain how these contradictions affect the peace-building process in the post invasion period of Iraq. It ignores the evolution of the Kurdayeti into a quasi-state. Finally, less attention tends to be paid to the status of Iraq either as a parent state to the separatist region of Kurdistan or as a quasi-state that lacks internal and/or external sovereignty.

1.4.2. Literature Relating to the Kurdish Quasi-state

Most literature dealing with the Kurdish quasi-state concentrates on factors that contribute to either the survival of or the decline of the Kurdish *de facto* state. Scholars tend to ignore the characteristics of this *de facto* state and their contribution to the reshaping of Kurdish-Iraqi relations. They also tend to ignore the process of Kurdish integration into Iraq. The existing approaches may easily be categorised into five types: (1) the geopolitical approach, (2) internal divisions focus, (3) the international factors approach, (4) the institutional designs model, and (5) the humanitarian aid approach.

The first model suggests that the Kurdish desire to secede is blocked by implacable opposition from large, hostile neighbours (Dawisha 2005: 725; O'Leary 2009; 137). This model is based upon two geopolitical facts. First, Kurdistan is landlocked and surrounded by neighbouring states that refuse to countenance an independent Kurdish state. This makes a potential Kurdish state dependent on its neighbours and vulnerable to embargos and blockades (Barkey and Laipson 2005: 70; Ackerman 2006: 16; O'Leary 2009: 137). Second, the dispersal of the Kurdish population throughout four countries and the irredentist nature of Kurdish separatist movements give the Kurdish problem a transnational character (Ayoob 1995: 51; Bozarslan 1996: 107). Believing that an independent Kurdish state would threaten their territorial integrity, proponents of this approach argue that an independent Kurdish state cannot survive because the surrounding countries with substantial Kurdish minorities would not hesitate to intervene and even invade Kurdistan, if necessary, to keep them from gaining full independence (Gunter 1996: 229; Ackerman 2006: 16; O'Leary 2009: 149). Thus, "a contested secession", O'Leary (2009: 149) argues, "would be a recipe for suicide". This model, however, is based on the assumption that the Kurds, as a peripheral ethnic minority, would be passive, vulnerable, and unable to defend itself, if attacked.

The geopolitical approach, however, fails to consider three inter-connected issues. First, since 1961 Kurdish nationalistic fervour has helped to move the Kurdistan region into quasi-state status. The Kurdish quasi-state has managed to survive for over two decades. Second, the Kurdistan region has developed its oil sector and transformed Kurdistan into one of the richest regions in terms of oil wealth in the world. In this sense, the Kurdistan region has moved from the sidelines of regional activity to the very center of regional economics and politics. Third, as a result of this shift in the status of the KRG, the balance of power between the KRG and neighbouring states has shifted from hostile interactions to interdependence and cooperation. Taken together, these three factors have raised the probability of Kurdish independence becoming a reality.

The second model suggests that intra-Kurdish divisions are the main cause of the failure of the Kurds to achieve statehood. Mack (2007: 118) argues that Kurdish internal struggles are "the most immediate danger to their security and future development". These internal struggles have caused the collapse of the *de facto* Kurdish State in the 1990s, and undermined the Kurds' quest for independence and statehood (Chorev 2007; Lawrence 2008: 87). Highlighting the impact of the Kurdish internal conflict on their failure to achieve statehood, Chorev (2007) argues that the Kurds have "no worse enemies than themselves". This model, however, undermines the re-unification and reconciliation process between the Kurdish factions in post-invasion Iraq. Another central issue that this approach ignores is the administrative divisions of Iraqi Kurdistan. While it has a unified administration, parliament and institutions, the KRG administers less than two-thirds of the region that the Kurds believe historically belongs to Iraqi Kurdistan. The province of Kirkuk, however, remains outside the KRG administration altogether. The approach also ignores the question as to how this administrative division has led to the border dispute between the KRG and Baghdad, and how this dispute has been dealt with. It seems like a conflict between two separate states, the KRG and Iraq, rather than a conflict within one nation. Finally, this model fails to trace the links between internal Iraqi divisions (i.e., the Sunni-Shia conflict) and their impact on further strengthening the Kurdish quasi-state.

The third model suggests that the Kurdish conflict is an international issue and that the future of the KRG depends significantly on international elements (Bozarslan 1996: 107; Gurr and Harff 2004: 126). This approach is based on two assumptions. One assumption is that the region occupied by the Kurds straddles four countries and is therefore a transnational issue with serious implications for the Kurds' neighbours (Bozarslan 1996: 107). An independent Kurdistan would threaten the territorial integrity and stability of these pre-existing neighbouring states, and so disrupt the international system (Gunter 1996: 239; Gurr

and Harff 2004: 119; Moore 2006: 64). Consequently, within the state-centric international system, any border change becomes a "call to action for the international community" (Bozarslan 1996: 110). Another assumption is based on the fact that the Kurdish question is the historical result of complex international power-plays since in the region since World War One (WWI) (Bozarslan 1996: 203). Gurr and Harff (2004: 126) maintain that the international factors that determine the future of the KRG are beyond the Kurds' control. Relationships between Kurdish and international movements are characterised as an imbalance against and subordination of the Kurds. Whether the Kurds secede from or remain a part of Iraq depends on their understanding and recognition of these international factors (Gurr and Harff 2004: 151, 163; Moore 2006: 57).

One contradiction inherent in this model is that while it emphasises the international nature of the Kurdish conflict, at the same time it claims that the Kurds themselves are minor players. It also overlooks the fact that the Kurdayeti has propelled the region into a quasi-state. The quasi-state status of Kurdistan is partially a result of the Kurds' ability to destabilise the region due to its international role. Iraq is also a victim of international interference, and this has enlarged the capacity for manoeuvres by the Kurdish quasi-state to improve its status and survivability. This is evidenced by UN Resolution No. 688 of April 5, 1991 and the confirmation of a subsequent Kurdish safe-haven which culminated in the present Kurdish quasi-state.

The fourth model, the institutional design approach, suggests that whether the Kurds remain in Iraq depends heavily on the institutional design of the Iraqi state (Weinstock 2005: 21; Simonsen 2005: 306). This approach can further be categorised into (a) Iraq/state centrists and (b) consequentialists. The Iraq/state centrists stress integrative mechanisms that encourage de-ethnicisation and fragmentation of Kurdish politics (Wimmer 2004: 111; Dawisha 2005: 72; Brancati 2006: 654). These integrative mechanisms include the cross-ethnic electoral system, the banning of Kurdish parties, and an 18-province territorial federation (Dawisha and Dawisha 2003; Simonsen 2005: 305). The consequentialists claim that the Kurds' quest for self-determination may be satisfied while avoiding the unwanted consequences of secession. This can be met by a multi-national federation with proportional representation and territorial and cultural autonomy for key nationalities (O'Leary 2009: 149). However, given the current quasi-state status of the KRG and the internal divisions within Iraq, this raises questions as to who would implement such models, by what means they would do so, and what the costs and risks would be.

The fifth model is the humanitarian aid approach. This model was advocated by Natali (2010), and presents a more realistic analysis on the Kurdish quasi-state entity that emerged after the second Gulf war.

She correctly defines the *de-facto* Kurdish self-rule in the 1990s as a quasi-state. She defines quasi-state as "political entities that have internal but not external sovereignty and seek some form of autonomy or independence" (Natali 2010: xxv). Her basic thesis is that the emergence, survival and development of the Kurdish quasi-state are attributed to external humanitarian aid programs offered and provided to the Kurds. This humanitarian and external aid, furthermore, determined the extent of the economic, social and political achievements and therefore the nature of the Kurdish entity. Viewing it this way, she suggests three phases of development in Kurdistan based on external assistance namely: (1) "emergency relief phase (1991-1996)"; (2) oil for food program "OFFP phase (1996-2001)"; and (3) "democracy mission phase (2003-present)" (Natali 2010: xxix- xxxiii).

Natali's thesis, however, has several weaknesses. First, for Natali it was the nature of the type of foreign aid offered to the Kurds that determined the extent of sovereignty and leverage of the Kurdish quasi-state entity. Hence, internal sovereignty of the quasi-state was provided by external patronage rather than from the internal legitimacy provided by the Kurdish population to the *de facto* state. Second, by attributing the nature and survivability of the Kurdish quasi-state to external humanitarian aid, Natali overlooks other forms of patronage such as diplomatic, political, military and logistical support. By the same token, Natali disregards other important factors that contributed to the survivability and development of quasi-states such as the military capability of the quasi-state, the internal legitimacy that leaders of the quasi-state enjoy among its population, the weakness of the parent state and its unpopularity in the separatist region, and finally the ability of the quasi-state to perform the state- and nation-building process in which it provides basic service and protection to its population. Third, Natali, deals with the Kurdish quasi-state of the 1990s as a separate abstraction taken from the history of the Kurdish *de facto* self-rule experiment that they enjoyed during the 1960s, 70s, and 80s. Thus, the literature on the Kurdish quasi-state suffers from several major gaps in coverage.

1.4.3. Literature on Iraq as a Quasi-state

Little scholarship has been devoted to the state of Iraq as a quasi-state. For many scholars the functionality of Iraq as a sovereign nation is an open question. Two prominent approaches in the literature pertain to the status of Iraq as a 'real' nation-state. The first approach portrays Iraq as a rogue-state and the second as a failed state. Scholars of comparative politics and policy analysts often refer to Iraq as a 'rogue state' though they disagree on the definition and usage of the rogue state concept (see Hoyt 2000; Eland and Lee 2001: 9; Stromseth 2003: 636; Dueck 2006: 230). Princeton University (2010) defines the rogue state as "that [which] does not respect other states in its international actions". In contrast, Rose

(2011: 12) defines rogue states as those "that possess the power and credibility to…engage in behavior that sharply conflicts with the net interests of international society as defined by major powers". Three most commonly invoked criteria used to define rogues are (1) states that work for WMD proliferation, (2) support for terrorism and (3) those that violate human rights (Klare 1996; Tanter 1999; Hoyt 2000). Thus, the more common understanding of rogue states portrays them as violating international norms.

Regardless of whether Iraq qualifies as a rogue state, the definition of 'rogue' has little relation to the issue of sovereignty, which is a qualification of the quasi-state. 'Quasi-state' refers to either the lack of internal sovereignty vis-a-vis the states' population or the lack of external sovereignty vis-à-vis the international community. Abuse of human rights refers more to the character of the regime while sovereignty refers to the inherent power of the state to function autonomously. With the installation of a new democratic regime the issue of human rights abuse and even support for terrorism would be expected to be terminated. Terminating abuse itself would not normally change the status of the state in terms of sovereignty. Iraq is a striking example that illustrates this situation. Under Saddam Hussein, especially during 1980s, Iraq fulfilled all three criteria: the regime abused human rights; it supported terrorism; and it obtained and used WMD, such as chemical weapons (*HRW* 1993: 11-14; White House 2003; Hiltermann 2004: 158). Interestingly, the rogue concept has widely been applied to Iraq during the period between the second Gulf-war and the US invasion in 2003. Iraq improved its behavior in all three respects after the invasion. However, post-invasion Iraq is less sovereign and more aptly fits the definition of 'quasi-state' than the pre-invasion Iraq under Saddam.

The second approach to Iraq as a quasi-state in the body of literature considers Iraq as a 'failed state.' Many in this camp argue that Iraq is one of the world's prominent failed states (Baker 2003; Bilgin and Morton 2004: 169-180; Brooks 2005: 1164; Fukuyama 2005: 84). The *Failed State Index (2009)* and the *Failed State Index* (2010), for example, ranks Iraq as the world's sixth and seventh most failed states respectively. Definitions of failed states vary, but the most accurate definition comes from Call (2008: 1492), who refers to such as "wholly collapsed states". In such a state "no authority is recognizable either internally to a country's inhabitants or externally to the international community" (Call 2008: 1492). In the case of failed states Fukuyama (2005: 86) insists that "the outside power is forced to exert authority simply to avoid calamity". The failed state by definition has lost both external and internal sovereignty. In quasi-state theory, however, the state lacks one of its sovereignty types. Since 1932 when Iraq achieved independence from the British, this situation existed for only one year when the Iraqi state collapsed completely during the occupation of Iraq in 2003. Therefore, the literature on failed states does not aid the

understanding of Iraq as a quasi-state. This thesis analyses, develops, and applies quasi-state theory in order to scrutinise the quasi-state status of Iraq.

1.5. Contribution to the Theoretical Debate

Apart from Gurr and Harff's (2004: 103-109) theory of ethnic-mobilisation and ethno-nationalism, most literature relating to the Kurdish-Iraqi conflict considers only particular aspects of the conflict. The existing theoretical approaches to the Iraqi-Kurdish conflict are categorised into three major types: (1) primordial (ethno-symbolic), (2) instrumental, and (3) constructive. The primordialist approach takes the view that the Kurds identify themselves according to clans, language, or regional divisions (Bruinessen 1986: 16; Wimmer 2004). This approach draws on the primordialist theoretical orientation, which attaches a high value to historical continuity, group sanctions, and social solidarity as determinants of human behaviour.

The second approach considers the role of the Kurdish leadership in reshaping Kurdish-Iraqi relations. It is widely understood that in the interests of securing their vital interests and to avoid the costs of secession, Kurdish leaders have not promoted the vision of a separate state (Moore 2006: 57; Chorev 2007: 7; O'Leary 2009: 143). This view is compatible with instrumental theory, which posits that politicians benefit from calculated behaviour, from the manipulation of nationalist appeals, and from the struggle over resources (Gurr and Harff 2004: 96). The third approach emphasises that Kurdish identity has emerged and evolved over time, first from religion to ethnicity and then to 'Iraqiness' during the monarchy. Later, ethnic elements re-emerged in response to discriminatory policies directed against the Kurds by central governments (Natali 2005). This approach may be categorised as 'constructivist' and emphasises that collective and ethnic identities are socially constructed, fluid, and endogenous (Lake and Rothchild 1998: 5-6). It must be noted, however, that none of these three approaches adequately describes the situation of the *de facto* Kurdish self-rule that has been established since 1961. Moreover, all three are inadequate to provide a comprehensive theoretical framework for understanding these issues. To fill this gap, prominent theories on ethno-nationalism and scholarly treatises that deal with the concepts of nations, states and quasi-states are drawn on to build a new theoretical framework. This new theoretical frame work is relevant to the question of Kurdish and Iraqi counter quests for nationhood and the status of the Kurdish de facto self-rules founded since 1961, though intermittently, as a quasi-state.

1.5.1. Finding the Proper Theoretical Framework

This section analyses the theories that apply to the Iraqi and Kurdish counter quests for nationhood. Gurr and Harff define ethno-nationalism as:

> "Relatively large and regionally-concentrated ethnic groups that live within the boundaries of one state or of several adjacent states; their modern political movements are directed toward achieving greater autonomy or independent statehood" (Gurr and Harff 2004: 23).

Three key variables are used by ethno-nationalists to make their cases: (1) ethnic group, (2) region, and (3) political agenda. In their work on ethnic conflicts Gurr and Harff (2004: 19) used the Kurds as a case study to test their theory on ethnonationalism. In doing so, they categorised Kurds as 'ethno-nationalists.' Accordingly, the Kurds emerged as a territorial ethnic group directed politically toward building a nation-state in their traditional homeland.

For Smith (2009: 49) nations are "territorialised communities" that feel a "strong attachment" to their respective territories. Smith identifies three dimensions of the nation: (1) territory, (2) community, and (3) attachment to homeland (identity). McDowall's approach to the national identity of the Kurds is useful when analysing the Kurdish case. He states that Kurdistan is "both a practical and a mythical" territory "that exists in the minds of most [Kurds]" as the basis of their conceived national identity (McDowall 2004: 3). Three criteria used for defining the Kurds' status by McDowall are: (1) Kurdistan as a territory, (2) Kurds as a community, and (3) Kurdistan as an identity. By combining Smith's and Gurr and Harff's theories a useful formula is found to define the Kurds: the Kurds are a territorialised community that is politically bent on building a nation-state, and that community makes its territory the basis of its identity.

Two more pertinent theories are Anderson's "imagined community" and Guibernau's "nation without a state" (NWS). For Anderson (1991: 6) a nation is an "imagined political community" with finite boundaries and limited sovereignty. Anderson's "imagined political community" presents a useful tool for understanding the Kurds' self-identification as a nation. It also integrates well with Smith's notion of "territorial identity" and Gurr and Harff's political agenda attributed to the Kurds. Anderson's (1991: 7) notion of "sovereignty", though limited, is that of "a sovereign state", and therefore goes beyond the Kurds' current status. Guibernau's NWS concept is a useful alternative:

> Nations, which in spite of having their territories included within the boundaries of one or more States, by and large do not identify with them…[They] maintain a separate sense of national identity generally based on a common culture, history, attachment to a particular territory and the explicit wish to rule themselves (Guibernau 1999: 125).

Guibernau's criteria for Nations without States incorporate both Smith's criteria of nation and Gurr and Harff's criteria of ethno-nationalism. These are: community (nation), territory, identity and desire for self-rule. In other words, the NWS refers to a nation that lacks a state and that is politically directed towards creating such a state. Guibernau's theory, however, fails to distinguish between those states that include NWSs from those that do not. Cottams' theory of nation states and non-nation states (NNS) is useful for the research questions posed by this thesis. Cottam and Cottam's (2001: 197) definition of nation states is: "states which a nation should be based on". Using these criteria, a state that is not based on a nation is a non-nation state. Hence, Anderson's theory, Guibernau's explanation of a NWS, and the Cottams' approach to NNS provide guidelines for analysing the oppositional nature of the Kurdish quests for nationhood versus Iraq's status as a nation-state.

Theories regarding states and quasi-states need to be examined in order to explore the behaviour of the KRG and Iraq. In this regard, Weber's and Smith's perspectives of state are relevant. States, according to Smith (2009: 49) and Weber (1997: 156), are autonomous institutions in a given territory, monopolising "coercion and extraction" (Smith), and/or, "the legitimate use of force" (Weber). However, in their respective definitions the international status of the state is unknown. Therefore, another theory, namely Jackson's quasi-state theory, may be used to complement the Weber-Smith theory in order to bring about a fuller and more nuanced understanding.

1.5.2. Recognised Quasi-states (RQ) and Criteria for Recognised Quasi-states (RQC)

In Jackson's development of quasi-states theory he re-identified state and sovereignty. He argues that not all existing states in the world are 'real' states. Jackson (1993: 30) identifies two forms of states: 'real' and 'quasi.' "A positively sovereign government", according to Jackson "is one which […] enjoys rights of non-intervention" and "possesses the wherewithal to provide political goods for its citizens". Put another way, "the responsibility of a sovereign government is both external to other sovereigns and internal to its citizens" (Jackson 1993: 28). Hence, a sovereign state enjoys double sovereignty: external, vis-à-vis other states and internal, vis-à-vis its own citizens. Jackson classifies external sovereignty as a negative aspect of sovereignty and the internal sovereignty as a positive form of sovereignty. "Negative sovereignty" for Jackson "is the legal foundation upon which a society of independent and formally equal states fundamentally rests". It can therefore be defined "as freedom from outside interference: a formal-legal condition" (Jackson 1993: 27). "The positive aspect of sovereignty", however, "presupposes capabilities which enable governments to be their own masters" (Jackson 1993: 29).

Negative sovereignty is a formal and legal condition that is endowed by the international community (Jackson 1993: 21). Positive sovereignty "is not a legal but a political attribute" (Jackson 1993: 29). In other words:

> Whereas international society can provide governments with negative sovereignty through the act of general recognition, this is not the case with positive sovereignty which depends primarily on the action and resources of [internal] governments and their populations (Jackson 1993: 30).

A real sovereign state is a state that enjoys double sovereignties, "organised domestic reality and not merely by international law". A quasi-state, in contrast, is a state in which "its sovereignty is derived not internally from empirical statehood but externally from the state-system whose members have evidently decided and are resolved that these jurisdictions shall not disappear" (Jackson 1993: 28). Therefore, "the quasi-state is upheld by an external covenant among sovereign states" (Jackson 1993: 169). Because this form of statehood "enjoy[s] an internationally guaranteed independence," it "does not require positive sovereignty" (Jackson 1993: 179). Hence, quasi-states, from Jackson's perspective, are states that only enjoy external (negative) sovereignty but lack the internal (positive) sovereignty.

Jackson's theory, however, is inadequate. One of the main weaknesses of Jackson's theory is that positive sovereignty is an absolute rather than a relative concept. On one hand, no state enjoys ultimate positive sovereignty and no state totally lacks it. On the other hand, there is a huge difference between a state that totally lacks internal sovereignty and that ultimately enjoys it. The internal legitimacy of many developed European states, according to Jackson, demonstrates real sovereignty, though they are rejected by many minority groups. Similarly, many post-colonial states that Jackson classifies as quasi-states enjoy some form of internal legitimacy and support at least by a faction of society. For example, the Iraqi state enjoyed internal legitimacy vis a vis its Sunni community until 2003, and its Shia community after the invasion. Put another way, no state around the world totally lacks or totally enjoys internal support and legitimacy. In addition, states differ in their capacities, state-structures, and abilities to deliver services and goods to their constituencies.

To overcome these generalisations and confusion, and drawing on Smith's and Weber's definitions of state, this work introduces four criteria that a recognised state must satisfy to qualify as a quasi-state. To distinguish a state that meets these criteria from a 'real' sovereign state, it will be called a Recognised Quasi-state (RQ); and criteria that have been used to classify such a state will be referred as Recognised Quasi-state Criteria (RQC). The first criterion of quasi-state is a state that violates, instead of imposes, the rule of law and threatens some of its citizens (RQC-I). The second criterion is a state that loses its

monopoly of the legitimate use of force in a given territory. This includes the state's failure to collect taxes or to deliver public services to all or a portion of its population (RQC-II). Many states have temporarily or permanently lost control of part of their territories (e.g., China lost Taiwan; Russia lost its former Soviet republics; and for a while it lost Chechnya). Russia and China, however, cannot be considered as quasi-states. Accordingly, the third criterion is the case of a state that is too weak to confront a separatist region without external support. It seeks external patronage from a stronger state to enable it to challenge the separatist region (RQC-III). The fourth criterion is a state that, in addition to lacking internal sovereignty, suffers violation of its sovereignty from external powers, (e.g., direct occupation; imposed no fly zone; the presence of foreign military forces on its soil; or subjected to international sanctions) (RQC-IV). A state that enjoys external recognition but fulfills these four criteria will be classified as Recognised Quasi-states (RQS).

1.5.3. Unrecognised Quasi-states (UQ) and Criteria for Unrecognised Quasi-state (UQC)

Jackson's theory suffers another crucial deficiency. His theory pertains only to those quasi-states that lack internal (positive) sovereignty and fails to address unrecognised quasi-states, (i.e., those entities that enjoy internal sovereignty but lack international recognition). Similar to Jackson, Kolstø (2006: 725) distinguishes those states that enjoy dual sovereignty from "those lacking internal sovereignty and those lacking international recognition". He correctly classifies those states that lack international recognition, but enjoy internal sovereignty, as quasi-states. For Kolstø a political entity that enjoys internal legitimacy and lacks external legitimacy must fulfil three criteria to be classified as a quasi-state:

> Its leadership must be in control of (most of) the territory it lays claim to, and it must have sought but not achieved international recognition as an independent state. Finally, to eliminate a whole spate of ephemeral political contraptions, [...] those that have persisted in this state of non-recognition for less than two years [are excluded] (Kolstø 2006: 725-726).

Kolstø's criteria fail to establish themselves for several reasons. First, the criterion that "its leadership must be in control of (most of) the territory it lays claim to" is problematic. Not only non-recognised states, but also many sovereign states around the world fail to control most of the territory to which they lay claim. Moreover, most separatist regions share territory with parent states and have mixed ethnic and/or religious communities that both the parent state and the separatist entity lay claim to. A striking example is Kirkuk and other disputed areas in Iraq; both Kurdish and Iraqi sides claim Kirkuk as an integral part of their respective territories. Similar examples may be found among many quasi-states as well. The second criterion is also vague and over-generalised. Any separatist region, whether its leaders

control their territory or not, may seek international recognition as an independent state. The 'two years' criterion is not helpful for understanding the nature of a separate entity. It is not time, but rather the issue of internal legitimacy, financial resources, external support and balance of power with the parent state that propel a separatist region into quasi-statehood.

Kolstø (2006: 726-727) tackles a question that may be used as a criterion to classify a separatist entity as a quasi-state when he asks how and why they survive and why some survive longer than others. Here we see that the questions of survivability and viability of a *de facto* state may be used as a threshold measure of quasi-statehood. In this sense, Kolstø (2006: 729) argues that:

> At least five factors can be identified that contribute to the viability of unrecognised quasi-states: symbolic nation-building; militarisation of society; the weakness of the parent state; support from an external patron; and lack of involvement on the part of the international community.

The first four factors, in one way or another, relate to the same patterns of a 'real' state as much as they are factors pertaining to the survivability and viability of a quasi-state. Therefore, I will use these four factors as criteria to classify unrecognised entities as quasi-states.

The first factor that may be used as a criterion for classifying unrecognized entities as quasi-states is the nation-building process. The nation building process "concerns the 'soft' aspects of state consolidation, such as the development of a common national identity among the inhabitants through symbols, propaganda, history writing and the cultivation and 'invention' of traditions and national customs" (Kolstø 2006: 730). Any real sovereign state is involved in a wide range of nation-building processes. If a semi-independent separatist region is involved in a nation-building process, it thereby plays the same role as an independent state in this regard. Thus, the degree of the *de facto* state's involvement in the nation-building process is considered as the first criterion (UQC-I) by which to classify a separatist entity as a quasi-state.

The second factor that may be used as a criterion for classifying unrecognized entities as quasi-states is the militarization of society. Rather than a distinguishing factor that demarcates separatist quasi-states from real sovereign states, the militarisation of society is similar among both entities. According to Kolstø (2006: 731):

> The quasi-states were created by military means and must be maintained by the same means. As political entities that are not protected by the international system of mutual recognition, they are thrown back into the Hobbesian jungle, and more than other states they must rely on brute force in order to survive. Their

armed forces, however, do not have to be very large Compared to the size of the national army in most states, these are not large numbers, but relative to the size of the total population in the statelet, they are considerable.

Not only quasi-states, but the majority of states including the USA and most post-colonial states are to some degree created by means of the military apparatus. Additionally, "state-building," as Fukuyama (2005: 87) explains, "always begins with the creation of military and police forces". Despite being protected by international state systems, the majority of states rely on the military for protection from external and internal threats. Thus, the military is another common feature of separatist-quasi-states and sovereign states. Accordingly, the militarisation of society is the second criterion (UQC-II) that may be used to classify a separatist region as a quasi-state.

The third factor that may be used as a criterion for the formation of quasi-states is the weakness of the parent state. Kolstø (2006: 732) explains the weakness of the parent state thusly:

> [m]ilitary strength and military weakness are of course relative measures. It is enough for the quasi-state to be sufficiently strong to keep at bay the parent state from which it has seceded. And in fact, the parent state of most quasi-states is a weak state, in political and institutional as well as in military terms.

Thus, in addition to the military balance of power between the parent and separatist region, the parent state politically and militarily is a weak state. So the balance of power favors the quasi-state as it keeps the parent state at bay. This factor is based on the comparison between the parent state, which is at the same time a recognised state, and the separatist region. Therefore, a separatist region is strong enough to be compared to, and at the same time challenge, the parent state. It appears that in some sense the separatist region is equivalent to its parent state. Through the weakness and strength of the parent state one can imagine the weakness and strength of the *de facto* independent state. Therefore the character of a weak parent state may be a third criterion for classifying the separatist entity as a quasi-state (UQC-III).

The fourth factor that may be used as a criterion for classifying the quasi-state is external patronage. Kolstø (2006: 733) argues that:

> Most quasi-states, even those that face weak parent states, are dependent upon support from an external patron. Such a patron may be said to fulfill the same role as the international community does vis-à-vis failed states. In such cases, the role of international society as [the] guarantor of [the] continued existence for weak states has been privatised, as it were.

External patronage is therefore another similarity between unrecognised quasi-states and recognised states. Accordingly, a separatist entity's ability to find external patronage may be considered as the fourth criterion (UQC-IV) by which to qualify as a quasi-state. Thus in this work, to be classified as a quasi-state, a de facto self-rule of a secessionist territory must satisfy these four unrecognised quasi-state criteria (UQC): (1) a symbolic nation-building process (UQC-I); (2) a militarisation of society (UQC-II); (3) a weak parent state (UQC-III); and external patronage and support (UQC-IV).

1.5.4. Positive and Negative Patronage

Kolstø does not recognise different forms of patronage. Explaining the patron state's agenda, he explains "the quasi-states serve as political instruments which the patron states use to put pressure on the parent states and, generally, to project power into the region". Putting pressure on the parent state and projecting power into the region are probably common agendas of all patron states. However, it is not the only reason behind the patronage project. Patron states may also be motivated by the fact that the ethnicity and the nationality of the client population is the same as the patron state. They may also be motivated by irredentist agendas, such as historical claim of the separatist territory. Accordingly, the nature of external patronage may be categorised according to the motivations and agendas of the patron state. There are two forms of external patronages: positive and negative. I distinguish the two forms by applying three criteria.

The first criterion used to determine whether an example of external patronage is negative or positive is the ethnic and cultural identity of the patron and client states. In negative patronage, populations of the patron and client states do not share the same ethnic or cultural identity. I refer to this criterion as the first negative patronage criterion (NPC-I). In positive patronage, however, the population shares the same ethnic background and the population of the client state is a natural extension of that of the patron state. In many cases the patron state has historically claimed separate territory of the client state as part of its homeland. Hence, in positive patronage, supporting and consolidating ethnic, cultural and territorial rights of the client region are the main reasons behind the patron state's willingness to provide assistance. In negative patronage, however, such motivation is absent. Rather, a patron state is mainly motivated by issues other than identity of the client state. The second negative patronage criterion (NPC-II) is that the patron state is not motivated by interests, rights and/or identity of the client state. The third criterion for determining the positive or negative status of patronage is whether the patron state is willing to recognise the independent state. In positive patronage, the client state's independence and the consolidation of its political, cultural and economic status strengthens the internal and external position of the patron-state. In negative patronage the independence of client states may jeopardise the patron's interests. Thus, the third

negative patronage criterion (NPC-III) is the fact that the patron-state that does not seek the client's independence and is not willing to recognise the independent status of the client state. In positive patronage, however, the patron-state supports and often recognises the independence of its client state.

Positive patronage-client relations are based on good will, long-term interests and the principal values of the patron-state and long-standing patronage. For the client state it is a reliable and indispensable source of external support and is therefore considered as positive patronage. While negative patronage is a tactical, short term measure of limited support, it is usually a no-win policy for the client and it often ends up with the patron's using the client state as a bargaining chip. It is an unreliable source of external support and therefore is considered as negative patronage. Turkey, Serbia and Armenia's patronage of north Cyprus Turks, Republika Srpska in Bosnia and Nagorno Karabagh in Azerbaijan are a few examples of positive patronage. The form of patronage that has been offered to the Iraqi Kurds by Iran in 1961-1975, and Turkey and the US in the 1990s, are examples of negative patronage. External patronage is negative if it fulfills three negative patronage criteria (NPC): (1) the populations of the patron and client states do not share the same ethnic or cultural identity (NPC-I); (2) the patron state is not motivated by the interests, rights and/or the identity of the client state; and (3) the patron-state does not seek the client's independence and is not willing to recognise the independence of the entity.

1.5.5. Recognised Quasi-state (RQ) vs. Unrecognised Quasi-state (UQ)

Another significant weakness found in Kolstø's treatment of Jackson's quasi-state theory is that a state that lacks internal sovereignty, but has been recognised by the international community, cannot be considered as a quasi-state. Kolstø classifies this entity as a failed state. In Kolstø's (2006: 725) model, states that lack international recognition, but enjoy internal legitimacy, are quasi-states; and those that enjoy such recognition but lack internal legitimacy are failed states. This classification is an over-generalisation for two reasons. First, the concept of failed state, developed by the Fund for Peace, uses twelve indicators to identify a failed state. These are: "Mounting Demographic Pressures"; "Massive Movement of Refugees and IDPs"; "Legacy of Vengeance - Seeking Group Grievances"; "Chronic and Sustained Human Flight"; "Uneven Economic Development along Group Lines"; "Sharp and/or Severe Economic Decline"; "Criminalisation or Delegitimisation of the State"; "Progressive Deterioration of Public Services"; "Widespread Violation of Human Rights"; "Security Apparatus as State within a State"; "Rise of Factionalised Elites"; and "Intervention of Other States or External Actors" (*The Fund for Peace 2011).* On one hand, recognised Quasi-states (RQ) do not necessarily meet all of these conditions;

therefore they may not be considered as failed states. On the other, most countries around the world, with or without internal sovereignty, to some degree share some of these characteristics.

Second, *The Failed States Index* (2009) has labeled the overwhelming majority of states around the world as potentially failed states. *The Failed States Index* 2009, and *The Failed States Index* (2010), for examples, presented a list of 177 countries, almost all countries around the world, and categorised them into 'extreme,' 'most,' 'middle moderate', and 'less failed' states. The Failed States Index mechanism for identifying 'failed states' has been criticised for painting the majority of countries around the world with the same brush. Call (2008: 1492), for example, objects to such a generalisation, stating that: "It is silly to say that Colombia, North Korea and Somalia are any more equivalent than are Belgium, Bolivia and Burma,all of which at least share [the characteristic of] ethnic separatist movements". Call, however, more accurately defines the failed state concept. He explains that the failed-state concept "refers to wholly collapsed states—where no authority is recognizable either internally to a country's inhabitants or externally to the international community" (Call 2008: 1492). Fukuyama (2005: 86) argues that "[i]n the case of failed states […the…] state collapse is often so thoroughgoing that the outside power is forced to exert authority simply to avoid calamity". "In the late 20th century," according to Call (2008: 1504), "this situation prevailed over a sustained period in only one country, Somalia, from 1991 until roughly 2004". Hence, there is a great difference between a failed state and a recognised state that lacks internal legitimacy. In contrast to failed-states, quasi-states that enjoy external recognition are not 'collapsed' and they still enjoy external recognition by the international community as well as internal recognition by part of its population.

In sum, a 'real' sovereign state enjoys dual sovereignty: external, vis-à-vis other states and internal, vis-à-vis its own citizens. If an internationally recognised state lacks internal sovereignty and falls within the Criteria of Recognised Quasi-states (RQC), it is considered as a recognised quasi-state (RQ). If a *de facto* state, however, fails to gain international recognition but falls within the Criteria for Unrecognised Quasi-states (UQC), it may be classified as an unrecognised quasi-state (UQ). These theoretical discussions will be used throughout the thesis to analyse the nature of conflict.

Chapter Two

2. Opposing Interpretations of Kurdish Ethnicity and Nationalism as Revealed in Kurdish and Iraqi Narratives

The aim of this chapter is threefold: first, to examine the opposing narratives of the Kurds' and Iraqi views relating to Kurdish ethnicity and nationalism; second, to examine the status of the Kurdish people as a nation without a state (NWS) and Iraq as a non-nation state (NNS); and third, to explore how the opposing interpretations have affected Kurdish integration into Iraq. The chapter begins with an examination of the roots and background of Kurdish ethnic and nationalist awareness to understand how the Kurds perceive themselves. Attention is given to the literary works of several primordial nationalists. The chapter then delves into the Kurds 'imagined' national identity and political culture prior to the creation of the Iraqi state, focusing on contemporary Kurdish nationalists' and historians' representations and perceptions of the Kurds. Issues addressed include to what extent Iraq could be considered as an alternative national identity for the Kurds and the development of *Kurdistani* identity among the Kurds. Moreover, the discussion of how this background effects Kurdish integration into Iraq is explored. This chapter also examines Iraqi perceptions of Kurdish identity and nationalism. Insight into Iraq's official discourse is achieved by analysing public statements of key Iraqi officials, politicians, newspapers and decision-makers that took place from 1921 to 2003. Special attention is given to the Ba'ath party's perspective since they ruled Iraq for 35 years, a term longer than any other Iraqi regime. The political implications of these viewpoints are discussed and linked to the issues of the construction and justification of Iraq's nation-building project, its myth-making enterprise, and its Arabisation policies. Examining the opposing viewpoints revealed in the Kurdish and Iraqi narratives relating to Kurdish ethnicity and nationalism will shed light on how these disparate narratives have affected Kurdish integration, or lack thereof, into Iraq.

2.1. The Kurdish Nationhood Project: Self-image and Representation of the Kurds

This section explains the Kurds as a NWS that intends to implement its own nationhood project that is quite different from, and indeed in opposition to, Iraq's nationhood project. The Kurdish nationhood project is comprised of many elements that put it in opposition to the Iraqi nationhood project and nationanlism. The first significant element of the Kurds' nationhood project is its separate 'imagined' community' from Iraq. Kurdish and non-Kurdish scholars alike have suggested that the Kurds as an identifiable ethnic group have existed for more than 2500 years under related names such as Kardu, Karda,

Kurti, Qurtie, Cordueni, and Gordyeni The ethno-genesis of the Kurdish people is believed to have started as early as 2500-1000 BC and the *Kurdi* as an independent language goes back to at least 700-300 BC (Mirawdeli 1993; Zeki 2003: 200, 209-211; Mella 2005: 53-58; Miran 2009: 85-88). According to Entessar (1984: 914), two factors make the Kurds "distinct from other ethnic groups in the region". The first is their "belonging to a pure racial stock," and second is the fact that "the phenomenon of miscegenation ha[d] not significantly affected the Kurdish population," as it has other ethnic groups. Accordingly, in analysing examples of the Kurdish self-image one finds strong expression of their distinctively shared culture, common myth of descent (ancestry) and an integrated history associated with the Zagros-Mesopotamian territory that stretches into antiquity.

Believing in their heritage, contemporary Kurds have revived and sustained their pre-Islamic myths of the construction of the Kurdish nation. For example, the symbol of the sun of Mithraism and Zoroastrianism has been adopted as the Kurds' national symbol and is placed in the center of the Kurdish flag (Nebez 2004: 10). Newroz, another pre-Islamic myth relating to the Kurds' liberation from tyranny, is officially exalted as the Kurdish national day (KNA 1997a). Moreover, the establishment of the Median Empire in 700 BC is the start of the Kurdish calendar (KRG-ME 2004: 68). The Kurds' belief that they are the offspring of the Medes and the heirs of the Median legacy is emphasised in the Kurdish national anthem (Abdullah 2007: 105). Finally, the legend of Kawa the Smith and his 'victory' over Zuhak's tyranny have inspired the Kurdish struggle for freedom and independence (KRG-ME 2004: 68). This past glory of the pre-Islamic Zagrosian civilisation is firmly rooted in the Kurds' common memory. Whether elements of this Kurdish self-representation are fact or fiction is irrelevant; it meets Smith's criteria of nationhood. It includes a shared culture, common ancestor and history and common territory (Smith 1987: 154). Thus, one significant element of the Kurds' nationhood project is its separate 'imagined community' from Iraq.

The second element of the Kurds' nationhood project is that that Kurdayeti has deep roots in the past. This perspective has been promoted in the work of several primordial nationalists. Sharafkhan Bitlisi's book, *Sharafname,* written in 1597, offers a history of the Kurdish ruling families that goes back for centuries. Bitlisi's work presents the first documented conscious use of the term, 'Kurd', by the Kurds themselves. His book, written to present the Kurdish case to neighbouring nations has revived and sustained the medieval myths in order to construct a distinct origin of Kurdish ethnicity and to demonstrate the uniqueness of Kurdish identity (Bitlisi 1860: 8-18). Bitlisi's historical inquiry is confined to the Kurdish people and includes all Kurds, regardless of geographic distribution, political orientation, administrative status, loyalties, dialects and religion. His 'others' include Arabs, Turks, Persians and

Armenians (Bitlisi 1860: 14). Thus Bitlisi distinguished clear boundaries of inclusion and exclusion. Nearly a century later in 1695 Ahmedi Khani's Kurdish romantic epic, *Mem û Zîn*, made an even clearer boundary of inclusion vs. exclusion that was motivated by his extreme feelings and consciousness of 'Kurdishness'. Khani hails the Kurds as a visible tower among the Georgians, Arabs, Turks and Persians (Khani 1968: 43-44). More than being distinct from these 'other' nations, Khani portrays the Kurds as surrounded, targeted and even oppressed by the Turks and the Persians. He represents the Kurds as being at war with these nations and complains about the Kurds' failure to establish an independent state. He explicitly calls the Kurdish rulers 'princes' that must unite, select a king among themselves and establish a united Kurdish state. Khani instructs the Kurdish rulers to unify in order to reverse the subjugated status of the Kurdish people, and instead to subjugate the Turks and Persians to the Kurds (Khani 1968: 43-45).

Two important figures of the nineteenth century are Sheikh Ubeiydeulla-i Nehri and Haji Qadri Koyi. In 1880 Nehri led the largest movement in Kurdish history by joining together the Kurds of the then Ottoman and Persian Kurdistan area. He depicted the inhabitants of Kurdistan of a nation apart. He also suggested that Kurdish customs, beliefs and religion were different from that of the Arabs, Turks and Persians and therefore they should enjoy an independent state (see Abu-Bakr 2005: 13). Haji Qadri Koyi (1817-d.1892), a nationalist poet of the late nineteenth century, draws on Bitlisi's vision of a Kurdish national identity and Khani's call for an independent state in his nationalist poems. However, unlike Khani, Koyi's vision and call to unify in order to establish a Kurdish state was not limited to Kurdish rulers; it was directed to ordinary Kurds as well (Koyi 2004: 75, 109, 113). The great respect that the Kurds have maintained for Bitlisi, Khani, Nehri and Koyi as pioneers of Kurdayeti remains to the present day. Many Kurdish scholars make the case that Bitlisi, Khani, Nehri and Koyi are the founding fathers of Kurdayeti (Nebez 1984: 32-35; Hassanpour 1994: 3; Mella 2005: 46; Resul 2008: 50; Miran 2009: 39-40; Shakely 2010). Khani, for example, is considered to be "explicitly modern in his conceptualisation of the Kurds as a nation" (Hassanpour 1994: 3). His poetic works are also considered as the foundation of a philosophy and the first political programme for the Kurdish national-liberation movement (Mella 2005: 46; Resul 2008: 50; Shakely 2010). Thus, for many Kurds, these primordial Kurdish nationalists set a model for modern Kurdish nationalist movement and establish the fact that Kurdayeti has deep roots in the past.

The third element of the Kurds' nationhood project is that the imagined national identity of the Kurds existed long before the creation of Iraq. Bitlisi is probably the first Kurd to associate the term 'Kurd' with a geographical territory. For him Kurdistan referred to a territory that belonged to ethnic Kurds

irrespective of political and/or administrative boundaries. He confidently outlines the boundary of Kurdistan:

> The boundaries of the Kurdish land begin from the sea of Hurmiz [the Persian Gulf] and stretch on an even line to the end of Malatya and Marash [south of today's Turkey]. The north of this line includes Fars, Iraq-i Ajem [southern Iran], Azerbaijan, Little and Great Armenia. To the south, there is Iraq-i Arab [southern Iraq], Musul and Diyarbakir" (Bitlisi 1860: 23-24).

Thus, for Bitlisi Kurdistan is the defined homeland of the Kurds. Koyi presented a similar description, though better detailed geographical boundaries of Kurdistan. He also provided an estimated area of the Kurds' land (Koyi 2004: 122). In a memorandum to the Versailles Peace Conference in 1919, Sharif Pasha, the head of Kurdish delegation, presented a map of 'greater Kurdistan' for the proposed independent Kurdish state.[2] It is noteworthy that under the name of 'Kurdistan', the first Kurdish newspaper was founded in 1898. Hence, building block of the Kurds' nationhood project is that prior to the creation of the Iraqi state, Kurdistan was represented as a separate territory with a well-established 'imagined' national identity.

The fourth element of the Kurds' nationhood project is that Kurdistan is considered to have been a political entity throughout history. Kurdish historians insist that Kurdistan as a separate administrative unit goes back to the Umayyad era of the eighth century (e.g., Yamulki 2005: 40; Miran 2009: 92). For the first time the term 'Kurdistan' was used both as a territorial and administrative-political unit by the Seljuks in the twelfth century (Hassanpour and Mojab 2005). Bitlisi (1860: 13) uses the term *Welati Kurdistan* (the country of Kurdistan) in his referral to the homeland. Although he recognised that Kurdistan was divided among many Kurdish principalities, he dealt with Kurdistan as one homeland and presented each principality as part of the whole political system of Kurdistan (Bitlisi 1860: 19-30). He categorised three systems of governance in Kurdistan. The first system was the era of the sultans and kings whose rule and status parallel that of the Arab and Turkish caliphs. The second category was the Kurdish rulers whose rule was equivalent to a state but did not claim independence. These rulers maintained their own armies and currencies, and their names are mentioned in *Khutba* (Friday prayers) (Bitlisi 1860: 8-9). According to the Islamic faith only the name of the caliph or the head of state should be mentioned in Friday's prayer. They didn't pay tribute to the sultan and there were no Ottoman fiefdoms that required an army to protect. The entire revenue of the principality was granted to the prince himself and Ottoman armed forces did not exist in areas under the principalities' rule (Bruinessen 1999). This category

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2 For the full text of the memorandum see Sherko 1986: 138-150.

was probably the most common and long-lasting form of governance in Kurdistan. The third category, according to Bitlisi, was the princes' rule. The prince was the head of a confederacy of tribes and submitted taxes to either the Ottoman or Safavid empires (Bitlisi 1860: 8-9).

The official Ottoman documents of the sixteenth, seventeenth and nineteenth centuries demonstrate that Kurdistan was an administrative unit called *Wilayet-i Kurdistan* the province of Kurdistan. This *Wilayet* included vast areas of Kurdistan territory with Diyarbakir (a Kurdish city in modern southeast Turkey) as its centre (Çakar 2002: 281; Özoğlu 2004: 159; Cuthell 2004: 82). During this period both Mosul and Shehrizor, two provinces of Kurdistan, reported to the governor of Diyarbakr, rather than to Baghdad or Istanbul (Cuthell 2004: 82). For centuries the term 'Kurdistan', both as a territory and as an administrative political unit, "[was] in circulation and readily used in the official sources and documents of the Ottomans" (Özoğlu 2004: 164). Prior to the collapse of the Ottoman Empire and the creation of the new Iraq, the Ottomans dealt with the Kurdish and Arab regions separately. From the mid-sixteenth century until the mid-nineteenth, the Ottomans followed two systems of governance: one indirect and nominal rule of Kurdistan, and the other a direct rule of Baghdad, Basra and elsewhere. The Kurds enjoyed semi-independence and were governed by Kurdish principalities. Furthermore, from the sixteenth to the nineteenth centuries, the term 'Kurdistan' commonly denoted an administrative unit with Diyarbakr as its capital; all other wilayets of Kurdistan reported to it (Çakar 2002: 281; Özoğlu 2004: 159; Cuthell 2004: 82). In contrast, the Ottomans that ruled the region until WWI never dealt with Iraq as a single administrative unit. By the mid nineteenth century, however, the last five principalities had been destroyed by both the Iranian state and the Ottoman Empire. Despite the success of the Ottomans in abolishing the Kurdish emirates, they never succeeded in imposing a direct central administrative authority upon Kurdistan (Bruinessen 1999). Until WWI and the collapse of the Ottoman Empire, the tribal chiefs and religious sheikhs imposed their authority on Kurdish society; they filled the local power vacuum and became the spokesmen for the Kurds as a whole (Bruinessen 1999; Tejel 2008: 96).

Prior to its formal annexation to Iraq in 1925, Kurdistan was dealt with by the colonial powers as a separate entity. While the British occupied Iraq and imposed direct colonial rule in Iraq for several years (with Kirkuk as an exemption), Kurdistan never had such an experience. In fact, the British made "a clear-cut political and administrative distinction between Southern Kurdistan and Iraq" (Eskander 2000: 161). They proposed an autonomous Kurdistan region and even recognised the authority of Sheikh Mahmud as a *Hukmdar* (Ruler) (Sluglett 1976: 116: Olson 1987: 101; 116; Fieldhouse 2002: 34; Eskander 2000: 163; Emin 2000: 198, 313). For several years, the Kurds enjoyed a degree of

administrative, economic and security self-rule, albeit intermittently. Sheikh Mahmud founded his first government in October 1918 that lasted until June 1919. In 1922 the second Kurdish government was formed and proclaimed himself as the King of Kurdistan. The British role in Kurdistan was confined to that of providing political and administrative advice to Sheikh Mahmud (Kirişci and Winrow 1997: 84; Eskander 2000: 141-143, 163; Qadir 2007: 19, 46-47). Despite the fact that the British removed both governments, "British officials in London and the Middle East often referred to the autonomous entity as the 'Kurdish state'" (Eskander 2000: 141). It is noteworthy that after the creation of Iraq, the term 'Southern Kurdistan' was still commonly used by British officials and scholars at least until the mid-1940s (e.g. see, Edmonds 1928: 162-163; 1931: 350-355; Rajkowski 1946: 128-134). Thus, another substantial element of the Kurds' nationhood project is that for many centuries, until the annexation of Kurdistan to Iraq, Kurdistan enjoyed a form of self-rule that contributed to its political culture.

The fifth element of the Kurds' nationhood project is their glorification of the political culture of self-governance. Many centuries of Kurdish self-governance and semi-autonomy have shaped the Kurdish way of life and contributed to its political culture and belief system. The creation of the modern and highly centralised Iraqi state in the 1920s put the Kurds at a crossroads. To establish a strong centralised Iraqi 'nation-state', Iraq's rulers thought they had to eliminate Kurdish political traditions. Most Kurds expected their relative independence to be respected if they were going to accept externally-imposed governance. The expectation of being free from direct rule of the central government was evident in the political behaviour of almost all segments of Kurdish society. This expectation applied to all Kurds: tribal or urban, modern or traditional, pro-Iraqi government or rebel, and irredentist or autonomously inclined. In the early 1930s the Barzani Kurds rebelled in reaction to the central government's policy of imposing direct rule and interfering in the local affairs of the Barzan district of Kurdistan (Barzani 2003a: 11-45; McDowall 2004: 180; Jwaideh 2006: 219-229). Throughout the twentieth century the Barzanis remained in a state of rebellion against practically all successive Iraqi regimes. From 1946 onward the Barzanis joined a broader Kurdish nationalist movement. Close to the Barzan district, leaders of the Lolan, Zibari and Herki tribes cooperated with all successive Iraqi regimes (Bruinessen 1992: 263; 2002: 172). Their cooperation was attributed to the central government's compromise to allow these tribes to manage their own local affairs (see Chapters Five and Nine). The mutual cooperation between the central government and leaders of these tribes began from the first years of incorporating Kurdistan into Iraq and it continued throughout the monarchy and republican eras up to the present day. The main factor that contributed to the tribal rebellion was the central government's policy of direct and indirect rule in different regions of Kurdistan. To appease the pro-centrist government segment of Kurdish society, the monarchy ceded them

limited sovereignty and permitted local autonomous cantons based on tribal confederations (see Chapter Four). Hence, another element of the Kurdish nationhood project is the deeply rooted culture of self-governance and indirect rule. This political culture has been ingrained in Kurdayeti and serves to challenge Iraqi rule and its centralisation policy as it applies to Kurdistan.

The sixth element of the Kurds' nationhood project is their perspective on Iraqi national identity. The Kurdish perspective on Iraq as an alternative national identity helps to explain why the Kurdish nationhood project is distinct from and in opposition to that of Iraq's. Bernhardsson (2006: 97) argues that the term 'Iraq' was a common name amongst the Iraqis that had a long tradition in the region. He argues that the term has been used by Arab scholars since the Arab conquest of the region in the seventh century. Similarly, Foster (2003: 295) suggests that the term 'Iraq' is associated with the fourth to sixth century Arab settlement in the region. If correct, then the term 'Iraq' would likely precede the term of 'Kurdistan' and Iraq as a national identity would also precede Kurdistan or 'Kurdish' as a national identity.

Contrary to this vision, however, Kurdish historians and scholars insist that the term 'Iraq' had been used historically for two different, albeit adjacent, regions. The term *Iraq-i Arabi* or *Iraq al-Arab,* had been used to refer to a region in modern southern Iraq. The term *Iraqi-Ajami* or *Iraq al-Ajam*, which means non-Arab Iraq', was used to describe modern southern Iran (e.g., Vanly 1992: 143; Mohammad 2006: 11-12). The Kurds also argue that contemporary northern Iraq was referred to as *bilad al-Akrad* 'the land of the Kurds' and in later centuries as *Kurdistani Jenubi* (Southern Kurdistan) (Talabani 1970: 210; KRG-ME: 2008: 184). Hence, historically and geographically speaking, from the Kurds' perspective, both today's Kurdish and Arab regions of Iraq were and are considered as two separate territories. When the Iraqi state was created, these geographical, territorial and administrative separations still applied. The commission that was founded by the League of Nations to determine the statutes of *Mosul Wilayet* or 'Kurdistan,' discovered that historically modern Iraq was comprised of and known by three different regions: Arab Iraq, al-Jezire, and Kurdistan (Hussein 1977: 78). They also found that throughout history the inhabitants of Kurdistan never considered themselves to be Iraqi, nor were they ever known or referred to as Iraqi (Hussein 1977: 78). Hence, another substantial element of the Kurds' nationhood project is that Iraq never served as the national identity of the Kurds prior to the creation of the modern state of Iraq. On the contrary, from a modern Kurdish nationalist perspective, Kurdistan is central to their imagined and real national identity.

The seventh element of the Kurds nationhood project is Kurdayeti's ability to develop Kurdistan as the 'imagined' national identity. Although it would be difficult to find the exact time when Kurdistan

developed its own national identity, it assuredly precedes the creation of the modern Iraqi state. Kurdish historians and scholars argue that prior to the creation of the state of Iraq, Kurdistan was a well-established national territory of the Kurds and their national identity was Kurdish. According to Izady (2004: 95), for example, the land of the Kurds has been called 'Kurdistan' for nearly a millennium. Nebez (2004: 56), however, states that the first map that shows '*Bilad al-Kurd*,' or the land of the Kurds, goes back to 1073. Many Kurds believe that their origins date to ancient times and refer to those who lived in the Zagros-upper-Mesopotamian region since antiquity (Talabani 1970: 140; Mirawdeli 1993; Mukiryani 2008: 25; Miran 2009: 53; Shamzini 2006: 23).

The first generation of Kurds in the new Iraqi state inherited and transferred the ideals of the Kurdish nation and the Kurdistani national identity from one generation to the next. In 1931 Sheikh Mahmud wrote that the Kurds lived on their own land and that southern Kurdistan had never been part of Mesopotamia or a part of Arab land and territories.[3] He also labelled the Iraqi state and government as an Arab state and government and the Iraqi army as an Arab army (Emin 2000: 197-200). Similarly, in 1931 Tofiq Wehbistated that southern Kurdistan was the historical homeland of the Kurds, which had never been part of Arab land, and which had never been ruled by Arabs—even during the Caliphate period.[4] He insisted that the annexation of Kurdistan to Iraq was illegitimate and unjustified. He protested against identifying the Kurds as Iraqis, explaining that it would be as wrong to identify them as Iraq as it would be to identify an Irish person as 'English' (see Emin 2000: 287-300). More than eight decades later Jalal Talabani, the founder and the Secretary General of the PUK,[5] and the president of Iraq since 2005, reiterated the League of Nation Commission's claims that Kurdistan had never been part of Iraq and the Arab part of Iraq did not encompass Kurdistan. He further argues that at the Paris Peace Conference the separate homeland of Kurdistan received similar treatment and equal status as Arabia (the Arab homeland) and Armenia.[6] He also pointed out that in all Ottoman documents, and early Arab geography text books that had been used in Egyptian schools point out that Kurdistan was a separate country from Iraq and 'Iraq' was a strange and unknown name for the inhabitants of Kurdistan (Talabani 2004: 41-48). Talabani insisted that the Kurdish people in Iraq were part of the Kurdistani nation (Talabani 2004: 46-48).

3 For full text of Sheikh Mahmu's letter, see Emin 2000: 197-200.

4 Tofiq Wehbi, an Ottoman officer, was a well-respected Kurdish scholar and nationalist. He was the governor of Sulaimaniya province in the early 1930s and was authorized by Kurdish leaders to represent them in correspondence with the international community.

5 The Patriotic Union of Kurdistan is one of the largest political parties in Kurdistan. It has played a dominant role in Kurdish politics since 1976.

6 Paris Peace Conference was held by Allied victors in 1919 to discuss, among other issues, the future of the Ottoman Empire.

Kurdistan has always been identified as a separate geographic and political entity in Kurdish political party literature and official documents (see Map 1 and 2). In 1960 *Khabat* newspaper, the mouthpiece of the Kurdistan Democratic Party (KDP), published an article written by the Party's general secretary, suggesting that historically the term 'Iraq' was used to describe a land much smaller than what is known today as Iraq. *Khabat* further explained that Kurdistan had never been part of Arab land, and the part annexed to Iraq is part of Kurdistan, not the Arab land. *Khabat* stressed that the term 'Iraq' as a political entity was formed after WWI by forcible annexation of 'southern Kurdistan to Iraq by the British'. From *Khabat's* perspective, Iraq consisted of 'southern Kurdistan and the Arab part (Mesopotamia)'. Finally *Khabat* re-emphasised that only the Arab part of Iraq is part of the greater Arab homeland and the Kurdish part was a part of the greater Kurdistan region (*Khabat* 9/10/1960). This view is shared by most Kurdish nationalists. Kurdistan is considered by Kurdish nationalists to have always been a separate homeland from Arab-Iraq (Talabani 1970: 6-7; Mella 2005: 21; Mohammad 2006: 10-12; KRG 2007). In light of the above discussion it can be argued that the ability of the modern Kurds to develop Kurdistan as their 'imagined' national identity is proof of the status of the Kurds as a NWS with its own nationhood project. Viewing the Kurds as a NWS, Kurdish nationalists and historians have historically held that Kurdistan has never been part of Iraq. For them, Kurdistan is an 'authentic' national identity and the identity of Iraqi has been 'artificially' imposed upon the Kurds. It is wholly and unmitigatingly unacceptable. The Kurds' rejection of Iraqi identity for the past nine decades has resulted in the clash of identities between the Arab and Kurdish peoples.

Map 1: The map of Greater Kurdistan as imagined by the modern Kurdish nationalist movement (KNCNA 2010).

Map 2: The map of 'Greater Kurdistan' on the cover of 2008 KRG textbooks for grade 12 students. The map shows the four parts of the Greater Kurdistan region as a single country (KRG-ME 2008).

2.2. The Iraqi Nationhood Project and the Kurds

An examination of the Iraqi nationhood project shows the irreconcilable and the oppositional nature of the respective Kurdish and Iraqi nationhood projects. Iraq's nationhood project has several ramifications. The first is the denial of Kurdish self-representation as a separate nation. Iraq's strategy was to eliminate the Kurdish nationhood project and to impose its nationhood project on the Kurds. This was often done by forcibly assimilating the Kurds into Arab society and/or crafting an Arab identity for them. The Kurds were viewed as 'prospective Arabs' by successive Iraqi regimes. The 'rediscovery' of Kurdish Arab origins was used to constrain the Kurds' self-representation as a separate nation. During the era of the monarchy, Iraq's mainstream media and state discourse officially refrained from using the words, 'Kurds,' 'Kurdish people', or 'ethnic Kurds' (Sharif 2007: 183). The Kurds were re-categorised as 'Kurdish elements' or 'northerners' (Talabani 1970: 179; Kosrat 1985: 50; Sharif 2007: 183). Sati' al-Husri, who is considered as a father of pan-Arab nationalism and the engineer of the Iraqi education policy, laid the theoretical foundation for the systematic Arabisation of the Kurds. His Arabisation project was based on two pillars: 'finding' the Arab origin of the Kurds, and legislating their forced Arabisation. According to him an Arab was one who inhabited Arab lands and spoke Arabic regardless of origin or race. From his viewpoint Iraq was an Arab country, and since many Kurds do indeed speak Arabic, Arab identity

extended to them as well regardless of ethnic origin, self-identification or cooperation (al-Husri 1967: 1-10; al-Husri 1985: 157).

After the monarchy, Iraqi official discourse and media outlets followed their predecessors' policies denying the Kurdish people's separate national identity and their distinct ethnic heritage. After the overthrow of the monarchy by Abdul Karim Qasim and his colleagues in the Iraqi army, the pro-Qasim *al-Thawra* and *Baghdad* newspapers explicitly called for the assimilation of the Kurds into the Arab melting pot (see: *al-Thawra* 17/02/1961; *Baghdad* 20/8/1960; 23/8/1960; 24/8/1960).[7] Qasim, who seized power in a 1958 coup d'état and remained Iraqi prime minister until his death in 1963, stated that the Kurds were not a nation or an ethnic group, and the term 'Kurd' historically had been used for Persian nomads (*al-Thawra* 17/2/1961; Jawad 1979: 176; al-Botani 2001: 71). Qasim's rival and successor, Abdul-Salam Arif, who overthrew Qasim in a coup in 1963, revived al-Husri's ideologies and conducted a propaganda campaign that reconstructed the Arab origins of the Kurds (Natali 2000: 103; McDowall 2004: 314-315). Several books were published during his rule including al-Fil (1965) that emphasised the Arab origin of the Kurds that supposedly immigrated from the Arabian Peninsula to their present homeland.

When the Baath came to power in 1968, the policies of Kurdish assimilation and denial of Kurdish identity continued. Constructing a convincing myth of the Arab origins of the Kurds became a permanent enterprise in the official Ba'ath agenda that controlled Iraq between1968 and 2003. According to senior Ba'ath leader and historian, Hani al-Fukaiki, establishing Arab roots for the Kurds was one of the primary missions of the party since its beginning (al-Fkaiki 1993: 76). In his research on the Arab origins of the Kurds, Ba'ath researcher Naji Maruf provided detailed information on the 'Arab background' of the Kurds (Maruf 1979: 97-100). In 1989 the Ba'athist affiliated *al-Watan al-Arabi* magazine published two so-called scientific research articles that purported to 're-discover' the Arab roots of all Kurdish tribes (*al-*

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[7] Qasim initially offered a degree of recognition to Kurdish rights. For example, he stated that "Iraq is not only an Arab state, but an Arabo-Kurdish state" (cited in Natali 2000:266). As a gesture to his belief that Iraq is an Arabo-Kurdish state, he introduced an article to the Iraqi constitution. Article 3 stated that "Arabs and Kurds are considered partners in this homeland". He also placed a yellow sun on the Iraqi national flag and a Kurdish dagger (*al-Waqai' al-Iraqiya* 27/06/1959). Moreover, it was under Qasim's rule that, for the first time, a Kurdish party, namely the KDP, was officially licensed. For further details about Qasim's position on the Kurdish issue, see Chapter Six (pp. 101-103). However, he changed his discourse following the Kurdish rebellion in September 1961.

Watan al-Arabi 1989a; 1989b). These articles were translated into Kurdish and published by the state-owned magazine, *Roshin-Biri Nwe* (1989). They emphasised the superiority of the Arabs as a nation vis-a-vis the Kurds that supposedly lacked a distinct ethnic heritage. The belief in the existence of Arab elements among the Kurds was concocted to superimpose Arab identity upon the Kurdish identity.

From the Ba'ath party's perspective, the Kurds are potential members of the Arab ethno-cultural community. According to Article 10 of the Ba'ath constitution, "an Arab is anyone that lives in or wants to live on Arab lands, secure affiliation with the Arab nation and whose language is Arabic (ABSP 2007). Thus, the three Ba'athist criteria for being 'Arab' was (1) one's ability to speak Arabic, (2) living on Arab land and (3) affiliating with the Arab nation. These criteria deserve further investigation. Language was the first Ba'athist criterion for being considered as part of the Arab nation. How this criterion was meant to assimilate the Kurds is clearly described by Khayrullah Tulfah.[8] He emphasised that anyone who dwelled within the Arab homeland and can speak Arabic is an Arab regardless of ethnic origin or desire (Bengio 1998a: 111). Since the creation of Iraq in the 1920s, the Arabic language has been the compulsory language of instruction in all schools and levels of study in Kurdistan. Though often only partially carried out, at least until 1991 most Kurds that attended public schools or served time in compulsory military service were considered to be bilingual. Since they spoke Arabic, they were counted as potential Arabs.

The second Ba'athist criterion for being considered as part of the Arab nation was living on Arab land. According to Article 7 of the Ba'ath constitution , "the Arab homeland was a stretch of land inhabited by the Arab nation that extended between the Taurus Mountains and the mountains of Bstquih and the Gulf of Basra" (ABSP 2007). Accordingly, Iraqi Kurdistan was indisputably 'Arab land'. It is noteworthy that not only the Ba'ath constitution, but all Iraqi constitutions ratified between 1958 and 2003 emphasised (i) the Arab identity of Iraq and (ii) Iraq is part of the 'greater Arab nation.[9] Thus, as residents of 'Arab land,' the Kurds met the second Ba'athist criterion for being considered 'Arab'.

The third Ba'athist criterion for being considered 'Arab' was one's affiliation to the Arab nation. Michel Aflaq (1910-1989), the founder of the Ba'ath Party, and the founding father of Pan-Arabism and the mentor of Saddam Hussein, left a significant mark in this regard. In Aflaq's attempt to find a theoretical

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8 Khayrullah Tulfah was defence minister, senior Ba'athist leader, and uncle, father in law and mentor of former president Saddam Hussein.

9 For example, see Article two of the *Iraqi Interim Constitution-1958*; Article one of the *Iraqi Interim Constitution-1964;* Article one of the *Iraqi Interim Constitution-1968*; and Article five of the *Interim Constitution of Iraq-1990.*

basis for the Arab origin of the Kurds, he categorised minorities into two groups: (1) those with distinctive and clear ethnic characteristics, and (2) those with no specific characteristics. The former was comprised of 'special nations/ethnic groupings' (al-Qawmiya al-Khasa) and the latter was comprised of non-ethnic/national groups. According to Aflaq's schema, to be considered as a 'special ethnic/national group' the group must possess its own land, history and civilisation. Since the Kurds had lived on Arab land within Arab society for centuries, they failed the test of 'possessing their own land'. He also argued that there had not been a single Kurdish rebellion in history (Aflaq 1987: 219-220). Aflaq stressed that these people lived within and were integrated into Arab society while defending Arab land. Therefore, he claimed, the Kurds had no unique history but shared history in common with the Arabs. Accordingly, the Kurds failed to create their own civilisation, but instead accommodated to Arab civilisation and adopted its values as their own (Aflaq 1987: 219-220). Thus for Arab nationalists the Kurds were neither a special nation/ethnic group nor a nation different from the Arab nation (Aflaq 1987: 220). Aflaq concluded that because of their deep integration into and intermingling with Arab history and participation in Arab glories, the Kurds gained a special status. This meant that the Kurds were Arab Muslim citizens like other Arab Muslims and there was no difference between them. Simply put, the Kurds are Arabs (Aflaq 1987: 37, 133).

On many occasions Saddam Hussein made claims similar to those of his mentor, Aflaq. He stated that the "[Arabs and Kurds] are Iraqis and they belong to the Arab nation's tradition, heritage, glory and honour, and they look forward to carrying out their role honourably in the service of the Arab nation" (Cited in Bengio 1979-1980: 512). In 1979 Hussein stated that to be a Kurd did not contradict being part of the Arab nation (*al-Thawra* 23/2/1979). Hence the Kurds were Arabs by nature of their ability to speak Arabic, their residency on Arab land, and their affiliation with the Arab nation, as claimed by Arab nationalists. Thus, ever since its foundation the Ba'ath Party attempted to legitimise the assimilation, accommodation and Arabisation of the Kurds.

Several Ba'ath policies derived from the stylised imagined idea of the Arab origin of the Kurds. The first was the forced assimilation of the Kurds through the 'nationality correction' policy. In 1977, after almost a decade of Ba'athist totalitarian rule in Iraq, Aflaq assessed the Arabisation process. He conceded that some minorities inhabiting Arab land had retained their Arab identity, while other segments of the population had not been fully integrated into the Arab nation (Aflaq: 1987: 220). Following his direction, several Kurdish religious groups and tribes were forced to change their identities to 'Arab'. Consequently, in an official statistic that was published in 1977, these groups had been officially and forcibly registered

as Arabs. The main target of this process was the non-Muslim Kurdish religious groups such as Yezidis, Kakays and Christians (Mina 2012: 246-247). Arab identity was also superimposed upon Kurdish tribes inhabiting mixed areas such as the Shabaks, Gargars, Salayi, Gezh, Palani and Kikan (Talabany 1999; Kirmanj 2010: 170; Mina 2012: 247-249).

By 2001 the correction of ethnicity or nationality became Iraq's official policy. The Revolutionary Command Council (RCC)[10] officially introduced the "nationality correction" code which supposedly 'corrected' the ethnic identity of the Kurds and other minorities. These minorities were ordered to avow that they had been mistakenly registered as non-Arabs and that they now wished to reclaim their Arab origins (*al-Waqai' al-Iraqiya* 17/09/2001). Although the policy was designed for all non-Arab minorities of Iraq, it was used primarily against the Kurds (Burns 2002). By 2001 one-third of the Kurds lived in areas and cities that were ruled by the Iraqi government; therefore at least one-third of the Kurds had faced these measures. Harsh punishment including confiscation of lands and properties, deportation, displacement, and imprisonment was applied to those unwilling to change their identities (Mohammad 2006: 220-230). Prior to this, another decree was issued by the RCC in 1988 that prohibited the Arabs from changing their ethnic identity to Kurdish or any other identity. In addition to the rejection of one's appeal to change his/her nationality from Arabic to Kurdish, the resistor could face at least one year of imprisonment for not changing his/her identity to Arab (*al-Waqai' al-Iraqiya* 12/12/1988). Thus, the first ramification of the Iraqi nationhood project was the denial of the Kurds self-representation as a separate nation and/or separate ethnic group.

The second ramification of the Iraqi nationhood project was the de-legitimation of Kurdish rights as an ethnic group, and their right to self-rule. During the monarchy Kurdish nationalist claims were perceived as part of a British conspiracy against the Iraqi state and its Arab identity. This was the main discourse of both pro- and anti-British Iraqi politicians (Emin 2000: 24). Others, however, described the Kurdish revolts as communist movements (Barzani 2003a: 176). Post invasion regimes followed the same norm. Qasim, for example, maintained that "all previous Kurdish revolts in Iraq were instigated by imperialism" (cited in Jawad 1979: 176). In 1966 President Abdul-Salam Arif of Iraq called the leader of the Kurdish rebellion (1961-1975), Mustafa Barzani, a "puppet of imperialism" (*al-Jamhurriya* 13/02/1966).

The Ba'ath party further developed this notion and adopted it as its official stance when dealing with the Kurdish issue. Aflaq, for instance, argued that while the Kurds were part of the Arab nation, the Kurdish

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10 The Revolution command Council (Majlis al-Qyade al-thewre) chaired by Saddam and all its members were senior Ba'ath and almost exclusively Sunnis. It was the highest authority institution in Iraq and his decrees were dealt with as constitutional decrees.

patriotic movement should be considered as a legitimate and original part of the Arab revolution against imperialism. According to his ideals, the Arabs emerged as nationalists and a patronizing 'big brother', while the Kurds were portrayed as dwellers of the Arab homeland. Therefore, the Kurds' only right or purpose was to be Iraqi patriots and defend the Arab nation and cause (Aflaq 1987: 38). According to this view, the Kurdish patriotic movement of Iraq should not be seen as contradictory to the Arab revolution. If it were, it would require an imperialistic interpretation to discredit it. Aflaq further insisted that Kurdish nationalist and ethnic movements only began when Western imperialism entered the Arab homeland. He insisted that Kurdayeti was an imperialist legacy; the distinctiveness of Kurdish ethnicity, language and history was also seen as an imperialist project designed to divide Arab countries (Aflaq 1987: 37-38, 142, 219)Thus, Ba'athist discourse reconstructed binary nationalisms by superimposing a 'superior Arab nationalism' as a historical fact and by portraying the 'artificial' and 'treacherous' *Kurdayeti* as a counterfeit movement created by imperialistic forces against the Arab nation.

The third ramification of the Iraqi nationhood project was the criminalisation of Kurdayeti and the portrayal of the Kurdish issue as a security matter. Kurdayeti rejected the Iraqi patriotic and pan-Arab nationalist principles and ideals, and instead developed their own Kurdish brand of nationalism and patriotism. Kurdayeti, as will be explained, remained the main challenge to Iraqi integrity and its Arab identity. The hegemonic discourse of the Iraqi state involved the accusation of the Kurds as being in diabolical alliance with enemies of the Arab nation, namely imperialism, Zionism and Iran (see ABSP 1983: 45; Aflaq 1987: 142; Hussein 1998: 48-49). The Iraqi mainstream media and official discourse often refrained from identifying or mentioning the Kurdish parties or leaders by name. Whenever the Kurdish question was mentioned in Iraqi state discourse, Kurdish nationalist were portrayed as traitors, agents of imperialism, plotters, conspirators, collaborators with the enemy, criminals, and saboteurs. The areas controlled by Kurdish rebellions were described as 'pocket[s] of foreign agents', 'the other Israel', 'the second Israel', and/or 'the offspring of treachery'(see al-Ghamrawi 1967: 394; al-Taghalubi 1967; *al-Hayat* 16/3/1970; *al-Jamhuriya* 13/9/1983; *Hawkari* 24/3/1988, 28/04/1988, 18/08/1988; *Rengin* 1988; al-Barak 1989: 48; *al-Iraq* 18/03/1993). Viewed this way, the war against Kurdayeti became associated with the Arab war against imperialism and Zionism (ABSP 1983: 58). Thus, another policy that derived from the Iraqi nationhood project was the criminalisation of the Kurdish nationalist movement due to its supposedly imperialist backing.

The Iraqi representation of Kurdayeti as a security issue that threatened the Iraqi state was used to legitimise and justify state-sponsored military violence against the Kurds. It came in the form of the

genocidal operation known as the Anfal operations. It involved the gassing of civilians, destroying over 4,000 Kurdish villages, the displacement and resettling of 1.5 million Kurds, and the depopulation of 45,000 out of 75,000 square kilometres of Kurdistan (Graham-Brown 1999: 214; McDowall 2004: 360; Gull 2007: 57). Kurdish-Iraqi relations were dominated by constant, systematic and widespread violence by the Iraqis. The Iraqi perception of the Kurds as plotters, conspirators and enemies justified this sustained violence and unrelenting oppression. Hence, the oppositional nature of the Kurdish and Iraqi nationhood projects along with their exclusivist respective visions continue to be an important contributing element to the constant state of conflict between Iraq and Kurdistan, the evolution of Kurdish nationalist organisations into a quasi-state and the further disintegration of the Iraqi state.

2.3. Conclusion

The Iraqi-Kurdish conflict was a clash of two contradictory and antagonistic nationhood projects: Kurdish and Iraqi. The Kurdish project was built on the perspective that the Kurds were a nation and eligible to establish its nation-state on their traditional homeland of Kurdistan. The Kurdayeti and its national project emphasised several fundamental principles. The Kurds' 'imagined community' was separate and opposed to the Iraqi imagined community. Kurdayeti claimed that the Kurds were a distinct people group that shared a culture, possessed a common myth of descent (ancestry), and had an integrated history associated with Kurdistan. Moreover, Kurdayeti preceded Iraqi nationalism and had deep roots in the past. Furthermore, the Iraqi Kurds and Arabs never shared a common memory, ancestry, culture, language, history, territory or national identity. Another fundamental principle was that the imagined national identity of the Kurds existed long before the creation of Iraq; Kurdistan represented a separate territory and had a well-established 'imagined' national identity. In addition, Kurdistan not only possessed an identifiable territory, but it was considered to have been a political entity throughout history. Another principle is the glorification of the political culture of self-governance and indirect rule. The final principle is the Kurdayeti's rejection of Iraqi national identity. Kurdayeti emphasised that the Kurdish homeland had never been part of Iraq or a part of an Arab land and/or territory and Iraqi had never served as the national identity of the Kurds prior to the creation of the modern state of Iraq. Kurdistan and Iraq were consisted of two separate homelands: the Arab part of Iraq was part of the greater Arab homeland and Iraqi Kurdistan was part of the Greater Kurdistan region. Iraqi identity and nationalism was an alien phenomenon to the Kurds, artificial and externally imposed and therefore it was rejected.

The Iraqi nationhood project, in contrast, stressed the unitary integrity and Arab identity of the country. Iraq as an Arab country and part of a greater Arab homeland was emphasised by all successive Iraqi

regimes and reaffirmed in all Iraqi constitutions ratified between 1968 and 2003. The Kurds were denied their status as a separate nation, and their ethnic identity was often denied as well. The mainstream media and political discourse of successive Iraqi regimes viewed the Kurds as potential Arabs or an ethnic minority inhabiting Arab land. Residing on Arab land and affiliating with the Arab nation justified the forced assimilation and Arabisation of the Kurdish people. Successive Iraqi regimes suppressed the Kurds' distinctive identity, claiming an Arab origin for the Kurds. They encouraged the Kurds to assimilate into Arab society andlegislated the forced Arabisation of the Kurds. At least until 2003, the Kurds' nationhood project was rejected and criminalised as an imperialist conspiracy designed to divide an Arab land. Kurdish nationalists were portrayed as underground plotters that conspired with the enemies of the Arab nation (e.g., imperialist and Zionist forces) to occupy and dismember Iraq.

In sum, the Iraqi perception of the Kurds as plotters, conspirators and enemies of the Arab nation justified sustained state-sponsored violence and militaristic strategies against the Kurds. The Kurdish issue was perceived as a security threat to the very nature of the Iraqi state. To contain this threat, state-violence and militaristic strategies levelled against the Kurds prevailed and became an important part of Iraq's Kurdish policy. To fulfil their nationhood project and to challenge state-sponsored oppression, the Kurds remained in a state of rebellion against almost all successive Iraqi regimes during the twentieth century. The oppositional nature of the Kurdish and Iraqi nationhood projects and their respective exclusivist visions was an important contributing element to the constant state of friction and conflict between Iraq and Kurdistan. Accordingly, Iraqi-Kurdish relations in modern Iraq were dominated by the clash of two contradictory nationhood projects, the constant reproduction of violence and rebellions, and the inevitable failure of the Kurds to integrate into Iraq.

Chapter Three

3. The Annexation of Kurdistan to Iraq and its Influence on Kurdish-Iraqi Relations

This chapter connects the issue of the annexation of Kurdistan to Iraq in the 1920s to the Iraqi-Kurdish conflict. It begins with investigating the manner in which Kurdistan was incorporated into Iraq and the Kurds' role in the creation of the Iraqi state. The investigation focuses on the pattern of voting of the Kurds during the plebiscite confirming Faisal as King of Iraq, the Kurdish participation in the Constituent Assembly in 1924, and the referendum on the future of Kurdistan (Mosul wilayet) in 1925. The creation of Iraq and the incorporation of Kurdistan into Iraq are interpreted from the Kurdish perspective. How this process reshaped the Kurdish nationhood project and the Kurds' integration into Iraq is examined with attention to the principles underlying the Kurdish nationalist project: the Kurdish political parties' policies of anti-imperialism and pro-leftist tendencies; the insistence on self-determination; and the mantra of voluntary union with Iraq. The chapter ends with a discussion on how Iraq perceived these principles of the Kurdish nationhood project and how it affected the Kurds' integration into Iraq.

3.1. The Foundations for Annexing Kurdistan to Iraq

There are compelling arguments that support the idea that the creation of Iraq resulted from a natural process based on mutual considerations and common interests of the Kurds and Arabs. Three significant sources of evidence explain the Kurds' role in the creation of Iraq: (1) the Kurdish vote for Faisal as King of Iraq, (2) the Kurdish participation in the Constituent Assembly in 1924, and (3) the willingness of the Kurds to be part of Iraq based on their formal decision to include Kurdistan with Iraq. In the following section these understandings will be examined and elaborated on.

3.1.1. The Kurdish Vote for Faisal as King of Iraq

One of the most important steps to facilitate the Kurds' annexation to Iraq was their participation in a plebiscite designed to determine whether Iraq accepted Prince Faisal as King of Iraq. It is believed that Faisal won 96 percent of the vote in a 1921 referendum to elect him as a king of the new established state of Iraq (Walker 2003: 29-41; Niall 2003; Yaphe 2003: 392). Faisal's election by the majority is emphasised by well-known Iraqi and western historians Such as Khadduri (2000: 84), for example, who claimed that Faisal "was proclaimed King of Iraq by the majority of its people". Walker (2003; 29-41) represents western scholars that insist that "democratically endorsed, King Faisal took his throne". This argument is used to demonstrate Kurdish support for Faisal prior to the annexation of Kurdistan to Iraq. If

we consider that the total votes for Faisal was at 96 percent, then one can say that the overwhelming majority of Kurds voted for Faisal as their king. In other words, since the Kurds constitute around 20 percent of Iraq's population, even if all four percent that rejected Faisal were Kurds, the fact remains that around 80 percent of the Kurdish vote must have favoured Faisal. Two important conclusions may be drawn from the Kurdish vote for Faisal. First, their vote could be considered as a plebiscite on accepting both Faisal as their ruler and the incorporation of Kurdistan into Iraq. Second, at the time of the plebiscite in 1921 when the Iraqi state was placed under the League of Nations mandate, Kurdistan was not included in it. This could mean that the Kurdish agreement and willingness to be part of Iraq preceded the formal incorporation of Kurdistan into Iraq by four years. Hence, based on this argument one could say that there were strong grounds for, and a Kurdish willingness, to be a part of Iraq.

The degree of democracy in Faisal's election and the Kurds' support for him, however, is questionable. First, Arnold Wilson, the British civil commissioner in Baghdad in 1918-1920, explains that in 1922, only one year after this 'election', a widespread rebellion demanding an independent Kurdish state engulfed most parts of Kurdistan (Wilson 1931: 137). Second, an independent Kurdish Kingdom was proclaimed in 1922, just one year after the 'election' of Faisal, by Sheikh Mahmud. Wilson stressed that Mahmud's claim for independence had popular support. He states that "four out of five people supported Sheikh Mahmoud's plans for an independent Kurdistan" (Wilson 1931: 137). Thirdly, an investigation of the election process undermines Iraqi and British statements regarding Faisal's popular vote in Kurdistan. At least two out of three Kurdish governorates of that time rejected Faisal. Kirkuk rejected him completely and the whole Sulaimaniya region boycotted the referendum altogether (Talabany 1999; Lyon 2002: 96; McDowall 2004: 167). Only Erbil province and the Kurdish districts of Mosul province voted for Faisal. Thus, at least half of the Kurdish population did not actually vote for Faisal and therefore real Kurdish support for Faisal was nowhere near the earlier figure claimed by the British and Iraqi officials.

In his memoir, Wallace Lyon, who was a British Adviser/Inspector of Erbil during the election, explained that on election day "the tribal chiefs and city elders [of Erbil] were gathered together and asked to sign the petition for Faisal" (Lyon 2002: 95). First, there was not a real 'election', but rather a process of signing the petition. Second, the chiefs and elders had not gathered willingly, but were gathered together by colonial forces. Third, the chiefs' and elders' opinions were not considered; they were asked to sign for Faisal. Fourth, the process of signing the petition was limited to the city chiefs and elders. In other words, the majority of the city's population, and the whole population of the governorate districts and rural areas (including their chiefs and elders) were excluded. Considering that the majority of the population in 1921

were residents of rural districts, it is clear that the vast majority of the population was excluded from any such referendum. Even city's chiefs and elders "were reluctant [to sign the petition for Faisal] and asked about other candidates" (Lyon 2002: 95). That is to say, there was no competition between several candidates; Faisal was the only one. Lyon admits that he threatened the chiefs and nobles that if they didn't sign the petition, "the British would be annoyed and perhaps send out columns of troops". He added that, "as most inhabitants were Kurds, if there had not been his persuasive method [i.e., threats of sending out columns of troops] it was not an easy matter to get their…signatures for Faisal" (Lyon 2002: 95). Lyon also admitted that "the election was rigged" and "the King was foisted on Iraq by the British government" (Lyon 2002: 96). The 'election' of Faisal was merely a façade to provide symbolic legitimacy to a newly created Iraq. Faisal was not an elected figure at all; rather, he was imposed on most of the Kurds. Thus, if the election of Faisal is to be considered as a plebiscite over the decision to incorporate Kurdistan into Iraq, it is clear that the majority of the Kurds rejected the extension of Iraqi rule to Kurdistan.

3.1.2.   Kurdish Participation in the Constituent Assembly in 1924

The Kurds' participation in Iraqi elections in 1924 is another foundation used as a basis for including Kurdistan into the newly formulated Iraqi state. Some scholars, including Kurdish ones, argue that the Kurds participated in building the Iraqi state during the formation years of Iraq. For example, it is argued that with the exception of Sulaimaniya, the Kurds from all of Kurdistan participated in the Iraqi Constitutional Assembly in 1924 (Fieldhouse 2002: 38). Even Sulaimaniya deputies that wanted to represent their city went to Kirkuk (which was under British control) and became deputies from Sulaimaniya in the Iraqi Assembly (Emin 2000: 15). Furthermore, the Kurds also participated in the second and third elections of 1928 and 1930 respectively (Omer 2007: 2-4). The 1930 elections' main task was to prepare Iraq for independence from the British and to gain its membership in the League. To be elevated to such a position, Iraq was bound to several conditions, among which was the observance of minority (Kurdish) rights. Moreover, it seems that Kurdish participation was not limited to legislative institutions; from the very beginning, Kurdish intellectuals and ex-Ottoman officers "became enthusiastically engaged in creating the Iraqi [state]: its army and civil administration" (Mirawdeli 2003). The Iraqi army was established by six ex-Ottoman officers, three of them Kurdish (Sabir 2005: 58).

Based on the above argument, several implications can be derived. First, deputies from all governorates of Kurdistan participated in the first assembly. Kurdish participation preceded or coincided with the League of Nations' recommendation to incorporate Kurdistan into the Iraqi state in 1925. Therefore, the Kurdish

presence in the Iraqi assembly could be interpreted as the Kurdish decision to be part of Iraq even prior to the official incorporation of Kurdistan into Iraq. Second, in 1924, the assembly had two main missions with regard to reshaping Iraqi internal and external statuses. These two missions were to ratify the British-Iraqi treaty and to ratify a draft of the Iraqi constitution (Emin 2000: 15). Accordingly, the Kurds had an opportunity to present Kurdish views and interests on both constitutional and international levels. By implication, therefore, it could be said that the Kurds not only demonstrated their willingness to be part of Iraq, but through their deputies, they participated in the creation of this state. Accordingly, the Kurds were involved in processes that could be considered as the basic foundations on which the Iraqi state would be built.

However, on closer inspection it seems that Kurdish participation was more symbolic than 'real'. The Kurds constituted only 11 out of 88 deputies in the assembly, making them an under-represented minority (Emin 2000: 16; Omer 2007: 3). It was not until 1928 that they held a ministry position in the Iraqi cabinet (*Zhiyan* 16/02/1928). It may be inferred that at the official level the Kurds were from the beginning a marginalised minority with little effect on political processes. Most Kurdish deputies came— not from free elections in Kurdistan but appointed by the British or Faisal (Emin 2000: 26; Hilmi 2003: 268-269). Therefore, the Kurdish deputies often obeyed English and Iraqi instructions and policies and avoided any call for Kurdish rights that might have offended the authorities (Emin 2000: 16). Most of the Kurdish deputies were either not residents of Kurdistan, and thus not familiar with Kurdish demands, or they were Arabised Kurds that lacked Kurdish nationalist sentiments (Mazhar 2001: 481).

Furthermore, Kurdish member of Iraqi Parliament were often accused of being puppets and agents of the Iraqi authorities and they were therefore in no position to defend Kurdish interests; rather, they favoured the British or the Iraqi government (*Zhiyan* 23/2/1928; Barzani 2003a: 160). Thus, the majority of the Kurds did not participate in the election process, and the Kurds that were elected to represent the Kurdish population lacked any real representation within Kurdish society. Consequently, the way that the Kurds participated in the formation period of the Iraqi parliament and government did not gain their support and recognition of the Iraqi state as a legitimate entity. It was rather a counterproductive process in which the Kurds were further alienated from the Iraqi authorities.

Figure 1: Sheikh Mahmud's army under the banner of the Kingdom of Kurdistan (Meiselas 2008).

3.1.3. The Inclusion of Kurdistan within Iraq as the Kurds' Expressed Desire to the League of Nations

The Kurds participated in a referendum arranged by the League of Nations in 1925 pertaining to the destiny of the Mosul Wilayet (Iraqi Kurdistan). This is another process that should be scrutinised to understand whether it may be considered as a foundation for incorporating the Kurdish area into Iraq. To determine the future of the province of Mosul, the area that constituted the major area of Kurdistan, the League of Nation's Fact-Finding Commission (FFC) was established by the League in September 1924 (Talabany 1999: 21; Shields 2004: 57). The mission of the FFC was to find out whether the people of Kurdistan were Turks or Iraqis. The commission, however, found that the "desires expressed by the population [were] more in favour of Iraq" (*League of Nations 1925:* 88).

In line with the FFC findings, many Iraqi historians emphasised that the incorporation of Kurdistan into Iraq reflected the desire of the Kurdish population to be part of Iraq rather than Turkey (Hussein 1977: 230-232; al-Bayati 2005: 378). Al-Bayati holds that incorporating Kurdistan into Iraq was mainly due to the efforts of Kurdish patriots and nationalists of Sulaimaniya province to change the balance in favour of inclusion into Iraq. He also insists that the Kurdish desire to join Iraq had a historical, patriotic, and political dimension that goes like this: under the leadership of Sheikh Mahmud the Kurds were closely connected to the Arab leaders in the south and centre of Iraq (al-Bayati 2005: 375-379). Al-Bayati claims that the Kurdish desire to join Iraq reflected Sheikh Mahmud's nationalist and patriotic (Iraqi) nature. He

suggests that the first sign of Kurdish feelings of Iraqi patriotism went back to 1915 and was embodied in Sheikh Mahmud's direct participation in the 1915 al-Shua'iba battle with the Arabs against the British. Mahmud had strong connections with the Shiite religious leaders through his quest to unite various forces in the patriotic struggle against the British. Al-Bayati concludes that these historical and patriotic sentiments of the Kurds were the main reason for the annexation of Mosul to Iraq (al-Bayati 2005: 379). Sheikh Mahmud was in line with Arab patriots (Iraqi nationalists) that insisted that Mosul was an indivisible part of Iraq. In this regard the Kurds' attitudes, it is argued, were in line with that of the Arabs (Hussein 1977: 230-232; al-Bayati 2005: 378).

However, the claim that the incorporation of Mosul Wilayat (Iraqi Kurdistan) into Iraq was based on the Kurds' expressed desire to the League of Nations is a myth that can be and should be dismissed. The credibility of the FFC report was undermined by its contradictory nature. First, in its report the FFC admitted that if the ethnic consideration had to be taken into account, an independent state of Kurdistan should be established (*League of Nations* 1925: 88). Moreover, an independent Kurdish state, according to Arnold T. Wilson, the first British High Commissioner who played a vital role in creating the Iraqi state, was a popular demand of the Kurds (Wilson 1931: 137). Nevertheless, the FFC ruled out the option of an independent Kurdish state and only offered the choice of union with Turkey or Iraq. Second, against its 'finding' of the Kurdish desire […] in favour of Iraq," the FFC admitted that "most of the people" did not possess "any feeling of solidarity with the Arab kingdom [of Iraq]" (*League of Nations* 1925: 88). In contrast to FFC recommendations and al-Bayati's arguments, in Sulaimaniya province, only 32 out of 6,000 people voted for Iraq (Eskander 2000: 158). Following the handover of Kurdistan to Iraq, Sheikh Mahmud revolted (see figure 1). In his revolt Sheikh Mahmud called for an independent Kurdish state. Third, since the FFC referendum was limited to tribal chiefs, sheikhs and religious notables, the majority of the population was excluded. Many of those that did participate were not aware of the goal behind the referendum and its political consequences; and they were not offered other alternatives (Talabany 1999; Shields 2004: 55).

The FFC recommendation more closely reflected British rather the Kurdish desires. As part of the conflict the British placed demands on Kurdistan on behalf of Iraq and they used their position as a mandate and colonial power in Kurdistan (Shields 2004: 53). The British were already involved in a dispute with Turkey, and were also in a fight with the Kurds over the future of Kurdistan (Beck 1981: 256-257). Just prior to the referendum, the British used all their means to eliminate the Kurdish national movement. With its massive bombing the British terrorised the Kurdish populace, destroyed the Kurdish government

of Sheikh Mahmud, and occupied its capital (Talabani 1988 24-26; Williams 2004). Meanwhile, to contain Kurdish opposition to attaching Kurdistan to Iraq, the British made generous promises. In two statements, a joint British-Iraqi statement in 1922 and the British High Commission statement of December 24, 1924, they promised protection for 25 years via the League's mandate and a local administration in Kurdistan (Fieldhouse 2002: 38; O'Leary 2002: 23; Shields 2004: 57-58).[11] This promise, however, was never fulfilled. The FFC report shows that "if these two factors [the 25-year mandate and local administration] had carried no weight with the persons consulted, it is probable that the majority of them would have preferred to return to Turkey rather than to be attached to Iraq" (Shields 2004: 56). Thus in the absence of other options, namely the establishment of a Kurdish state, coupled with the British military oppression of the Kurds and promises that they would be protected and guaranteed self-rule if they voted to join Iraq, those few Kurds that were consulted reluctantly voted for Iraq.

3.2. The Annexation of Kurdistan to Iraq from the Kurdish Perspective

The Kurdish perspective of the creation of Iraq is useful to point out the contradictory nature of the two nationhood projects: the Kurds as a Nation without a State (NWS) and the Iraqis as a Non-Nation State (NNS). It also helps to explain how the annexation of Kurdistan to Iraq has helped to shape the principles of Kurdish nationalism. It might be useful, therefore to explore the relation between the British role in incorporating Kurdistan into Iraq and the main principles of Kurdish nationalism. The sections below highlight the relations between these principles and the process of incorporating the Kurdistan region into Iraq.

3.2.1. The Kurds' Rejection of the League's Decision

The negative impact of the annexation of Kurdistan to Iraq is reflected in the Kurdish political discourse and literature throughout the last century. For example, from the beginning, Sheikh Mahmud, who fought for Kurdish independence from 1919 to 1932, rejected the legitimacy of the League of Nation's decision to authorise Britain to force Kurdistan to join Iraq. In a letter to the League he stated that their decision was a grave injustice that harmed the moral status and reputation of the League (see Emin 2000: 197-200). Nationalist poet Sheikh Salam described the League as a wily and deceptive organisation that had become a stick in the hands of the British (see Emin 2000: 147).

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11 On December 24, 1922 a joint British-Iraqi statement was issued that stated that the two governments "recognise the right of the Kurds living within the boundaries of Iraq to set up a Kurdish government within those boundaries and hope that the different Kurdish elements will, as soon as possible, arrive at an agreement between themselves as to the form which they wish that that government should take and the boundaries within which they wish to extend" (see, Fieldhouse 2002: 38).

Modern political discourse was also built on the rejection of the legitimacy of the process of annexation of Kurdistan to Iraq. For example, the KDP, the party that dominated the Kurdish political sphere since 1946, not only accused the League of disregarding the Kurdish voice for the realisation of their liberty, but it also described the League as "an agency of the imperialist countries". In its National Charter, ratified in 1946, the KDP accused the League of dealing with Kurdistan as war booty, its task being to safeguard British interests.[12] In 1970 Jalal Talabani, the leader of the politburo faction of the KDP, stressed the illegitimacy of the annexation of Kurdistan to Iraq and considered it as a decision imposed by the British (Talabani 1970: 210). Nawsherwan M. Emin, a nationalist leader who was second in charge of the PUK for three decades explained that the League was a protector of British interests and Kurdistan was attached to Iraq based on British interests and requests (Emin 2000: 257). Thus, Kurdish nationalists and political parties rejected the legitimacy of the League's decision to attach Kurdistan to Iraq.

3.2.2. Attaching Kurdistan to Iraq: A Decision imposed by the British

For many Kurds being part of Iraq was an imposition designed to fulfil the goals and intentions of British colonialism. Kurdish nationalists rejected the legitimacy of Iraqi rule in Kurdistan and this rejection became the main obstacle to Kurdish integration into the Iraqi state. Sheikh Mahmud insisted that the annexation of Kurdistan to Iraq was by means of force of arms. Highlighting the British role in this process, Mahmud stated that only with the help of the British army and the RAF could Iraqi Arab forces enter Kurdistan (*Zhiyan* 28/8/1930; *Serbekhoyi* 25/4/1992). Similarly, Sheikh Qadir, a Kurdish nationalist, stressed that only the presence of the British could enable the Arabs to enter Kurdish territory (*Zhiyan* 28/8/1930). Right or wrong, Sheikh Mahmud believed that were it not for the British support offered to the Iraqi state, the liberation of Kurdistan from Arab rule and the occupation of Baghdad by the Kurds would not have been possible (*Serbekhoyi* 25/4/1992; Emin 2000: 199*)*.

Later generations of Kurdish nationalists shared their predecessors' rejection of the legitimacy of the annexation of Kurdistan to Iraq and described it as an arbitrary decision. For example, in 1945 the Rizgari Party[13] issued a memorandum stating that Kurdistan was incorporated into Iraq by force without consulting the Kurds. The Rizgari also described the annexation as the dismemberment, exploitation and humiliation of the Kurds by 'hateful imperialism'.[14] Four decades later in 1988, Jalal Talabani, the

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12 For the full text of the NDP's National Chapter see (Andrews 1982: 66-67)

13 The Kurdish Liberation Party was founded in 1944 with the goal of establishing an independent Kurdish state. It was one of the main factions that participated in the establishment of the KDP in 1946.

14 For full text of the memerondum see Andrews 1982: 43-45

founder and the leader of the PUK since 1975 stated that Iraq, which included Kurdistan, was an artificial and problematic entity created by 'imperialism'. Talabani also insisted that the Kurds were forced to be incorporated into Iraq by British imperialist army forces against the rights and wishes of the Kurds. He also argues that the annexation was a gift to its 'puppet' regime, the Arab rulers of Iraq, for helping the British fulfil their imperialistic goals (Talabani 1970: 210; 1988: 25). Komala, the Tailor League of Kurdistan, was largest faction within the PUK until it dissolved in 1992. It accused the British, as occupier of Kurdistan, of attaching part of the Kurdish homeland to part of the Arab nation to establish the country of Iraq (*Komala* 1981: 19; 1983: 3). Another important organisation that rejected the legitimacy of the annexation of Kurdistan to Iraq is the Iraqi Kurdistan Front (IKF). The IKF was established in 1987/1988 as an umbrella for all Kurdish political parties including the PUK and the KDP. In in its constitution the IKF pointed out that the incorporation of Kurdistan into Iraq was an imperialistic decision that went against the wishes of the Kurdish nation (IKF 1988).

Founded in 1992, the Kurdistan Regional Parliament, then known as the National Assembly of the Kurdistan Region (KNA) or the Parliament of Kurdistan, stated that against Kurdish will and demands, southern Kurdistan was attached to Iraq by the use of force (KNA 1992). In 2008 a similar interpretation was given in decree no. 2 of the Kurdistan parliament. It insisted that because of colonial economic interests and hegemony southern Kurdistan was attached to Iraq (*Waqai' Kurdistan* 17/06/2008). Thus, it is widely believed that to fulfil imperialists' interests Kurdistan was annexed to Iraq; and it was done against Kurdish wishes and without considering Kurdish opinion.By the same token, *The New and Modern History*, a history curriculum for grade 12 of high school in the Kurdistan region, teaches that the Kurds' desire was for an independent state, but the League of Nations decided to annex Kurdistan to Iraq without consulting its population, the Kurds (*KRG-ME* 2008: 118-122). Thus, from Kurdish perspective the British used their own army to occupy Kurdistan and annex it to the Iraqi state. Viewed in this way, the majority of Iraqi Kurds rejected the legitimacy of the British and the League's decision to incorporate Kurdistan into a newly created Iraqi state in 1925.

3.2.3. British Colonialism as the Main Enemies of Kurdish Nationalism

Initially many Kurds looked to the British as their protector. But in 1932, the year that Iraq became independent, Kurdish anti-imperialism became one of the main characteristics of Kurdayeti and it has remained so during the last century. This is because the British role in the suppression of the Kurdish nationalist movement did not terminated with the annexation of Kurdistan to Iraq. From the 1920s until 1958 the British retained control of Iraqi affairs and they served as the guarantor of internal and external

order in Iraq by crushing all Kurdish rebellions. By 1926 the British and the League of Nations reneged on their promises to protect the Kurds and guarantee some form of Kurdish self-rule. Moreover, by 1930 the British announced unconditional support for Iraq's entry into the League of Nations without any formal safeguards in place for the Kurds (Edmonds 1959: 2; Sluglett 1976: 182-194; Fieldhouse 2002: 38; Farouk-Sluglett and Sluglett 2001: 128). Thus, Britain has been accused by many of 'betraying' the Kurds (Sluglett 1976: 182-194; McDowall 2004: 171).

The British role in Iraq actually went far beyond mere 'betrayal' of the Kurds. The Royal Air Force (RAF) suppressed the first Kurdish government under the leadership of Sheikh Mahmud in 1919-1920, and again in 1923 (Omissi 1990: 38; Ali 2003: 645). The RAF then helped the new Iraqi army put down revolts led by Sheikh Mahmud from 1924-1927 and 1931-1932 (*Istiqlal* 18/2/1931; Wenner 1963: 70; Talabani 1970: 60; Emin 2000: 156-172; Ali 2003: 524, 562-563). The British also played a key role in preventing Sheikh Mahmud from reviving his movement during WWII. In addition to the presence of the British army and its direct involvement, British forces encouraged and supported the Iraqi state in attacking Sheikh Mahmud's forces and declaring martial law in Kurdistan in 1943 (al-Barzani 2002: 123-125). The British, furthermore, played a decisive role in the defeat of another major Kurdish nationalist movement known as the 'Barzan revolts'. It is worth mentioning that Baghdad failed to suppress them and the Iraqi army was defeated in most battles against the Barzanis (al-Barzani 2002: 39; Ali 2003: 588-592). As in Sheikh Mahmud's rebellion, the Barzan revolt of 1932 was defeated only with the help of British troops and an extensive RAF bombing campaign (Elphinston 1946: 98; Olson 1992: 483; Corum 2000: 68; al-Barzani 2002: 39; Walker 2003: 29-41). Later in 1936 the RAF participated in the suppression of another Barzan rebellion led by Khalil Khoshewi (Mairakov 1963: 55-59; al-Barzani 2002: 40). In 1943 when Mustafa Barzani began his second revolt, the British moved its forces to Kurdistan to fight against him (al-Barzani 2002: 148, 151; Ali 2003: 607).

In 1945, following the defeat of the Iraqi army, the RAF bombarded the Barzan region, the heartland of the rebellions, and their villages (al-Barzani 2002: 209; McDowall 2004: 179-180; Sabir 2007: 128). Throughout the period of its domination in Iraqi politics, the British preferred to bomb the Kurds than to make political concessions to them (Olson 1992: 475-499). Thus, the British contributed directly and played a main role in the defeat of the last Kurdish rebellion during the monarchy. Consequently, for decades the imbalance of power between the Kurds and Iraqis was buttressed by the military support of Britain for Iraq against the Kurds. The British act of incorporating Kurdistan into Iraq and suppressing

Kurdish rebellions has reshaped the Kurds' stance towards the superpower. For many decades the struggle against colonialism, (i.e., the British) was a common goal of most Kurdish parties.

3.2.4. Usurping the Kurdish Right of Self-Determination

For many Kurds attaching Kurdistan to Iraq against its will meant the usurpation of their right of self-determination. Prior to the League of Nation's decision to annex Kurdistan to Iraq, many treaties and declarations provided for Kurdish self-determination. US President Woodrow Wilson's famous *Fourteen Points*, declared on January 8, 1918 is a prime example. President Wilson not only promoted the principles of self-determination, but he also aided and abetted the Kurdish hope to attain such a right. In Point 12 Wilson declared that "other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development".[15] The Paris Peace Conference held in 1919, an international conference in which a Kurdish delegation was represented, produced another international document that supported the principle of self-determination for the Kurds. Another international document is Articles 61 and 63 of the *Treaty of Sevres* (1920) which clearly proposed an independent Kurdish state.[16] The commonly held belief among the Kurds was that their right of self-determination was recognised in the Treaty of Sevres and they were thus entitled to practice such self-determination. Thus, the Kurds' hope to attain autonomy and independence has been formally substantiated.

However, these promises have never come to fruition; the Kurds were left without a state as they became a minority in the newly created state of Iraq. Many Kurds understood their right of self-determination to be usurped by the British and League of Nations. Most political parties, personalities and institutions in the last century described the annexation of Kurdistan to Iraq as a clear violation of the Kurds' right of self-determination. For example, in the 1940s the Rizgari Party stated that the awarding of Kurdistan to Iraq ultimately led to the denial of self-determination for the Kurds (see Andrews 1982: 45). The Kurdistan Toilers League (Komala), another influential political party, described the attachment of Kurdistan to Iraq as a usurpation of the Kurds right of self-determination (*Komala* 1983: 4). In 1988 Talabani, then secretary general of the PUK, held that the process was a clear violation of the Kurds' right

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15 For the full text of Woodrow Wilson's 14 Points, see *American History*, viewed 26/12/2009

<http://www.hbci.com/~tgort/14points.htm>

16 For the articles of the Treaty of Sèvres, see *WWI Document Archive*, viewed 11/08/2009,

http://wwi.lib.byu.edu/index.php/Section_I%2C_Articles_1_-_260>.

to self-determination (Talabani 1988: 6-7, 1970: 210). The IKF (1988) stated that the Kurdish question was a direct result of the usurpation of the Kurds' right to self-determination. In 1992 the Kurdistan National assembly (Parliament) stressed that the Kurds were entitled to practice their right of self-determination; but international interests have prevented them from carrying out this right (KNA 1992). Hence, for the majority of Kurdish nationalists, being part of Iraq was equivalent to the usurpation of their right of self-determination.

The denial of the Kurds' right to self-determination cut so deeply that it bred discontent, disorder, and rebellion throughout the years of the last century. The solution to the Kurdish question based on their right of self-determination became the theme of prominent Kurdish parties. As early as the 1930s, Tawfiq Wahbi, the authorised representative of many Kurdish organisations and leaders, called for the right of self-determination (Emin 2000: 287-296). A decade later the Rizgari Party demanded "full natural rights and full opportunity to self-determination" for the Kurds (cited in Andrews 1982: 44). The more conservative KDP that demanded autonomy until 1992 also emphasised the Kurds' right to self-determination. Attaining self-determination became the main article of the party program since its 11th conference in 1993 (KDP 1993; 2004; 2010). Self-determination became the theme of the PUK since 1985 (PUK 1986: 16; 1993: 5; 2001: 18). The IKF (1988) stated that a lasting and just settlement of the Kurdish question rests on the attainment of the right of self-determination. Consequently, Kurdish history in Iraq has been characterised by the domination of Kurdish nationalist parties that put the achievement of self-determination at the top of their agendas. Hence, the Kurdish demand for self-determination has historically been a fundamental principle of Kurdayeti and its nationhood project. It is probably correct to say that the failure of Kurdish integration into the Iraqi state was due to their unending quest for self-determination. However, it is incorrect to say that Kurdish self-determination is equivalent to the creation of an independent Kurdish state.

Historically, the right of self-determination has not gone beyond the decolonisation contexts. The international community does not allow minority nations that already belong to a 'sovereign' state to have self-determination. The Kurds' demand for such a right has been challenged by the international community itself, and this denial has been justified by the principle of state sovereignty and integrity, guaranteed by international law principles such as the UN Charter. In the case of the Kurds, this challenge is further complicated by the fact that the Kurds are divided among four sovereign states. This means that in addition to the opposition by the international community to the dismemberment of these sovereign states, these four countries individually and collectively oppose the formation of a Kurdish independent

state that would threaten each of their states' territorial integrity. Therefore, it has become extremely difficult for the Kurds to attempt to secede based on the principle of national self-determination no matter how enshrined the principle is in international documents.

Because an independent Kurdistan may not survive, many Kurdish mainstream leaders no longer aspire for independence. Since the 1960s, many Kurds have replaced the precarious goal of an independent Kurdistan with the desire of autonomy or a federalist system based on the voluntary union of the Kurds and Arabs. For example, in 1986 the PUK, then the largest Kurdish party in in Kurdistan, called for a voluntary union based on the right of self-determination within a federal and democratic Iraq (PUK 1986: 16). The collapse of the Iraqi state in 2003 was a historical opportunity for the Kurds to declare their independence. However, Jalal Talabani and his PUK party, that previously had actively proclaimed 'self-determination' as the party's main theme, rejected the opportunity to pursue independence. During this opportune time, it stated that an independent Kurdish state "could not survive because neighbouring Turkey, Iran and Syria would close their borders". He advocated remaining within Iraq as being "in the interests of the Kurdish people" (cited in Reuters 2009). Masud Barzani, the president of the KDP and the Kurdistan region insisted that the Kurds had rights of self-determination. However, he explained that a Kurdish state was a claim of suicidal nationalists (Barzani 2005). It appears that these two leaders' concerns related to the survivability of the Kurdish state, rather than their loyalty to Iraq. Therefore, both appear to be content to remain in a federal Iraq.

Another aspect that explains the correlation between the way that Iraq was created and the nature of the Kurdish nationhood project in modern Iraq is their call for voluntary union with Iraq. A union based on volunteerism is seen by the Kurds as a more realistic and pragmatic policy and remedy to arbitrary annexation and the usurpation of their right of self-determination. Through its first political program ratified in 1946, the KDP is probably the first political party that called for the voluntary unification between the Kurds and Arabs as an alternative to forced amalgamation (see Emin 2004: 188; Sharif 2007: 229). In 1956 the Iraqi Communist Party, under the Kurds' influence, proclaimed Kurdish internal sovereignty based on a voluntary and fraternal unification (Ahmed 2006: 140; Sharif 2007: 232). During the 1970s negotiations between the Kurds and Iraq over autonomy for Kurdistan, the Kurds insisted on the voluntary unification of the Kurdistan region with Iraq. The IKF (1988) that was ratified by eight Kurdish parties, states that Kurdistan Front's goal is to attain right of self-determination for the Kurdish people, and to achieve a voluntary and free union between the Kurdish and Arab nations within an

independent and democratic Iraq. Thus, the Kurds' notion of self-determination seems to be predisposed more to voluntary union, rather than separatism for pragmatic reasons.

Historically, the Iraqi government has rejected both the Kurds' right to self-determination and the notion of voluntary union. Probably one exception was the Interim Constitution of 1958, in which Article 3 stated that "Arabs and Kurds are considered partners in this homeland". Although it fell short of formally recognising a voluntary union, it was considered by Kurdish nationalists as a foundation that the unified edifice of Iraq could be built on (e.g., *Khabat* 04/04/1959; 07/12/1960; Talabani 1970: 210; Barzani 2003b; Kirmanj 2010: 115-116). For the first time the Kurdish nationalists under KDP leadership showed their commitment to the Iraqi state and labelled Iraq as "the republic of Arabs and Kurds" (*Khabat* 04/04/1959; 07/12/1960). However, neither the Iraqi partnership concept nor the Kurdish notion of the republic of Kurds and Arabs came to fruition. By September 1961 fighting between the Kurds and Iraqi forces had resumed on all fronts and continued intermittently until 1991. When the Arab nationalists led by Abdul Salam Arif came to power, the relevant article concerning the 'Kurd and Arab partnership' was removed in the *Iraqi Interim Constitution* (1964). In July 1968 when the Baath party initially took power it showed leniency toward Kurdish rights. In the ensuing negotiations between the Kurdish leadership and the Baath party in the 1970s, the Kurdish claim of voluntary unification was strongly challenged by the Iraqi insistence that the Kurdish area (or what they preferred to call northern Iraq) was an integral part of Iraq (Sinjari 2006: 277-294). The *Iraqi Interim Constitution* (1968) and the *Iraqi Interim Constitution* (1990) followed a more compromised approach to Kurdish demands. Both constitutions stipulated that "the Iraqi people are comprised of two principal nationalisms: Arab nationalism and Kurdish nationalism". The term 'Kurdish partnership', however, is unmistakably avoided.

Between 1991 and 2003, large parts of Iraqi Kurdistan was cut off from the rest of Iraq, and operated as if it were an independent country in all but name. However, the Kurds re-joined Iraq following the collapse of Saddam Hussein's regime in early 2003 as a consequence of the US invasion. The official Kurdish explanation, given by Masud Barzani and Jalal Talabani, was that they were under no obligation to reattach Kurdistan to Iraq. However, they chose a 'voluntary' union with Iraq (Barzani 2003b; 2005; 2006; Talabani 2005). Despite their pivotal role in post-invasion Iraq and their demands, the Kurds failed to gain the recognition from other Iraqis of their right of self-determination and voluntary union status. In the preamble of the *Iraqi Constitution* (2005), two clauses for 'voluntary union' can be found. The preamble starts with, "we the people of Iraq of all components and shades have taken upon ourselves to decide freely and with our choice to unite our future". It ends with "the adherence to this Constitution preserves for Iraq its free union of people, of land, and of sovereignty". Then, the first article

reemphasises that, "this Constitution is a guarantor of the unity of Iraq". Hence, it is a clear compromise of Iraqi integrity. Similar to previous constitutions, the post-invasion *Iraqi Constitution* (2005) dismissed the Kurds and there is no clear recognition of the voluntary unification between the two nations. However, for the first time in Iraqi constitutional history the unity of Iraq was compromised and became a conditional issue. Though the statement is vague pertaining to any future balance, the Kurds can use this article to justify their separation from Iraq.

Several interpretations may be provided for the permanent constitutional approach to the issue of Iraqi integrity. The term "the territory of Iraq is an indivisible entity," for instance, that has been emphasised in all constitutions since 1925, is removed. Additionally, the unity of Iraq and its land has been made conditional and subject to "adherence to this constitution". Many Kurds see those lines as a means of secession, an escape clause in the event of any future disagreement over internal affairs. For example, on many occasions KRG President Masud Barzani has emphasised that the Kurdistan Region's adherence to the unity of Iraq is subject to adherence to the constitution (*Khabat* 05/08/2009; 03/06/2010). Moreover, in 2006, Nechirvan Barzani, then Prime Minister of the KRG, threatened that:

> The people of Kurdistan chose to be in a voluntarily union with Iraq on the basis of the constitution.
> If Baghdad Ministers refuse to abide by that constitution, the people of Kurdistan reserve the right
> to reconsider our choice (KRG 2006a).

Similarly, Masud Barzani declared that "abandoning Article 140 [of the constitution] is a violation of the constitution which could threaten Iraqi unity" (KRG 2008). This version is clearly entrenched into the *Draft Constitution of the Kurdistan Region* (2009).[17] Article 7 of the constitution stipulates that:

> The people of Iraqi Kurdistan [...] have chosen out their own free will, to be a federal region within Iraq, as
> long as Iraq abides by the federal, democratic, parliamentary and pluralistic system, and remains committed
> to the human rights of individuals and groups, as stipulated in the Federal Constitution.

Thus, if the Kurdish notion of self-determination is more emblematic of voluntary union ratherthan separatism, then voluntary unification keeps Kurdish hopes of separation from Iraq alive.

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17 The *Draft Constitution of the Kurdistan Region* (2009) has been approved by a majority of the members of the Kurdish parliament. However, the referendum outlined in the draft has not been yet arranged. It is dealt with as an official document by the KRG.

3.3. Conclusion

The manner in which Kurdistan was incorporated into Iraq is an area that highlights the contradictory nature of the Iraqi and Kurdish nationhood projects. Ostensibly there are foundations for the incorporation of the Kurdish people into the Iraqi state. Kurds engaged in the formation of the Iraqi state by voting for Faisal. The Kurds' participation in the political process since the establishment of the first Iraqi assembly and the plebiscite over the incorporation of Kurdistan into Iraq demonstrate engagement in the formation of the Iraqi state. The supreme irony, however, is that from the Kurds' perspective these very three foundations were the main factors that illustrated the illegitimacy of Iraqi authority in Kurdistan. In each of these three processes, the majority of the Kurds either voted against or refused to participate in these processes.

Many of the main principles and goals of Kurdayeti and its nationhood project in modern Iraq reflect the manner in which Kurdistan was forcibly incorporated into that state. First, it displayed inbred animosity to the overt act of British colonialism of forcing the incorporation of Kurdistan into Iraq and suppressing the Kurdish rebellions. For many decades, leftism and anti-imperialism were the main characteristics of most Kurdish political parties. Second, rejecting the process of incorporating Kurdistan into Iraq, the Kurds deny the legitimacy of Iraqi authority in Kurdistan. Iraq is represented as an occupier of Kurdistan and Kurdayeti portrayed itself as a Kurdish liberation movement. Third, equating the process of incorporation of Kurdistan into Iraq to usurpation of their right of self-determination, attaining such a right has become a common goal and shared vision of most Kurdish political parties as well as individuals. Fourth, the Kurdayeti has failed to convince the Iraqi and international community that the Kurds are entitled to such a right. Facing such a reality, Kurdish politicians have tended to follow two sets of policies. While denying their intention to separate from Iraq on one hand, the Kurds emphasise their right of self-determination. On the other hand, the voluntary union with Iraq was often suggested as an alternative to the right of self-determination. Accordingly, the right of voluntary union often has been used as an alternative strategy to the goal of self-determination. Thus, four main principles of Kurdayeti are: leftism and anti-imperialism; the denial of the legitimacy of Iraqi rule in Kurdistan; the call for the right of self-determination; and rearrangement of Kurdish-Iraqi relations based on voluntary union. These goals and principles, however, can all be understood within the context of the creation of the Iraqi state and the manner in which Kurdistan was forcibly incorporated into that state.

Chapter Four

4. The Iraqi Monarchy and the Contradictions between the Kurdish and Iraqi Nationalist Projects

The aim of this chapter is twofold: first, to elaborate on the fundamental characteristics or principles of the Kurdish nationhood project (KNP) during the monarchy; and second, to explicate the monarchy's policy to contain Kurdayeti. Three influential segments of the Kurdish population played critical roles during the monarchy in Iraq: the Arabised Kurds,[18] Kurdish nationalists, and traditional tribal leaders. The regime applied different policies to each segment of the population. The rise and decline of the role of the Arabised Kurds in Iraqi politics is explained as well as the monarchy's policies toward the urban Kurds. Kurdish political discourses that relate to the legitimacy of Iraqi rule and the Kurds' search for external protection from internal exploitation are presented. Lastly, monarchy policies directed at traditional Kurds is investigated along with their relations vis-à-vis the urban Kurds and the government of Iraq. How some tribal communities were able to retain autonomy in terms of directing their local affairs during the monarchy era is shared as well. These issues highlight distinguishing characteristics of the Kurdish and Iraqi nationhood projects during the monarchy era.

4.1. Iraq's Integration Policy of the Arabised Kurds during the Monarchy

Many Arabised Kurds and ex-Ottoman Kurdish officers (hereafter Arabised Kurds) were integrated into the Iraqi state. Assimilated Kurds, however, were undoubtedly the only Kurdish social group to actively participate in the Iraqi state-building process. Most Kurdish deputies during the 1920s and 30s were from this group and they held top positions such as prime minister, minister of defence and minister of the interior. Their vital role in Iraqi politics is evident in that during the monarchy four Arabised Kurds served as prime ministers (Bashkin 2008: 183). Among the list of most influential Arabised Kurds was Prime Minister Jafaar al-Askari; Bakir Sidqi, commander-in-chief of the Iraq army and the leader of the 1936 coup. Other Arabised Kurds such as Shaukat al-Zahawi, Daud al-Haidari, Jalal Baban, Ahmed

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18 The Arabised Kurds are a group of Iraqi politicians that were Kurdish by origin and that belong to families that migrated to Arab areas of Iraq, mostly to Baghdad, during the last part of the nineteenth century. As many of them belonged to Kurdish noble or high class families, they entered the Ottoman education and political system. However, this group was assimilated into Arab society and they played a vital role in Iraqi politics. Some were motivated by personal interests and Iraqi nationalism rather than the Kurdish interests and nationalism.

Mukhtar Baban, Umar Nadhmi, Jamal Baban and Sa'id Qazaz held different ministrial posts including interior, justice and foreign affairs during the monarchy (see Omer 2007: 23-33).

The significance of the participation of the Arabised Kurds in Iraqi politics was three dimensional. First, this group was the first among the Kurdish population that openly identified as Iraqis and declared their loyalty to the new created state. Second, this group advocated for the 'Iraqi-first' identity policy though they were inclined toward accommodating the Kurds. They disagreed with pan-Arab groups that preferred assimilation and/or exclusion of the Kurds. This was clearly reflected in Sidqi's policy, who replaced the old cabinet of pan-Arabs with a new cabinet of 'Iraqi-first' advocates. As an Arabised Kurd and advocate of the Iraqi-first policy, he attempted to identify with the Iraqi state by recruiting Kurds into the Iraqi army (Bill 1969: 58; Freij 1993: 326; Lukitz 1995: 80). Third, by pointing out the Arabised Kurdish role in Iraqi politics "Iraq made [a claim] at the League of Nations and elsewhere, that the Kurds were always adequately represented" (Edmonds 1957: 60). In other words, the Arabised Kurdish role in the central government and politics was used to constrain international pressures on Iraq to accommodate the larger Kurdish population.

For several reasons, however, the Kurds' integration and role in state institutions had little, if any, impact on Iraqi-Kurdish relations. First, most Arabised Kurds were not residents of Kurdistan (Edmonds 1957: 60). Therefore, they had little contact with the Kurdish community and had a weak political and social base and support among the Kurds. Their failure to find supporters and a power base in Kurdistan further limited their influence in Iraqi politics. In addition, many Arabised Kurds rarely claimed their Kurdish origin and had little, if any, Kurdish nationalist feelings (Elliot 1996: 20; Mazhar 2001). In this regard, they actually "were Arab rather than Kurdish in sentiment" (Edmonds 1957: 60). Second, they were considered by many leading Kurdish scholars of that time, the publication of Kurdish nationalists in 1930s, as puppets of British and Iraqi interests (e.g., see *Zhiyan* 23/2/1928; Piremerd 2002: 160). Third, the Iraqi-first ideology was always contested by proponents of both the pan-Arab ideology that dominated the state and monarchy, and Kurdayeti, the ideology of many urban Kurds. Hence, their integration into Iraq may not be considered as accommodating and integrating the Kurds into society. The policy of accommodating the Arabised Kurds added little, if any, legitimacy to the perception of the Iraqi state held by the majority Kurds.

By the 1940s the Arabised Kurds lost their role in Iraqi politics due to four inter-related factorsirst, following Iraqi independence and its membership in the League of Nations in 1932, the international community ceased pressuring the central government to accommodate the Kurds. It treated the Kurdish

issue as an internal affair of the Iraqi state. Second, by 1932 both urbanites and tribal rebellions were weakened as a result of joint Iraqi-British military campaigns. Therefore, the Kurdish nationalist movement failed to mount sufficient pressure on Baghdad to be taken seriously. Baghdad confidently took an uncompromising stand toward the Kurds and didn't care to appease them by consolidating the role of the Arabised Kurds.

Third, the assassination of Jafaar al-Askari in 1937 and the collapse of the Sidqi movement, after Sidqi's murder by pan-Arabists in 1937, was another blow to the Arabised Kurds. This event weakened the Iraqi-first movement and empowered the pan-Arabists (Bill 1969: 59). Fourth, King Faisal's and his successor King Ghazi's pan-Arab inclinations facilitated an environment unfavourable to the Arabised Kurds thus further alienating them (McDowall 2004: 289). Consequently, Baghdad's reliance on the Arabised Kurds to earn them legitimacy in Kurdish society failed. By the early of 1940s Kurdish resentment and feelings of alienation had increased resulting in the emergence of new a wave of Kurdayeti (see Chapter Five). In desperation Baghdad began to search for a better alternative to reliance on Arabised Kurds to strengthen their standing within Kurdish society. One influential segment that emerged as alternative to Arabised Kurds was the traditional leaders (*aghas* and *sheikhs*).

4.2. The Monarch's Policies toward Kurdish religious and Tribal leaders

The monarchy followed a conciliatory policy towards Kurdish landlords, religious and tribal leaders (hereafter *aghas*)[19] and attempted to reinstate their power and authority within Kurdish society. Initially, the British mandate passed separate legislation for the tribal areas that remained as law throughout the monarchy (Bruinessen 1992: 190; Lukitz 1995: 211). The British aim of these laws was to undo the detribalisation process of the *Tanzimat* reforms that were initiated by the Ottoman authorities and re-establish the tribal system (Lukitz 1995: 211; Fuccaro 1997: 563). These policies favoring traditional strata over the urban Kurds continued until the last years of the monarchy (Natali 2005: 70).

4.2.1. The Rationale of Ceding Partial Authority to the Aghas

The British and Iraqi re-tribalisation policy was strategically calculated. The Ottoman *Tanzimat* reforms of the nineteenth century were only partially implemented in Kurdistan (Bruinessen 1992: 184; Ali 2003:

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19 Landlords are not necessarily affiliated with tribes. Agha is a tribal leader and 'sheikh' is a religious leader. For the sake of brevity they are categorised here as aghas.

186; Natali 2005: 5).[20] After the creation of Iraq, the aghas still dominated the Iraqi Kurdistan socio-economically and kept their privileged position in the local power structure (Lukitz 1995: 14). In contrast to the Arabised Kurds, they were an integral and essential part of the social, economic and cultural life of rural Kurdistan. The status of the aghas put them in a highly awkward position. The state's interference in the daily life of the aghas might imply the loss of their socio-political power. The aghas, however, showed their staunch resistance to Iraqi penetration into their local communities and defended their semi-independent status (Farouk-Sluglett and Sluglett 2001: 28). Tribal resistance to Iraqi centralisation policies had often resulted in tribal rebellions as it did with the Barzani revolt of the early 1930s (Chiyawk 2001: 43-44; McDowall 2004: 178). This resistance presented a serious obstacle to the Iraqi state-building process and Iraq's goal to integrate the Kurds into the Iraqi state. Therefore, the eradication of the aghas' social and cultural base was vital for the state-building process and maintenance of Iraq's integrity.

Baghdad, however, adopted a policy of reinstating the aghas' socio-political base. This policy was based on several calculations. First, apart from the Arabised Kurds, the central government failed to gain sufficient support in Kurdistan to carry out their national plan. Second, Iraq lacked suitable governmental apparatuses and administrative control over Kurdistan. By the early 1940s these difficulties were compounded by the establishment of an anti-Iraqi coalition by right wing urban nationalists and many discontented aghas. Within this unfavourable context any attempt by Baghdad to confront the aghas or to eliminate their local authority could have backfired and further undermine the fragile authority of the state. Therefore, Baghdad adopted a policy of accommodation and maintained the Kurdish tribal system. By securing the aghas' loyalty, Baghdad aimed to gain support and legitimacy in the Kurdish countryside and limit the impact of the Kurdish nationalist movement (McDowall 2004: 180; Allawi 2007: 32).

Third, reinstating the power and authority of the aghas was not perceived as a serious threat to the integrity of Iraq compared to that posed of Kurdish urban nationalists. The Hashemite-British rulers tolerated the existence of the *de facto* and quasi-autonomous status that the Kurdish tribal leaders enjoyed in Ottoman times. The majority of the aghas focused principally upon land ownership and they were therefore not motivated by notions of Kurdayeti that might jeopardise their tribal interests. Considering these tribal interests, the aghas were reluctant to mobilise against the Iraqi state on behalf of Kurdayeti.

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20 *Tanzimat* refers to a "series of reforms promulgated in the Ottoman Empire between 1839 and 1876 under the reigns of the sultans Abdülmecid I and Abdülaziz. Heavily influenced by European ideas, these reforms were intended to effectuate a fundamental change of the empire from the old system based on theocratic principles to that of a modern state" (Encyclopedia Britannica).

Instead, they maintained a conciliatory stance and cooperated with the monarchy that rewarded them with considerable economic and social privileges. Even if there was any inclination among the aghas toward Kurdayeti, they lacked the mechanisms and the capacities by which to form a united front. The rival aghas frequently feuded and had power conflicts that made a unified tribal front unattainable. The contention between the aghas kept many of them from mobilizing against the state. Throughout the last century many aghas fought on the government side against the Kurdish nationalist movement (Bruinessen 1986: 16; Gurr and Harff 2004: 109; Gunter 2004: 198; 2007: 114). Thus it was almost impossible to have agha cooperation for the attainment of some nationalist objective. Therefore, the aghas' authority was not seen as a threat to Iraqi unity.

Fourth, the aghas that supported nationalist demands adopted *a minimalist approach* to Kurdish rights. This is evident in three separate programmes of the urban nationalists, the traditional military wing and moderate pro-government aghas, respectively. Each had different levels of nationalist tendencies. The urban nationalist demands, (i.e., that of the Hiwa, Rizgari, the Communist Party of Kurdistan and the KDP parties), ranged from demanding regional autonomy to having an independent Kurdistan. The military and proto-nationalist wings of the aghas, (i.e., Sheikh Ahmed Barzani in 1932, Mustafa Barzani in 1942-1945, and Sheikh Mahmud during WWII), ranged between fiscal autonomy, cultural rights and administrative autonomy. The demands of the moderate wing of the aghas were limited to a few cultural and economic rights (Lukitz 1995: 113; Ali 2003: 576-577; Qaftan 2003: 61-62; McDowall 2004: 178; Akrawi 2007: 84; Shamzini 2006: 236).

In the short run, *the* agha-monarchy alliance proved its worth to the central government. The immediate effect of such an alliance was to diminish the already tattered Kurdayeti. That, in turn, caused by a division within the wider Kurdish society. The first division that occurred was among the aghas themselves. Not all tribal communities were offered administrative autonomy. Many of them were placed under centralised government control. Even more, Kurdish regions were treated differently from one another, a policy that reinforced the dichotomies between particular regions and tribal groups (Natali 2005: xx, 40-41). It also increased competition and rivalry between the disadvantaged and privileged aghas. While the former were inclined to join anti-governmental uprisings, the latter preferred to remain aloof or opposed to the Kurdish nationalists. Due to their debt to the state for their privileged status, many aghas assisted the state in suppressing the Kurdish uprisings. Such division among the traditional strata coupled with the anti-nationalist attitudes of many of them culminated in an even wider division within Kurdish society. Popular poetic works of that time showed how the Kurds were divided according to demographic

strata (i.e., tribes versus urbanites), region (towns versus rural population) and politics (nationalists versus pro-monarchy) considerations (Bekas 2005: 73; Zewer 2003: 48-51). Thus, by an ironic turn of history Iraq viewed further tribalisation, rather than the modernisation and industrialisation of Kurdistan, as the guarantee of Iraq's territorial integrity. The relations between the modern Iraqis and tribal communities, nevertheless, were designed to stifle Kurdayeti and ward off any potential threat to the unity of Iraq.

The monarchy-agha relationship, however, was not an easy alliance. It was more an alliance of convenience, since identity or loyalty did not play major roles behind the agha-Iraq rapprochement. Unlike the Arabised Kurds, the aghas never assimilated or integrated into the Iraqi state. In the absence of other reliable allies or grass roots supporters, the aghas emerged as an indispensable force. Hence, to assure their loyalty and cooperation, Iraq had to acknowledge and support their local authority, albeit at the expense of state sovereignty. This was the price of maintaining Kurdistan as part of Iraq. By offering *de facto* administrative autonomy to tribal communities, the monarchy hoped to gain their loyalty. Consequently, many tribal communities retained autonomy to administer local affairs.

4.2.2. Tribal Autonomous Entities (TAE)

To understand the extent of self-governance that Kurdish tribes or the confederation of tribes were granted, a review of the areas that traditionally lay within a state's sovereignty is warranted. One area that illustrated the autonomous status of the TAE was the communities' right to appoint their leaders. Baghdad had little say in appointing the head of the TAE. In most cases the tribal community rejected the government's candidate for heading the community as was the case with the Jaf tribe (Ali 2003: 568). The agha, as head of the tribe, enjoyed undisputed authority over its areas of responsibility (Bruinessen 1992: 74-84). These TAE possessed traditional boundaries that separated one TAE from another. The area of an autonomous entity was equal to that of a tribe's territory. The area of some TAE was equal to that of a state the size of Lebanon. For example, in the early 1930s Sheikh Ahmed Barzani administered an area of 10,000 square kilometres (Ali 2003: 575). The status of tribal communities was especially evident in their right to maintain their militias. Even, during the mandate era the aghas received arms and ammunition from the British (Bruinessen 1986: 16; Fuccaro 1997: 563; Natali 2000: 69; McDowall 2004: 180). In the early 1930s, for instance, the Jaf tribe alone had more than 2,500 militants and the confederation of Barzan under Sheikh Ahmed had 10,000 fighters (Ali 2003: 529, 567). These militias were under the direct command of their aghas and were not organised by or administered from Baghdad. Hence the state ceded its right to monopolise the legitimate use of force in Kurdistan.

Jurisdiction was another area in which traditional communities enjoyed autonomy. TAE were excluded from the jurisdiction of Iraqi courts, the absolute jurisdictional authority was given to the aghas. The head of the autonomous tribes retained the right to settle civil and criminal cases including land and other local disputes of the community (Bruinessen 1992: 190; Natali 2005: 30, 79). Fiscal autonomy was another sign of the autonomous status of the TAE. In tax affairs certain aghas whose tribes enjoyed autonomy retained dual rights: on the national level they enjoyed special tax benefits while on the local level they extracted taxation rights (Bruinessen 1992: 78; Natali 2005: 30). The TAE also retained the right to regulate commercial affairs in their areas (Natali 2000: 70). The Iraqi state gave up many important symbols of sovereignty including the monopoly of the legitimate use of force, governmental jurisdiction and the power to collect taxes from Kurdistan. Thus, the majority of tribal communities (whether a single tribe or a confederation of tribes) enjoyed a degree of administrative autonomy.

While the aghas emerged as the major administrative force outside the cities, their power was not confined to tribal areas. Many educated aghas played significant roles in state politics. They were elected to parliament and appointed as governors and mayors (Natali 2005: 29). Consequently, autonomous entities were often directly connected to officials belonging to the same segment rather than to urbanite Kurds or Arab bureaucrats. This further strengthened the autonomous status of these traditional entities and allowed them to become less penetrable by the Iraq authorities. Though theoretically the monarchy was a centralised state, an unspoken system of semi-decentralisation and indirect rule had been arranged in many parts of Kurdistan. These mini-autonomous entities were introduced as alternatives to administrative measures or an autonomous Kurdistan that were promised to the Kurds during the 1925 referendum. This monarchy policy, therefore, was a double edged sword. The TAE provided a scope of indirect rule by the Iraqi state and a sort of tolerance for the Kurdish culture. But, the TAE lacked a state structure, official status, and a united, collective identity. Therefore, these mini-autonomous entities had no secessionist tendencies and were utilized to circumvent the Kurdish problem without compromising the integrity of Iraq. Furthermore, the TAE reinforced the fragmentation of Kurdish society and kept the Kurds under the state's control. In light of the above it is evident that Iraq followed an implicit system of semi-decentralisation and indirect rule in rural Kurdistan and this reshaped Kurdish-Iraqi relations in modern Iraq.

4.3. The Monarchy-Urban Kurds Relations

The urban Kurds (hereafter urbanites) were not isolated from the ex-Ottoman officers and the Arabised Kurds. Both segments of the population were by-products of the same modernisation process of the

Ottoman *Tanzimat* reforms that began during the second half of the nineteenth century. Both were educated within the Ottoman Empire, and later by the educational system of the monarchy. As with Arabised Kurds, the urbanites were "aware of modern political ideologies   and witnessed the development of Arab and Turkish nationalisms into vigorous political movements" (Bruinessen 1986: 16). Similar to the role of the assimilated Kurds, the urbanites of Kurdistan had the potential to be at the heart of any state-building process in Iraq. Apart from these similarities the urbanites and Arabised Kurds experienced two different, if not opposite, social and political ethoi. The Arabised Kurds became part of the Iraqi ruling elites, elevated to top positions, and integrated into state institutions. The urbanites, in contrast, were excluded from political processes and their social and political activities were banned (Farouk-Sluglett and Sluglett 2001: 80). Moreover, unlike the Arabised Kurds, the urbanites had not been 'de-ethnicised' or Arabised, and showed little, if any, loyalty to Iraqi identity or pan-Arabism. They were motivated by Kurdayeti and instead of seeking a role within the Iraqi state structure, they aimed to play a political role of their own in Kurdistan (Bruinessen 1986: 16; Stansfield 2006: 2).

Likewise the urbanite Kurds rejected membership within the Iraqi political parties and alternatively created their own nationalist parties such as Hiwa, Rizgary and the KDP with leftist and nationalist orientations. Contrary to the Arabised Kurds, most Kurdish urbanites rejected British patronage and held the superpower responsible for their subordination and lack of a Kurdish state. Fighting imperialism became the Kurdish nationalists' mission (*Rizgari* 1948, 1952a, 1952b, 1953; *Azadi* 1952a). Many urbanites were also inclined toward leftist politics and searched for a way to ally themselves with the socialist camp instead of with the British (Lukitz 1995: 111). Thus, the urbanites were pioneers and advocates of the Kurdish nationhood project.

Unlike the Arabised Kurds, the Kurdish urbanites were one of the most influential segments of Kurdish society. Several striking examples demonstrate the urbanites' flare as pioneers and advocates of the Kurdish nationhood project. In addition, they show how the urbanites assumed a leadership role in Kurdish society. The first example is the leading role they played in the popular uprising of 1930. The September mass demonstrations had been arranged by the city's notables and intelligentsia (McDowall 2004: 176). Some 60 protestors were killed by the Iraqi police and tens were either wounded or arrested (Emin 2000: 66-68). The immediate consequence of the uprising was the renewal of the Kurdish demand for a separate administration and a united Kurdish region (McDowall 2004: 176). The urbanites' role in the September demonstration known as "the Dark Day of September Sixth" was considered by modern Kurds to be a milestone in the Kurdayeti project. Two tribal-led anti-Iraqi rebellions, that of Sheikh

Mahmud (1918-1932) and Sheikh Ahmed Barzani (1930-1932) did not match the impact of the 'Dark Day' no matter how many casualties these rebellions inflicted; and neither rebellion inspired poems like the 'Dark Day' did. Many popular and well respected Kurdish poets of the time, such as Bekas (2005: 15-16) (a leader of the uprising), Piremerd (2001), and Jaf (2011), wrote poems for the uprising. Moreover, the uprising turned into a modern-day symbol of Kurdish resistance and victimisation (Talabani 1970: 108; KRG-ME 2008: 156-157). The second example of the role of the urbanites as pioneers and advocates of the Kurdish nationhood project was the search for external patrons in the Kurdish nationalist movement. As is highlighted in the next sections, Kurdish demands for a separate and united administration in Kurdistan and protection from internal exploitation were shared with the League and the British via tens of petitions signed by all segments of Kurdish society.

The Third example of the urbanites' leadership role as pioneers and advocates of the Kurdish nationhood project is their ability to challenge the Iraqi nation-building process. For example, they succeeded in convincing the Kurdish masses to elevate *Newroz*, a pre-Islamic myth, to a Kurdish national day, thus replacing Iraq's national day which celebrated the founding of the Iraqi army (see figures 2 and 3). Newroz has been accepted throughout Greater Kurdistan as their national day. In 1958 Newroz was even recognised by the central government as a national holiday, albeit by a different name (*al-Waqai' al-Iraqiya* 30/8/1958). In 1997 the KRG formally recognised Newroz as the Kurdish National Day (KNA 1997a). The struggle to confirm *Ey-Reqib* as the Kurdish national anthem, thereby replacing the Iraqi national anthem, and to replace the Iraqi flag with the Kurdish flag also enhanced the Kurdish national project. Thus, from the very beginning the Kurdish urbanites challenged the state-sponsored nation-building process in the Kurdistan region as they laid the foundation of their own Kurdish nation-building project. The fourth example of the urbanites' roles as pioneers and advocates of the Kurdish nationhood project was their ability to unify the Kurdish nationalist forces. As explained in Chapter Five, from 1946 to 1975 Kurdish political life was dominated by two parties: the KDP and the Kurdistan branch of the ICP. After 1976 the KDP and the PUK dominated Kurdish politics. These parties established the social network and clandestine organisations in all Kurdish towns and cities. Since 1961 these political parties led the military movement and founded a Kurdish quasi-state. Accordingly, the urbanites emerged as a driving force to threaten the legitimacy of Iraqi rule in the Kurdistan region and the integrity of the Iraqi state.

To constrain the urbanites' role Baghdad followed a policy of exclusion and suppression against them. Both the British and Iraqis thought that modernisation and industrialisation in Iraqi Kurdistan had to be

stifled in order to restrain the Kurdish urbanites. Four main domains reveal the intentional policy to restrict their growth in order to keep Kurdish society from modernizing. These four domains were the institutions of education, industry, agriculture and politics. The educational domain had to be suppressed since the monarchy attributed the socio-political base of Kurdish nationalism, including the political activism of the 1930 uprising, to the educational level of the younger generation (Lukitz 1995: 114). It is noteworthy that the Hiwa Party, one of the most influential Kurdish political parties during the monarchy, was established by a student from the Kirkuk intermediate school (Sabir 2007: 106; Sharif 2007: 138). Baghdad therefore, refused to extend secondary education to Kurdistan or to allow the Kurds to establish a cultural association (Lukitz 1995: 49, 114; Emin 2000: 291-292: Qaftan 2003: 48, 71). Until a secondary school was initially founded in Erbil in 1938, only one secondary school was allowed in Kirkuk, one intermediate school in Erbil and another in Sulaimaniya (see Emin 2000: 291; Qaftan 2003: 71; Shamzini 2006: 240; Sabir 2007: 108). Despite the Kurds' continuous demand for secondary schools, the central government refused to offer secondary education in Kurdistan (see Emin 2000: 291). This policy of restricting education was followed by Baghdad throughout the 1940s and remained a source of contention between the Kurdish nationalists and the monarchy (Lukitz 1995: 114; Stansfield 2006: 2). Depriving the Kurds of a proper educational system had become part of the government's policy to eliminate the dynamic strength of the urbanite sector of Kurdistan society.

The second important institution was industry. The monarchy worried that industrialisation might strengthen the urbanite power base and transfer the political power of the aghas to the urbanites (Natali 2005: 41; Qaftan 2003: 47). Therefore, Iraq disallowed the development of industry in Kurdistan (see Emin 2000: 293; Shamzini 2006: 239). This policy was aimed to diminish the socio-political status of the urbanites and delay the process of urbanisation which was vital for the growth of the middle class and nationalism. The third institutional domain was agriculture. Disallowing the industrialisation of Kurdish society, the monarchy "depended upon supportive agricultural policies to ensure power based on land" (Natali 2005: 41). Iraq aimed to empower and consolidate the role of the Kurdish traditional elite (tribal and religious leaders) at the expense of the urbanites because the former were less attracted to the Kurdish nationhood project. In other words, Iraq's agrarian support policies were designed to ensure a key role for the aghas in the socio-political life of Kurdistan (Natali 2005: 82). Thus, to contain *Kurdayeti* and its nationhood project, the central government focused on consolidating the role of other segments of Kurdish society that were less affiliated with Kurdayeti, such as the Arabised Kurds and the tribal leaders.

The fourth institutional domain that illustrated Iraqi policies of exclusion and the suppression of the urbanites was the illegalisation of urban political and popular activities. Throughout the mandate and monarchy periods, all political parties of the urban Kurds had been banned. The Kurds were also prevented from founding democratic institutions, Kurdish cultural associations, civil society trade unions and offering free elections (Talabani 1970: 179; Lukitz 1995: 11; Farouk-Sluglett and Sluglett 2001: 80; Natali 2005: 44). These examples illustrate the discriminatory policies of the central government toward the Kurdish urbanites as well as the extent of Kurdish urban influence on Kurdish society in the eyes of the central government. The Kurds were thus deprived of the legal political channels and proper venues of expression of their ideas. To eliminate their nationalist aspirations, the urban nationalist Kurds were excluded from the economic, political, and military institutions of Iraq.

Figure 2: Celebration of Newroz in Sulaimaniya in 1944 (*Bnkey Zhin* 2012: 7).

Figure 3: Newroz celebration in Sulaimaniyain 1948 (*Bnkey Zhin* 2012: 7)

4.4. Distinguishing Characteristics of the Kurdish Nationhood Project

The central government's policies of exclusion and repression proved to be counterproductive in that they alienated the urban politicians and underrepresented the Kurds in Iraqi state institutions. The Kurds' sobriety over their incorporation into Iraq and their perception of Iraq as an 'occupier' of the Kurdistan region decreased the legitimacy of Iraq's authority in the Kurds' eyes. The Kurds' search for an external patron and the national liberation movement dominated the Kurdish nationalist movement. It is relevant to address each of these components in detail.

4.4.1. Iraq as Occupier of Kurdistan

The perception of Iraq as an Arab occupier has dominated Kurdish nationalist literature. Kurdish political rhetoric abounds with terms such as 'the occupier regime of Iraq' and 'the occupiers of Kurdistan' as descriptors of the four countries that have incorporated parts of Greater Kurdistan into their state territory (Rizgari 1952a, 1952b, 1953; *Nida' Kurdistan* 1956) Post-monarch Kurdish nationalists have also portrayed Iraq as the occupier (*Komala* 1981, 1982b; Jalal 1984: 42; Kurdayeti 1985; Sabir 2005: 47; Talabani 1988: 25). Rejecting the legitimacy of Iraqi rule over Kurdistan, Jalal Talabani insisted that the Kurds did not agree to be part of Iraq. Rather the League of Nations was responsible for authorising the Iraqi army to occupy Kurdistan (Talabani (1988: 25). The PUK (1988) and *Komala* 1982b referred to the Iraqi army in Kurdistan as the occupation army. The internal political program put forth by the first and

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second PUK general congresses (PUK 1992: 21; 2001: 18) depicted Kurdistan as an occupied and divided country and the Kurds as a subjugated nation divided into several parts. The occupation of Kurdistan and the assimilation of the Kurds was a dominant part of Iraqi political culture according to Sabir, a well respected Kurdish intellectual. He also posited that the Kurds were forced to be 'Iraqi' via an occupation of the Kurdistan region through tyranny and terror. The reciprocal roles of the occupied and occupier was the bond that connected 'Southern Kurdistan' to Iraq (Sabir 2005: 47-55). Kurdish Islamists shared the perception with the nationalist and leftist Kurds that the central government was the 'occupier.' For example, Osman Abdul-Aziz, the leader of the Islamic Movement in Iraqi Kurdistan, blamed the "occupiers of Kurdistan" (i.e., Iraq, Iran and Turkey) for the division and subjugation of the Kurdish nation (Ahmed 2008: 84). *The New and Modern History*, a textbook for year 12 Kurdistan region students, describes Kurdistan as an "occupied country" and the Kurds as "a subjugated nation" (KRG-ME 2008: 179-181). Thus, a major feature of the Kurdish nationhood project was the portrayal of Iraq as the occupier of Kurdistan.

4.4.2. The Kurdish Liberation Movement

Another distinguishing feature of the Kurdish nationhood project was the Kurds' perception of its nationalist movement as a 'liberation movement.' At least since the 1940s the 'liberation of Kurdistan' from 'Iraqi occupation' was an objective of both autonomous- and separatist-minded Kurdish nationalists. To that end the Kurdish struggle has been glorified as a Kurdish Liberation Movement (KLM), a vision that has dominated most Kurdish political party' discourses. The majority of them have identified themselves as part of the KLM. For example, in a Memorandum dated January 18, 1946 from the Kurdish Rizgari Party to the UN, the party stated that its duty was to achieve the liberation and sovereignty of the Kurdish nation.[21] The constitution of the Freedom Committee, a front founded by Kurdish Officers that joined the Barzan uprising of 1945 and the Hiwa party, stipulated that their party's goals were "to liberate Iraqi Kurdistan by political means" (see Jwaideh 2006: 233). The KDP also followed the same line of thinking during the monarchy (*Rizgari* 1952a).

Major post-monarch Kurdish political parties emphasised the same principles of the liberation movement. For example, the KDP, that dominated Kurdish politics since its establishment in 1946 until the present, emphasised that it is a pioneer and leader of the KLM (KDP 1979: 14-15; 2004: 7). Similarly, in 1992, the PUK that also played a dominant role since 1976 stressed that it is the revival and leader of the KLM (PUK 1992: 22). Kurdistan Toiler League (Komala), the largest faction within the PUK, claimed that it is

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21 For the full text of the the Kurdish Rizgari Party see (Andrews 1982: 43-44).

at the forefront of the KLM (*Komala* 1987: 32). The Kurdistan Democratic Popular Party (1979-1992) founded in 1979 by the Sami Sinjari, the former vice prime minister of the KRG is another that identified itself as part of the KLM (*Peshang* 1982: 28). The IKF, that included most of political parties mentioned above insisted that its role is to lead the KLM (IKF 1988). The term 'KLM' is enshrined in the KRG's constitution and referred to in Kurdish literature; it is also common in Kurdish political discourse. The preamble of *The Draft Constitution of the Kurdistan Region* (2009) glorifies "the Kurdish liberation movement" as a movement "for our freedom, for the defense of our dignity, the protection of our nation". The Kurds imposed their *de facto* (though intermittent) self-rule on wide areas of the Kurdistan region since 1961. Reference to these areas as liberated areas of Kurdistan or free Kurdistan dominated Kurdish political discourse (e.g. see, *Komala* 1981; *Kurdayeti* 1985; *Regay Rizgari* 1985; PUK 1986: 9; 1992: 18-19; *Khabat* 1988 Barzani 2002: 39; Talabani 2004: 64; KDP 2004). In the same way, the terms 'non-liberated' or 'occupied' have been used to refer to areas such as Kirkuk that are controlled by the Iraqi government. Thus, the portrayal of Kurdayeti as a liberation movement is deeply rooted in Kurdish political culture.

The Kurdayeti belief of being a liberated movement has reshaped Kurdish-Iraqi relations and the process of Kurdish integration into the country in many ways. First, the Kurds used the self-declared liberation movement to refute Iraq's policy of delegitimation and even criminalisation of Kurdish political parties. Second, the liberation movement provided the Kurdayeti with a basis by which to legitimise and mobilise the Kurdish populace. Third, by pointing out Iraq's occupier status, the Kurdish parties undermined the legitimacy of the central government's rule in Kurdistan among the Kurds. Fourth, categorising the Kurdish-Iraq relationship as that of 'liberator vs. occupier' motivated the Kurdish nationhood project and elevated the probabilities of its survival. This is because Kurdayeti used the struggle against 'occupy Iraq' as a fertile ground to recruit Kurds into its ranks. Hence, the dichotomy in use by Kurdayeti of 'Kurdistani liberators' versus 'Iraqi occupiers' showed up the oppositional nature of the Kurdish and Iraqi nationhood projects.

4.4.3. The Kurds' Search for Outside Protection from Internal Exploitation

Rejecting the legitimacy of Iraqi authority in Kurdistan for the past eighty years, the Kurds have been in an almost constant quest for an outside source of protection. Iraq's leaders, likewise, have constantly accused the Kurds of conspiring with the enemies of the Arabs/Iraqis. Between 1925 (the year the Iraqi Kurdistan was first annexed to Iraq) and 1932 (the year of Iraq's independence), the Kurds sought British and League of Nations' protection. During that period, regardless of their demands, most pro-and-anti-

colonial Kurds considered the British as their main security against Iraqi oppression. This is evident in that the Kurdish MPs in Iraq parliament were viewed as advocators of British interests against Iraq's interests. Their pro-British stance, however, was based on trusting British 'good faith' to protect them. A striking example in this regard is a petition written by six Kurdish MPs to Britain in 1928 requesting both protection and self-rule for the Kurds (see *Zhiyan* 11/4/1929; Emin 2000: 32-34).

Following the independence of Iraq in the 1930s, the Kurds' nationalist stand shifted from a pro-British to an anti-imperialist position. Such change did not result in rapprochement of the Kurdish nationalists and Iraqi rulers, however. Their oppositional status was augmented to the extent that their inherent rivalry developed into a military confrontation that would last for decades. A supreme irony is that the same Kurdish rebels that fought the British and Iraqis also sought British protection. Sheikh Mahmud and Mustafa Barzani, who were in constant rebellion against the British, preferred British rule over that of the Iraqis. In two separate memoranda, both leaders demonstrated their willingness to obey the British rather than the Iraqis (see Bois 1966: 152; Sluglett 1976: 183; Ali 2003: 603-604). From 1930 to 1932 Kurdish leaders and different segments of Kurdish society presented dozens of petitions to the League and often to the British seeking for support. Kurdish demands ranged from autonomy to the independence of Kurdistan; but in either case, the Kurds insisted on Britain or League of Nation's protection from the exploitation of Iraq (see *Zhiyan* 21/7/1930; Emin 2000: 251-315). Between 1940 and 1958 Kurdish nationalists unsuccessfully pursued another method which was to communicate with various international bodies and leading statesmen. Jwaideh (2006: 273-275) reviewed 24 letters and Andrews (1982) documented 20 letters, notes and memoranda that were presented by Kurdish nationalists to foreign powers. They found that the Kurds' demands ranged from protection and minority rights to the right of self-determination and full independence.

The Kurds' search for outside protection during the monarchy became part of their political culture and was adopted by future generations of Kurdish nationalists and intellectuals. Since the establishment of the first Kurdish quasi-state in 1961, the Kurds continued searching for a regional state or a superpower to serve as patron. During this period the Kurds received political, logistic, military and financial support from other states. The Kurds established relations with whoever was willing to offer them assistance, regardless of their stand on Iraq or even the Kurdish case itself. For example, at different times the Kurds found support from Iraq's traditional enemy, Israel, as they did in the 1960s. They found support from the Kurds' traditional enemy, Turkey, in the 1990s and from both the Kurds' and Iraq's traditional enemy, Iran, from the mid-1960s to the end of 1980s. They found support from the United States in the 1970s and

the 1990s. Explaining the Kurds' eagerness for outside assistance, Mustafa Barzani stated that the Kurds were "blind beggar[s]" that were "incapable of seeing who was pressing a gold coin into their palms" (Randal 1997: 189). However, only during the 1991 Kurdish mass exodus could they gain any sort of international protection. This was granted in Security Council Resolution 688 (SCR688 5/4/1991) and the subsequent establishment of the Kurdish safe-haven of 1991 that incidentally culminated in the present *de facto* Kurdish state (see Chapter Ten). After the US invasion and its negotiation with the Iraqi government over the status of the US forces in Iraq, it was apparent that while the Iraqis preferred the withdrawal of all American forces, the Kurds called on the US to establish a permanent military base in Kurdistan (Jam 2007: 7; Khalil 2009: 14). Rejecting the legitimacy of Iraq's rule in Kurdistan, the Kurds were less inclined to negotiate with Iraq to attain political and cultural rights within Iraq's boundaries. Thus, another feature of the Kurdish nationhood project was its outward search to find external patronage and support for attaining Kurdish demands.

Kurdish strategies for external patrons showed the opposing nature of the Kurdish and Iraqi nationhood projects. Iraq has often accused the Kurds of being traitors, clients of Iraq's enemies, imperialists, Zionists, pro-Iranian, and other denigrating names. They have used these accusations to justify their rejection of and even to perpetrate wars against the Kurds. During the early years of the monarchy the Kurds were accused of being agents of colonialism. The 'Kurdish question' is portrayed as being created by the British to weaken Iraq and its national unity (*Zhiyan* 28/8/1930; Sluglett 1976: 25). Not only Kurdish rebellions, but many Kurdish MPs that accepted the Kurdistan region as being part of Iraq faced these accusations after making relatively moderate demands. Kurdish leaders appealed to the Iraqi prime minister in 1945 to explain how the conspiracy theory was used by different Iraqi rulers in their dealings with the Kurds. They complained that:

> …when [pro-Nazi] Rashid Ali's government declared war on the British, every nationalist Kurd
> was regarded as a British spy and agent by that government. Later, when things returned to normal,
> the Kurds were accused of harbouring Nazi ideologies and of being of German origin.[22]

Iraqi historians and officials accused Kurdish nationalists during the 1930s of being encouraged by Germany. It was claimed that the Hiwa Party, a Kurdish nationalist organisation established in 1939, was created by the British and that Barzani had 'special relations' with the British (al-Barak 1989: 35; Jawad 1990: 2). These accusations were made despite the British participation in suppressing the Barzani rebellions of 1931-1932 and 1943-1945.

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22 For ful text of the letter see Andrews 1982: 7

Referring to the Kurds as puppets of the 'imperialists' was part of the post-monarch political discourse and the accusation has been used by all successive Iraqi governments. The Ba'ath party described the Kurdish rebellion of 1961-1975 as a reactionary and imperialistic insurgency encouraged by imperialist circles. The Ba'ath insisted that the Barzani anti-revolution (i.e., Ba'ath rule) did not result from Barzani's personal decision, but was a major attack of the imperialists and Zionists against the Iraqi state. The aim of the Kurdish insurgency, according to the Ba'ath party, was to drain, weaken, destroy, or subjugate Iraq to American imperialism. The Ba'ath also insisted that Iraq's war against the Kurds was a fight against reactionary insurgency and Zionist imperialists that supported Barzani (ABSP 1983: 56-57). Thus, from Iraq's point of view, the Kurds' constant search for outside support violated Iraq's sovereignty. From the Kurdish perspective, the search for outside protection was a legitimate reaction to internal exploitation by Kurdistan's occupiers. The Kurds' outward looking policy for support exposed the oppositional nature of the Kurdish and Iraqi nationhood projects.

4.5. Conclusion

To accomplish its nation-building project and the creation a homogenised society, Iraq adopted two interconnected policies: it sought to fragment Kurdish society and annihilate Kurdayeti as the main obstacle to that process. This two polices are evident in Iraqi's application of three different policies to three different segments of Kurdish society. The first set of policies was the inclusion and integration of the Arabised Kurds. By including the Arabised Kurds, Iraq claimed that Kurds were adequately represented. It was also geared to establish legitimacy and support within Kurdish society. This policy, however, had little impact on the perceived legitimacy of Iraqi authority in Kurdistan, nor did it aid Kurdish integration into Iraq. The Arabised Kurds had weak political and social bases of support among the Kurds in general and they were perceived by many Kurds as proxies for British and Iraqi rulers. Their inclusion into Iraqi politics cannot therefore be considered as an accommodation to Kurdish society.

The second set of policies was fashioned for the aghas. Unlike the Arabised Kurds, the aghas were one of most influential groups in Kurdish society at that time. Accommodating the aghas was not perceived as a threat to Iraq's integrity. In order to gain legitimacy within Kurdish society, Baghdad followed the policy of accommodating them and offered them a modicum of autonomy and sovereignty. Iraq ceded sovereignty to the aghas in many crucial areas such as taxation, maintaining armed forces and handling judiciary issues. The tribal community enjoyed privileges that allowed them to be described as Traditional

Autonomous Entities (TAE). These TAEs provided a safe-haven to Kurdish nationalists and helped Kurdayeti to create autonomous political entities. By ceding sovereignty to the aghas and permitting the existence of the TAE, the Iraq monarchy unintentionally helped the Kurds to lay the foundations of self-rule on their way to becoming a quasi-state. The third set of policies was designed to eliminate the influence of the urbanites. This segment of Kurdish society was the pioneer and advocator of Kurdayeti and the main challenger of the state sponsored nation-building process. The urbanites challenged the legitimacy of Baghdad's authority in Kurdistan and the integrity of Iraq. To contain such a threat, Iraq followed a set of policies designed to eliminate the urbanites' powerbase and influence in Kurdistan. To contain the rising urbanites, Iraq adopted policies that involved retarding the modernisation and industrialisation processes of Kurdistan. In a nutshell, the urbanites were deprived of political and social activities. The exclusion of the urbanities proved to be counterproductive, however, because it meant not only losing the support of that segment of Kurdish society, but also encouraging further opposition to the Iraqi state.

Baghdad's anti-urbanite policy further strengthened the characteristics of the Kurdayeti. Several distinguishing characteristics of the Kurdish nationhood project that were configured by the Iraqi anti-urbanite policy include the ability of the Kurdayeti to challenge the Iraqi nation-building process and attempt to introduce an alternative to it by laying down the foundation for the Kurdish nation-building project. This is evident in urbanites' ability to revive the pre-Islamic myth of Newroz and transform it into a Kurdish national day. Another example is the establishment of the 'Dark Day' in the common memory of the Kurds under Iraqi rule by glorifying it. The portrayal of Iraq as an 'occupier' of the Kurdish homeland is another example. The third distinguishing character was glorifying the Kurdish nationalist movement as being a liberation movement. Most Kurdish political parties of the last century identified Kurdayeti as a liberation movement and considered themselves as part of that movement. The fourth distinguishing character was the Kurds' outward looking policy and their search for outside protection from internal exploitation. This was adopted by successive generations of Kurdish nationalists in modern Iraq and has become part of the political culture of Kurdistan. Thus, Iraq's policy of exclusion and elimination of Kurdish nationalism became a powerful metaphor for Kurdayeti. The Kurds developed their own nationhood project that was quite different from and opposed to Iraq's nationhood project.

Chapter Five

5. The Kurdish Nationalist Project during the Monarchy (1921-1958)

Three interconnected issues are covered in this chapter: first, the Kurdish nationalist movement (Kurdayeti) attempt to create autonomous Kurdish political parties; second, the Kurdayeti attempt to win over the aghas and create a coalition of rural and urbanite Kurds; and third, the Kurdayeti monopolisation of Kurdish political life. Initially, the two phases of the evolution of the Kurdayeti are highlighted. The first phase began with WWI and continued until the outbreak of WWII. The second phase commenced with the beginning of WWII and ended when the monarchy collapsed in 1958. Next, to determine their impact on Kurdish integration into the Iraqi state, the urbanite-agha relationship and the Kurdish-Iraqi relationship is explored. The Kurdayeti's ability to mobilise discontented aghas for nationalist ends including the reformulation of the goals and ideology of the Kurdayeti is explored. Special attention is given to the role and the legacy of the Hiwa Party and its offshoots in Kurdish politics. The legacy and impact of this party on Kurdish politics is traced along with their collusion with the aghas to dominate the Kurdish political arena. The development of the Kurdish political parties into autonomous political entities is also investigated. Finally, considering the monopolisation of Kurdish political life by Kurdayeti, the role of Iraq's political parties in Kurdistan is highlighted with special attention to the Iraqi Communist party. The relation between the status of Iraqi political parties in Kurdistan and the issue of Kurdish integration in Iraq is also highlighted.

5.1. The First Phase of the Kurdayeti Awakening (1918-1939)

The development of Kurdayeti between WWI and WWII is explored beginning with a description of the political environment. A brief summary of Kurdish political organisations is then provided, ending with a discussion of relations between Kurdish tribal and urban communities.

5.1.1. Reasons for the Kurdayeti Revival

Many factors created a fertile ground for the revival of Kurdayeti after WWI. One factor is that the Kurds interpreted the treaties and international promises given them regarding their nationalist rights to have been betrayed. The Treaty of Sevres (1920), for example, recognised the rights of the Kurds to establish their own state. The British-Iraqi declaration of 1922 also offered them the opportunity to establish an autonomous Kurdistan if the Kurds first agreed to be part of Iraq (Fieldhouse 2002: 38; McDowall 2004: 170). Another factor is the British and League of Nations promises of administrative autonomy under

mandate protection for 25 years, in return for Kurdish support for the annexation of Mosul Wilayet (Southern Kurdistan) to Iraq. This took place in the referendum of Mosul in 1925 (Sluglett 1976: 124-125; Hussein 1977: 173-174). Another factor is that the collapse of the Ottoman Empire and the establishment of many nation-states in the region had revived Kurdish hopes for the establishment of their own independent state. Furthermore, the establishment of the local administration by Sheikh Mahmud (1918-1920 and 1922-1924) played a crucial role breathing life back into Kurdish nationalism. This period experienced several political and administrative power vacuums that followed a series of power transformation processes: from the Ottomans to Sheikh Mahmud, then to the British, and finally to the Iraqis. Similar to other nations in the region, the Kurds were exposed to the modern ideals of nationalism, communism, nation-building and self-determination.

Moreover, the Kurds were shocked and disappointed by the manner in which the British mandate was terminated and Iraq's subsequent independence granted in 1932. The British-Iraqi Treaty of 1930 terminated the British mandate and guaranteed the independence of Iraq and its membership in the League by 1932 (*League of Nations* 1932). This strategic plan was arranged without obliging Iraq to fulfill promises already made to the Kurds. The Kurds accused the League of Nations, the British, and Iraq of failing to fulfill their commitment to the Kurds, action that were interpreted to be wholesale betrayal of their express commitment to the Kurds (Talabani 1970: 61; Ali 2003: 533; Akrawi 2007: 31, 63). Both the urban and rural Kurds resented their new status as minorities in Iraq, though for different reasons. The urban nationalist Kurdish hope for independence was undermined; the administrative autonomy promised to the Kurds was abandoned, and their cultural and linguistic rights were compromised. In addition to these disappointments, the advocation of centralism and pan-Arabism by the King and the Iraqi state elite further created new wounds and deepened the existing ones. Kurds nationalist feelings had further heightened as a result.

The independence of Iraq was not a promising development for the Kurdish aghas. For them Iraqi independence meant the replacement of a familiar patron (the British) by unfamiliar Iraqi elite rivals. Though not all aghas had good relations with the colonial power, during the mandate the British established a constructive state-agha relationship. Compared to the Ottoman period, agha-state relations during the British mandate had not changed substantially, and they may have even improved. It was the British that reinforced the tribal system in Iraq and secured the upper-hand and semi-independent status for the aghas (Bruinessen 1992: 190-191). Therefore, it was reasonable for many aghas to view the British as their protector from the state elites in Baghdad. The aghas faced a new reality after Iraq's independence:

the Iraqis emerged as their new patrons and rulers. While many were pan-Arabs and centralists, these new patrons were eager to impose their authority on all Iraq citizens including those from Kurdistan. Iraq attempted to introduce many centralised measures that alarmed both anti- and pro-state traditional elites. One centralisation measure was the attempt to impose taxes over tribal and rural communities (Ali 2003: 567; Walker 2003: 34). The government's new tax policy drew protests from many tribal leaders. The Jaf tribe, for example, threatened to join Sheikh Mahmud's movement if it had to pay taxes to Baghdad (Ali 2003: 567). Another example is the Barzan rebellion of 1930. Iraq's centralisation policy and taxes were the main reason for the rebellion (al-Hassani 988: 180-181: al-Barak 1989: 77). Consequently, the British-Iraq treaty of 1930 and Iraqi independence in1932 were followed by a series of disturbances and rebellions. The two largest rebellions were Sheikh Mahmud's rebellion in March 1931, and Barzan's rebellion of 1930-1932 (Bois 1966: 151; Ali 2003: 524-525).

Iraq adopted the policy of 'Iraqisation' of the Kurds through introducing the concepts of 'Iraqi subjects' (Re'aya) or describing them as a 'race' or 'linguistic minority, rather than a distinct nation or ethnic group which the Kurds considered themselves to be (Declaration of the Kingdom of Iraq 1932; Sharif 2007: 183). Another measure was the introduction of the 1934 Conscription Law. Many autonomous communities interpreted the Law to be Iraq's method to terminate their self-rule status. Therefore, the enforcement of conscription resulted in a number of disturbances in Kurdistan, especially during 1935-1940 among the Yezidi Kurds of the Sinjar district (Fuccaro 1997: 563). The death of King Faisal in 1933 caused another blow to agha-state relations. Faisal's background as a chieftain from Arabia enabled him to establish a conciliatory relationship with many Kurdish chieftains. The western educated young King Ghazi with his pan-Arab agenda was less capable and perhaps less inclined to maintain the monarchy-agha relationship (Walker 2003: 27). Moreover, the Bakir Sidqi coup of 1936 that terminated the pan-Arab cabinet of Yasin al-Hashimi created another wave of anti-Kurdish discourse among Arab nationalists (McDowall 2004: 288). The fear of retaliation, further centralisation of Iraq following the fall and murder of Sidqi, and the restoration of pan-Arab power in Iraq were the main sources of Kurdish anxiety (McDowall 2004: 289). In this regard the aghas and urban elites were affected equally as both shared a common Kurdish culture, language, ethnic identity and threat from the Iraqi centralisation and state-building processes.

The Saadabad Pact that was signed by Turkey, Iran, Iraq and Afghanistan on July 8, 1937, further sobered the traditional Kurdish elite. This Pact was considered to be anti-Kurdish by many (*Khabat* 04/04/1959; Talabani 1970: 102-104, 179; KDP 1979: 15; Kosrat 1985: 48; Qaftan 2003: 58; Mina 2012: 123). This is

not only because Iraq, Turkey and Iran shared the same Kurdish problem, but the Pact had dramatic consequences for the Kurds. For example, Article 2 of the Pact (1938) emphasised the "inviolability of their common border". This affected Kurdish rural and tribal communities significantly. Many Kurdish tribes depended on cattle grazing on the other side of Iraq's borders (Potter 2004: 70). The Pact, however, restricted their access to Iran and Turkey, and thereby terminated their traditional way of life. Tens of Kurdish tribes were arbitrarily divided by modern borders that extended to both sides of either the Turkish or Iranian borders (Shamzini 2006: 29; Mina 2012: 158, 182-183). Accordingly, these Kurdish tribal connections with their kin on the other side of the Turkish and/or Iranian borders were terminated or severely thwarted.

More definitive acts of collusion on the part of these countries against Kurdayeti is found in Article Seven of the *Saadabad Pact* (1937) that stipulated that:

> Each of these countries […] undertakes to prevent, within his respective frontiers, the formation or activities of armed bands, associations or organisations to subvert the established institutions, or disturb the order or security of any part, whether situated on the frontier or elsewhere, of the territory of another party, or to change the constitutional system of such other party.

Many Kurdish movements of that time, such as the Khoyiboon, Sheikh Mahmud, Simko and Barzani movements, either inclined toward irredentist sentiments, or they took the border areas between Iraq and these countries as bases for their activities (Ali 2003: 562, 575). On many occasions after the Saadabad Pact these countries joined Iraq in its confrontation with the aghas. The Iranian-Iraqi cooperation against Sheikh Mahmud's movement, and rebellions of Jwanro and the Pizhder tribes were three examples (Nebez 2001: 92). This Pact that in 1955 turned into the Baghdad Pact was in place until the overthrow of the monarchy in 1958. The Saadabad Pact affected both the aghas and urban elites as both shared a common interests and support of Kurds on the other sides of the borders inside Iran and Iraq and both faced joint actions from these countries that joined Iraq in the Saadabad Pact. Thus, the new circumstances following the creation of Iraq and its resulting independence brought about a profound change in Kurdish-state relations. These circumstances provided fertile ground for Kurdayeti to organise into political parties.

5.1.2. The Emergence of Modern Kurdish Political Parties as a Public Phase of Kurdayeti

One important development in Kurdish history in modern Iraq is the Kurdayeti's ability to organise itself into a modern political structure. A short bibliography of Kurdish political organisations in Iraqi

Kurdistan shows the evolutionary trend of Kurdayeti within the confines outlined above. Kurdish nationalist organisations proliferated during this period and more than a dozen clandestine political parties emerged. The first Kurdish political organisation in the post WWI era was the League of Independent Kurdistan, established in 1920 (Fatih 2012: 88). The second political party was the Kurdistan League founded in 1922. The League published a newspaper until 1925 called *Bangi Kurdistan* in Kurdish, Arabic and Turkish (Talabani 1970: 59; Hilmi 2003: 304-306). The third political party was the Kurdish Independent League founded in 1924. The fourth was the Defense of the Homeland League established in 1925 (Emin 2004: 86; Sharif 2007: 130). These four organisations were founded when the status of Kurdistan was unknown and it had not yet been merged with the newly created Iraqi state.

After the Mosul referendum of 1925 the proliferation of nationalist organisations continued. In 1927 the Zoroastrian League was established as a party of the middle class and intelligentsia with branches in the main Kurdish cities of Sulaimaniya and Erbil (Mazhar 2001: 301-304; Sharif 2007: 120-122). What distinguished this organisation from the others was its willingness to incorporate Sheikh Mahmud and other tribal leaders within its ranks (Mazhar 2001: 305-308). The Zansty Club (1926-1927) is probably the first legal organisation to be founded under the mandate though it was disbanded for its nationalist and political activities (Ali 2003: 525; Emin 2004: 86). In 1927 another four organisations were founded: the Progressive Association, the southern branch of the pan-Kurdish party Khoyibun (1927-1930), the Brotherhood League (1927-1933) a religious organisation, and the Renaissance and Progress of Kurdistan. The first two were clearly inclined toward irredentist ideologies. The Renaissance and Progress of Kurdistan was probably the first nationalist organisation in Iraqi Kurdistan that abandoned irredentism. The party considered the forced annexation of Kurdistan to the Arab Iraq as a fallacious decision and humiliation for the Kurds. It also called for the establishment of an independent southern Kurdistan either peacefully or by use of arms if necessary (al-Botani 2001: 512-518; Mazhar 2001: 289-290; Ali 2003: 526-230; Emin 2004: 87; Sharif 2007: 134; Fatih 2012: 93).

In 1930, the year of the British-Iraqi Treaty, three more organisations were founded. The first was a clandestine National Committee, and the second was a licensed Victory Association (Emin 2004: 86). The latter was founded as a cultural association, but soon was banned due to its political activities aimed against British-Iraqi rulers. The third was the Kurdish Progressive Association that centered its political activities on the British role in submitting the Kurds to the Iraqi Arabs (Ali 2003: 526-529). During the second half of 1930 two new organisations were founded that demonstrated a more mature attitude in the Kurdish political movement. The first was the Darkar in 1937 that aimed to unite the Kurds within a

broader nationalist party that would lead the Kurdayeti. This later turned into the Hiwa party (Sharif 2007: 138; Sabir 2007: 107; Fatih 2012: 99). In 1936-1937 the elites established the Brotherhood Society, though the party's activities did not go beyond Sulaimaniya province (Talabani 1970: 69; Sharif 2007: 136). The creation of a political party with proto-nationalist tendencies for traditional leaders was an important turning point in Kurdayeti. The urban Kurds were no longer the single body to represent Kurdish nationalism. The newly educated generation of aghas was now exposed to modern ideals and politics and it indicated their willingness to participate in Kurdayeti.

The emergence of these modern organisations between the two world wars helps to explain several aspects of Kurdayeti and its nationhood project. For example, though these organisations were embryonic, they indicated the rising Kurdish nationalist tendencies in the urban centres of Iraqi Kurdistan. It also indicated the departure of Kurdayeti from its tribal and traditional character of the late nineteenth and early twentieth centuries. Moreover, none of these organisations advocated Iraqi nationalism. Despite the proliferation (more than a dozen) of political organisations, Kurdayeti in this period suffered from several weaknesses. These organisations failed to create a Kurdish national discourse and had little, if any, political and theoretical influence. Though most of these associations organised political activities with branches in major cities of Iraqi Kurdistan, they failed to take a leadership role to unify Kurdayeti. Another weakness was that Kurdish nationalist activities and power bases were exclusively urban and failed to find a power base in the rural areas of Kurdistan where the majority of the population lived. In other words, the Kurdayeti managed to reconfigure itself into a modern political structure. However, it failed to mobilise the wider Kurdish society. Finally, the aghas and urbanites showed few signs of cooperation and were isolated from each other. When the tribal elites decided to organise their ranks in 1937, they founded their own organisation (Brotherhood Society) instead of joining the existing urban organizations. The next section further scrutinises the urbanite-agha relationship.

5.1.3. Kurdish Urbanites-Aghas Relations

It was pointed out in the last chapter, monarch relations with both the urban nationalists and the aghas involved policies of exclusion and suppression against the nationalist urbanites. The majority of urbanites, however, were secessionists motivated by Kurdayeti and they therefore rejected the legitimacy of Iraqi rule in Kurdistan. The aghas' socio-political power was reinstated and their local autonomous entities were accommodated. Not all aghas, however, had acceptable and conciliatory relations with Baghdad. Many longed for greater autonomy for their communities (tribes) or even for the wider Kurdish society. Others were simply discontent with the state's policy of centralisation and Arabisation of state institutions,

and/or the state's policy of interference in their local affairs (Lukitz 1995: 99, 112-113). These discontented aghas had difficult relations with the state and were often in rebellion against it. The differences among the groups centered on the motivations, demands, nature and methods of their opposition to Baghdad. Throughout the monarchy many tribes stayed aloof from the Kurdayeti and remained conciliatory to Baghdad. A few disadvantaged aghas, such as Barzan, opposed Baghdad, but not necessarily for Kurdish rights (McDowall 2004: 229, 303; Natali 2005: 32). They were predominantly motivated by the loss or gain of their semi-independent status and/or disputes with the state over issues such as taxation and conscription. With the exception of Sheikh Mahmud, the aghas that adopted nationalist claims were autonomists, calling for fiscal or administrative autonomy (Lukitz 1995: 112-114). As for methods by which to oppose Baghdad, the tribal leaders resorted to army rebellions to extract more concessions and autonomy, whereas the urbanites preferred civil disobedience, such as the September 6th uprising of 1930 (Dark Day) in Sulaimaniya. The urbanites also attempted to elevate their cause to an international level, and to use diplomatic channels and appeals for international support through petition drives and communicating to the League and the British. The state of non-cooperation between the two groups is evident in that urban political groups did not join the Sheikh Mahmud and Barzani movements of the early 1930s and the aghas played no role in the September 1930 uprising (Talabani 1970: 108).

Being rebellious by nature, the traditional movements drained the human and financial capital of the Iraqi rulers more than did the urbanite movements. However, their rebellion took place in the remote areas near the Iraqi borders with Iran and Turkey as in the case of Sheikh Mahmud and the Barzanis respectively. The two rebellions were isolated from each other, and each refused to cooperate with the other (Ali 2003: 576; McDowall 2004: 176). Therefore they remained localised with little impact on the broader Kurdish society. The urbanite activities, by contrast, were centered in cities and towns. They were more effective in destabilising the Iraqi regime and in mobilizing Kurdish society. The effectiveness of the urbanites' methods is illustrated in the resulting Iraqi commitment to a set of reforms immediately after Dark September of 1930. This included the introduction of study in the Kurdish language (Kosrat 1985: 47). For many Kurds the modern nationalist movements of the 1960s and onward were direct results of the Dark Day of September (Talabani 1970: 108; Emin 1999: 34; KRG-ME 2008: 156-157). Compared to the Dark Day, the Sheikh Mahmud and Barzani rebellions of the same period (1931 and 1930-1932 respectively), had occupied a minor role in the Kurdish common memory. Thus, throughout the 1920s and 30s differences between the two population segments became so great that they were less inclined to cooperate.

5.2. The Second Phase of the Kurdayeti Awakening (1939-1958)

This phase of the Kurdayeti was characterised by the incorporation of the aghas into Kurdayeti, the emergence of leftism, the emergence of popular and autonomous political parties and the Kurdayeti domination of Kurdish politics.

5.2.1.   The Emergence of the Urbanite-Agha Coalition

Following WWII Kurdayeti was transformed politically and socially albeit with the stamp of Iraqi regional and global influences on it. One of the most important influences was the diminishment of the British role in Iraq following the al-Gailani coup of the early 1940s.[23] Though toppled by the British, the coup depicted the rise of pan-Arabism and the manipulation of power politics in Iraq. This increased the aghas' feeling of vulnerability due to the potential threat to the survival of their Tribal Autonomous Entities. This anxiety was evident in that the Jaf in Sulaimaniya and Kirkuk provinces and many tribes in Erbil province planned to rebel and control Kurdish cities and towns. Moreover, Sheikh Mahmud attempted a revolt against Iraq in 1941, and the Barzanis managed a second rebellion in 1943-1945 (Lukitz 1995: 111). At this stage both traditional and urbanite Kurds found it necessary to cooperate due to increasing pressure from the state elites. With the aid of the urbanites, the aghas managed to attract non-tribal members due to their ambition to extend their popularity and authority beyond their immediate tribal framework. Since their activities and organisations were banned by the central government, the urbanites were keenly aware that without tribal support, they would remain powerless.

By the 1940s the urbanites and aghas became less isolated from one another compared to the early 1930s. This was due to two primary reasons. First, many urbanites were either from urbanised traditional families or they were intellectuals originating from traditional families.[24] Second, the effect of WWII and the widespread use of radio and other telecommunications resulted in the spread of modern ideals such as communism, Nazism, liberalism and democracy. Mustafa Barzani, who was exiled to Sulaimaniya from 1933-1943, was a striking example of one that fell under nationalist influence and with the nationalists he managed to escape to his region of Barzan (Ali 2003: 598-602; Nuri 2007: 138). Hence, the two strata were more apt to cooperate than they were during the first wave of reawakening. Additionally, WWII significantly impacted the political atmosphere of Kurdish society and further exacerbated the internal

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23 On April 1, 1941, Rashid Ali al-Gaylani, a pan-Arabist and pro-Nazi Sunni Arab politician, led a military coup against the pro-British regime of Iraq. The coup is known as the al-Gaylani coup.

24 Two examples are Bahaddin Nuri the former secretary of the Iraqi Communist party and Jalal Talabani, then a member of the KDP politburo.

conflicts of the Iraqi elite. This resulted in the rise and fall of the pro-German al-Gailani coup of 1941 and in creating a power vacuum, especially in Kurdistan (al-Barzani 2002: 123-125; Nuri 2007: 138). The old system, however, was restored with British assistance. As a result of WWII, the British lost its previous status and position in the region and especially in Iraq. Britain's ability to suppress and put pressure on the Kurds subsided (Mathewson 2003: 9; Nuri 2007: 138). Consequently, Kurdayeti experienced an unprecedented revival among traditional and urban Kurds. The revival of Kurdish hopes to achieve independence as a state was described by two main Kurdish political organisations founded during WWII, namely the Hiwa and the Rizgari parties. Hiwa emphasised that:

> With the end of World War II, the hopes of the miserable nations…revived to get rid of oppression and tyranny, especially when the Allied Nations have promised the independence to the nations and giving them the right to decide their own fate; the Atlantic Charter being the rock on which most of the nations built their hopes.[25]

By the same token, in a memorandum to the League of Nations, Rizgari stated: "when World War II drew to its end the hope of the oppressed nations revived, this included the Kurdish nation" (see Andrews 1982: 22). Reflecting this hope, this phase of Kurdayeti seemed more mature than the first phase. Two distinctive features of this phase were the emergence of leftism and popular parties. Leftism was introduced by *Yeketi Tekoshin* and his legacy is referred to as the *Yeketi Tekoshin* legacy. The KDP was a popular political party for the urbanite and rural populations. The idea of the establishment of a popular party as a coalition of urbanites and aghas was introduced by the Hiwa Party. Therefore it will be called the Hiwa legacy.

5.2.2. The *Yeketi Tekoshin* Legacy

One of the most significant features of the second phase of Kurdayeti was the emergence of the leftist movement as a major player in Kurdish politics. In 1944 the *Yeketi Tekoshin* (hereafter *Tekoshin*) was established and later turned into the Communist Party of Iraqi Kurdistan, which was popularly known as *Shoresh* (Sharif 2007: 158).[26] There were several pillars of the *Tekoshin* ideology that became the legacy of and adopted by many Kurdish political parties. The first legacy is the adoption of an anti-imperialist discourse. The *Tekoshin* insisted that one of its main goals was to liberate Kurdistan from imperialism and its reactionary agents (i.e., the Iraqi state and the aghas) (*Yeketi Tekoshin* 1944: 1-3). The *Tekoshin*, however, was not the pioneer of the anti-collonialism. Signs of animosity toward the British go back to

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25 For the full text of the Hiwa Party program (Kurdish Hope Society), see Andrews 1982: 22

26 Shoresh was the mouthpiece newspaper of the party.

the time the Hiwa party. Representing many different segments of urban society, the Hiwa party was founded in 1939 and was dominated by two factions. The younger generation inclined towards the Soviet and the socialist camp while the traditional wing wanted to maintain relations with the British. This difference was one of the main reasons behind its dissolution. *Tekoshin* was formed mainly from pro-soviet members of Hiwa. (Emin 2004: 87-88). The *Tekoshin* was the first party that introduced anti-imperialism into its political program. It is noteworthy that from the 1940s on the struggle against imperialism, (i.e., the British) was a common goal of most of Kurdish parties. Kurdish animosity toward the British resulted in their embracing the socialist camp along with their ideas (Lukitz 1995: 115).

The second legacy of the *Tekoshin* was the call for the right of self-determination. The *Tekoshin* philosophy was that the Kurds as a nation should exercise its right of self-determination and establish its own state in Greater Kurdistan (*Yeketi Tekoshin* 1944: 8-11). The right of self-determination was adopted by other political parties that were founded after the *Tekoshin*. In fact, as explained in chapter three, attaining of the right of self-determination became a central demand of many political parties in the twentieth century, especially the leftists. The third legacy of the *Tekoshin* was the leftist ideology. It is the first Kurdish political party that clearly advocated for socialism as a solution to the Kurdish issue. The party viewed leftism as a method to achieve the goal of the establishment of a Kurdish independent state (*Yeketi Tekoshin* 1944: 8-11). It is noteworthy that, until the late 1980s, Kurdish politics was dominated by leftist ideologies. In fact, all Kurdish political parties to varying degrees claimed allegiance to leftist principles between 1940 and 1988.

5.2.3. The Hiwa Legacy

One of the most significant distinctions of this phase of Kurdayeti was Hiwa's role in reshaping the Kurdish political movement as it laid the foundational principles and the character of modern Kurdayeti and its nationhood project. In this section some principles that were introduced by the Hiwa and that have been followed by almost all political parties since the 1940s are highlighted. These principles may be called the Hiwa legacy. The first legacy of Hiwa was the termination of the fragmented nature of Kurdayeti in the first phase of Kurdish nationalism. From its foundation in 1939 until its dismemberment in 1944, Hiwa served as an umbrella to various urban-based political groups. In addition to the urban nobles, the party was also active among students, army officers, businessmen and land owners (Sharif 1978: 16-17; Emin 2004: 87; Shamzini 2006: 263). Thus, for the first time, urban nationalists from different classes united their ranks within a single political party.

Another legacy of the Hiwa party was the organising of urban and tribal communities within one political party. Hiwa's role in this achievement was evident in the establishment of the KDP as a coalition party of urban and tribal communities. Though the Hiwa was dissolved two years prior to the establishment of the KDP, it may be considered as a pioneer of the urban-tribal elites' coalition. Between 1940 and 1945 several urban, mostly leftist and nationalist, parties were founded. *Tekoshin*, the *Rizgari* party, and an Iraqi Kurdistan branch of the Iranian political organisation, *Jiyanewey Kurd* were among those that were active during this period. Most of these parties declared their struggle against the tribal and feudal system of Kurdistan and none of them wanted tribal leaders to join their parties. However, Hiwa did attempt to bring the tribal and urban elites into one organisation, the Azadi committee. Both the Barzani rebellion and the Hiwa party were short-lived; the former was suppressed in the autumn of 1945, and the latter was dissolved with the collapse of the rebellion (Shamzini 2006: 286; Sharif 2007: 150-155). However, the same army officers that founded the Azadi and the majority of the members of the dissolved Hiwa party contributed to the establishment of the KDP. Consequently, it became a broader coalition of tribal leaders, leftists and city notables (Talabani 1970: 88; Emin 2004: 186; Shamzini 2006: 279-280). The first constitution of the KDP was written in 1946 by army officers that were ex-members of the Hiwa and the Azadi Committee (Emin 2004: 186).

The KDP and the PUK, Two of the most influencial political parties in Kurdistan founded as umbrella organization that incorporated both the urbanites and aghast. The KDP was founded from several organisations including the Rizgari party, a branch of the Kurdistan Communist Party (Shoresh), all members of Azadi Committee, a branch of the Iranian KDP in Iraqi Kurdistan, and the dominant tribal leaders such as Barzani and Sheikh Latif. Apart from the branch of the Iranian KDP, all these political parties that united to form the KDP can be considered as offsprings of the Hiwa party. This is because the overwhelming majority of their members were ex-members of the dissolved Hiwa party (Talabani 1970: 87-88). Thus, the Iraqi KDP, itself, can be considered as an offshoot of Hiwa party. The KDP adopted the same Hiwa policy of incorporating both urbanites and aghas into one political party. The latter remained one of the main political parties that dominated the Kurdish political sphere since its establishment in 1946. This urban-tribal alliance within the KDP was consolidated after the monarchy was dissolved and it has continued to the present, albeit in a different form. The PUK, one of the largest opposing political organisations, followed the same pattern to a great extent. The PUK was formulated in 1975 from three smaller organisations: Kurdistan Toiler League (Komala), the Socialist movement (*Bzutnawa*) and General Stream (*Helli-Gshti*). Komala was an urbanite radical Marxist organisation. *Bzutnawa* was a party of military leaders, such as Ali-Askari and Khalid Said who were dominant figures in the peshmerga

during the Kurdish rebellion of 1961-1975. *Helli-Gshti*, however, was a tribal wing of the PUK that was organised under the leadership of Jalal Talabani. Though *Helli-Gshti* was the smallest organisation within the PUK, its leader, Talabani, has held the leadership of the party since 1975 (Omar 2002: 103). Thus, the Hiwa Party can be considered as a pioneer umbrella organization that incorporated both the urbanites and aghas within it.

One more legacy of the Hiwa party was the principle of dual leadership (aghas and urbanites) of the Kurdayeti. On January 30, 1945, Rafiq Hilmi, leader of the Hiwa Party, wrote to Mustafa Barzani, leader of the Barzan rebellion, of the idea of dual leadership, civil and militant, for the Kurdish movement.[27] The militants were exclusively tribal and with the officers, but the urbanites were more civil. By implication the Hiwa's call consisted of nothing more tribal and urban leadership. This perspective was adopted by the Azadi Committee. While offering the chairmanship of the party to Barzani as tribal leader, all its central committee members were from the officers (Qaftan 2003: 86; Shamzini 2006: 286). To understand Hiwa's role in the establishment of the Azadi Committee, it is worth noting that apart from Barzani, all leadership members were also members of the Hiwa (Sharif 2007: 163). The former considered itself as a branch of the latter, rather than as an independent organisation (Sharif 2007: 169-170; Sabir 2007: 125). Thus, Hiwa was the first Kurdish political party to bring together both tribal communities and urban nationalists. As a result of the confluence of several events, the Republic of Mahabad in Iran was founded in 1946 by the Kurdistan Democratic Party of Iran (KDPI). Barzani and the army officers of the Azadi committee joined the Mahabad Republic in 1946. Similar to Hiwa, and perhaps under its influence, the KDPI of Iran was founded as a tribal-urban coalition with religious leader Qazi Mohammad as its president. This structure reflected the Kurdish government of Mahabad. The success of the KDPI's efforts to bring the two segments together further galvanised the cooperation of the urban and tribal elites of Iraqi Kurdistan.

Similar principles were followed in the establishment of the Iraqi KDP. This was evident in the fact that Barzani and the army officers were in Mahabad when they initiated the establishment of the KDP (Talabani 1970: 85; Farouk-Sluglett and Sluglett 2001: 28; Emin 2004: 186). They also formalised the silent understanding to allocate the positions of the president and secretary within the KDP evenly to tribal and urban elites. The tribal leaders guaranteed the nomination of the party's presidency and the urbanites retained the positions of secretary and political bureau of the party. Barzani, Sheikh Latif, and Kaka-Zyad, three of the most significant figures within Kurdish tribal society were appointed as the

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27 For the full version of the letter in English, see see Barzani (2003a: 74). For the Arabic version see Sharif (2007: 164-165).

party's president and deputies respectively (Emin 2004: 187). Though in a different form, the dual leadership is still followed by the KDP today. The president of the party is dedicated to the Barzani family, with Masud Barzani as the president. His nephew, Nechirvan Barzani, is its vice president, and the Secretary of the party and the majority of its politburo are allocated to non-Barzanis of whom most are members of the urban elite.

Moreover, *Hiwa* introduced the culture of the militaristic rebellion as a method to achieve nationalist goals. The tribal or semi-tribal wing of the Azadi and the KDP (including leader Mustafa Barzani) originated from the rural regions and had a warrior background. They preferred to draw on military methods to oppose the Iraqi authority in Kurdistan. The Iraqi authority itself had a military mentality as a consequence of the army's role which was evident in a series of military coups that transpired between 1937 and 1941 (Polk 2005: 89). Through its offshoot, Azadi, the Hiwa approached Barzani to confront this development through the creation of an armed force. Consequently a militia of some 4,000-5,000 persons was established (Borovali1987: 31; Qaftan 2003: 83). Hence, for the first time Kurdayeti in Iraq established an organized military force. In the following decades the tribal and rural leaders retained the military wing of the KDP. As explained in the next chapter, Barzani returned from exile to Iraq in 1958 as a national hero. With the help of the Iraqi ruler, Qassim, Barzani and the tribal wing managed to restore their power within the KDP. After bolstering the military mentality within the party, the tribal wing gained supremacy that led to an army rebellion in 1961. In fact, the armed rebellion between 1961 and 1991 was the dominant character of the Kurdayeti.

Another legacy of *Hiwa* was the exploitation of tribal revolts for the nationalist agenda and the redirection of tribal unrest to a nationalist rebellion. Urban nationalists were disappointed at the failure to achieve Kurdish rights through peaceful and political means (Nuri 2007: 139-140). The same letter to Barzani that mentioned Rafiq Hilmi expressed the nationalists' disappointment at being deprived of legal channels to express nationalist sentiments. He suggested that a successful nationalist movement required a military and a political wing. Viewed in this way, Hiwa perceived the second Barzani revolt (1943-1945) as an opportunity to invest in both political and nationalist goals. The rebellion initially began as a tribal insurgency against increasing governmental interference in the Barzani tribal affairs and its main goals and demands were exclusively tribal (Emin 1997b: 46). This tribal insurgency initially failed to gain solidarity from other tribes or the wider Kurdish community. Indeed, many rival Kurdish tribes fought side-by-side with the Iraqi army against the Barzanis (McDowall 2004: 293).

The Hiwa took advantage of Iraq's decision to appoint Majid Mustafa, a Kurdish Minister in Baghdad, as the government's representative to negotiate on its behalf with the Barzanis. Mustafa was an independent personality who established a close relationship with the clandestine Hiwa. Instead of negotiating on behalf of Baghdad, however, Mustafa acted, albeit secretly, as a Hiwa delegation to Barzani. He encouraged Barzani to call for Kurdish rights instead of demanding privileges for his tribe. Based on Mustafa's suggestion the government of Iraq appointed Kurdish officers in the Iraqi army to observe and to negotiate with the Barzanis (Emin 1997b: 47; Nuri 2007: 159). In coordination with Hiwa, Mustafa nominated Kurdish officers that were secretly members of Hiwa for that task. As Mustafa did, the officers acted secretly on behalf of Hiwa, rather than representing Iraqi policies and interests. Accordingly, under their influence, Barzani for the first time called for the autonomous administration of the entire Kurdish region in April 1944 (Emin 1997b: 47; Nuri 2007: 149-150).

Kurdayeti went through a similar experience in 1961. After the 1958 revolutionary coup the new Iraqi leaders introduced agrarian reforms. In addition to losing their privileges and power bases enjoyed during the monarchy, the aghas were at risk of losing their lands (McDowall 2004: 306). Therefore, Mustafa Barzani, as the head of the KDP, found an opportunity in the conflict between the state and the aghas to mobilise the aghas against the new regime. With his encouragement, and that of other influential tribal leaders, the tribal communities took up arms and revolted against the government. Though Barzani was the president of the KDP, he was somewhat independent at the same time. Without informing or consulting the party, he approached the aghas (KDP 1979: 10; Emin 1997b: 59). Thus the 1961 rebellion, the largest in Kurdish history, began as a mere tribal insurgency. Initially the KDP did not participate in the rebellion, preferring to stay aloof. It condemned the rebellion as a reactionary tribal movement. Three months later, however, the KDP adopted the rebellion as a Kurdish nationalist revolution (KDP 1979: 10; McDowall 2004: 310-311). Thus, the KDP leadership, many of whom were ex-members of the Hiwa, followed the latter's policy of transforming a tribal insurgency into a nationalist movement. In 1991, the hitherto pro-government tribal leaders and their militia *Jash*, played a pivotal role in the Kurdish uprising that eventually resulted in the establishment of the Kurdistan Regional Government (see Chapter Ten).

Another legacy of Hiwa was to compromise nationalist principles that were established to accommodate the tribal leaders and integrate the rural population into the party. Until the 1960s the tribal and non-tribal rural people constituted a significant, if not the majority, of the Kurdish population. The tribal leaders remained a vital force in Kurdistan (KDP 1979: 25-29). A common urban-tribal front was seen as crucial to change the balance of power in their favor and key to unifying the Kurdish nation (KDP 1979: 25-29).

Not impressed with the urbanites' style of nationalism, the traditional communities' demands were mostly concerned with tribal interests and local community affairs. Therefore, in order to bring the rural communities into the Kurdish nationalist struggle, Hiwa, through Azadi, offered significant concessions based on nationalist principles, such as abandoning irredentism and secessionism. In sum, Hiwa minimalised its nationalist goals to more closely meet tribal concerns that centered on fiscal, cultural and administrative autonomy. This fact is borne out by the three different programs and goals offered by Hiwa, Azadi and the tribal leaders. The first political program was that of the Hiwa Party. It emphasised the liberation of greater Kurdistan and the establishment of a united Kurdish state (see Andrews 1982: 22; Shamzini 2006: 263). The second program from the Azadi Committee abandoned irredentism and confined its goals to the liberation of Iraqi Kurdistan, the unification of tribes and the organisation of an army (see Qaftan 2003: 87; Sharif 2007: 163-164). The third program was Mustafa Barzani's proposal to negotiate with Baghdad in April 1944. As a leader of the Barzan rebellion, and with the encouragement of the army officers, Barzan replaced his tribal demands with moderate Kurdish rights (Emin 1997b: 49: Shamzini 2006: 284). Barzani summed up his claims as follows: organizing the Kurdish provinces and districts in Iraq within one administrative unit. This unit was to be administered from Baghdad through a Kurdish minister in the Iraqi government. A Kurd was to be appointed as deputy minister in each ministry. The Kurdish administration would retain decision-making authority over cultural, economic and agricultural affairs, while security issues would remain with the central government (see Emin 1997b: 49; Qaftan 2003: 77-78).

Barzani's principles and programs were an extension of the political culture that had dominated Kurdish society for centuries, namely the culture of principalities. Kurdish principalities enjoyed territorial autonomy but nominally were subordinate to either the Ottoman or Safavid empires. Within this system, Kurdish principalities were blessed and protected by one empire from the other's intervention. Similarly, Barzani and other aghas were not motivated to establish a modern and sovereign Kurdish state. Instead the demand was for local autonomy under protection from a larger power in the region. Indeed, until the defeat of his rebellion in 1945, Barzani called for a Kurdish self-rule under British protection (Natali 2000: 77). Though Barzani's demands were far more moderate than that of Hiwa and Azadi, it could be considered a turning point in Kurdayeti. Barzani, the second tribal leader after Sheikh Mahmud, elevated his tribal demand to nationalist rights on behalf of the wider Kurdish community. Hence, from 1944 onward, traditional segments of Kurdish society began to play significant roles in Kurdayeti. Despite his tribal background, his limited sympathy towards Kurdayeti, and his moderate goals, Barzani was accepted as a nationalist leader of the Kurds, especially after his participation in the Mahabad Republic of Iranian

Kurdistan in 1946-1947 and his exile to the Soviet Union (Bruinessen 1992: 333). Barzani's call for administrative autonomy under British protection later evolved into demands for an autonomous Kurdistan that cooperated with Baghdad. In its founding statement, the KDP called for federalism for Kurdistan (see Emin 2004: 187-188). However, from 1961 onward, the party's main goals were democracy for Iraq and autonomy for Kurdistan (Barzani 2003a: 209).

The PUK, a coalition of several organisations that was founded in 1975, followed a similar pathway. The Komala, the left wing and the largest organisation within the PUK, advocated for the right of self-determination and the unification of all parts of Kurdistan (*Komala* 1981: 37). However, for many years, the PUK's main goal was the achievement of democracy for Iraq and real autonomy for Kurdistan (*Rebazi Nwe* 1982). With the fusion of the Komala and *Shoreshgeran* into the PUK in 1992,[28] both abandoned their goals and called for federalism for Kurdistan (PUK 1992; 2001: 49). They clearly took the middle ground between the self-determination and irredentism of Komala and the autonomist goals of *Shoreshgeran*. Thus, all Kurdish parties that accommodated the aghas, including the *Azadi* Committee, KDP, and the *Shoreshgeran*, called for autonomy. Those that remained exclusively urban, such as *Tekoshin*, *Shoresh* and Komala, called for independence.

Another legacy of Hiwa was the use of the tribal areas as the safe haven and the power base for Kurdish political parties. In a letter to the leaders of the Barzan rebellion and the Azadi committee, Hiwa asked the Azadi committee to permit Hiwa to establish its headquarters in the Barzan region (Barzani 2001: 74). Hiwa claimed that the incorporation of aghas would facilitate the recruitment of peasants and the rural population into its ranks (Sharif 2007: 140). As pointed out, the Tribal Autonomous Communities (TAE) enjoyed a modicum of autonomy and retained the right to bear arms, collect taxes and administer their local affairs. Most tribes, however, resented interference in their internal affairs by a Kurdish political party as much as that by the central government (Bruinessen 1986: 16). That is why the aghas were not attracted to the Kurdish political parties or their nationalist ideologies until WWII.

Two factors encouraged the aghas to adopt a more conciliatory attitude. First, the developments related to WWII reshaped state-agha relations. The autonomous status of traditional communities were not officially organised or constitutionally recognised. The lack of official status deprived these traditional communities of the ability to institutionalise or to find a network of collaborators or central command. Therefore, their very survival depended on the weakness of the central government and the influence of the British in the

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28 In the mid-1980s *Bzutnawa* and *Helli-Gshti*, two out of three factions within the PUK dissolved themselves and established a new organisation called Yeketi Shoreshgerani Kurdistan (the Revolutionary Union of Kurdistan, and popularly known as *Shoreshgeran*.

country. However, since WWII British influence declined and pan-Arab and centrist ideologies ascended among the leadership in Iraq. Accordingly, the main threat to the Traditional Autonomous Entities did not come from the Kurdish party; rather it came from Baghdad which was eager to consolidate its control over all parts of Iraq. Second, the Kurdayeti (especially Hiwa and KDP) policy was to include the aghas into its ranks, thus bringing the urban and tribal elites of Iraqi Kurdistan together in one coalition. This step had three important messages for the aghas and the traditional communities. First, it meant that the KDP would accommodate tribal and the rural populations' interests. Second, it showed the party's willingness not only to accept members from all segments of tribal communities, but also to provide a position within the Kurdish movement that matched their socio-economic status. Though the KDP diminished the agha power base by emerging as an additional new player in Kurdish rural society, it was compensated by offering the aghas political status. For the traditional stratum, the KDP provided an opportunity to retain its role in Kurdish politics. Third, the KDP's willingness to establish direct and conciliatory relations with traditional communities meant that the party would refrain from interference in their internal affairs.

Apart from Hiwa and the KDP, none of the other Kurdish parties of that time possessed this combination of traits in their constituencies. Radical urban political parties showed as much animosity to the traditional elite as to Iraqi and British rulers. The elimination of the feudal system, (i.e., the agha power base) constituted one of the main drives of the *Tekoshin/ Shoresh* (see Fatih 2012: 104). Moreover, accused of being reactionary and feudal, the *Shoresh*, and the ICP stayed aloof from the Barzani rebellion. Within this unfriendly environment, supporting the Hiwa and KDP and tolerating activities in their areas emerged as a protective measure against both the Iraqi state and the more radical political parties of the Kurdistan region. In other words, the KDP offered a potential counterbalance against both the Iraqi state and the left wing of the Kurdish nationalist movement. These factors merged the moderate urbanites and aghas into a conciliatory, if not a common, front.

The coalition between the aghas and urbanites resulted in several significant consequences that fundamentally reshaped Iraqi-Kurdish relations. One significant consequence of this development was that the rural areas were opened up for urban activities. Through incorporating the aghas, the KDP became the first nationalist party to establish a base in the Kurdish rural areas. At the same time the traditional elites found a leadership role and representation in a nationalist party. Thus, the KDP not only spoke on behalf of the urban nationalists, but also represented the tribal and rural communities. Consequently, the Kurdish nationalists penetrated the rural areas of Kurdistan, areas that had not been

penetrated by any Kurdish or Iraqi political parties up to that time. During the 1960s the rural population, including peasants and to lesser extent the aghas, played a central role in the establishment of Kurdish self-rule (KDP 1979: 25-30). Two more significant consequences of the coalition of the aghas and urbanites were the emergence of Kurdish political parties as modern and autonomous political entities and the monopoly of the Kurdish politics by Kurdish political parties without the Iraqi parties.

Another legacy of the Hiwa party was the establishment of autonomous political parties. The term 'Autonomous Political Entity' is used to describe the status of the post-WWII Kurdish political parties, especially the KDP and to lesser degree the Kurdistan Branch of the ICP. For several reasons, the KDP that functioned outside the state control may be considered autonomous. One reason to describe the KDP as 'Autonomous Political Entity' is that the KDP was founded and operated outside state control. As an offspring of the Hiwa party, the KDP was founded outside the legal system of Iraq and it had no permission or license (Talabani 1970: 88). Its goals, functions and ideology were not necessarily compatible with Iraqi legislation or regulations. Its programmes were, in fact, independent of and antagonistic to the state's constitution, laws and ideology. Though apparently clandestine and outlawed, it acted relatively free of constraints and was even able to monopolise politics in rural areas of the Traditional Autonomous Entities (TAE). This is due to the fact that in these areas the government's interference and authority was either absent or too weak to restrict or terminate their activities.

The relatively 'free' environment in the areas of TAE contributed to the autonomous status of the KDP in many ways. First, tolerating nationalists to be active in these areas meant that Kurdish nationalists enjoyed a safe haven in which their activities were no longer monitored or restricted by Iraqi security forces. During the suppression period of the late 1940s and early 50s, for example, the monarchy had launched a suppression campaign against Iraqi political parties. The KDP and the Kurdistan branch of the ICP however, escaped from the campaign, while the Iraqi branch of the ICP and other parties were seriously harmed (Natali 2000: 86). The TAE also provided room for the Kurdistan branch of the ICP to survive in the late 1940s and early 50's when Iraqi political parties were being suppressed. In1949, for example, the Kurdish branch of the ICP remained intact while most Arab leaders of the party were arrested. Therefore the ICP was directed from Kurdistan by Kurdish communists—not Baghdad (Batatu 2004: 699-701; Natali 2005: 44). Hence, the TAE provided a relatively 'safe haven' for the Kurdish parties' political activities. Second, the TAE offered social, political and cultural space to mobilise the local population and express their Kurdayeti. The autonomous environment that the Kurdayeti enjoyed had two main pillars: the tribes exercised their daily practices and customs, and the urbanites published its

clandestine publications and established its popular organisations. These two pillars enabled the Kurdayeti to express and exercise its social, political and cultural goals and visions. Thus, despite exclusion and political repression at the official and state level, the Kurdayeti still had channels by which to express Kurdish national identity openly outside of Iraqi control.

Third, though limited, Kurdayeti was to some extent still free in its relations with the outside world, especially with fellow Kurds in Iran. The tribes were freer in the mountain terrain that bordered Iran and Turkey. During the Iraqi monarchy, many semi-nomadic Kurds still followed their traditional summer practice of travelling to the highlands of Iranian and Turkish Kurdistan (Potter 2004: 70). This also provided freedom of movement for nationalists to cross borders into and from Iranian Kurdistan. One striking example of this freedom was the Hiwa's role in the establishment of the *Komala*y *Jyanewey Kurd*, (the Kurdish Renaissance League in 1943), which later developed into the Iranian KDPI (Talabani 1970: 71). Another example was the establishment of the KDPI branch in Iraqi Kurdistan (Bruinessen 1992: 34; Ali 2003: 680). A third example was the participation of thousands of Iraqi Kurds' in the establishment and defence of the Republic of Mahabad (Nuri 2007: 192). Thus, the Kurdish political parties retained limited *de facto* autonomy by establishing relations with the Kurds from elsewhere—far from the eyes of the central government of Iraq.

Another reason to describe the KDP as 'Autonomous Political Entity' is this party's ability to institutionalise the Kurdayeti. Possessing *de facto* political status, the KDP felt confident enough to institutionalise the Kurdayeti through the establishment of the Kurdish popular (youth and professional) organisations (KPO). These KPOs were affiliated with the Kurdayeti and independent from their Iraqi counterparts or state licenced NGOs (Talabani 1970: 102). In 1952, for example, the Kurdistan Women's Union (KWU) was founded by the female members of the KDP. Advocating for an autonomous Kurdistan, the KWU actively participated in Kurdayeti. Thus, KWU goals went far beyond the limits of defending the rights of Kurdish women, and thereby put women on the frontlines of Kurdish politics (KDP 2011). Another example of institutionalization of Kurdayeti was the Kurdistan Teachers Union (KTU), founded in 1952. The KTU insisted that the foundation of the General Directorate of Education for Kurdish Studies (GDEKS) include all Kurdish areas (*Khabat* 31/08/1959, 14/09/1959). Founded in 1952, the Kurdistan Student Union (KSU) was another organisation that pushed for a separate national identity from Iraq (*Khabat* 13/10/1960, 21/10/1960). Toward that end the KSU struggled to become an independent member organisation of the International Union of Students. This was seen as a step towards establishing itself as an independent entity (*Khabat* 13/10/1960, 21/10/1960). Other popular organisations

that were founded to institutionalise Kurdayeti were the Youth Union of Kurdistan, the Islamic Scholars Union of Kurdistan, and the Writers League of Kurdistan. Instead of building bridges with their fellow Iraqi popular organisations, the KPOs widened the gap between the Kurdish and Arab societies because, similar to the KDP, these KPOs were separated from, and outside the control of, their counterpart Iraqi unions and the Iraqi state. Moreover, they were territorially (Kurdistan) based unions that emphasised separate national identities, namely Kurdistani identity. This made the KPOs more independent of their Iraqi counterparts, and undermined any potential alliance, cooperation or sympathy between these social entities. Thus, the KPOs formed another pillar within the Kurdish autonomous political sphere.

Another reason to describe the KDP as 'Autonomous Political Entity' was the emergence of the united and nationalist Kurdish leadership outside of Iraqi state control. As explained, until 1940 the Kurdayeti failed to unify its ranks and leadership. However, initiated by the Hiwa party, the dual leadership facilitated the KDP's ability to establish a unified leadership centred on the legendary personality of the Kurdish leader Mustafa Barzani. With some 1,500 to 2,000 fighters, Barzani participated and defended the Mahabad Republic in Iran in 1946 (Ali 2003: 733). He was exiled to the Soviet Union following the collapse of the Republic. Now as a national hero that defended the Kurdish republic and exiled for the Kurdish cause, Barzani assumed leadership of the Iraqi Kurds. This is evident in that the KDP literature considered Barzani to be a symbolic hero of Kurdayeti and could find no one of his stature to replace him (*Rizgari* 1952b, 1954; *Khabati Kurdistan* 1957: 1-4). Despite his exile for twelve years (1946-1958), the KDP did not search for a leader to replace Barzani (Bruinessen 1992: 333). After his return in 1958, Barzani emerged not only a KDP leader, but also as an indispensable leader to Kurdish society until his movement fell in 1975. Thus, from the 1940s onward, the hitherto fragmented feudal leadership of Kurdish society was replaced by a unified nationalist leadership. Barzani's charismatic personality enabled Kurdayeti to challenge the impact of the Iraqi personalities on ordinary Kurds. Personalities like the King of Iraq, long-term Prime Minister Nuri al-Said (during the monarchy), Abdul-Karim Qasim, 'Aḥmad Ḥasan al-Bakr and Saddam Hussein during the revolutionary era were no match for Barzani in the eyes of many Kurds. Having Barzani at the helm allowed the KDP to be self-sufficient in terms of making decisions and hence less exposed to the state's leverage and influence. Thus, the Kurdish political parties evolved into autonomous political entities that seemed to compensate for the lack of legitimacy suffered in Iraq.

Figure 4: The four Kurdish officers that founded the Azadi Committee and participated in the Barzan rebellion and later the Kurdish Republic of Mahabad. They initiated the establishment of the KDP and were executed by the government of Iraq in 1948 (KRG-ME 2008).

Map 3: Rizgari's appeal for a united and independent Kurdish state. This map was presented to the United Nations in January 1946 by the Rizgari Party. It appealed for UN support for a united and independent Kurdish state (Andrews 1982: 46).

5.2.4. The Kurdayeti Monopoly of Kurdish Politics

The establishment of a common front between the tribal and urban communities strengthened Kurdayeti significantly. As explained in Chapter Four, the Iraq monarchy was so weak in Kurdistan that it failed to impose its authority in rural areas. Consequently, the aghas successfully resisted the penetration of Iraqi state institutions into their areas. What further worsened the Iraqi position in Kurdistan was that Kurdish nationalists were already active and in a dominant position. One significant consequence of such an alliance was the Kurdish parties' domination of Kurdistan's political sphere. In the last 80 years most Iraqi political parties, nearly a dozen pan-Arab or Iraqi-first types, failed to find enough Kurdish followers to create an organisational base in Kurdistan (al-Botani 2007: 27- 41, 60-75). The ICP, however, was an exception. The party that emerged as a major Iraqi force in the 1950s and early 1960s was the only Iraqi party that created an organisational base in Kurdistan (Jawad 1990: 45; Nebez 2001: 1 26). The Kurds' attraction to the ICP was significant enough that in the 1950s and 60s the Kurds constituted more than 31 percent of the party's central committee and 35-40 percent of party membership (Jwaideh 2006: 272). Thus, Kurdish membership in the ICP constituted double their proportion compared to their 20 percent of the total Iraqi population. It would be a grave misunderstanding, however, to consider Kurdish participation in the ICP, an Iraqi-first party, as an indication of the Kurds' affiliation and loyalty to the Iraq. Despite its existence as an active party in Iraq since 1934, the ICP failed to attract the Kurds to its ranks and to find an organisational base in Kurdistan until the middle of the 40s (Emin 2004: 65, 88, 113). In the middle of the 1940s, the leftist Kurds created their own Marxist organisation *Tekoshin* that later became the *Shoresh*. Initially the Kurdish communists conflicted with the ICP over the necessity of a separate communist party for the Kurds (Emin 2004: 66).

Failing to create grass-roots support among the Kurds, the ICP approached the Kurdish leftist organisations. This was after numerous acts rejecting the Kurdish communist demands to maintain its autonomous status with the ICP (Emin 2004: 66). In its first congress held in 1945, however, the latter agreed on the Kurdish demand to maintain an autonomous branch and this was ratified in Article 27 of the Party's constitution. According to Article 27, the Kurdistan Branch would have its own plans, policies, secretary, constitution and a newspaper to serve as its mouthpiece (see Hmeidi 1976: 220). In 1946 a significant section of *Shoresh* joined the ICP on condition of maintaining autonomy within the ICP and recognising Kurdish rights. Consequently, *Shoresh* the successor of the *Tekoshin*, became the Kurdistan branch of the ICP (al-Barzani 2002: 93; Emin 2004: 113-114, 142). This was the only way that the ICP could create a grass-roots support base in Kurdistan. As communists, both the ICP and *Shoresh* were

dedicated to the ultimate goal of forming a socialist society. However, the unification was more an alliance of convenience rather than something based on common identities or strategic goals. In fact, the two parties possessed some contradictory goals. The ICP was dedicated to the ultimate goal of forming a socialist Iraq with an overarching Iraqi identity and dealt with the Kurds as a minority group. Even up to 1945 the ICP's Kurdish policy was similar to that of other Iraqi-centric parties.

In its first conference in 1945 the ICP recognised the Kurds as an ethic minority in Iraq and avoided ratifying the right of self-determination for the Kurds, instead calling for the Kurds' minority rights (*al-Qaeda* 16/3/1944; ICP 1959: 15).[29] In contrast, *Tekoshin* and *Shoresh* were primarily Kurdish political parties aimed at promoting Kurdayeti and the distinct national identity of the Kurds. Kurdish communists were also dedicated to the pan-Kurdish agenda and the establishment of a united and independent Kurdistan (*Yeketi Tekoshin* 1945: 13; Fawzi 1961: 100-101). This put the ICP up against the Kurdish Communists that insisted that the Kurds as a nation should have the right of self determination. Following the merger of Shoresh with the ICP, the fomer's goal of self determination for the Kurds was adopted by the Kurdistan branch of the ICP (Azadi 1952a). Article Seven of the Kurdistan branch constitution, ratified in its first conference in 1952, emphasised the right of self-determination for the Kurds including an independent Kurdistan (*Azadi* 1952b). The differences were also reflected in the ICP congresses. In the period of Kurdish hegemony over the party, the ICP admitted the right of self-determination and an independent Kurdistan. Under the leadership of Bahaddin Nuri, the first Kurd to hold the position of secretary general of the party, the ICP introduced the right of self-determination and secession of Kurdistan into the ICP constitution (ICP 1956). In 1956 the Arabs retained their hegemony in the ICP and, after considering the policy of re-Arabising the ICP, they rejected it (Kirmanj 2010: 96).

The unification of the *Shoresh* with the ICP had a significant influence on the latter's strength. Prior to unification the ICP failed to attract the Kurds to its ranks and the majority of ICP members were predominantly from Baghdad and southern Iraq (Batatu 1992: 168). Thus, integrating the *Shoresh* into the ICP provided more than 30 percent of its membership. Moreover, the ICP became the first, if not the only, non-Kurdish political party in Iraq to create a grass roots support base in Kurdistan (Emin 2004: 88; al-Botani 2007: 50-51). During the suppression periods, the ICP found refuge in Kurdistan, similar to the KDP. But a significant shift happened in ICP Kurdish policy in favour of the Kurds. The ICP became the first Iraqi party to defend Kurdish rights in public, support that the Kurds desperately needed due to the fact that they were prevented by the central government from establishing their own political and cultural

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29 The first ICP conference should not be confused with its first congress. Both were held in 1945.

organisations (Barzani 2002: 71). In the absence of a licenced Kurdish party, membership in the semi-legal ICP provided a channel for the Kurds to seek support for their causes among the wider Iraqi community. Finally, both parties made compromises in their ideologies so as to be more compatible: the *Shoresh* abandoned its pan-Kurdish goals and the ICP abandoned its endorsement of administrative autonomy for the Kurds and the Kurds' right to self-determination. Since the beginning, the Kurdistan branch of the ICP acted autonomously within the ICP. In the 1940s and 50s it had its own leadership, a publication called *Azadi*, and policies (Azadi 1952a). After the 1963 Ba'athist coup, the ICP and its Kurdistan branch formed an armed wing under the protection of the KDP in liberated areas of Kurdistan outside of Iraqi control (Barzani 2003a: 204). The Kurdistan branch of the ICP fought for the Kurdish cause and conducted guerrilla warfare to that end. It became part of the Kurdish nationalist movement in the process. The Kurdistan branch also arranged for separate conferences and drafted its own policies (ICP 1997).

From 1963 onward the Kurdistan branch of the ICP acted as a separate and independent party in all but name. At least until 1972, it enjoyed protection and operated freely in the 'liberated areas' of Iraqi Kurdistan. In contrast the ICP suffered heavily under the anti-communist campaigns arranged by the new rulers following the *coup d'état* of 1963 (Franzen 2011: 134-136). Being under the KDP's protection outside the government's rule, the Kurdistan branch of the ICP escaped from this anti-communist campaign. This resulted in the emergence of the Kurdih branch as the largest section of the ICP (Nuri 2001: 328; Kirmanj 2010: 146-148). Thus, while the Iraqi section of the ICP diminished in the Arab parts of Iraq, in Kurdistan the autonomous status of the Kurdish branch flourished. The Kurds found themselves in a superior position within the ICP to the extent that they reconfigured its structure and ideology. For example, between 1949 and 1955 and from 1963 until 1993, all of the ICP's general secretaries were Kurdish. Moreover, from 1949 to1950 and 1963 to 1973, the ICP was directed from Kurdistan rather than from Baghdad (Batatu 1992: 367-369). Again from 1979 onward it joined the Kurdish military movement and established its headquarters in 'liberated areas' under peshmerga control (ICP 1997). This resulted in a shift of ICP ideology and policies to reflect more Kurdish nationalistic goals rather the Iraqi patriotism. One might understand why in this framework that the ICP often adopted more radical agendas than that of the Kurdish KDP. For example, while the KDP was calling for an autonomous Kurdistan within the Iraqi state, in its second conference the ICP emphasised the right of "the Kurdish nation […] to form an independent state of all the territory of Kurdistan" (ICP 1973: 16).

Since 1959 the ICP supported the Kurds' struggle for administrative autonomy for Kurdistan (McDowall 2004: 04). From 1963 to1973 and again from 1978 to 1991 the ICP fought against the Iraqi state in the Kurdish rebellion (Barzani 2003a: 204). Finally, in 1993 the Kurdistan branch separated from the ICP and formed the Kurdistan Communist Party (KCP). Thus, the ICP failed to assimilate or even to integrate the Kurdistan branch and the communist Kurds into the wider party ideology. The Kurdistan Branch put its support into the Kurdish secessionist and autonomist movements instead of promoting the 'Iraqification' of the Kurds and becoming a venue for integrating the Kurds into Iraqi society. In sum, the two Kurdish autonomous political parties, the KDP and to a lesser extent, the Kurdistan branch of the ICP, manipulated and reshaped the political life of Kurdish society from the 1940s onward. Official Iraqi state mechanisms and organisations by which the Iraqi nation-building project could operate were absent in Kurdistan. That is why all Iraqi regimes, beginning with the monarchy and ending with Saddam, depended on the aghas for support to impose their rule in Kurdistan. The failure of the Iraqi nation-building project coupled with the absence of grass-roots supporters of the Iraqi state in Kurdistan, the Kurdish population found a voice in their nationalist parties, especially the KDP.

5.3. Conclusion

During the monarchy, Kurdayeti experienced two phases of development. The first phase may be considered as a transitional period in which the Kurds found themselves with new boundaries and under the new authority of a hitherto fellow-subjugated nation. This phase was characterised by the proliferation of political parties, a state of non-cooperation between the urbanites and the aghas, the fragmentation of Kurdish political parties and the lack of a unified Kurdish front. Despite these weaknesses, Kurdayeti was able to challenge the Iraqi nation building process in Kurdistan. First, Kurdish nationalist sentiments emerged as a dominant ideology among the urbanites. Second, Kurdayeti departed from its tribal and traditional sphere and organised itself into a modern political structure. Third, all first generation political parties were based on and associated themselves with Kurdistani rather Iraqi identity. These parties were separate from and antagonist toward Iraqi political parties. They opposed the Iraqi nationalism project along with Iraqi identity and rejected the legitimacy of Iraqi rule in Kurdistan. Thus, though Kurdayeti was weak during this phase, it challenged the INP in Kurdistan.

The second phase of the Kurdayeti was related to WWII. Many factors left a profound impact on Kurdayeti and Kurdish society. Among them were (1) the decolonisation process and the emergence of a new independent state, (2) the rise and fall of the first Kurdish republic of Iranian Kurdistan, (3) the ascendency of pan-Arabism, (4) the emergence of an educated and urbanised generation of aghas, (5)

Kurdayeti's ability to penetrate into rural Kurdistan, and (6) the establishment of the popular Hiwa party. The six main distinguishing features of this phase each demonstrate the failure of the Iraqi nation building process in Kurdistan. The first feature that distinguished phase two from phase one was the consolidation of the Kurdish nationalist parties. The unification of Kurdayeti further consolidated Kurdish nationalism. The second feature was the establishment of autonomous political parties that were founded and operated outside state control. The third feature was the Kurdayeti domination of Kurdish politics and the absence of Iraqi political parties in Kurdistan. The fourth feature was the inclusion of aghas into Kurdayeti. The aghas were well integrated into Kurdayeti and the policy of dual leadership (tribal and urbanite) for Kurdish parties was introduced. The fifth feature was the Kurdayeti operation in the rural areas and the founding of a safe haven and power base in TAE areas whereas the aghas enjoyed *de facto* self-rule and the Iraqi administration was either absent or weak. The sixth feature was the militarisation of the Kurdish nationalist movement and the redirection of tribal rebellions for nationalist agendas. Thus, Kurdayeti was unified and organised into autonomous political parties that dominated the political sphere and operated freely in rural Kurdistan. They were well supported and protected by tribal militants. The monarchy failed to carry out its nation-building process in Kurdistan and to govern significant parts of Kurdish rural areas.

Chapter Six

6. The First Unrecognised Kurdish Quasi-state (1961-1975)

This chapter focuses on the first Kurdish *de facto* self-rule period (hereafter KDS) in modern Iraq. It was established in 1961 and lasted until 1975. Focusing first on the bases for the establishment of KDS, two developments are scrutinised: the emergence of Kurdish militias and the unified Kurdish leadership that followed the collapse of the monarchy in 1958. Concentration is also given to Free Kurdistan a territory controlled by peshmerga. The demographics of these areas, including the geography and population, is focused on. This is followed by the question of whether the KDS may be classified as an unrecognised quasi-state (UQ). The status of the KDS is examined in light of the four unrecognised quasi-state criteria (UQC) presented in Chapter One. To be classified as a quasi-state, the KDS must satisfy the four criteria. The process of symbolic nation-building in Kurdistan is the first criterion to be addressed, followed by the status of the KDS in terms of the militarisation of Kurdish society. The relative weakness of Iraq as a parent state is the third criterion. To scrutinise the relative weakness of Iraq, five major wars are reviewed, as the central government attempts to recapture Kurdistan. The fourth criterion, external patronage, is briefly discussed, as this topic is covered more thoroughly in chapter seven.

6.1. The Emergence of the First Kurdish de Facto State 1961-1975

In 1961 the Kurds founded a KDS that lasted until 1975. Post-monarchical developments in Kurdish affairs may not be adequately understood apart from the second phase of Kurdayeti (1939-1958). In fact, the post-monarch Kurdish *de facto* state is a natural extension of that phase of Kurdayeti. As explained, during the monarchy, the aghas enjoyed Traditional Autonomous Entities (TAE) which guaranteed them a form of *de facto* autonomy in many areas. The Kurdayeti enjoyed many elements necessary to establish *de facto* self-rule including territory, an autonomous political party, and access to weaponry and a militia. In terms of territory, Iraqi rule was either weak or absent in rural Kurdistan especially in the areas located within the TAEs. Despite Iraq's refusal to recognize or license Kurdish political parties, as well as its attempt to suppress their activities, it failed to prevent their domination in the Kurdish political sphere, or infuse Iraqi conditions and principles into their constitutions and political programs. With the exception of the ICP none of the Iraqi parties managed to establish a power basein Kurdistan. Many tribes that enjoyed TAE were permitted to have their own militias. These militias were under the direct command of their aghas and Baghdad had no control over them. These factors facilitated the emergence of Kurdayeti as a dominant force in Kurdistan. The collapse of the monarchy in 1958 and the power vacuum left in

Kurdistan offered a golden opportunity for Kurdistan to promote its nationhood project and establish its de facto self-rule.

On 14 July 1958 the Hashemite monarchy was toppled by the Free Officers. Coup leader Abdul-Karim Qasim assumed control and declared Iraq to be a republic. The coup brought about a power vacuum in Kurdistan as Baghdad's status deteriorated further. Though challenged by new rulers, the aghas retained their modicum of autonomy in daily affairs. The local militia that remained under the aghas' control became the foundation for the newly organised peshmerga forces and enabled a unified leadership to emerge. The KDP that monopolised politics in Kurdistan strengthened its firm grip on Kurdish politics even more. While it was recognised as a legal political party by Baghdad, it operated freely in both the rural areas and the city centres. The next sections highlight how these new circumstances helped the Kurdish nationalists to expand and transform TAE into a semi-institutionalised *de facto* autonomy.

6.1.1. The Emergence of the Peshmerga as a Unified Kurdish Militia

One significant consequence of the 1958 coup was the emergence of a unified Kurdish army known as the peshmerga. Similar to the tribal militias, the peshmerga acted outside of Iraqi state control. Unlike the tribal armed men, however, the peshmerga was not commanded by the tribal leaders; rather they served under the command of the KDP and Barzani. In 1958 Barzani single-handedly recruited more than 2,000 soldiers to fight under his command (Jawad 1990: 54). Though this armed force seemed relatively small, it was one of the best organised forces outside of the state command. Its strength was so remarkable that Qasim pleaded for Barzani's aid in 1959 to crush the pan-Arab coup of al-Shawaf in Mosul (Nuri 2007: 260-261). Barzani responded by sending more than 5,000 Kurdish fighters to suppress the rebellion and to defend Qasim (Jwaideh 2006: 283). Qasim also supported Barzani's forces with "1,000 machine guns and an ammunition stockpile" (Rubin 2007: 353-382). Though Qasim's support of Barzani's forces was symbolic for the most part, it gave recognition and legitimisation to the Kurdish militia by Qasim. Thus another autonomous entity was added to the pre-existing entities that developed in the Kurdistan region since the monarchy. As explained below, within a few years, the peshmerga became a formidable armed force that dominated a significant part of Kurdistan.

6.1.2. The Emergence of Mustafa Barzani as a Charismatic Kurdish Leader

After the 1958 anti-Hashemite coup, both the KDP and Barzani continued to gain strength and popularity. Soon after Barzani's return from exile, his charismatic style of leadership allowed him to monopolise the role as undisputed authority in Kurdistan (Jawad 1990: 53; McDowall 2004: 307). Despite his popularity

and claim to be the sole leader of all Iraqis, Qasim initially dealt with Barzani as the leader of the Kurds (Rubin 2007: 356, 360). Several factors were behind Qasim's recognition of Mustafa Barzani as the undisputed leader of Kurds in Iraq. One of Qasim's weaknesses was that as an army officer he lacked his own party to rely on. Support among a political party, particularly within its leadership, would have compensated for this weakness. As explained above, the political power base in Kurdistan was monopolised by the KDP and the Iraqi political parties were practically non-existent in Kurdistan. Therefore, to establish his authority in Kurdistan and to legitimise his rule among the Kurds, Qasim persisted in searching for an alliance with Barzani.

Traditionally Iraq's rule in Kurdistan was bolstered by two sources of power: an alliance with traditional social leaders, and Iraq's security forces. Qasim, however, failed to avail himself of these two bases of power. Qasim, thought to undermine the power of the aghas as part of his confrontation with old monarchy rivals (Rubin 2007: 354). After the 1958 coup the security forces lost their dominant position in Kurdistan. Moreover, Qasim's rule was threatened by the pan-Arab movement that was sympathetic to Jamal Abdul-Nasir and represented by his deputy and successor Abdul-Salam Arif (Jawad 1990: 39-40). Within these circumstances, Barzani's support for Qasim was indispensable. As the president of the KDP, Barzani secured the loyalties of the KDP for Qasim (Rubin 2007: 354). Finally, Barzani was simultaneously an opponent of the monarchy and the pan-Arab nationalists. Barzani's animosity towards pan-Arabism was perceived by Qasim as a counterweight to the Arab nationalists (McDowall 2004: 303; Rubin 2007: 354).

Initially Qasim plied Barzani with financial largesse and weapons, in addition to granting him a license for state-sanctioned violence. In return, Barzani helped to suppress anti-Qasim resistance among rebel Kurdish tribal leaders and Arab nationalists. Barzani played a significant role in crushing the pro-Hashemite Kurdish tribal leaders as well as the pan-Arab rebellion that took place in Mosul in March 1959 (McDowall 2004: 304; Rubin 2007: 355-356; Nuri 2007: 256). Thus, Barzani helped to secure the loyalties of the Kurds in general and the KDP, the dominant political party in Kurdistan, in particular. He also proved to be a useful tool for the Iraqi regime to crush plots or forces directed against the latter. Being the head of the KDP and the Kurds' strongest leader, Barzani emerged as an ideal leader on whom Qasim could rely. Despite his self-proclamation as the sole leader of Iraq, Qasim ceded some of his sovereignty to Barzani. This caused others to view Barzani as the second most powerful personality in Iraq after Qasim, with an undisputed grip on Kurdistan (al-Barak 1989: 157; Jawad 1990: 53; al-Botani 2001: 70; McDowall 2004: 307). Thus, Barzani emerged as a rare leader with the ability to challenge the

state's sovereignty in Kurdistan. Moreover, he "reserved the right to make war on his tribal rivals at will, with or without Qasim's sanction" (Rubin 2007: 354). He also managed to unify the Kurdish ranks by attracting both the tribes and the city folk with his charisma. Consequently, he became the absolute leader within the KDP with veto power and the right to change its leadership at his discretion (Sharif 2007: 290-292).

As early as 1959, the KDP under his leadership called for an autonomous region for the Kurds (Jawad 1990: 286-289; al-Botani 2001: 68). Qasim, of course, refused to consider Kurdish claims of autonomy. Toward the end of 1960 Barzani sought to establish diplomatic relations with foreign countries on behalf of the Kurds. In late 1960 Barzani received an official invitation from the USSR to visit Moscow. He met with top Soviet officials, including Nikita Khrushchev, the president of Soviet Union, and while there he requested Soviet aid for the Kurds. The Soviets showed their willingness to support the Kurds and with their financial support the Kurds could prepare to buy weaponry and begin their rebellion (Barzani 2002: 12, 22). With this new balance of power, Barzani thought to further consolidate his grip on Kurdistan. He used a 'stick and carrot' policy to control the Kurdish tribes and urbanites as well as to enhance his authority in Kurdistan (Sharif 2007: 290-292; Rubin 2007: 366). Barzani began touring Kurdistan to garner support among nationalist, tribal and local leaders in preparation for an inevitable conflict, after which he successfully went on the offensive against those who refused his leadership (O'Balance 1973: 47; Rubin 2007: 366). By the beginning of 1961 it was clear that Barzani was successful, especially when he defeated the pro-Qasim tribal leaders (Nuri 2007: 274).

By 1961, Barzani succeeded in building an armed force of 5,000 to 7,000 strong fighters under his command (Schmidt 1962a; Ihsan 2000: 38; Mella 2000: 111; Nuri 2007: 283). At the same time Qasim lost popularity and control in Kurdistan. In addition to lacking a grass-roots organisation in Kurdistan, Qasim initially failed to gain tribal leaders' support for his regime. What made the situation increasingly awkward for Qasim was that since 1958 the Iraqi army's strength waned in Kurdistan. The Kurdish movement compelled Qasim to dispense with most of the Kurdish officers in the Iraqi army (Jawad 1990: 51-52,105). Barzani's status was further consolidated due to the financial aid and ammunition received from the USSR, grass-roots organisations loyal to the KDP, and token recognition from Qasim. At this stage, Qasim perceived Barzani to challenge his popularity, state sovereignty and Iraq's integrity. By now it appeared that Barzani was the only leader of the KDP and the only political party to survive Qasim's reign (Jawad 1990: 51-54; Rubin 2007: 366). Consequently, Barzani emerged as an intolerable challenge to Qasim that imposed its authority on a significant part of Kurdistan.

6.2. The September Revolution and the Establishment of Kurdish *de facto* Self-Rule

On the eve of the Kurdish rebellion of 1961, Barzani and the KDP presented themselves as what Masud Barzani, the president of the KDP, called "a state within a state" (Barzani 2002: 8). Relations between the Kurds and the central government deteriorated to the point where Kurdistan was headed toward a revolt. Expecting a confrontation, both sides prepared for armed conflict (Barzani 2002: 22-24). The gesture that kicked off the Kurdish revolt in the summer of 1961 was Barzani's expulsion of Iraqi forces from many areas in Kurdistan that resulted in further consolidating his authority. In mid-July 1961, Barzani's forces seized strategic passes and bridges and attacked pro-Iraqi tribal leaders (O'Balance 1973: 47; McDowall 2004: 310). The pro-Qasim Kurdish tribal militias had been defeated by the more unified Barzani forces (al-Botani 2001: 87; Barzani 2002: 33; Rubin 2007: 368).

In September an armed rebellion broke out throughout the mountainous regions of Kurdistan. This revolt is known as the 'September revolution' in Kurdish literature. By the middle of 1962 the Kurdish rebels controlled the whole Kurdish region on the Iraqi-Iranian and Iraqi-Turkish borders. Within months the official Iraqi presence disappeared in most of the Kurdish countryside (O'Balance 1973: 90; al-Botani 2001: 92; Barzani 2002: 73; McDowall 2004: 310). The Iraqi army, however, retained control of the main cities and highways. Its activities in Kurdistan were restricted almost exclusively to bombing raids on Kurdish villages (Wenner 1963**:** 73). The Iraqi Air Force, however, managed to attack a quarter of the villages of Kurdistan (McDowall 2004: 311).

The September revolution is a turning point in modern Iraqi-Kurdish relations. The first and the most important consequence of the Kurdish revolt was carving out a territory that would comprise most parts of rural and mountainous Kurdistan. This Kurdish controlled area is popularly known as Free Kurdistan or Liberated Territory (hereafter Free Kurdistan). These terms are used interchangeably in Kurdish political discourse and indicate the areas that the Kurdish 'liberators' freed from Iraq (*Komala* 1981; *Kurdayeti* 1985; PUK 1986: 7; *Khabat* 1988; Barzani 2002: 39; Shamzini 2006: 281). The terms also suggest that the Kurds in Iraq live in a state of constant rebellion since only a portion of Iraqi Kurdistan is 'liberated'; the rest is still under the Iraqi 'occupation'. The territory over which the Kurds established their rule stretched from the corner of the Iraqi-Syrian-Turkish border to the edge of Khaneqin on the Iranian border (al-Botani 2001: 92; Nisan 2002: 42). Despite Iraq's attempt to recapture these areas and the Kurds' struggle to control the rest of the Kurdish region, neither side succeeded in their attempts. For 14 years (1961-1975) the Kurds maintained *de facto* autonomy in a large area of Kurdistan.

6.3. The Size of Free Kurdistan

It is difficult to provide an accurate size of Free Kurdistan. In the first year of the revolt (1961-1962), Kurdish rebels controlled most parts of the Kurdish region on the Iraqi-Iranian and Iraqi-Turkish borders (*The New York Times* 12/06/1962; O'Balance 1973: 90; McDowall 2004: 310;). However, the details of the Free Kurdistan area have remained vague up to this point. According to Schmidt (1974) and al-Botani (2001: 92), in 1974 the peshmerga controlled a border of about 725 kilometres, including the entire Iraqi-Turkish frontier and a 488 kilometres of the frontier with Iran. Within a year or so, he claims, the Kurds had further consolidated their hold on Iraqi Kurdistan and advanced south towards Khanaqin, the last Kurdish town inside Iraq on the Iraq-Iranian frontier. The most accurate estimate of the length of the self-ruled territory, however, could be described as a crescent of land running 480 kilometres miles in length. This arc stretched from Khaneqin, the last Kurdish town in the southeast to Zakho, the last Kurdish town, in the north-west on the Turkish and Syrian border (O'Balance 1973: 90; Catudal 1976: 1029).

The depth of the territory that comprised the Free Kurdistan area poses another question. This is because, on one hand, Iraqi rule was confined to the principal towns of Kirkuk, Sulaimaniya, Erbil and Duhok, and the Kurdish countryside remained controlled by the peshmerga (Kinnane 1964: 71; Catudal 1976: 1030; al-Botani 2001: 92). On the other hand, Kurdish rule had reached as far as the Kurdish rural areas of Mosul, Erbil and the Kirkuk plains, tens if not hundreds of kilometers from the Iranian and Turkish borders. The most widely accepted figure for the width of the area if Free Kurdistan was 110 kilometres (O'Balance 1973: 90; Catudal 1976: 1029; al-Botani 2001: 92). Accordingly, the total area of the Free Kurdistan was some 54,000 square kilometers. This figure is close to that provided by the Kurds. Mustafa Barzani on many occasions claimed to have 'liberated' 65,000 square kilometres (Hiro 1989: 16). Though not official, another estimate of the Free Kurdistan area was as much as 30,000 to 40,000 square kilometres (Schmidt 1962b; Vanly 1990: 155, 209; Bakhash 2004: 19; Muheddin 2006: 329). Based on the above estimates, the size of Free Kurdistan may be estimated at over 35,000 square kilometres.

Another dispute involved the ratio of Free Kurdistan to the total Kurdish territory in Iraq. According to Catudal (1976: 1030) the Kurds established virtual autonomy over about three-quarters of Iraqi Kurdistan. O'Balance (1973: 157) insisted that the Kurds controlled half of Iraqi Kurdistan, a figure based on the belief that the total area of Iraqi Kurdistan was around 80,000 square kilometers. Although none of the main Kurdish cities had been located in Free Kurdistan, many Kurdish districts and sub-districts and almost the entire rural area of Kurdistan were ruled by the Kurds (al-Botani 2001: 92; Nuri 2007: 329). The Kurdish semi-independent region with its special administration lasted for 14 years. Interestingly, the

area of the KRG in post-invasion Iraq was approximately 40,643 square kilometres (KRG 2010), an area roughly equal to that of Free Kurdistan. This area also approximated nine percent of the total land area of Iraq which is 437,400 square kilometres. Thus, for 14 years the Kurds controlled a Free Kurdistan area roughly equal to the combined size of Israel, Lebanon and Cyprus.

From 1965 onward, larger cities and towns in the Kurdistan region were only nominally ruled by Baghdad. The KDS authority had stretched to the main Kurdish cities that remained under government rule, and its representatives were more active than those from the government (Jawad 1990: 135). The influence of the KDS was such that it extracted contributions from the population of these areas (Rubin 2007: 370). Moreover, it instructed inhabitants of these areas to deal only with KDS officials and not with the Iraqis (Kinnane 1964: 74). Finally, some city centres outside KDS control, especially in the Kirkuk and Sulaimaniya districts, were dominated by Jalal Talabani's faction that broke away from the KDP and founded an alliance with the government in Iraq in 1966 (Bruinessen 1986: 22). Thus the area of Free Kurdistan combined with areas under their indirect rule was much larger than those Kurdish areas under the control of the government of Iraq (see map 4).
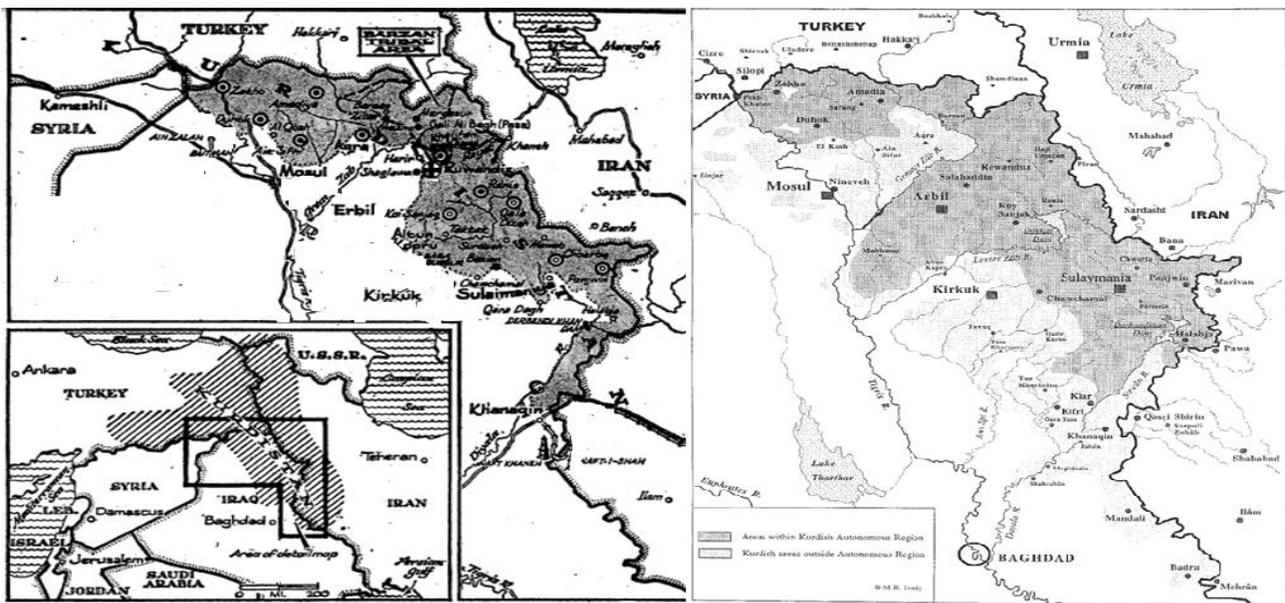
Map 4: Map of Free Kurdistan 1962 (left) (Schmidt 1962b); map of the Autonomous Region of Kurdistan 1975-1991 (right) (Izady 2004: 81)

6.4. The Population of Free Kurdistan

In the absence of an official census it is difficult to provide an accurate accounting of the Free Kurdistan population. However, several indicators allow a reasonable estimate to be made. The first indicator is that, in addition to many districts, the Free Kurdistan area included almost the entire rural area of Kurdistan.

By ascertaining the approximate size of the rural population, one can estimate the number of Free Kurdistan residents. By the 1960s and 70s the majority of Kurds inhabited rural areas (Rubin 2007: 355). According to Nebez (2001: 245), in the early 1960s rural inhabitants constituted 80 percent of the total Kurdish population. In 1977 two years after the recapture of Free Kurdistan by Iraq, 51 percent of the population of Iraqi Kurdistan was considered to be rural (Marr 1985: 285). The population of rural Kurdistan, however, was much higher in the period in question. This is because by 1977 the region underwent a process of urbanisation and deported of large number of the rural population (see Chapter Nine), The Free Kurdistan population constituted at least half of the total Kurdish population in Iraq.

The second indicator of the true population of Free Kurdistan was that the Kurds represented some 20 percent of the entire population of Iraq. Considering that over half of Kurdish population were inhabitants of Free Kurdistan, one can say that from 1961 to 1975, at least 10 percent of the total Iraqi population lived in these areas. In the first half of the 1960s Iraq had a total of 6.75 million people (Naamani 1966: 279; Rubin 2007: 355). Accordingly, in the first four years of the establishment of the KDS, the total Kurdish population in Iraq was around 1.5 million. A reasonable estimate of the population of Free Kurdistan may be said to be over 700,000. Others estimate that by 1965 the population of Free Kurdistan was one million (Nebez 2001: 162; Bakhash 2004: 19; Muheddin 2006: 329; Nuri 2007: 315). This number rose to 1.2 million in 1969 (*The New York Times* 30/12/1969; O'Balance 1973: 157). Vanly (1990: 180) insists that this figure was around 1.5 million by 1974. Thus, prior to its collapse in 1975, Free Kurdistan consisted of an area of over 35,000 square kilometres and a population of around 1.5 million. This significant population and sizable geographic area supplied both the human and financial resources for the survival of Free Kurdistan for 14 years. The immediate question, then, is whether the KDS may be considered as a quasi-state.

6.5. Is the KDS a Quasi-state?

Chapter One developed four criteria by which to classify *de facto* self-rule of separatist regions as unrecognised quasi-states. The four criteria were: (1) symbolic nation-building; (2) the militarisation of society; (3) the weakness of the parent state and (4) support from an external patron. This section examines the status of Kurdish self-rule based on these four criteria.

6.5.1. Symbolic Nation-building

Before examining the nation-building process, it is necessary to analyse the state-building process. State-building is "the 'hard' aspect of state construction," while nation-building "concerns the 'soft' aspects of state consolidation" (Kolstø 2006: 729-730). There, is however, a relationship between the two. On the one hand, "successful nation-building to a large degree depends upon successful state-building" (Kolstø 2006: 730). In fact, the state-building process is a pre-condition of the nation-building process. On the other hand, the consolidation of the state depends on the successful nation-building process. Based on the dependent relationship of the state and nation-building processes, our first concern must be the areas that are involved in the state-building process during the period in question. Similar to the state-building process elsewhere, state-building in Free Kurdistan concerns institutional, economic, and military groundwork.

The first pillar, institutional aspects of state building in Free Kurdistan, would include such things as the institutional and administrative mechanisms of the Revolutionary Command Council of Kurdistan (RCCK), the Executive Council, and the institutionalisation of military forces. One important step toward the state-building process and the establishment of *de facto* autonomy in Free Kurdistan was the RCCK. The expulsion of Iraqi institutions from Free Kurdistan resulted in a power vacuum. To fill this power vacuum and govern the region, the KDP established a legislative and executive council (see, al-Botani 2001: 311-313; Barzani 2002: 149-152). From 1964 onward the Kurds began to constitutionalise and institutionalise their *de facto* rule in Free Kurdistan. In October 1964 the KDP under Barzani held a popular congress to establish the laws and rules for governing the region. The first and most important institution was the RCCK founded in 1964 (Barzani 2002: 149).

An examination of the structure, authority and goals of the RCCK clearly demonstrates that the Kurds intended to build a state structure similar to that of the Iraqi state. It was comprised of 63 members from all religious sects, classes and ethnic groups of Kurdistan including peasants, chieftains, peshmerga soldiers, senior KDP members, two Christians, a Jew and one Turkman (Nebez 2001: 162; Qadir 2007: 63). Similar to the Revolutionary Command Council of Iraq (RCCI), the RCCK was a non-elected body and the highest institutional authority in Free Kurdistan. The Kurdish Council ratified its own constitution known as the Constitution of the Revolutionary Command Council of Kurdistan.[30] Article 2 of the constitution promulgates that its decrees should be dealt with as constitutional decrees in Kurdistan. Under Article 4 the Kurdish Council was authorised to lead the revolution, enact laws and regulations,

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30 For the full text of *The Constitution of the Revolutionary Command Council of Kurdistan* in Arabic, see Barzani (2002), Appendix no. 19, pp. 510-516.

and administer the affairs of the Iraqi Kurdistan region including political, military, economic, administrative, judicial and other affairs. The president of the RCCK was to be the head and his authority was incontestable, similar to that of the president of the RCCI. Furthermore, according to Article 11, the head of the Kurdish Council enjoyed the right to appoint and dismiss members of the Executive Office and army commanders and to endorse the RCCK laws and resolutions. The most sensitive responsibility of the Kurdish Council president was the right to make peace or declare war after consultation with the majority members of the Kurdish council. Article 4 of constitution stipulated that the Kurdish Council enjoyed the power to ratify a constitution and to enact resolutions and legislation, a power similar to that of the Iraqi RCC. With 63 members from all echelons of society, the RCCK acted more like a Kurdish parliament and was more inclusive than the RCCI.

Another important step toward the state-building process and the establishment of *de facto* autonomy in Free Kurdistan was the establishment of the Executive Council in 1964. Article 6 of the constitution empowered the Kurdish council to establish an Executive Council. The Executive Council took responsibility for carrying out the executive decisions of the Kurdish Council (Article 8). Based on Article 6, the Executive Council was comprised of nine members, all of which were elected by and within the Kurdish council, and headed by a secretary. The Executive Council had nine departments including the peshmerga, financial, administrative, justice and judiciary, health, security, and internal affairs. Although the head of each department was also a member of the RCCK, they were dedicated to the Executive Council (Article 6). Like the Iraqi Council of Ministries, under the RCCI the Executive Council was supervised by the RCCK (Barzani 2002: 150). The Executive Council was a governing body that possessed the power and authority to administer Free Kurdistan. It was also entrusted with responsibility to implement the rules and laws promulgated by the Kurdish Council (Article 8). The Kurdish administration "organised public works projects such as road building, schools, hospitals, and sanitation. It provided mail services, printed newspapers, and released communiqués" (Nagel 1980: 27). Thus, the mission of the Executive Council was the same as that of any council of ministries and it functioned as a ministerial council in all but name (Barzani 2002: 150; Sinjari 2006: 51).

The next most important body was the governorate (provincial offices). This office was akin to that of a local government. Although none of the governorate centres of Kurdistan were under Kurdish control, significant portions, if not most, of the Kurdish governorates including many districts were under their control. To govern these areas, Free Kurdistan was administratively divided into five governorates: Sulaimaniya, Erbil, Kirkuk, Mosul, and Duhok. Each governorate had its own governor, judicial system

and financial administration (Catudal 1976: 1030; Barzani 2002: 150). These administrations were based on Iraqi governorates. A governor was appointed as the head of each governorate (O'Balance 1973: 125). The administration of each district constituted a three-member committee consisting of a senior KDP member, a representative of the peshmerga forces, and a representative of the people (Jawad 1990: 135). The mayors of both districts and sub-districts were appointed by the RCCK (Barzani 2002: 150). Thus, similar to any other states, the KDS achieved a degree of institutionalising its self-rule in Free Kurdistan.

The second pillar of state building in Free Kurdistan pertained to economics. The KDS managed to create a semi-independent economy through the collection of taxes. A ten percent income tax was imposed on inhabitants of Free Kurdistan (O'Balance1973: 64). Additionally, Free Kurdistan authorities extracted contributions from Kurds of areas under Iraqi rule (Rubin 2007: 370). The vital role of tax collecting derived from the symbolic importance of Kurdish sovereignty in Free Kurdistan. The power of tax collection partly contributed to the survival of Free Kurdistan in the face of constant war. The significance of tax collecting was evident in the weaknesses from which Free Kurdistan suffered. First, Free Kurdistan was under a harsh Iraqi economic blockade (Farouk-Sluglett and Sluglett 2001: 168; Barzani 2002: 96). Second, Free Kurdistan was comprised of rural Kurdistan that was in the hinterland and in Iraq's most backward industrial region. Despite that, tax collection provided the economic power to guarantee Free Kurdistan self-sufficiency. Kurdistan was Iraq's main granary and produced as much as half of Iraq's agricultural output, and half of its wheat needs (*HRW* 1993: 6; Natali 2010: 15; Mina 2012: 113).

The third pillar of the state-building process in Free Kurdistan was establishment of an armed force. The establishment and institutionalisation of the Kurdish armed forces was one of the foci of the KDS. In 1962, only few months after the 'September revolution', the Kurdistan Revolutionary Army (KRA) was formed with the express purpose to institutionalise Kurdish society and peshmerga forces (O'Balance 1973: 85). This administrative body was headed by a Revolutionary Council and was comprised of popular Kurdish intelligentsia such as Jalal Talabani and Ibrahim Ahmed (Jawad 1990: 61-62). This collective decision-making body unified the peshmerga and consolidated Kurdish forces (Rubin 2007: 374). Together the KRA and the Revolutionary Council transformed the leadership from the old class of tribal leader to urban intelligentsia. The role of the army in Kurdish society was crucial to transform the hitherto unorganised Kurdish fighters into a sophisticated and educated army. The top echelon of the KRA to the smallest unit was organised by the KDP (Kinnane 1964: 69).

Institutionalisation of the armed forces was a top- down process including the general command, chief of staff and four army divisions distributed according to province and each consisting of several brigades.

Kurdistan was divided into four provinces: Mosul, Sulaimaniya, Erbil and Kirkuk (Barzani 2002: 150-151). Each provincial division was divided into a number of subdivisions, almost one for each district and sub-district, and each of these were organised in several army units known as '*Hez*'. The Kurdistan Revolutionary Army (KRA) consisted of 18 *Hez*. Each of them consisted of numbers of battalions (totaling 65). Each battalion consisted of 120 peshmerga soldiers (i.e., 'Liq'), and each *Liq* consisted of 10 peshmerga (i.e., '*Dasta'*) (Emin 1997b: 65). Another step toward the institutionalisation of the armed forces was the establishment of the Kurdish Intelligence Agency, *Parastin,* in 1967. Having financial resources at its disposal, this unit was responsible for gathering and interpreting intelligence information about Iraq and other countries (Randal 1997: 191; Farouk-Sluglett and Sluglett 2001: 165; Barzani 2002: 188). In sum, similar to other functioning states, Free Kurdistan developed the institutional, economic, and military apparatuses of a functional quasi-state. Similar to any unrecognised quasi-state (UQ), the Kurdish *de facto* state had many symbolic attributes of statehood.

The Kurds' relative success in governing the region included the establishment of the executive and legislative bodies that facilitated the nation-building process. During 1961-1975, more than two dozen publications, including daily, weekly and monthly newspapers and magazines were published. Similar numbers of various types of newspapers and magazines were published in areas dominated by Baghdad . Kurdish books that reflected different aspects of Kurdish history, geography and politics were also published (Salih and Zangana 2008). Historians published their interpretations of Kurdish history and culture and the Kurdish language experienced a revival. The *de-facto* state had a radio station that deeply impacted the Kurdish national consciousness (Barzani 2002: 392). Another step on the path to nation-building was the consolidation of territorial identity through the republishing of maps. The map of greater Kurdistan, similar to that presented to the Paris Conference in 1918 by the Kurdish delegation, was published by the KDP (Barzani 2011: 53). The Kurdish National Day was another important symbol of nation-building. Inherited from earlier generations of Kurdish nationalists, *Newroz* was adopted by the KDS as the Kurds national day (Nuri 2007: 261).

The flag was another important symbol of nation-building. The KDS used the same Kurdish flag that was inherited from earlier generations of Kurds in the Mahabad Republic of Iranian Kurdistan (Dizeyi 2001: 143), The national anthem is another important symbol of nation-building. The KDS adopted the anthem of the Mahabad Republic, known as *Ey Reqib*. The anthem was sung at the start of each school day in

Free Kurdistan.[31] Thus, the process of nation-building in Free Kurdistan fully meets the first criterion of the UQC-I that was presented in Chapter One.

6.5.2. The Militarisation of Kurdish Society

The second criterion by which to classify a separate region as a quasi-state is the militarisation of society (see Chapter One). This factor also helps to explain the failure of the Iraqi state to re-impose its authority on Kurdistan and attempt to reintegrate the Kurdish population into Iraq, especially from 1961 to 1975. Scrutiny of the military strength of Kurdistan during that period reveals that Iraqi Kurdistan was indeed a militarised society. In September 1961 the Kurdish revolt began with only 5,000 to 7,000 fighters (Schmidt 1962a; Ihsan 2000: 38; Mella 2000: 111). However, within a year, the Kurds developed and organised 15,000 to 20,000 trained peshmerga soldiers. These trained forces were also supported by 20,000 irregular troops (partisans, local reserves, and tribal warriors) (Schmidt1964; Lortz 2005: 40). Thus, in the first year of its creation, Free Kurdistan was protected by 30,000 to 40,000 armed men. By 1963 the number of trained peshmerga soldiers increased to 20,000 to 25,000 (Schmidt 1963a; O'Balance 1973: 85, 104; Vanly 1990: 155; Nisan 2002: 43). Rotating and local reserve forces were strengthened as thousands of Kurdish draft-dodgers, officers and soldiers deserted from the Iraqi army and joined the Kurdish revolt (O'Balance 1973: 85: Nuri 2007: 284). Irregular troops were estimated to number as many as 40,000 (Nisan 2002: 43).

By 1974 the fighting Kurdish forces doubled and reached 100,000 personnel. This army was comprised of 50,000 to 60,000 trained peshmerga soldiers and 40,000 to 50,000 Kurdish partisans and irregulars (Vanly 1990: 155; Farouk-Sluglett and Sluglett 2001: 337, 168; McDowall 2004: 337). As mentioned, the population of Free Kurdistan was estimated at around 1.5 million. Accordingly, there was one fighter for every 15 inhabitants of Free Kurdistan. It is noteworthy that the total Iraqi armed forces was estimated at 30,000 to 40,000 in 1963 and around 140,000 in 1975 (Vanly 1990: 182; Mella 2000: 111). The Kurdish armed forces was nearly half as large as the Iraqi army in 1963 and as many as two-thirds in 1975. They were also larger than the armies of many independent countries. The Kurdish forces were strong enough to protect the region from recapture by Iraq and remained this strong until the collapse of Kurdish rule, an event that resulted from the Iraqi-Iranian/Algeria Agreement of 1975 (Emin 1997: 27). Thus, Free Kurdistan was one of the most militarised societies in the world. Accordingly, the militarisation process that Free-Kurdistan undertook from 1961-1975 fulfilled the second criterion (UQC-II) for classifying a separatist region as a quasi-state.

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31 The author witnessed such an event.

6.5.3. The Relative Weakness of the Parent State

The third criterion by which to classify a *de-facto* self-ruling entity as a quasi-state is the relative weakness of the parent state and its failure to recapture the secessionist region (UQC-III). Despite semi-constant military conflict, Iraq failed to terminate this quasi-state and never succeeded in imposing its full authority in the region. Scrutinising the military confrontations during this period reveals the relatively weakness of Iraq as a parent state of Free Kurdistan. Iraq's weakness is evident in that from 1961 to 1975 Free Kurdistan survived almost daily skirmishes and five major Iraqi wars perpetrated on it by Iraq. To understand the balance of power between Free Kurdistan and Iraq, a review of these five wars is necessary. The first major war that Iraq perpetrated on Free Kurdistan began directly after the Kurdish revolt in September 1961 and lasted until February 1963. Initially, Iraq had deployed some 30,000 troops in an unsuccessful attempt to recapture Free Kurdistan (Mella 2000: 111). On the eve of the fall of Qasim in February 1963, eight of twelve Iraqi army divisions and 10,000 pro-government militias (*Jash*) were involved in the fight against Kurdistan (al-Botani 2001: 135). The first Iraqi-Kurdish war ended at the same time Qasim's regime ended in 1963, and Free-Kurdistan remained outside of Iraqi control (Nuri 2007: 294).

The second major Iraqi-Kurdish war started in June 1963. Following the coup that was arranged by a pro-Ba'ath party junta against Qasim in February 8th 1963, the Kurds declared a ceasefire and started negotiating with the new Iraqi regime. However, by June 1963 negotiations had collapsed and the new regime launched a new offensive in Kurdistan that resulted in the outbreak of what may be considered as the second phase of the Iraqi-Kurdish war. This phase of war lasted only four months, though 75 to 80 percent of the Iraqi army was involved (Nuri 2007: 303). Moreover, thousands of Ba'athist militia and pro-government tribal Kurds (*Jash)* engaged in unsuccessful combat operations to recapture Free Kurdistan. Another important event in the second war was the participation of 5,000 Syrian troops in battle that reinforced Syrian air forces with heavy artillery. The Syrians opened a front against the Kurds from Zakho to Duhok on the Syrian-Iraqi border (O'Balance 1973: 107; Jawad 1990: 84, 99; Mamikonian 2005: 394). The Syrian participation in the Iraqi-Kurdish war demonstrated the strength of the peshmerga and the scale of the battle. It also revealed the inability of Iraq, despite deploying 80 percent of its army, to defeat the Kurds and to recapture Free Kurdistan. The severity of the combat can also be seen in the number of casualties: 600 to 700 Iraqi troops (Nebez 2001: 156). Like the first Iraqi-Kurdish war, this phase ended with another coup against the Ba'athists in November 1963 that was led by Arif, the

president of Iraq. The coup resulted in the collapse of the first Ba'athist rule in Iraq. The Kurds maintained their control of Free-Kurdistan.

The third major Iraqi-Kurdish war started in April 1965. The Kurds relished in Arif's successful coup that was followed by another truce signed in February 1964 by Arif and Barzani. The negotiations that took place in this peace process lasted only a few months. From mid-October onward the Iraqi army and the peshmerga began to experience skirmishes. By spring 1965 both sides prepared for war and in April 1965 the third round of the Iraqi-Kurdish wars began that lasted until January 1966. Nine out of twelve Iraqi army divisions launched a major offensive along the 400 kilometers of the Iraqi-Kurdish front (Catudal 1976: 1030; McDowall 2004: 317). The total Iraqi force was estimated at 50,000 troops, supported by aircraft and artillery (Schmidt1963b; Catudal 1976: 1030).[32] Though Egypt did not participate directly in the Kurdish-Iraqi war, it sent 12,000 troops to support Iraq (Nebez 2001: 172; Barzani 2002: 328).

After seven months of conventional fighting (April 1965 to January 1966) both sides were greatly harmed. On the Kurdish side, "around 750 villages had been destroyed and nearly 200,000 villagers displaced" (McDowall 2004: 319). The Kurds, however, inflicted serious casualties on the Iraqi army and destroyed an entire brigade in one battle (Jawad 1990: 128; Nebez 2001: 145). The last round of war in May 1966 was considered to be a Kurdish victory that forced Iraq to temporarily change its Kurdish policy. This was evident in the June Declaration by Prime Minister 'Abd al-Rahman al-Bazzaz. A 12-point peace program outlined in June 1966 gave hope for a peaceful settlement.[33] However, opposition from the Iraqi armed forces made it impossible to implement the June agreement (Jawad 1990: 129-132; Farouk-Sluglett and Sluglett 2001: 128). As in the previous period, this phase of war was followed by a period of sporadic fighting and stalemate. This affair of 'no peace no war' continued until the fall of Arif's regime in a coup arranged by the Ba'ath. As it was during other phases of war, Iraq's supremacy in the number of armed forces, air-force and heavy artillery, as well as its stronger economy was offset by other factors. First, the Kurds' familiarity and control over the Iranian and Turkish borders earned them popular support. Second, the Iraqi army only had control over the main roads during daylight hours, while the peshmerga retained control over the same roads during the night (O'Balance 1973: 91). The peshmerga demonstrated their long reach by attacking Iraqi forces in cities like Sulaimaniya, Erbil and Kirkuk. On many occasions, they shelled and blew up the vulnerable Iraq Petroleum Company's installations thereby impeding the flow of

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32 According to McDowall (2004: 310) the total Iraqi armed forces that participated in this round of war were as many as 100,000 troops.

33 For the full Arabic text of Bazzaz's program, known as the June 29th declaration, see Sharif (1978: 183-189).

petroleum from Kirkuk (Catudal 1976: 1032; Natali 2000: 54; Nuri 2007: 286, 346). Consequently, as in previous wars, the Iraqi forces failed to recapture Free Kurdistan.

The fourth major Iraqi-Kurdish war began in April 1969. The new Ba'athist regime that came to power in July 1968 by means of a coup launched the war to recapture several strategic towns within Free Kurdistan. The new Iraqi regime deployed pro-Iraqi militias and all 12 army divisions that amounted to 60,000 troops (O'Balance 1973: 151; Borovali 1987: 34; Wagner 1992: 42; Nebez 2001: 192). The onslaught against the Kurds in the fourth war alone required 30 percent of the total Iraqi budget or over $1 billion (O'Balance 1973: 157). The Kurds, however, resisted Iraq and demonstrated their ability to protect their territory and to challenge government forces. Lacking the power to suppress Free Kurdistan, Iraq was compelled to negotiate another ceasefire. After months of bloody fighting, Iraq offered the Kurds autonomy in 1970 and both sides came to an agreement in March. The settlement, known as the 'March Manifesto' or 'March Agreement', accommodated significant Kurdish national desires as it implicitly recognised Kurdish self-rule not only in Free Kurdistan, but also in many larger Kurdish cities outside Kurdish control.[34] Thus, the Kurds enjoyed a good deal of autonomy between 1970 and 1974 and they controlled and administered more territory than they held in the 1960s (Catudal 1976: 1030).

The fifth major Iraqi-Kurdish war started in the spring of 1974. The March Agreement of 1970 provided a roadmap for implementing self-rule, or Kurdish autonomy, within four years. However, a stalemate resulted between Iraq and the Kurds over border issues and the nature and character of the proposed Kurdish autonomy. Once again, tensions eventually erupted into heavy fighting in 1974, and the fifth Iraqi-Kurdish war broke out. The fifth war lasted twelve months, but it was the most decisive. Iraq deployed a massive force of 90,000 to 120,000 troops, backed by 20,000 policemen. Baghdad also deployed tens of thousands of militiamen, 20 battalions of mobile artillery including 800 to 1,200 tanks, the entire air force of 11,000 men, and several hundred planes (Catudal 1976: 1024; Vanly 1990: 181-182; Farouk-Sluglett and Sluglett 2001: 169; McDowall 2004: 337). When the fighting began, Barzani had 50,000 to 60,000 peshmerga fighters and 50,000 irregulars to call on (Farouk-Sluglett and Sluglett 2001: 169).

As in previous wars, this offensive turned out to have disastrous consequences for both Kurds and Iraq. It is estimated that during twelve months of fighting, the Iraqi army suffered 17,000 casualties; 2,000 peshmergas were killed and thousands were wounded (Minorities at Risk Project 2004). According to

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34 For the full Arabic text of the March Manifesto, see Sharif (1978: 206-222).

Kelidar (1992: 789), the human cost of this war was much higher. Iraq sustained more than 60,000 casualties; of 600,000 displaced Kurds, 250,000 of them had fled to Iran. He also estimates the cost of the fifth war was estimated at $4 billion. This is almost half of the Iraqi budget and it constituted a costly drain on Iraq's national resources. Despite the enormous costs in terms of finances and human capital, the fifth war resulted in the same pattern of stalemate that occurred in previous wars. The Iraqi army launched bombing raids against civilian targets and showed their superior fire power. Iraq also imposed an economic blockade on Free Kurdistan. This phase of war ended with the collapse of the KDS in March 1975. However, as explained in Chapter Seven, the main reason behind the collapse of the KDS was not the superiority of the Iraqi army. On the eve of the collapse of the KDS, there were no signs of defeat in the Iraqi attack and Iraq seemed to be under unprecedented pressure (Farouk-Sluglett and Sluglett 2001: 168). More than anything, this state of affairs pointed out the weakness of the Iraqi state. Up to this point, Iraq could be considered as a weak parent state that failed to recapture Free Kurdistan for more than 14 years. In view of these facts, the *de facto* Kurdish self-rule fully satisfied the third criterion (UQC-III) for classifying the separatist region as an unrecognised quasi-state (UQ).

6.5.4. The External Patronage Factor

The fourth criterion required to qualify as a *de facto* self-ruling quasi-state is the extent of external patronage and support given it. As is detailed in the next chapter, the KDS enjoyed significant external support from several states. In 1961, the Soviet Union offered financial support and this continued until 1972 (see section 7.2.1.). From the mid-1960s to 1975, Israel provided military, financial and logistical support (see section 7.2.2.). The United States offered support from 1972 to 1975 (see section 7.2.3.). However, Iran's patronage and support was the most important both in terms of quantity and duration of patronage (see section 7.2.4.). As is explained in Chapter Seven, the extent of patronage offered the Kurds was significant enough that the KDS survived for 14 years. The KDS enjoyed external support and patronage, thus fulfilling the fourth criterion of unrecognised quasi-states (UQC-IV).

6.6. Free Kurdistan from 1961-1975: The First Unrecognised Kurdish Quasi-state (UKQ -I)

Between 1961 and 1975, The KDS met all of the qualifications to qualify as a *de facto* independent quasi-state. Because it was the first Kurdish quasi-state in history, it will be referred to as the first unrecognised Kurdish quasi-state (UKQ -I) from this point on. The impact of the UKQ-I on Kurdish integration into Iraq is significant. For 14 years half of the Kurdish population was administered by this quasi-state and experienced a separate state system. The population had no experience with Iraqi rule. Most of the

populace in the parts of Iraqi Kurdistan that remained under Iraqi rule were motivated by and supporters of the UKQ-I. Free Kurdistan became a safe-haven for thousands of young Kurds that refused to serve in the central government's army. For 14 years most Kurds ruled by the UKQ-I did not serve in the Iraqi army and they did not pay taxes to the central government. They were not educated in Iraqi schools and they were impervious to the Iraqi media. They did not avail themselves of the Iraqi judicial system. The Kurds of Free Kurdistan were not protected by the Iraqi army, which presented a real threat to them. The influence of this quasi-state went far beyond Free Kurdistan. Most Kurds under Iraqi control were directly or indirectly mobilised and influenced by the UKQ -I. In sum, the inhabitants of Free Kurdistan were, for all practical purposes, citizens of a separate state. Thus, the existence of the Kurdish quasi-state remained the main obstacle to Kurdish integration into the Iraqi state.

6.7. Conclusion

The Kurdish *de facto* self-rule (KDS) that operated from 1961 to 1975 was an extension of the second phase of Kurdayeti that was highlighted in the last chapter. It evolved from the conditions of the autonomous tribes and the evolution of the KDP as the dominant autonomous political party in Kurdistan during the monarchy. The tribal militias developed into a unified Kurdish militia known as the peshmerga. Many tribal leaders that dominated the rural Kurdish areas were generally unified under the charismatic leadership of Mustafa Barzani. As a coalition of the tribal urbanite coalition party, the KDP accepted Barzani as its undisputed leader. It also exploited tribal rebellions for the nationalist agenda, especially during the summer of 1961. Consequently, half of the areas in Iraqi Kurdistan comprised by more than 50 percent Kurdish inhabitants, turned into the area known as Free Kurdistan. To administer the Free Kurdistan area, the KDP established an administration and modern institutions. The administration was comprised of legislative and executive councils that were akin to their Iraqi counterparts both in structure and authority. The KDS ratified its own constitution, laws and regulations and possessed its own armed forces, budget, education, health, and taxation system. The KDS had clearly demarcated boundaries that for 14 years protected them from intrusion and penetration by Iraq.

The KDS satisfied the four criteria necessary to qualify as a quasi-state. First, the KDS engaged in a relatively successful symbolic nation-building process in the 'Free-Kurdistan' region. The KDS fulfilled the aspirations of Kurdayeti to create a separate national identity and to gain the loyalty of the Kurdish population. Though it was not a smooth process, many Kurds identified themselves with the Kurdish or 'Kurdistani' nation. Second, the militarisation of Kurdish society was another criterion that the KDS satisfied during the period in question. With the number of armed forces reaching around 100,000

personnel, by 1974 there averaged one peshmerga for every 15 residents of the Free Kurdistan region. Third, the KDS satisfied the criterion of the relative weakness of the parent state. Despite Iraqi military campaigns constantly imposed on the Kurdish areas, and 14 years of deploying the majority of its armed forces against Kurdistan, Iraq failed to recapture Free-Kurdistan. Iraq's constant war on Kurdistan resulted in the further weakening of the country and the draining of its human and financial resources. The weakness of the Iraqi state was revealed in Baghdad's appeal for external support. The war on Kurdistan was one contributor to the internal rivalry within the ruling elite in Baghdad and this resulted in numerous regime changes. Fourth, the KDS satisfied the fourth criterion of quasi-statehood, namely having an external patron. As explained in Chapter Seven, the USA and the Soviet Union, Iran and Israel, each provided different forms of intermittent support at various times. Thus, based on the established criteria for classifying unrecognised quasi-states, the KDS may be considered as the first unrecognised quasi-state (UKQ -I), that was able to rule itself between 1961 and 1975. This quasi-state, however, collapsed dramatically in March 1975. The next chapter traces the external patronage that the Kurdistan quasi-state received and that contributed to its collapse.

Chapter Seven

7. The Case of Negative Patronage

The aim of this chapter is twofold: first, to analyse the pivotal role that external patronage played in the emergence, survival and the collapse of the Kurdish quasi-state of 1961-1975; and second, to examine to what extent the Iraqi state in the period concerned may be considered as a recognised quasi-state (RQ). This convoluted period of history cannot be understood without proper consideration of the role of regional states and superpowers in the Kurdish-Iraqi conflict. This chapter begins with a brief explanation of the importance of external patronage for UKQ-I. An examination of the Soviet Union, Israel, Iran and the United States patronages of the UKQ-I sheds light on the nature and the role of external patronage in the emergence, survival and the collapse of the UKQ-I. Each case is scrutinised in light of the three criteria that determine negative patronage (NPC). These were outlined in Chapter One. Because Iran had a profound impact on both the survival and the collapse of the UK -I, its patronage is covered in greater detail. To scrutinise whether the Iraqi state was a recognised quasi-state (RQ) during the period under review, the four criteria of recognised quasi-states (RQC), outlined in Chapter One, are applied.

7.1. The Puzzling Downfall of the UKQ-I

Chapter Six highlighted the emergence of the first unrecognised Kurdish quasi-state. It explained that within a 14 year period, Iraq launched five failed major military campaigns against Free Kurdistan that were designed to recapture it. The fifth war on Kurdistan lasted one year and ended in March 1975 with the sudden and total collapse of the UKQ-I. The Kurds lost control of Free Kurdistan as the KDP, other UKQ-I institutions and the 100,000 man Kurdish armed forces collapsed. After 14 years, the Iraqi army entered Free Kurdistan for the first time. The collapse of the UKQ-I, along with the recapture of Free Kurdistan by the parent state, is unparalleled. Kolstø (2006: 735) outlines the three methods by which a parent state may successfully reabsorb a secessionist region. It may do so by (1) peacefully offering a "higher standard of living for the quasi-state population in [the] case of reunification"; (2) offering a political solution and achieving a mutual agreement between the leaders of both sides that is facilitated by federal power; and (3) recapturing the territory through military conquest. The Kurdish case, however, did not fit into any of these categories. First, the collapse of the UKQ-I did not result from a shift of Kurdish loyalty to the Iraqi-state.

Chapters Eight and Nine explain that after 1975, despite Iraqi control over Free Kurdistan and its military superiority, it failed to rule or govern Kurdistan. Instead of offering protection, service and a better

lifestyle, Iraq depopulated a significant part of Iraqi Kurdistan. Second, there was no mutual agreement over the autonomy arrangement between the Kurds and Iraqis. The final war followed the failure of negotiations between the two sides over boundaries and authority of the autonomy. Third, the collapse of the UKQ-I did not result from Iraqi military victory. On the eve of the collapse, the Iraqi military had not yet gained the upper hand (KDP 1979: 102; Farouk-Sluglett and Sluglett 2001: 168; Barzani 2002: 13). So the military was not the main factor behind the defeat of the UKQ-I. The main reason for the collapse was the shift of Iran's allegiance from the Kurds to Iraq and the termination of Israel's and US' patronage. The latter followed the Algeria Agreement which was signed by Iran and Iraq in March 1975. This was clearly admitted by Mustafa Barzani, the leader of the UKQ-I, in his letter to President Carter. He explained that "we were not militarily defeated by our enemy [Iraq]. We were destroyed by our friends [USA, Iran and Israel]" (cited in Randal 1997: 181). The next sections scrutinise the role of external patronage and support during both the emergence and the fall of the UKQ-I.

7.2. The UKQ-I Search for Outside Patronage

The Kurds' three main goals during the period under discussion were (1) to secure the UKQ-I; (2) to expand its authority and control over all Iraqi Kurdistan areas; and (3) the legitimisation of their *de-facto* status. These Kurdish aspirations encountered staunch opposition from Iraq and resulted in a constant state of military confrontation. Locating an outside protector became a life-and-death matter for the UKQ-I for two reasons. First, being in a continual state of conflict with Iraq and under a permanent economic blockade, the UKQ-I was in desperate need of arms and financial assistance. Being land-locked and deprived of friendly neighbors, the viability and survival of the UKQ-I rested on the finding at least one reliable external patron at any given time. Second, in the absence of Iraqi and international recognition of the UKQ-I, the only option to compensate for the Kurdish quasi-state's lack of legitimacy was to find an external source of patronage. The UKQ-I had established clandestine relationships with several regional states and superpowers from 1961 to 1975. UKQ-I relations with some countries may be considered as client-patron relationships. The most significant support, however, was from the USSR from 1961-1972; Israel from 1966 to 1975; the USA from1972 to 1975; and most importantly, Iran from 1966 to 1975.

7.2.1. The Soviet Union as Patron

Initially, Free Kurdistan had good relations with the Soviet Union. From 1961 to 1972 the UKQ-I received limited but continuous financial, diplomatic and military support from the Soviet Union. The Soviets provided around one-half to one million USD per year of financial support to the Free Kurdistan

(Barzani 2002: 375). Though symbolic, Soviet aid significantly impacted Kurdish morale and enabled them to begin their rebellion in 1961 (Barzani 2002: 22-23; Sinjari 2006: 52). Soviet support also served as a buffer from an Iraqi, Turkish, Iranian and Syrian joint attack (Hussain 1986: 91). In 1963 when these countries planned a joint military campaign against Free-Kurdistan, the diplomatic intervention of the Soviet Union prevented these countries from launching a joint military action, code named 'Operation Tiger' (Hussain 1986: 91). Thus, the USSR financially assisted in the establishment of UKQ-I and for many years assumed the role of its protector. In this regard, USSR-Kurdish relations may be considered as that of client-patron.

7.2.2. Kurdish-Israeli Relations

Several factors encouraged the UKQ-I, to search for other external support. The first was the unreliability and limited nature of Soviet support. The second was Iraq's goal to unify with Syria and Egypt. In 1963 the Iraqi government was in direct negotiations with Syria and Egypt over the union of these three states and the establishment of the tripartite federal United Arab State. The third reason was the direct participation of Syria in the Iraqi-Kurdish war of 1963 against the Kurds. To balance this new power arrangement, the Kurds sought additional and/or alternative external support. The other reason was to balance the pro-Soviet leftists and the pro-American right wing of the KDP. The result, however, was more strength for the latter wing of the KDP. Following the division of the KDP in 1964, the party was dominated by the militant/conservative wing of the KDP that was more willing to seek protection from the American camp rather than from the Soviets. Among those countries that were willing to support the Kurds was Israel. By 1965 Israel became one of the Kurds' main supporters—albeit secretly—and this clandestine support continued until 1975 (Seale 1988: 243; Neff 1991: 25; Barzani 2002: 377).

Unlike the USSR, Israel intended to involve itself directly into the Kurdish-Iraq conflict. Israel provided intelligence, arms and finances to Free Kurdistan. With the help of Israel in 1963, the UKQ-I opened a radio station operated by Israeli technicians. This station remained in Free Kurdistan until 1975. Israeli intelligence and military professionals settled in Kurdistan and were directly involved in training the Kurdish army. They also provided the Kurds with heavy artillery (Cockburn and Cockburn 1991: 82, 153; Nakdimon 1997: 101; Tucker 2006: 39; Little 2010: 71). The most symbolic participation of Israel, however, was its role in the establishment of the Kurdish intelligence service, the *Parastin* (Abdulghani 1984: 140; Emin 1997b: 113). Thus, up to this point, Israeli-Kurdish relations could be typed as a patron-client relationship.

7.2.3. The American Model of Support

Another important player in the region that supported the Kurds was the USA. Initially the US was reluctant to establish relations with the Kurds and the Kurds' repeated calls for bilateral relations were rejected. However, in 1972 the US showed interest in supporting UKQ-I (Barzani 2002: 337). Between 1972 and 1975 the US offered limited aid, mostly in terms of financial support, that amounted to only $16 million (Abdulghani 1984: 144; Barzani 2002: 378). This symbolic support changed the nature of outside patronage toward the UKQ-I in many ways.To understand how American support affected the UKQ-I, it is necessary to look at its effect on the Iranian regime and how that influence reshaped Iranian-Kurdish relations. As will be seen in the next section, Iran was the largest external source of financial, military and political support for the UKQ-I. But the Kurds were suspicious of Iran's true motivations. Barzani, the leader of UKQ-I, believed that the US had complete control over the Shah and would not allow him to betray the Kurds (Abdulghani 1984: 140). The US approach to the Kurds encouraged the Kurds to trust the Shah and facilitated their dependency on Iran. The US was perceived by the Kurds not only as a protector from the Iraqi state, but trustworthy enough to keep the Free Kurdistan from being used by Iran as a bargaining chip in any future Iranian-Iraqi conflict. To this end, the US-Kurdish relationship may be considered as that of patron-client.

7.2.4. Iran as Patron

In many ways Iranian aid to the Kurds may be categorised as the most practical and 'real'. The first distinction of Iranian-Kurdish relations was that Iran shared a border several hundred kilometers long with Free Kurdistan. Most of the border was controlled by the Kurds and was consequently free from control of the central government of Iraq. Unlike the cases of USSR, Israeli and US aid to the Kurds, the geographic reality between Iran and Free Kurdistan facilitated direct Iranian cooperation with the Kurds without third party interference or mediation. Iran felt free to participate and interfere in Kurdish-Iraqi fighting. In the fifth Iraqi-Kurdish war in 1974, Iran provided more effective assistance to the UKQ-I by remilitarising the Iranian Kurds (Tomasek 1976: 221). During the fourth and fifth phases of war, Iranian soldiers were dispatched to Kurdistan to fight with the peshmerga against the government of Iraq (Pollack 2004: 179; Nuri 2007: 348). These soldiers were supplied with heavy artillery including 175 mm field guns (Farouk-Sluglett and Sluglett 2001: 170). Iran also served as an indispensable protective backup to Free Kurdistan (Israeli 2003: 86; Polk 2005: 155).

The second distinction of Iranian patronage to UKQ-I was Iran's ability and willingness to provide a safe haven for the Kurds. The Kurds were allowed to cross borders and move freely between Iran and the Free Kurdistan. During prolonged wars on Kurdistan tens of thousands of Kurdish families found shelter in Iran (Barzani 2002: 345). The third distinction of Iranian support was that Iran served as a gateway to the world for the Kurds. The Shah attempted to find American support for the Kurds. Because of its open and direct relations with the Kurds, Iran served as a third party mediator with those states wishing to have covert relations with the Kurds. Iran also facilitated the flow of other foreign aid and acted as conduit for arms shipped to the Kurds (Catudal 1976: 1036; Abdulghani 1984: 140; Cockburn and Cockburn 1991: 82, 153; Tucker 2006: 39; Little 2010: 71).

The fourth distinction of Iranian patronage was that, for all intents and purposes, Iran was the only state that established semi-formal relations with Free-Kurdistan. The USSR, Israeli and US relations were unofficial, secret and indirect, and they were arranged through their respective intelligence agencies. Although the Iranian Savak intelligence played a major role, Iranian-Kurdish relations were established by Iranian and Kurdish top officials. UKQ-I and Iranian semi-formal relations go back to 1962 when Free Kurdistan first established its representative in Iran (Korn 1994; Barzani 2002: 370). By January 1966 an agreement was reached between the two parties and signed by the Iranian prime minister and Barzani. By 1974 UKQ-I representation was, in all but name, a Kurdish embassy in Tehran (Korn 1994). The unofficial 'embassy' was headed by Shafiq Qazzaz, and supported by thirty staff members.

The most important distinction of Iranian patronage for Free Kurdistan was the size and quality of aid. Iran supplied the Kurds with arms, finances and logistical support. During the earlier Iraqi-Kurdish wars, Iranian aid played a secondary role; but by 1966, Iran supplied 20 percent or more of UKQ-I requirements (Gunter 1992: 11; McDowall 2004: 320). The Shah's military aid to the UKQ-I was another important symbol of Iranian patronage. In January 1975 Iran began infiltrating Iraq with "two regiments of uniformed troops. Firing 130-mm field guns and ground-to-air Hawk missiles, these units engaged in daily duels with Iraqi forces". Iran also "shelled Iraqi positions from emplacements inside Iran [with] 175-mm guns" (Catudal 1976: 1038). With sophisticated and heavy weapons and long artillery, the Iranian army increased UKQ-I resistance in the face of a full-stage Iraqi attack (Catudal 1976: 1031; Abdulghani 1984: 152; Borovali 1987: 34). Thus, Iran played an indispensable role as external patron of the UKQ-I. In sum, during the period of 1961-1975, UKQ-I received different forms of patronage from two superpowers, the USSR and USA, as well as two important regional states, Iran and Israel. These patron relationships compensated Free Kurdistan for the lack of recognition by the international

community. They also provided enough finances, logistics and weaponry to enable it to survive for 14 years.

7.3. Negative Patronage as the Kurds' Achilles Heel

This section answers the question as to whether any or all of the four cases of patronages to the Kurds, (i.e., USSR, Israel, US and Iran) may be considered as 'negative'. Each case is scrutinised in light of the three criteria that determine negative patronage (NPC) as well as their respective roles in the collapse of UKQ-I. As laid out in Chapter One, external patronage is negative if it fulfills three negative patronage criteria (NPC): (1) the populations of the patron and client states do not share the same ethnic or cultural identity (NPC-I); (2) the patron state is not motivated by interests, rights and/or the identity of the client state; and (3) the patron-state does not seek the client's independence and is not willing to recognise the independent state.

7.3.1. The Negative Patronage Case of the Soviet Union

As discussed in section 7.2.1., the USSR assumed the role of protector of the UKQ-I from 1961 to 1972 and provided financial and political support to the Kurds. Soviet support to the Kurds may be considered as a form of negative patronage for several reasons. First, the two sides did not share the same ethnic or cultural background, therefore, Soviet's patronage satisfies the NPC-I. Second, the Soviets were not motivated to support the Kurds due to Kurdish political and national rights. The relationship was primarily related to the nature of Soviet-Iraqi relations and Iraqi-Western relations. When Qasim's relations with the Soviets deteriorated in 1961, the Soviets were inclined to support the Kurdish revolt. Similarly when the first Ba'athist regime turned against the ICP in 1963, the Soviets transformed their support from clandestine financial assistance to openly advocating for the Kurdish cause within the UN structure (Naamani 1966: 293). However, immediately after the removal of the Ba'athists from power in November 1963, the Soviets retreated from their advocacy role for Kurdish rights (Sinjari 2006: 53).

In 1972 Soviet support ceased with the signing of the Iraqi-Soviet Friendship Agreement. In fact, the USSR shifted its support and backed Iraq against the Kurds. Politically the Soviet wooed Iraq into the socialist and progressive camp (Sinjari 2006: 53). Being part of the socialist camp meant that Iraq would be supported and protected not only by the Soviets, but by the socialist bloc. Moreover, Soviet support helped Iraq to successfully nationalise its petroleum companies (Sinjari 2006: 53-55). In addition to the financial, political, logistical and military support that the USSR was giving to Iraq, the former directly participated in the war against the Kurds (Catudal 1976: 1036). This contributed to a change in the

balance of power against the Kurds. Consequently, from 1972 onward the military, political and financial status of Iraq was strengthened. This changed the future balance of power in the region against the Kurds. The extent of this balance of power change was so substantial that without significant foreign assistance, the Kurds could no longer protect their *de facto* rule and challenge the government of Iraq (Tomasek 1976: 225). Thus, the USSR's patronage was conditioned on and depended on its relations with Baghdad. It was motivated by Soviet rather than Kurdish and thereby satisfies the NPC-II. Third, USSR support was not based on the former's belief in the Kurdish right of independence or autonomy; it was directed at the US - Soviet confrontation context. It did not support the idea of an independent Kurdish state. Thus, the third criterion of negative patronage was met. USSR support to the UKQ satisfied the NPC-III. Soviet support of the UKQ-I satisfied the three criteria of negative patronage.

7.3.2. The Israeli Case of Negative Patronage

Israel extended significant financial, intelligence, and military aid to the Kurds throughout the time period under discussion. Yet, it is one more case of negative patronage. First, like the Soviets, the Israelis did not share same ethnic or cultural identity with the Kurds. Therefore, Israel's patronage satisfies the NPC-I. Second, Israel's aid was not motivated by an altruistic wish to see Kurdish victory over Iraq or a strong autonomous Kurdish region, let alone an independent Kurdish state. Israel viewed the continuation of the Iraqi-Kurdish conflict as a method to immobilise Iraqi military capabilities (Stavenhagen 1996: 204). Israel's policy for the Kurds was designed to contain Iraq's potential threat by keeping Iraq occupied with the Kurdish conflict. For 14 years, between 1961 and 1975, almost three-quarters of the Iraqi army and almost its entire air force were engaged in fighting in Kurdistan. Thus, the Iraqi-Kurdish war continually prevented Iraq from providing sizeable military support to the Arab-Israel wars. The Iraqi role in the 1967 and October 1973 Arab-Israeli wars illustrate this point. During the Arab-Israel war of 1967 the Kurds mounted a large-scale attack on the Iraqi army and this limited Iraq's ability to play an active role against Israel (Abdulghani 1984: 145).

During the October 1973 war, the Kurds and Baghdad were in negotiations over the implementation of the March Manifesto. Despite that, only one Iraqi division participated in the War (Kissinger 1979: 256). This is because Iraq perceived the real threat to its integrity to be from the Kurds. In other words, the Kurdish threat to Iraq prevented Iraq from redirecting its troops to the West against Israel. Israel's interest in Kurdish affairs may be understood within the context of the Arab-Israel conflict and, to a lesser degree, the cold-war. Israeli support was unofficial, covert, and limited. It was directed and organised by Iran and routed through Iran (Lambert 1997: 39; Bengio 1998a: 33-34). Finally, Israeli assistance ended with the

withdrawal of Iranian support to the Kurds directly after the Algeria Agreement of 1975 (Stavenhagen 1996: 204; Parsi 2006: 506). Therefore, the Israeli patronage satisfies the NPC-II.

Israeli support also satisfies the NPC-III, as Israel did not support the establishment of an independent Kurdish state. The unresolved Kurdish-Iraqi conflict proved to be to Israel's advantage—not necessarily an independent Kurdistan. To keep the Iraqis off balance permanently, Israel followed a no-win policy in its actions with the Kurds. Israeli aid to the Kurds was not enough to guarantee Kurdish victory. Hence, Israel's support to the Kurds was another example of negative patronage that would not secure the survivability or development of the Kurds' de facto rule.

7.3.3. The Negative Patronage of the United States

From 1972 onward, the USA replaced the USSR in providing financial and political support to Free Kurdistan. Indeed, US financial support totaling $16 million within a three year period exceeded the total support that the USSR provided to Free-Kurdistan. Similar to the Israeli and the USSR patronages, US support was another example of negative patronage. First, the US Kurdish policy was not based on a common ethnic or cultural identity; neither was it based on ideological grounds or sympathy with the Kurdish issue. Therefore, the US patronage meets the NPC-I. Second, two factors encouraged the US to support the Kurds, though none were directly related to the latter's struggle for self-rule. One factor was that US support was a reaction to growing Soviet influence. In this context the US sought to employ the UKQ-I to further its interests and strategic gains in the region. Using the Kurds as a chip in the ongoing Cold War between the US and the USSR would weaken the latter's ally, Iraq (Gunter 1992: 8; Lambert 1997: 35).

US aid for the Kurds was in response to the Shah's request. Until 1972 the US had refused to establish any form of bilateral relationship with, or to provide any support for the Kurds. This time, however, American involvement was designed to confront USSR influence and to appease Iran (Abdulghani 1984: 144; Borovali 1987: 34; Little 2010: 71). US cooperation remained informal, indirect and covert. Instead of delivering aid directly to the Kurds, the process was managed by the CIA through its proxy, the Shah of Iran (Wagner 1992: 23; Korn 1994; Little 2010: 78). By doing so, the US had the final say in Kurdish affairs to the Shah of Iran. It was Iran, rather than the US or Israel, that emerged as a real patron of the Kurds. The US Kurdish policy was more a Machiavellian game that had nothing to do with the rights and interests of the Kurds. The US and Iran had secretly agreed that their support for the Kurds would cease if Iraq agreed to settle its border conflict with Iran based on the latter's conditions (Abdulghani 1984: 145; O'Leary 2002: 26). When Iran settled its border disputes with Iraq and terminated its support, the US also

withdrew its support of the Iraqi Kurds. Barzani's statement after the collapse of Free Kurdistan strikingly illustrated the extent of US involvement in Kurdish strategic mistakes and tragedies. He stated that "without American promises, we would never have become trapped and involved to such an extent" (cited in Ghareeb 1981: 159). In its patronage the US was not motivated by Kurdish rights and interests. Therefore, it meets the conditions of NPC-II. Third, the US had no intention of promoting Kurdish independence, and it did not give sincere and full support to the Kurds or to the Kurdish cause. In fact, the US' goal was to put pressure on Iraq, rather than to find a solution to the Kurdish issue. It was not intended to assist in the creation of an independent Kurdistan or to dismember the country (Abdulghani 1984: 144). Hence, the case of US patronage falls short of achieving or recognising an independent Kurdistan. Accordingly, the US patronage satisfies all three criteria of negative patronage.

The superpower's negative patronage altered the Kurds' destiny in many ways and gave the Kurds a false sense of security. In fact, the Kurds made strategic mistakes that they may not have otherwise made without US influence. The leaders of UKQ-I did not trust the Shah and were less inclined to depend on Iran as an external patron. Expressing his mistrust of the Shah in 1966, Mustafa Barzani, the leader of the UKQ-I reportedly said that Iraq "wants to eliminate us today but Iran wants to annihilate us after ten years" (KDP 1979: 82). The Kurds perceived US commitment as sufficient guarantee that Iran would no longer use them as a chip in future border disputes with Iraq (Korn 1994; Farouk-Sluglett and Sluglett 2001: 159). Accordingly, the Kurds relied more on the Shah of Iran, whom they did not trust. Feeling more secure in their international relations, the Kurds became overconfident in their ability to defeat Iraq in a future conflict. They were further misled when the Americans encouraged them to reject the Iraqi autonomous offer and revolt against Baghdad (Abdulghani 1984: 139; Martin 1984: 39-40; Gunter 2004: 4). Within this context the Kurds rejected the Iraqi version of autonomy in 1974 and this led to a renewal of Iraqi-Kurdish fighting. By doing so, Barzani staked the survival of the UKQ-I on support promised by the USA and Iran. However, with the withdrawal of Iranian support to the UKQ-I, the Americans terminated its support to the Kurds.

7.3.4. Iran as Patron: from Primary Supporter to Anti-Kurdish Coalition

The size of Iran's aid exceeded the total of all foreign aid provided by other foreign powers. Iran's military supply, however, was just enough to help the Kurds resist Iraqi attacks and protect their grip on Free Kurdistan (Tomasek 1976: 221-222; Gunter 1992: 10). With Iran's help, nonetheless, the Kurds demonstrated their ability to embrace a full-scale conventional war along a 450 kilometre length arc in 1974. By early 1975 the war was about to become a disaster for Iraq and Iran was about to accomplish its

strategic gains through the Kurdish operation. The Iraqi army and its economy were brought to the verge of collapse. In the final months of war Iran was positioned to topple the Ba'ath regime and dismember Iraq (Karsh 1990: 264; 2008: 6; Karsh and Inari 1991: 81). Had Iran increased its assistance to the Kurds during the fifth war, Iraq might have been defeated.

However, instead of helping the Kurds' defeat its traditional enemy, Iran did just the opposite. Tehran helped the collapse of the UKQ-I, and thereby saved Iraq from potential defeat. In March 1975 Iran signed the Algiers Agreement with Iraq to demolish the UKQ-I. Iran immediately shifted its support from the Kurds to Iraq through an alliance. Iran not only cut its financial and military aid to the UKQ-I, but it forced the Kurds to terminate the war and surrender to Iraq. The Iranians "threatened to join the Iraqis in a combined attack on the Kurds if the latter refused to accept the terms of the Agreement" (Farouk-Sluglett and Sluglett 2001: 170). This shifting of Iran's alliance resulted in the total and immediate collapse of UKQ-I. The dramatic shift from Iran's longstanding support (1966-1975) to its anti-Kurdish stance reveals the nature of the Kurds' foreign patronage over the years.

Several factors contributed to the negative nature of Iran's patronage to the Kurds. The main factor was the trans-national character of the Kurdish conflict. Iraqi Kurdistan is a landlocked region and all the countries surrounding Kurdistan, including Iran, have struggled with the Kurdish problem for decades. Like Iraq, Iran had a sizable Kurdish minority, almost twice that of Iraq's. The Kurds of Iran are concentrated in a region adjacent to Iraqi Kurdistan (see map 5). Iran was worried that any future Kurdish victory in Iraq might have spill-over effects on its own Kurdish population (Abdulghani 1984: 140; Izady 2004: 80; Gunter 2005: 267). This was evident in the fact that historically Iran entered into anti-Kurdish pacts with Turkey and Iraq, such as the Saadabad Pact in 1937 and the Baghdad Pact of 1955. Like its counterparts, Iran joined these pacts for the purpose of suppressing the Kurdish movements in the region (Abdulghani 1984: 140).

Believing that the Kurds' *de facto* self-rule would undermine Iran's integrity, Iran initially did not hide its fear of the Kurds' grip over a large portion of Iraqi Kurdistan territory in 1961 (KDP 1979: 81). Thus, Iran vehemently opposed any Kurdish progress in Iraq, especially the establishment of a *de jure* autonomous Kurdish region or an independent state. As the collapse of the government of Iraq could encourage such a result, the Shah's ultimate goal was neither to dismember Iraq nor to topple the Ba'ath regime. Iran's Kurdish policy was neither a matter of principle nor a gesture of abandoning its Kurdish concerns. This required Iran to follow a no-win policy in its Kurdish dealings. The question as to why

Iran did not give the Kurds enough support to ensure their success may be understood and answered in this context.

Map 5: The demographic distribution of the Kurds in Middle East (Izady 2004: 72).

The question that remains is that if Iran was not interested in Kurdish rights and self-rule in Iraqi Kurdistan, why did it offer its support to the UKQ-I? Both Iranian support and its temporary abandonment of its concerns for the UKQ-I was based on several strategic calculations and considerations. The first reason for the Iranian Kurdish policy was to confront a stronger and riskier nationalism, namely pan-Arabism. In addition to the Kurdish minority, Iran also has a sizeable Arab minority concentrated in the southwest of the country adjacent to southern Iraq. The Iranian-Kurdish rapprochement happened at the time that pan-Arabism was becoming Iraq's official/state ideology in the post-1958 coup. All post-monarch constitutions stressed that Iraq was part of the Arab nation and consequently pushed for the unification of the entire Arab world.

After the first Ba'athist regime of 1963, unification with Arab countries was constitutionalised. According to the *Iraqi Interim Constitutions* of 1958, 1964 and 1968, the government of Iraq was obligated to work for the unification of other Arab states. However, from the pan-Arab perspective, (especially the Ba'athists), Iranian Khuzestan was a part of the Arab nation (see ABSP 2007). The ascendency of anti-Iranian-oriented pan-Arabism in the1960s as the state ideology would also mean that Iraq, as a traditional enemy of Iran, could potentially make trouble among the Arab minority in the Khuzestan province. Thus,

Iran was forced to choose one of two unwanted nationalisms: Arab or Kurdish. Several factors encouraged Iran to cooperate with Kurdayeti. First, pan-Arabism was endowed with a state structure and the growing Kurdayeti lacked such status. Moreover, the rising Arab nationalism and its ascent to power threatened Iran in other ways. A unified Arab world would challenge the role of the Iranian monarchy as policeman of the Persian Gulf. Pan-Arabism dictated a harder attitude toward Iran than Kurdayeti did. It also inherently possessed an antipathetic position towards ambitions in the region. Thus, compared to pan-Arabism, Kurdayeti was more conciliatory and weak. Imposing its conditions on the Kurds, the Shah felt confident enough to support the UKQ-I without risking the rise of a similar entity in Iran. Therefore, any temporary alliance and limited support to the Kurds would not threaten Iranian interests.

The second reason behind the Shah's alliance with the Kurds was the Iranian prolonged border dispute with Iraq. In the 1960s and early 70s border disputes between the two countries escalated. The dispute was over the question of whose right it was to have full access to the Shatt al-Arab (O'Leary 2002: 26; Little 2010: 71). By prolonging the Iraq-Kurdish war through support for the Kurds, Iran contributed in further exhausting Baghdad's strength. Draining the Iraqi budget could be accomplished by pinning down its army in Kurdistan. This was evident in that on many occasions Iraq informed the Kurds that it would *make* territorial concessions to Iran if Iran abandoned the Kurds (Emin 1997a: 20; KDP-PC 1997: 50). Playing the Kurdish card proved to be worth it for Iran. Using the UKQ-I as a bargaining chip, Iran achieved its goal in 1975. Iraq made the most concessions and paid a high territorial price in the Algiers Agreement in return for Iran's withdrawal of its support for the Kurds.

Countering rising Soviet influence in the Persian Gulf was another important factor that accelerated Iranian support for the Kurds. Iran's aim to offset Iraq's strength resulted from its alignment with the USSR. Iraq signed the Treaty of Friendship and Cooperation in 1972. This Iraq-Soviet alignment had two undesirable consequences for Iran. First, Iraq acted as a Soviet client in the Middle East. Iraq also ceded the USSR some naval base docking privileges at the Iraqi port of Umm Qasr (Tomasek 1976: 225). The USSR gained access to the Iraqi oil supply as well as a base in the Persian Gulf. Hence, while Iran emphatically did not want a Soviet presence in the Gulf, it found itself surrounded by Russians on two fronts: Iraq and Afghanistan.[35] Thus, the Soviet influence in the Persian Gulf directly challenged Iran. Iran sought the continuation of the Iraqi-Kurdish war as a method of preventing the strengthening of Soviet-backed Iraq and to balance its military capability. It also reduced Soviet influence in the region.

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35 In early 1970 Afghanistan was considered an ally of the USSR.

Another reason that contributed to the Iranian policy to support the Kurds was Turkish animosity to the Kurdish issue in Iraq. Turkey was an ally of the US and was threatened by the expansion of communist influence in the region. As in the case of Iran, the Soviet-Iraqi rapprochement was perceived by Turkey to threaten their interests. The entire Kurdish region inside Iraq on the Iraqi-Turkey frontier was part of the UKQ and was ruled by the Kurds (*The New York Times* 01/04/1974). Hence, like Iran, Turkey had potential interest and ability to use the Kurdish card to counter the ever growing Soviet influence in the region. However, the fear of Kurdayeti spilling over into Turkish Kurdistan took second place to the threat of communism. Therefore, Turkey was not willing to support the Kurds. By contrast, the Turks imposed a rigid blockade against the UKQ-I (Catudal 1976: 1031; Tomasek 1976: 220). Turkey's animosity to Kurdish *de facto* self-rule also pushed the Kurds to further rely on Iran. This increased Iran's ability to control the Kurds and therefore to contain the possibility of Kurdayeti's spilling over to its own Kurdish community. Within the context of the cold war and the complexity of Middle Eastern politics, Iran emerged as an indispensable patron to the survival of the UKQ. Thus, for the Kurds to counterbalance the superiority of the Soviet-backed Iraqi army, Iranian patronage had greater significance than ever before (Farouk-Sluglett and Sluglett 2001: 164).

In contrast to previous phases of war with Iraq, during the fifth war on Kurdistan, the Kurds became heavily dependent on Iranian logistics as well as financial and military support. The prolongation of the war against Iraq generated unprecedented demands for Iranian support. The Kurds' dependency became an instrument by which Tehran could control them. The Kurdish reliance on Iran increased to such an extent that they were obliged to accept Iranian terms and conditions (Nuri 2007: 373-374). Now Iran was in a more confident position to assert its terms and conditions. The Iraqi Kurds avoided cooperating with the Iranian Kurds, thus curtailing their influence on them (KDP-PC 1997: 59). The Kurds also accepted Iran's role as an intermediary for any foreign assistance. This unmanageable political reality drove the Kurds into a state of total dependence on Iranian and American good will, thus signaling the beginning of the end for Free Kurdistan.

In sum, the 'primary weakness of the UKQ-I, lay in the quality of patronage it attracted. All foreign patrons had their own agendas in mind; thus their goals were inconsistent with those of the Kurds. None of the four states that provided support or assistance to the Kurds satisfied the three criteria of positive patronage. These countries' patronages generally ended when their conflict with Iraq ceased. What made this patronage so unreliable and negative was that the patron states often turned their support to Iraq and away from the Kurds as in case of the USSR in 1972 and Iran in 1975. As will be explained, Iran

practically joined Iraq in fighting the Kurdish peshmerga between 1975 and 1978. Thus, the lack of positive patronage remained the Kurds' Achilles' heel and the main reason for the collapse of the UKQ-I in 1975.

7.4. Iraq From 1961-1975: A Recognised Quasi-state (RQ)

This section examines the status of Iraq in light of recognised quasi-state theory. It applies the four criteria of RQC to ascertain whether Iraq could be classified as a recognised quasi-state (RQ) in the period under consideration. As explained in Chapter One, all four criteria used to determine RQC must be met in order to qualify as a recognised quasi-state. The first criterion is a state that violates, rather than imposes, the rule of law and threatens some of its citizens (RQC-I). Though Iraq officially asserted that it attempted to re-impose order and legitimate authority in this region, in many ways it both violated Iraqi and international rules and laws as it threatened the population of Free Kurdistan. Chapter Six explained that during the 14 years of Kurdish quasi-state existence, Iraq inflicted five major wars on Free-Kurdistan. In these wars civilians were indiscriminately targeted by Iraq, particularly by its air forces. In the first phase of the Iraqi-Kurdish war alone (1961-1963) over 1,000 Kurdish villages were seriously damaged or destroyed, mostly by Iraqi air attacks. In addition, 80,000 civilians were displaced, thus becoming homeless (Kinnane 1964: 67; Borovali 1987: 33; Nuri 2007: 277). The second round of war (June to November 1963) resulted in more than 25,000 predominantly civilian casualties, 875 demolished Kurdish villages, and hundreds of thousands of displaced Kurds (Schmidt 1964; Nebez 2001: 157). In the third Iraqi-Kurdish war (April 1965 to January 1966), the Iraqi state posed a great threat to the Kurdish population and clearly violated international rules. Seven months of conventional fighting (April 1965 to January 1966) was a major disaster for the civilian Kurds. It resulted in the displacement of 200,000 villagers and the destruction of approximately 750 villages (McDowall 2004: 319). In the fourth round of the Iraqi-Kurdish war in April 1969 approximately 300 Kurdish villages were damaged and more than 30,000 people joined the ranks of the internally displaced (Vanly 1990: 208, n. 29). In the final round of the war, 600,000 civilians were displaced from which 250,000 fled to Iran (Adelman 1992). Thus during this period, the Iraqi state was the main threat to Kurdish civilians. This meets the criteria of RQS-CI.

The second criterion of RQSC-II applied to Iraq during this period. This involved losing control of one or more of its territories (e.g., a separatist region) or losing its monopoly on the legitimate use of force in a territory. As explained, for 14 years Iraq had lost control of more than 35,000 square kilometres of its territory. The third criterion (RQS-CIII), (i.e., a state that seeks external patronage from a stronger state because it cannot confront the separatist region on its own) applies to Iraq during this period. As

explained in Chapter Six, despite the Iraqi deployment of two-thirds of its armed forces, Iraq failed to recapture Free Kurdistan. Iraq also faced difficulties holding its grip on the Kurdish areas that remained under its control. From 1965 onward the Kurds had more influence on that region than did Iraq (Jawad 1990: 135; Rubin 2007: 370).

The Kurdish war contributed to regime changes in the central government on many occasions. It is not coincidental that the fall of Qasim's regime in 1963, the first Ba'athist regime in 1963, and Arif's regime in 1968 followed their failures to recapture Free Kurdistan. Iraq often attempted to find military support from a regional power or super power after failing to recapture Free Kurdistan. In 1963, for example, Iraq appealed to Syria for support. In response, Syria sent two brigades totalling 5,000-6,000 troops and Egypt sent 12,000 troops to support Iraq. The USSR also participated in the Iraqi war against the UKQ-I. Prior to the Soviet-Iraq alignment of 1972, the Kurds capably protected their quasi-state. After the 1972 Soviet-Iraq agreement, however, the Soviets restructured and expanded their Iraqi military capabilities. In 1974 the Soviet army, mostly Soviet generals and pilots, participated directly in the Iraqi-Kurdish war. They piloted the Mig-23, one of the most advanced Russian jets to bombard Kurdish positions (Catudal 1976: 1036). The consequences of Soviet support to Iraq and its impact on the balance of power in the fifth war on Kurdistan in 1975 was crucial. With significant foreign assistance, Iraq managed to contain Kurdish progress and recapture some areas claimed by the Kurds as part of their homeland. Failing to confront the Kurds on its own power and seeking outside support was another facet of the Iraqi regime that qualified as the third criterion of recognised quasi-states (RQS-CIII).

The fourth qualification of RQC-IV emphasises the violation of a state's sovereignty by external powers as a result of foreign military forces on its soil. As outlined above, there were significant numbers of Syrian, Egyptian and Russian security forces in Iraq. In Kurdistan Israeli security elements and hundreds, if not thousands, of Iranian commandos were on the ground especially during the final war in 1974-1975. These Iranian forces entered Free Kurdistan with heavy and sophisticated artillery and they participated directly in the Kurdish war against Baghdad (Tomasek 1976: 221; Farouk-Sluglett and Sluglett 2001: 170; Bakhash 2004: 20).
Thus, during the period in question, there was a semi-permanent foreign military presence in Iraq often at the request of the Iraqi state (Egypt, Syria and USSR); or they were there outside of Iraqi control (i.e., Israeli and Iranian troops). Therefore, Iraq satisfies the fourth criterion as an RQC-IV. From 1961-1975 Iraq possessed all criteria that a recognised state had to meet to be considered as a recognised quasi-state. During this period in question, Kurdistan also established its first unrecognised quasi-state qualification

(UKQ-I). Iraq may therefore be redefined as a country of two quasi-states: the recognised quasi-state of Iraq and the unrecognised Kurdish quasi-state.

7.5. Conclusion

Between 1961 and 1975 the UKQ-I intermittently received different forms of patronage from two superpowers, the USSR and the USA, and two regional states, Iran and Israel. These patrons played crucial roles in the emergence, development, survival and finally the collapse of the UKQ-I. External support compensated Free-Kurdistan for the lack of recognition by the international community. It also provided enough financial, logistical and weaponry support that enabled Free Kurdistan to survive for 14 years. These four patronages fulfilled all three criteria of negative patronage (NPC). First, none of these patron states shared ethnic or cultural identities with the Kurds. Second, none of these countries were motivated by concern for Kurdish ethnic, nationalist or human rights. In providing support, each of these four countries was motivated by interests and reasons that were incompatible with, and often in conflict with, Kurdish interests. USSR and USA aid was conditional. Their positions and policies relating to the Kurds were formulated within the context of the Cold War and its outcropping. Much depended on their respective relations with Baghdad. The two superpowers used the Kurdish issue against each other's influence in Iraq. Until 1972 the USSR acted as a permanent supporter of the UKQ-I and the USA showed no sympathy for the Kurds. When the USSR signed its strategic agreement with Iraq, the USA emerged a main supporter of the Kurds. Israel was another external patron that followed a no-win policy for the Kurds. Israeli interests in Kurdish affairs may be understood within the context of the Arab-Israel conflict, and, to a lesser extent, the Cold War. Therefore none of these patronages were ultimately useful for Kurdish purposes and aims. Third, all these countries thought a strong and autonomous Kurdistan would 134eopardize their respective interests. While providing aid to the UKQ-I, these countries never supported an independent Kurdistan.

Being unmotivated by Kurdish interests and rights, and viewing an independent Kurdistan to be against their interests, all these patron states followed a set of policies that ran counter to the Kurdish project. Firstly, they all followed the 'one Iraq' policy and preferred stalemate and the status quo to real progress or movement towards independence for the Kurds. Secondly, they emphasised their commitment to the territorial integrity of Iraq. Any aid granted the Kurds proved insufficient to guarantee a Kurdish victory or to help achieve an autonomous or independent Kurdish state. Thirdly, the UKQ-I was denied political recognition. Fourthly, all these patron states used the UKQ-I for their own national agendas, not for the

Kurds'. Once Iran reached its border and security agreement with Iraq based on the Algerian Agreement of March 1975, it not only terminated its patronage to the UKQ, but flipped 180 degrees and supported Iraq in its aim to force the Kurds to terminate their rule over Free Kurdistan. Iran even threatened to join the Iraqis in a combined attack *against* the Kurds if the latter continued to resist Iraq. The dramatic shift from Iran's longstanding support (1966-1975) to its anti-Kurdish stance was the main reason of the collapse of the UKQ-I.

Whatever the nature of the external patronage, it helped to turn Iraq into a recognised quasi-state. First, its wars on Kurdistan resulted in tens of thousands of casualties among civilians and the displacement of hundreds of thousands of Kurds. By targeting civilians in an indiscriminate manner, the Iraqi state threatened part of its own population and violated Iraqi and international law. Therefore, the first criterion (RQC-I), which is a state that violates its rules and/or threatens its own citizens, was satisfied by Iraq. Second, Iraq lost control over Free Kurdistan for 14 years, thus satisfying RQC-II. Third, in the period under review, Iraq, on numerous occasions, resorted to outside support, including Syria, Egypt and Russia, to confront the UKQ-I. Therefore, the third criterion (RQC-III), the seeking of external military support from a stronger state to challenge a separatist region, was satisfied by Iraq. Fourth, during this period Iraq failed to prevent the presence of foreign (i.e., Israeli and Iranian) military forces on its soil. Therefore the qualification of the fourth criterion (RQC-IV), the violation of a state's sovereignty by external powers outside of its control through foreign military forces on its soil, was satisfied by Iraq. Thus, Iraq satisfied all criteria that qualified it to be classified as a recognised quasi-state. In sum, from 1961 to 1975 Iraq was a country of two quasi-states: a recognised Iraqi quasi-state and an unrecognised Kurdish quasi-state.

Chapter Eight

8. The Rise and Fall of Kurdish *de facto* Self-rule (1976-1988)

This chapter examines three phases of the Kurdish nationalist movement from 1976 to 1988. In the first phase attention is given to the Kurdish military movement and the Iraqi reaction to the resumption of peshmerga activities on the part of the Kurds. Special focus is on Iraqi policy that was designed to depopulate rural Kurdistan. The chapter then scrutinises the second phase of the Kurdish nationalist movement from 1979 to1985, when the Kurdish *de facto* self-rule (KDS) was established. While identifying the factors that contributed to the Kurds' control over part of rural Kurdistan, concentration is on the role that the Iranian revolution of 1979 and the Iraq-Iran war in 1980 played in facilitating the establishment of the KDS. The third phase of the Kurdish nationalist movement that began in 1985 is examined with attention on the collapse of the KDS in 1988. Questions relating to whether the KDS fulfilled the unrecognised quasi-states criteria (UQC) are discussed. Each of the four UQC criteria, namely (1) nation building, (2) militarisation, (3) weak parent state and (4) external patronage are examined separately. The weak parent state criterion is especially scrutinised to detect the significance of American support to Baghdad and the ensuing change in the balance of power between Iraq and the Kurds. Iranian support to the Kurds is highlighted in the analysis of the patronage criterion. The chapter then traces the impact of the KDS on the devolution of Iraq into a recognised quasi-state (RQ). The change in Iraq's status is scrutinised in light of the four criteria of the recognised quasi-state (RQC).

8.1. The First Phase: The Emergence of Kurdish Nationalist Movement (1976-1979)

This phase directly followed the Kurds' shock after a 14-year-period of quasi-state self-rule dramatically came to an end. Kurdayeti in its militant form reemerged, though in an unprecedented weak state, at least since the monarchy. Two main features of this period are the reemergence of the Kurdish military movement (*peshmerga*) and the No-Man's Land policy that Iraq imposed on areas previously under control of the UKQ-I.

8.1.1. The Re-Emergence of the Kurdish Military Movement (Peshmerga)

In June 1976, one year after the collapse of Free-Kurdistan, the KDP, the PUK and several other smaller groups separately commenced an armed struggle against Baghdad. Though small and limited in number, among these groups was the PUK that started its rebellion with only 160 peshmerga. Initially their activities were limited to the rural areas of Kurdistan. Within a year, however, their number was

compounded and by 1977 in Erbil province alone, the PUK had 200 to 300 peshmerga (Rebaz 1993: 67-71). In the same year the peshmerga appeared to be strong enough to establish their headquarters in the rural areas of Kurdistan (Bruinessen 1992: 31; Emin 1997a: 188). By 1978 the number of peshmerga rose to 1,500 and they were dispersed throughout Kurdistan (Emin 1997a: 188).

At this stage, the peshmerga force was relatively weak and amounted to less than two percent of their strength prior to their defeat in 1975. Despite that, to counter this small group of peshmerga, Iraq deployed 120,000 men. Three quarters of the Iraqi army were stationed in Kurdistan to fight the peshmerga (Whitley 1980). In other words, for every single peshmerga soldier, more than 80 Iraqi soldiers were deployed in Kurdistan. The strength of the peshmerga did not come from their numerical strength, as they were a small group. Rather it came from the fact that they were highly mobile and able to attack, on Kurdish territory, the Iraqi armed forces that were a great distance from their headquarters (Bruinessen 1986: 14). As early as 1977 the peshmerga were involved in conventional warfare to protect their headquarters from Iraqi invasion (Rebaz 1993: 67; Emin 1997b: 284). Thus, the emergence of the peshmerga, though small in number and limited in military and political scope, was enough to challenge and handicap Iraqi authority, at least on the border areas.

8.1.2. The Iraqi Policy to Depopulate Kurdish Areas

Within a few years the reality of peshmerga effectiveness could no longer be denied by Iraq. Failing to accept or contain the presence of the peshmerga, Iraq adopted a more radical and ruthless policy in the attempt to uproot its power base. This was known as the No-Man's Land (NML) policy. As it will be outlined in detail in Chapter Nine, under the NML policy, within three years (1976-1979), approximately 1,200 to 1,400 villages, or an area of more than 16,000 square kilometres, were depopulated. By the end of the 1980s, however, the size of the depopulated areas would expand by almost threefold. The depopulation policy revealed two contradictory features of Iraq's rule of Kurdistan. First, it showed its undisputed military superiority in that within three years Iraq removed more than one-quarter of all Kurdish villages from the map without significant resistance. Second, the depopulation policy of these agriculturally rich areas revealed the shaky foundation of Iraqi rule in rural Kurdistan and its failure to manage that area. This was evident in that a significant part of the NML areas became part of what the Kurds called 'Liberated Territories of Kurdistan' and were ruled by peshmerga forces.

Though the emergence of the Kurdish military movement may be used to justify the NML policy, it is not the only factor involved in Iraq's ruthless handling of Kurdistan. The NML policy cannot be isolated from the failure of the Iraqi state to administer or manage the region since the creation of modern Iraq. During

the monarchy many tribes of this area enjoyed their Traditional Autonomous Entity status. Between 1961 and 1975 it became an integral part and the first Kurdish quasi-state (UKQ-I). Thus, for many decades the inhabitants of these areas had little, if any, experience with direct central authority. Consequently, Iraq lacked a power base, loyalty, and administrative mechanisms and institutions in these areas. Its presence was limited mostly to military barracks. Iraq faced difficulties governing this unfriendly population and uncontrollable region. Therefore, instead of investing its triumph and superiority to govern and integrate the Kurds into the state, Iraq followed the strategy of depopulating the area and resettling its population into controllable collection camps. Thus, despite its military superiority, following the collapse of the UKQ-I in 1975, Iraq failed to adequately govern the region.

8.2. The Second Phase: Establishment of Kurdish *de facto* Self-rule (KDS) in 1979-1985

The collapse of the Shah of Iran in 1979 and the commencement of the Iraq-Iran war in 1980 were turning points in the Kurdish rebellion against Iraq. The pro-American, conservative and now anti-Kurdish regime of the Shah was replaced with an anti-American and radical Islamist regime in 1979. The fall of the Shah and the establishment of the Islamic regime brought a fundamental change in the hitherto Middle-Eastern status-quo. The first fundamental change was the power vacuum and resulting anarchy in Iran, combined with the revolutionary environment. This strengthened the Kurdish movement and the peshmerga's abilities in many ways. The Kurdish nationalist movement in Iran revived following the Iranian revolution. Between 1979 and 1982 a significant part of Iranian Kurdistan fell under the rule of Iranian Kurdish peshmerga forces. This offered the Iraqi Kurds a safe haven, logistical and political support, free movement to Iranian Kurdistan, and access to weaponry (Farouk-Sluglett and Sluglett 2001: 190). Thus, finding a geostrategic depth on the other side of the border permitted the intensification of guerrilla warfare in Iraqi Kurdistan.

The second fundamental change was that Iraq became an ideal target for the revolutionary Iranian agenda to export the Islamic revolution. Iraq shared a 1,200 kilometre border with Iran. The largest part of southern Iraq was an extension of Iranian culture as both shared the Shia version of Islam. Iraq has the second largest Shia community in the world and the Shia represent 60 percent of the Iraqi population. Moreover, the Ayatollah's hierarchy and religious institutions of the Iraqi Shias were heavily influenced by Iranian origins. Khomeini spent part of his exile in Iraq and left his fingerprints on Iraqi political life (Emin 1997: 136-141; al-Samarrayi 1997: 50). Iraq probably was among the first countries that Khomeini called to rebel against its rulers. In the first months of its rule, Khomeini appealed to the Shias of Iraq to overthrow the Ba'ath regime. Several Shia parties responded to the Iranian call and escalated their

activities (al-Samarrayi 1997: 42). Furthermore, the majority of Shia tombs, shrines, and holy sites are located in Iraq. The historical Arab-Persian rivalries, border conflicts, and ideological battles of Ba'athist pan-Arabism vs. Khomeini's Pan-Shi'ism threatened Iraq from its eastern border.

The third fundamental change was that with the collapse of the Shah's regime, the Algerian Agreement remained only on paper. For several years within the Algerian framework, Iran aided Iraq militarily and logistically to suppress and contain the Kurdish movement (Rebaz 1993: 136-138; Emin 1997a: 188; al-Samarrayi 1997: 50). Ironically, on September 17, 1980, Iraq officially renounced the Algerian Agreement of 1975 (Karsh 2002: 9). The animosity between the two sides reached such an extent that a few days later, on September 22, 1980, Saddam launched his offensive against Iran and the two countries committed to one of the longest wars in the twentieth century.

The fourth fundamental change was the Iran-Iraq war that left a significant power vacuum in Kurdistan. The outbreak of the Iraq-Iran war placed heavy burdens on Baghdad that forced it to further relinquish its control of Kurdistan. To control Kurdistan and suppress the peshmerga, Iraq had stationed most of its 10 divisions in Kurdistan up to 1979 (Emin 1997a: 145). Following the outbreak of the Iraq-Iran war, however, Iraq withdrew the majority of its forces from rural Kurdistan. Due to its escalating conflict with Iran, Iraqi troops were transferred to the Iranian front and army garrisons were abandoned or reduced (*HRW* 1993: 39). In Sulaimaniya province, for example, only 26,000 troops of 100,000 were left (*Komala* 1982a: 60). The peshmerga, however, swiftly moved to fill the security vacuum and control the abandoned areas. Iraq was no longer in a dominant position in Kurdistan and the peshmerga established more bases throughout the Kurdish countryside. Peshmerga forces, that belonged to five political parties, increased significantly, from 1,500 in 1978 to 9,000 in 1981 (Bruinessen 1986: 27; Emin 1997a: 188). Within approximately two years this figure doubled. The numbers of the PUK peshmerga alone rose to 9,000 in 1983. The KDP peshmerga increased to 10,000 in 1984 (Bengio 1984-1985: 472-481). Thus, while the Iraqi military declined dramatically in Kurdistan, the peshmerga forces significantly increased in size and capacity. Consequently, most parts of rural Kurdistan eventually turned into liberated territories (Rebaz 1993: 136-148).

By 1981 the peshmerga had grown strong enough to utilise both guerrilla and conventional tactics of war (Emin 1999: 64-65, 109, 114). The Kurds' ability to conduct a conventional war meant that they had the ability to control and protect the wider Kurdistan region and establish local self-rule through village councils (Emin 1997b: 206). According to Bulloch (1992: 152), by early 1982 the Kurds controlled over 10,000 square Kilometres of territory along the Iranian and Turkish borders. The area that was controlled

by the peshmerga, however, was much larger than this figure. By the beginning of the Iraq-Iran war, the area of the NML exceeded 16,000 square kilometres. A significant part of these areas had become part of Free Kurdistan several years before the outbreak of the Iran-Iraq war (Bruinessen 1992: 39). Moreover, peshmerga control extended far beyond the NML to cover the major part of rural Kurdistan. According to Emin (1997b: 206), the majority of rural Kurdistan in 1981 was controlled and administered by peshmerga forces that belonged to five Kurdish rebel political parties.

In the PUK controlled areas, the peshmerga divided the rural Kurdistan areas into several local administrative regions. Each region was administered by a *Malband* (centre or local headquarter office) of the PUK. *Malband* represented the local government and constituted several divisions, each dedicated to a different institution including the judiciary, social, health, and military affairs (Emin 1997b: 267-269; 199: 133-141). At lower levels a local administration known as village councils were founded to administer the Kurdish countryside. Each council was comprised of five people that were elected by village residents. These village councils were connected to the division of social affairs of the *Malband*. Each *Malband* opened schools, hospitals, and courts along with other institutions (Emin 1997b: 267-269; 199: 133-141). Dozens of publications, including weekly, monthly, and periodicals were issued regularly (Omar 2002: 156-157). Thus, five years after the collapse of the UKQ-I, the Kurds retained Free Kurdistan though smaller in size and established KDS in rural Kurdistan.

8.3. The Third Phase: The Expansion of the KDS (1985-1987)

As will be explained in Chapter Nine, Iraq and the PUK engaged in negotiations in 1983 that lasted until the winter 1984/1985. Following the collapse of negotiations, Baghdad found its control of Kurdistan eroding once more. The deterioration of Iraqi rule in Kurdistan was evident in that some 2,000 Kurdish villages had integrated into the already liberated territories' (*HRW* 1993: 48). The peshmerga imposed control over wider areas of Iraqi Kurdistan. By 1986 the peshmerga exercised effective control over the rural areas. Baghdad's authority had dwindled in the cities, towns, collection camps (*Mujama'at),* and main highways ((*HRW* 1993: 48). In 1987 only 186 out of 1,877 villages in Sulaimaniya province remained under Iraqi control. Many of their inhabitants were armed and organised into Civil Defense Forces (*HRW* 1993: 7, 48). The KDP recruited some 20,000 peasants into the Civil Defense Forces; the PUK probably recruited more than this number (Bengio 1984-1985: 473; Borovali 1987: 39; Emin 1999: 118).

By 1987 the Kurdish parties united under the Iraqi Kurdistan Front (IKF). The new Kurdish Front with its 15,000 to 20,000 peshmerga forces was further consolidated. Taking advantage of Iranian military support, the peshmerga expanded their operations and proved that the Iraqi main oil industry was no longer immune to attack. The same year the peshmerga attacked the Kirkuk oil installations. In the raid the PUK deployed more than 3,000 peshmerga and 150 Iranian commandos participated in attacking the Iraqi oil industry (Emin 1999: 11). In 1987 the PUK used 5,000 peshmerga in one military endeavour (Emin 1999: 125). Iraqi troops, though temporary, were driven out of many Kurdish towns, such as Halabja in March 1988, Rawanduz and Atrush (Dunn 1995; McDowall 2004: 352). By early 1988 peshmerga activities reached beyond the Kurdish areas as far as Mosul, Tikrit and the Baquba city outskirts (Emin 1999: 123). The Kurds' tactical alliance with Iran posed an unprecedented threat to the Iraqi regime. Thus, for many years Iraq had no authority in rural Kurdistan, a state of affairs that allowed the peshmerga to establish its KDS. By the end of 1988, the KDS dramatically collapsed. Iraq retained control of the entire Iraqi Kurdistan and for the first time since 1976 the entire peshmerga was exiled to Iran. No single base of any Kurdish party was left in Kurdistan (Emin 1999: 153). Iraq launched a series of genocidal operations known as Anfal. The campaign made use of chemical weapons by which the entire Kurdish population of the liberated territory was killed, vanished, fled to Iran and Turkey or forcibly resettled in *Mujama'at* collection camps (see Chapter Nine). Thus, another phase of the KDS, that lasted some eight years, ended.

8.4. Is the KDS an Unrecognised Quasi-state?

Between 1980 and 1988 the KDS shared many features of unrecognised quasi-states (UQ). However, scrutinising its status in light of the unrecognised quasi-state criteria (UQC) reveals that the KDS was not developed to the extent necessary to be classified as a quasi-state. The first criterion to scrutinise the status of the KDS is nation-building (UQC-I). The KDS did not successfully engage in nation-building processes though there was evidence of nation building in the liberated territory during this period. Topics such as Kurdistani identity, the Kurdish nationhood, Kurdish separate history, distinct Kurdish culture, language and customs, reviving common memories, and the glorification of Kurdish heroes and martyrs dominated all Kurdish political party discourses. These discourses were re-emphasised daily through several radio stations belonging to Kurdish political parties, and tens of weekly, monthly and periodical publications (e.g., see KDP 1979; *Komala* 1981, 1982a, 1982b, 1983, 1987; *Rebazi Nwe* 1982; *Peshang KPDP* 1982; *Khabat* 1988). Though a limited local administration was installed in Free Kurdistan, the KDS lacked the requisite state institutions to stimulate the nation-building processes. The nation-building

processes never became institutionalised nor did they extend to all aspects of nation-building. The parties did, however, celebrate *Newroz* as a national day (PUK 1985: 2; Emin 1999: 31-32); but they did not adopt the Kurdish nationalist flag, and the KDS lacked its own constitution. Though the KDS continued to pose a challenge to the Iraqi nation-building project, the nation-building process of Free Kurdistan, during the period in question, was not developed to the level necessary to satisfy the first criterion of UQC-I.

The second criterion to apply to the KDS for determining its quasi-state status is the militarisation of society (UQC-II). The number of peshmerga was relatively high, especially during the third phase (1985 to 1988) when there were as many as 20,000 to 25,000 peshmerga supported by a similar number of Kurdish civil defenders. Thus, around 40,000 fighters for a population of one million in the LKT was a relatively high ratio of fighters per resident. Though the LKT was to a large extent a militarised society, it failed to satisfy the militarisation criterion of unrecognised quasi-states (UQC-II) for two reasons. First, the peshmerga and its civil defenders lacked a common command. In fact they were militias divided into several rival factions that were not united or organised into one institution. Moreover, there was no obligation for civil defenders to join the fighting. Second, the KDS failed to bring a majority of Kurdish fighters into the peshmerga ranks. In UKQ-I (1961-1975) the majority of Kurds were organised into the peshmerga armed forces. The pro-Iraqi militias (*Jash*) represented only a small minority. During this period, however, the peshmerga forces were a small minority, about 20,000 to 25,000 compared to 150,000 to 250,000 pro-Iraqi militiamen that were organised under the semi-autonomous *Jash* militia brigades.

The third criterion to apply to for determining quasi-state status is the weak parent state criterion (UQC-III). The KDS fails to meet this criterion. During the Iraq-Iran war (1980-1988), Iraq weakened to an extent that it lost control over a majority of rural Kurdistani citizens. Oneevidence of the weakness of Iraq as a parent state was its willingness to negotiate with the Kurds over the ceasefire and autonomous arrangement. As explained in Chapter Nine, since the collapse of the UKQ-I in 1975, Iraq unilaterally implemented its autonomous law and established an autonomous administration in three Kurdish provinces. By 1983, however, Iraq was in a real dilemma. It was weakened by Iran's repeated offensive manoeuvres, and it lost control over the major part of rural Kurdistan. The existence of the peshmerga and its rule over rural Kurdistan became a *de facto* reality that Baghdad had to deal with. In this set of circumstances, Iraq was forced to initiate talks with the peshmerga. By the end of 1983, Baghdad offered to negotiate with the PUK for the purpose of expanding the autonomy of the Kurdistan region. Based on

promises to expand Kurdish autonomy, the PUK, then the largest Kurdish political party, entered direct negotiations with Baghdad. In return, the Kurds were required to sign a cease-fire agreement and to assist Iraq against Iran. A cease-fire agreement between Iraq and the PUK was declared in December 1983 (Entessar 1984: 922; Emin 1999: 6-12).

Iraq initially consented to develop autonomy in favour of the Kurds. According to Emin (1999: 11), negotiations focused on four main issues: (1) authorities of the central government and the autonomous administration in Kurdistan, (2) the border of this autonomous region, (3) the normalisation of the situation in Kurdistan including termination of the Arabisation and NML policies, and (4) the Kurds' role in the central government. Though the negotiations ended in winter 1984/1985 without any tangible consequences for either side, they may be considered as a turning point in Kurdish-Iraqi relations. First, considering the dramatic and total collapse of Free Kurdistan in 1975, such recognition was psychologically important for Kurdish nationalists. The Kurdish call for autonomy, other nationalist demands, recognition of the PUK, and the peshmerga as representatives of the Kurds were the bases for negotiations. Second, the ceasefire and negotiations provided a better environment for the Kurds and permitted the PUK direct contact with the population of cities and towns under Iraqi control (PUK 1985: 5). During the negotiations the peshmerga was allowed to enter cities and towns under Iraqi control. Having direct contact with the Kurds in areas under Iraqi control helped the peshmerga find new recruits for its ranks. In less than two years of negotiations the number of peshmerga increased three to four-fold. Prior to the negotiations, the PUK peshmerga in the province of Erbil numbered around 700. By the end of the ceasefire they numbered at around 2,700 (PUK 1985: 75). During the negotiations Iraq lifted its embargo on the liberated territories (PUK 1985: 82). This put the peshmerga in a better financial position and increased the functionality of the KDS. Third, while Iraq was prevented from entering the liberated territories, the peshmerga extended their political activities into the cities and towns with their arms (PUK 1985: 5-6). During negotiations, Baghdad ceded part of its sovereignty to the peshmerga in areas under the Iraqi control.

Other evidence of Iraqi weakness was the temporary failure of the NML policy. As explained in Chapter Nine, Iraq followed the NML policy in 1976. Within a few years hundreds of Kurdish villages were depopulated and hundreds of thousands of Kurdish villagers were resettled in concentration camps (*Mujama'at*). The peshmerga, however, imposed its control over a significant part of rural Kurdistan, including the areas that were depopulated under Iraq's NML policy. Negotiations between the PUK and Baghdad resulted in the temporary cessation of the NML (PUK 1985: 81-82). The Kurds' ability to

establish and protect the KDS, coupled with Iraq's involvement in the devastating war with Iran, resulted in the creation of a new balance of power against Baghdad. Iraq gradually lost control of Kurdistan to the Kurds and faced a staunch counteroffensive from Iran. These harsh circumstances forced Iraq to neutralise the Kurds through suspension of the NML operations and compromise the return of deported villagers to their farms. To placate the Kurds, Iraq initially permitted "thousands of resettled Kurds in southern Iraq to return to Kurdistan" (Senate 1988: 10). The ceasefire, combined with peshmerga control of the liberated territories, encouraged civilians to move back into the depopulated areas. Thousands of Kurds in *Mujama'at* escaped and rebuilt their destroyed villages that were now protected by the peshmerga. Thus, they became part of Liberated Kurdistan (PUK 1985: 82; Senate 1988: 10; Bulloch 1992: 152). The previously depopulated NML became home to thousands of inhabitants of cities and towns that escaped different forms of oppression by the Iraqi security forces. Among others that resided in liberated territories were draft lodgers, army deserters, political members of various factions, and families and relatives of the peshmerga (PUK 1985: 5, 82; Bruinessen 1992: 42-43; *HRW* 1993: 23). Free Kurdistan also "became increasingly the sanctuary for non-Kurdish opposition groups" (Bengio 1984-1985: 471). Thus, from 1980 until the beginning of 1885 when Iraq-PUK collapsed, the NML policy foundered and Kurdistan witnessed a reversal of this process. A disorganised repopulation process eventually replaced the systematic depopulation process as the Kurds returned to their homes.

The KDS also played a role in the collapse of the conscription system in Iraq due to the failure of Iraq to govern Kurdistan. The Ba'ath regime paid a great deal of attention to the recruitment of the Kurds to the army for several reasons. First, Iraq viewed the army as a method of integrating the Kurds into Iraq. Second, the process of recruitment into the Iraqi army became a key factor in the war effort against Iran. Third, conscription was an important method of preventing young Kurds from joining the peshmerga forces. Recruiting Kurds into the Iraqi army also helped to control them. However, against Iraq's wishes and intentions, the conscription and recruitment mechanisms were counterproductive. Iraq soon faced strong opposition to the draft in Kurdistan and the Kurds deserted from the army in droves (Bengio1987: 441).

Several factors contributed to the massive acts of desertion and draft dodging by the Kurds. For example, the lack of Kurdish loyalty to Iraq, their non-identification as Iraqis, and lack of Iraqi nationalism was expressed by desertion and draft-dodging. As explained in previous chapters, neither during nor following the monarchy was the Iraqi government influence strong enough in Kurdistan to impose conscription laws on the Kurds. Desertion from the army became part of the political culture and reality for both the Kurds

and the Iraqi regime. Furthermore, the negative image of the army in Kurdistan due to its long standing onslaught against Kurdayeti dissuaded the Kurds from joining the Iraqi army. Since 1961 the Iraqi army had directly waged war against the Kurds, causing tens of thousands of casualties among Kurdish civilians. This negative image was further exacerbated by the army's role in destroying the rural Kurdistan areas and turning a large portion of it into No-Man's Land. Finally, and most importantly, the dwindling of Iraqi authority in Kurdistan and the expansion of KDS' rule provided a safe haven to "large numbers of Kurdish draft dodgers and army deserters" (*HRW* 1993: 39). By the beginning of 1983 the number' of Kurdish deserters was just under 50,000 (McDowall 2004: 348). While avoiding a bloody war, the Kurds deserted from the army and provided additional support and manpower to the KDS. Failing to recruit Kurds into the army, Baghdad was compelled to introduce a separate army system in Kurdistan. Initially Iraq offered an amnesty to Kurdish deserters and granted permission for them to be stationed in Kurdistan instead of in the south (Bengio1982-1983: 575; Bruinessen 1986: 19). These concessions, however, did not encourage the Kurds to join the army. The opposition to the draft remained strong and Iraq was "obliged to exempt the Kurds from obligatory service, making their participation voluntary" (Bengio 1987: 441). Thus, those that were willing to serve in the army were exempted from deployment to the Iranian front and in the dreaded area of southern Iraq.

Allowing Kurdish servicemen to serve in Kurdistan and turning soldiering into a voluntary enterprise had ramifications for Kurdish integration into Iraq and for the state's sovereignty. It meant that there were two systems of army service in Iraq: a voluntary recruitment effort in Kurdistan and conscription in other parts. A separate army service in Kurdistan also meant the granting of significant concessions to the Kurds and recognition of their separate status. Though such recognition of separate status for Kurdistan was a tactical step, and it had not been legalised, the practical result was that the Kurds gained increased autonomy. These policies became *de facto* law until the collapse of the KDS in 1988. Furthermore, exempting the Kurds from conscripted service meant the collapse of that system in Kurdistan and the failure of this device for integrating the Kurds into the Iraqi state. The two different army systems further sharpened ethnic differentiation between the Kurds and Arabs. This is because ethnic Arabs, whose majority of young males were recruited to fight in the Iraq-Iran war and that suffered high numbers of casualties, were not granted such a privilege. Finally, the collapse of the Iraqi conscription system in Kurdistan further isolated the regime as its authority dwindled in Kurdistan.

The voluntary service in army and the exemption of the Kurds from deployment to the Iranian front did not encourage the Kurds to join the army. Despite these significant concessions, desertions in Kurdistan

continued non-stop (Bengio1982-1983: 575). By the mid-1980s, the conscription system in Kurdistan had totally collapsed. Iraq then revived the *Jash* system to recruit the Kurds into the irregular army under the command of local leaders. The *Jash* system became an alternative to the army system (both conscription and voluntary). Registering as a *Jash* was considered equivalent to military service even though Kurdish recruits did not have to serve under Iraqi officers (see Chapter Nine). Thus, Iraq lost much of its power base, sovereignty and legitimacy in Kurdistan. The weakness inherent in Iraq, however, was more related to the Iraq-Iran context. Iraq founded one of the largest armies in the region: probably one million strong (Pelletiere and Douglas 1991: 65; Karsh 2002: 20). The use of this army against the KDS was a matter of time and depended on the state of conflict with Iran. Thus, once the pressure of Iran eased and the war headed towards its end, Iraq launched a large part of its army against Kurdistan. With the use of chemical weapons (CW), Iraq recaptured the entire liberated territory in six months (see Chapter Nine). While warring with the anti-Western regime of Iran, Iraq enjoyed significant outside support from Western countries and the conservative oil-rich Gulf countries. This regional and international support assisted Baghdad's violation of international human rights standards and international laws and norms without international punishment, pressure, or retribution. Within this liberal environment Iraq used CW and inflicted mass killing on the Kurds. With no checks and balances on its actions, Iraq could ensure Kurdish defeat. Indeed, the destruction of Kurdistan was directly related to the support that Iraq received from the international community, especially from the US.

In many ways the US and the international community facilitated Iraq's use of CWs against the Kurds. First, their roles in facilitating Iraq's use of CW was evident in the US policy of directly or indirectly supplying conventional weapons to Iraq. It is believed that Iraq imported part of its CW from the US. According to Smith (1992) more than one-quarter of US exports of dual use technology items between 1985 and 1990 was sent to Iraq. This technology was used in the development of biological and CW. Moreover, Iraq used these US-supplied chemicals that were made for warfare purposes, dual-technology, and US-made helicopters to attack the Kurds (Zilinskas 1997: 419; Borer 2003: 51; 2006: 256). Second, the US and international community's role in facilitating Iraq's use of CW was evident in their toleration of Iraq's use of chemicals against Kurdish civilians. As early as 1983 the CIA knew about Iraq's possession and use of chemicals. The *Memorandum from Jonathan Howe* (1983) (hereafter called the *Memorandum*) written by CIA officials, confirmed that Iraq "ha[d] built up large reserves of chemicals for further use". The *Memorandum* also confirmed the "available information on Iraqi use of [CW]". The *Memorandum* further explained that "in July and August 1983, the Iraqis reportedly used a chemical

agent with lethal results against Iranian forces invading Iraq at Haj Umran and more recently against Kurdish insurgents".

Third, the US and international community's role in Iraq's ability to use the CW against the Kurds was evident in the fact that the US misled the international community regarding Iraq's use of CW. The US attempted to diffuse Iraqi responsibility by claiming that, not only Iraq, but also Iran was to blame for the CW attack against the Kurds (Hiltermann 2004: 124-126, 157, 172, 181, 200). The UN also failed to protect the Kurds from the Iraqi CW aggressions. Though the UN condemned the use of CW in the war, the condemnation did not spell out the perpetrator (Hiltermann 2004: 157). The UN also followed the US in camouflaging the issue of the Iraq-Iran war and refusing to single out Iraq as the perpetrator. Thus, Baghdad had implicit permission to continue the use of the CW attacks on Kurdistan due to the toleration and advocacy on the part of the US and international community. International tolerance was perceived by the Iraqis as a historical opportunity to bring to a head its longstanding effort to destroy the KDS through the deployment of CW and mass-killings. Chapter Nine further highlights the role of international support in Iraq's recapture of the liberated territories. It was the role of CW that changed the balance of power against the Kurds. In sum, from 1980 to 1988 Iraq was too weak to end the survival mechanisms of the KDS. The war in Kurdistan, or the existence of the KDS, was not the major factor accounting for the inherent weakness of Iraq. It was more a consequence of its war with Iran, rather than the comparative strength of the KDS. The end of the Iran-Iraq war that was blessed by the international community, coupled with the use of CW, allowed Iraq to recapture the entire Free Kurdistan region. For reasons other than Kurdish factor, the weakness of Iraq disqualified it from meeting the parent state criteria (UQC-III).

The fourth criterion to apply to the KDS to determine its quasi-state criteria is external patronage (UQC-III). The most important, and probably the only, patronage to the Kurds in the period in question was Iran's. The KDP, one of the largest Kurdish parties, had established strong relations with the new rulers of Iran since the Iranian revolution of 1979. The party established its headquarters in Iranian Kurdistan (Gunter 1996: 230). In 1982 the KDP assisted Iran in its fight against the Iranian Kurds (Bruinessen 1986: 14). However, until 1983 the KDP was reluctant to help Iran open the northern front in its war against Iraq. As explained in next section, the Turks intervened militarily into Iraqi Kurdistan. The territory that had been attacked by the Turks was controlled by the KDP (Bruinessen1986: 16). To counterbalance Turkish support for Iraq, the KDP joined Iran for the first time in 1983 and opened another front in Kurdistan. The KDP supported Iran's offensive inside Kurdistan (Gunter 1996: 230; Entessar 1984: 931). The KDP's decision was motivated as a reaction against Turkish intervention.

Not all the Kurdish parties followed the KDP. The PUK, for example, refused to cooperate with Iran, but it also vowed to fight any Iranian incursion. The PUK even supported the Iranian Kurds in their fight against Iran (Entessar 1984: 923; Emin 1997b: 205). The collapse of its negotiations and the resumption of fighting with Iraq in early 1985 encouraged the PUK to seek Iranian support. By the end of 1986 the PUK and the Iranian top officials signed an agreement of co-operation against Iraq (Emin 1999: 105). PUK-Iranian relations were more formal and seemed more like government-state relations than a proxy party of a rival country with a regional state. In October 1986 the PUK and Iran concluded an accord of economic, political and military cooperation against Baghdad. The most significant aspect of this accord was that Iran promised to break the embargo imposed by Iraq on the Free Kurdistan (*HRW* 1993: 49; Emin 1999: 113). Following the agreement, Iran opened its hospitals for Kurdish casualties and allowed the PUK to establish headquarters on its territory. The agreement also emphasised the two sides fighting against Saddam until he was toppled. They also agreed that neither side was allowed to negotiate unilaterally with Baghdad (Rabil 2002: 3-5). PUK-Iranian relations also incurred the exchange of diplomatic offices. In 1986 Iran opened its office in Free Kurdistan under PUK control and the PUK opened its office in Iran (Emin 1999: 105). The importance of this move was that Iran was the only country to open a 'diplomatic' office in Free Kurdistan.

The Kurdish-Iranian cooperation resulted in additional pressure on Iraq and eased Iraqi pressure on Iran on the southern front. One immediate consequence of this agreement was that by 1986 the Kurds helped Iran open a new front in Kurdistan (Totten and Parsons. 2009: 385). Facing a new and stronger military challenge in Kurdistan, Iraq withdrew significant portions of its troops from the southern front (McDowall: 2004: 351). According to Emin (1999: 141), 20 Iraqi brigades were redeployed in Kurdistan. Another important consequence of the Iranian-Kurdish alliance was the reunification of Kurdish internal ranks. With the mediation of Iran, the two main Kurdish groups, the KDP and the PUK, that were involved in a bloody internal war, reconciled in Iran. These forces agreed to joint action against Iraq and established bases in their respective territories (Emin 1999: 115-118). Furthermore, in 1987 Iranian mediation efforts helped the establishment of the Iraqi Kurdistan front (Emin 1999: 118; Dann 1999: 81, 160; Totten and Parsons 2009: 385). Consequently, for the first time major Kurdish parties joined together to form a Kurdistan front for use as an umbrella for all Kurdish factions. Iran also helped the Kurds to reach the outside world, thus breaking their long term isolation. Iran, for example had a significant role in broadcasting the Halabja tragedy of chemical bombardment that resulted in 10,000 to 15,000 civilian casualties. In addition to treating the victims of chemical bombardment, Iran allowed

foreign media to cross the border and cover the tragedy (Emin 1999: 147). Thus, support that Iran offered to the Kurds during this period corresponded, to an extent, to the UQC-IV.

In reference to the discussion in Chapter One on the nature of patronages, Iran's patronage was another form of negative patronage. Its support was more tactical and motivated by Iran's own aims, than to help the Kurds. The no-win policy mostly depended on its war with Iraq. Following the ceasefire with Iraq, Iran halted its support, but allowed the Kurdish parties to take refuge in Iran following the collapse of the KDS in 1988. Therefore, while Iranian patronage satisfied the fourth criterion of the unrecognised quasi-state (UQC-IV) to some extent, the KDS failed to satisfy other criteria resulting in a failed case for the unrecognised quasi-state. In other words, this phase of the KDS cannot be considered as an unrecognised quasi-state.

8.5. The KDS and the Devolution of the Iraqi State into a Quasi-state.

This section examines how the existence of the KDS reshaped Iraqi-Kurdish policy and how the KDS contributed to the devolution of the status of Iraq from a state into a recognised quasi-state (RQ). To tackle the question of whether Iraq fulfilled the qualifications of a recognised quasi-state state (RQ), Iraq's status is scrutinised in light of the recognised quasi-state criteria (RQC). The four criteria of the RQS is only applied to Iraq vis-à-vis the KDS.

The first criterion for a recognised quasi-state is the state's violation of the rule of law and its threat to some of its citizens (RQC-I). As explained in previous sections, to prevent the emergence of the KDS, and later to contain it, Iraq implemented the NML policy. Facing more difficulties in halting the expansion of the KDS, which started to incorporate most parts of rural Kurdistan under peshmerga control, Iraq increased its violation of its own laws and international laws. By 1987 harsher measures were followed and the NML policy escalated into the Land of the Enemy policy. Under the NML policy, the Iraqi military was authorised to shoot anyone found in the rural areas of Kurdistan. A more grievous violation of laws and an even greater threat to the Kurdish population was the use of CW and the Anfal genocidal campaign. It is estimated that during the Anfal campaign tens of thousands of Kurdish civilians were killed or disappeared (see Chapter Nine). The use of CW against civilians was not only against Iraqi rules and laws, it was also against international laws and norms. Thus, one direct consequence of Iraq's treatment of the KDS was the multiple violations of the rule of law and the lethal threat to the majority of the Kurdish population. The extent of the violation of Iraqi and international laws as well as the threat

posed to its own population was so grievous that Iraq unquestioningly satisfied the first criterion of RQC-I.

The second criterion for determining a recognised quasi-state is the state's loss of control over Kurdistan (RQC-II). As explained above, during the period in question Iraq lost its control over a significant part of the border areas of Kurdistan. By the mid-1980s Iraqi authority in Kurdistan had dwindled dramatically and only the cities, towns, *Mujama'at* and main highways remained under its control. Peshmerga activities reached beyond the Kurdish areas, as far as the mixed areas of Mosul and Kirkuk. Thus the extent of Iraqi loss of control in Kurdistan satisfied the second criterion of the unrecognised quasi-state (RQC-II).

The third and fourth criteria are the parent state's search for external support (RQC-III), and the presence of foreign troops on its land (RQC-IV). The KDS' influence on Iraq's status and sovereignty was highlighted in Baghdad's search for external military support. To halt the further deterioration of its rule in Kurdistan, Iraq appealed to the Turks for military involvement against the Kurds. To continue its war with Iran and with the Kurds, Iraq desperately needed to increase its oil export. Baghdad, however, failed to reach an agreement with its Arab neighbours to export oil through their territories. The pipeline through Turkey remained the only operational outlet for Iraqi oil (Bengio1982-1983: 577-581; Wright 1985: 849). Therefore, Iraq signed an agreement with the Turks to expand the capacity of the existing pipeline by 25-40 percent (Bengio1982-1983: 577).

Though the Iraqi-Turkish agreement seemed like an economic agreement between two sovereign states, it had several political implications for Iraq that undermined its sovereignty. First, the continuation of Iraq's war with Iran and against the Kurds mostly depended on its oil output. Turkey, however, remained the only route for Iraq to export its oil and this increased Baghdad's strategic dependence on Turkey. As will be explained, this dependency reshaped Iraqi-Kurdish relations in many ways. Second, the pipeline crossed Kurdistan where Iraqi rule was either weakened or disappeared. The Iraqi-Turkish border region was mostly controlled by the KDP (Bruinessen 1986: 26). Iraq was too weak to protect its pipelines and the border region by itself. Baghdad, therefore, appealed to Turkey for military support against the Kurds and to protect the pipeline (Bengio1982-1983: 577). On October 15, 1984 the two states signed an agreement that allowed the military from either side to pursue the peshmerga 5 kilometres into the territory of the other (Bengio1984-1985: 471).

Apparently, Turkish-Iraqi cooperation entailed joint action against both the Turkish and Iraqi Kurds. However, it was an unbalanced agreement that pointed up the superiority and patronage of the Turks to Iraq. Taking into consideration Iraq's weakness and inability to operate inside its Kurdish territory, let alone inside Turkish territory, it was more an Iraqi call to Turkey to help Baghdad combat Iraqi Kurds than a mutual penetration into each other's territories. This allowed the Turks to make incursions into Kurdistan at will. Turkey's upper hand and ability to interfere into Iraq's internal affairs, was also evidenced in several other instances. Iraq authorised Turkish operations against Kurdish dissidents inside Iraq long before the October agreement. In 1978 Turkey entered Iraqi air space and territory used its airpower and ground forces to kill around 300 peshmerga. In this operation the ICP and KDP bases were destroyed (McDowall 2004: 347). In 1981, three years before the formal agreement, the Turks committed another main offensive against the Kurds inside Iraq (Randal 1997: 88). The Turkish army carried out another hot pursuit inside Iraq in May 1983 that continued until June 1983 and resulted in the killing and capturing of hundreds of the KDP and ICP peshmerga (Bengio 1982-1983: 576). The reality of Turkish incursions exceeded the limits of the agreement. Turkey forces went far beyond the five kilometres that was ratified in the Turkish-Iraqi agreement. As explained by Wright (1985: 850):

> The Turkish military leaders seek to exploit Iraq's military weakness and the ongoing guerrilla war with the Kurds. They would like to occupy a much deeper strip of territory than the one Turkish and Iraqi officials have already agreed to treat as a zone of 'hot pursuit' for operations against the Kurds.

In fact, under the pretext of protecting the pipeline, the Turks penetrated 20 kilometres into Kurdistan. Furthermore, on many occasions following the agreement, Turkish operations inside Iraq were extended to 30 kilometres (Bengio 1984-1985: 471). The Turks were also authorised to use its air forces to strike Kurdish targets deep inside Kurdistan (Polk 2005: 134). Whether Iraq unofficially permitted or failed to prevent the Turks' penetration of 20 to 30 kilometres, instead of five, Turkey violated Iraq's sovereignty. The Turkish violation of Iraqi sovereignty was not limited to military intervention. Turkey also interfered in Iraqi internal affairs, especially with those polices relating to the Kurdish issue. This was evident in the role that Turkey played in the failure of Iraqi-PUK negotiations in 1984. On the day that the PUK delegation was in Baghdad to sign the final agreement, Saddam refused to sign under the Turkish pressure at the last moment. The Turks threatened Iraq that any agreement with the Kurds would lead to closer ties to Iraqi oil and transportation of commodities routed to the West (*The Economist* 27/4/1991; Emin 1999: 81; Mina 2012: 102). Accordingly, the Turkish role was more of a patron to the client, Iraq, rather than a mutual relationship between two sovereign countries. Thus, the Iraqi appeal to Turkish support to

challenge the KDS satisfies the third criterion of recognised quasi-states (RQC-III). The third criterion related to a state that seeks external support to face an internal threat.

Another related development in the period of question is the presence of Iranian troops in Free Kurdistan outside the control of Iraq and outside its permission. Tens, if not hundreds of Iranian commandos existed in Free Kurdistan, albeit in cooperation with the peshmerga. From 1987 until the collapse of the KDS in the summer 1988, Iranian helicopters were practically in daily contact with PUK headquarters. Moreover, while involved in the war against Iraq, Iran opened its diplomatic office in Free Kurdistan with full agreement of the PUK (Emin 1999: 105-114). The presence of the Turkish and Iranian troops on Iraqi soil without Baghdad's permission satisfies the fourth criterion of recognised quasi-states (RQC-IV), relating to the presence of foreign troops on state land without permission.

In sum, during this period Iraq satisfied all criteria of a recognised quasi-state and therefore may be classified as a recognised quasi-state. Its quasi-state status reshaped Iraqi behaviour towards the Kurds significantly. In fact, failing to integrate the Kurds into the Iraqi state after 1975 despite its military superiority, losing control over significant parts of Kurdistan, and failing to govern Kurdistan, all contribute to Iraq's recognition as a quasi-state. The extreme use of violence in its attempt to destroy Iraqi Kurdistan was the main feature of that period. The next chapter deals with the policies used by Iraq to rule Kurdistan from 1975 to 1991.

8.6. Conclusion

Kurdayeti experienced three phases of development during the period under review. The first phase began with the resumption of the peshmerga activity in 1976. The second phase started within the circumstances of the Iraq-Iran war. In this period the peshmerga controlled a significant part of rural Kurdistan that was known by the Kurds as Free Kurdistan. A KDS was established by which it possessed a limited and local administration. The third phase followed the failure of PUK-Iraqi negotiations that was followed by the Iran-PUK agreement and the reconciliation of the Kurdish parties and the establishment of the IKF. During this period KDS authority expanded and covered almost the entire Kurdish countryside while Iraqi rule dwindled to the main cities, towns and highways. Iraq adopted different policies toward the Kurds in each phase. Its reaction to the first phase was ruthless and followed the NML policy. During this policy 1,400 Kurdish villages were destroyed and inhabitants were resettled in collection camps, all within three years (1976-1979). During the second phase, Iraq followed a more conciliatory policy due to its weakened status. The NML process ceased and Iraq introduced a separate army system in Kurdistan. Finally as a

gesture of recognition of the de facto existence of Kurdish rebellion, Iraq initiated negotiations with the PUK. During the third phase, Iraq resumed its NML policy and violence escalated to unprecedented levels. Finally under the scorched earth policy and with frequent use of chemical weapons, the KDS collapsed. By the summer of 1988 Iraq recaptured the entire area of Iraqi Kurdistan. Thus, in 1975 Iraq won the war against the Kurds, but it lost the peace.

Despite exhibiting the characteristics of unrecognised quasi-states, the KDS, may not be classified as unrecognised quasi-state during the period under review. Neither the nation-building process nor the militarisation of Kurdish society was developed to the extent to satisfy the first two criteria of the UQC. Though Iraq's weakness facilitated the establishment of the KDS, the weakness was temporary and related more to the Iraq-Iran war than to the strength of the Kurdish nationalist movement. With the end of the Iraq-Iran war, and with the use of CW and genocidal campaigns, Iraq recaptured the entire Free Kurdistan area. Iran's limited patronage of the Kurds did not fully meet the criteria of external patronage. Hence, for eight years the Kurds ruled a significant part of Iraqi Kurdistan, but the KDS cannot be classified as an unrecognised quasi-state.

During this period Iraq fulfilled all criteria of recognised quasi-states (UQC). The KDS contributed significantly to the devolution of the Iraqi state into a recognised quasi-state. First, to uproot the KDS, Iraq violated both Iraq and international laws through the use of CW, the commission of genocide, and the wholesale destruction of the Kurdish countryside. Therefore, Iraq satisfied the conditions of UQC-I during this period. Second, Iraq not only lost control over the rural parts of Kurdistan, but it also failed to impose its sovereignty in areas that remained under its control. The conscription system collapsed and Iraq introduced the *Jash* system in Kurdistan. The loss of control over a part of a state's own territory fulfils the conditions of UQC-II. Iraq appealed for external support from Turkey to confront the Kurdish threat. The extent of Turkey's involvement in the Kurdish-Iraqi conflict satisfied the conditions of UQC-III. The fourth criterion (RQC-IV), related to the presence of foreign troops against a state's wishes applied to Iraq during this period. Both Turkish and Iranian troops, as two foreign armed forces, existed on Iraqi soil at various time periods without Iraq's official permission. Accordingly, Iraq satisfied all elements of quasi-statehood during this period of time. Therefore it can be considered as a recognised quasi-state. Though following the collapse of the UKQ-I in 1975, Iraq recaptured entire Kurdish areas. However, it failed to manage or adequately administer and even maintain its rule in Iraqi Kurdistan. The next chapter highlights this Iraqi failure in detail.

Chapter Nine

9. Iraq's Failure to Govern Kurdistan (1975-1991)

This chapter examines the impact of the UKQ -I (1961-1975) and the KDS (1980-1988) on Iraq's failure to adequately govern Kurdistan. The focus is primarily on Iraq's policy toward the Kurds between the collapse of the UKQ-I in 1975 and the Kurdish uprising of 1991. The aim of this chapter is threefold. The first aim is to analyse Iraq's governing policy for Kurdistan during the period 1975 to 1991. Attention is given to the Autonomous Region of Kurdistan (ARK) that was established unilaterally by Iraq following the collapse of the UKQ-I in 1975. Rights and privileges that endorsed the Kurds as well as the limitations and weaknesses of ARK are highlighted. The second aim is to trace the impact of the first Kurdish quasi-state (UKQ-I) (1961-1975) and the KDS (1980-1988) on Iraq's policies to govern the Kurdistan region. The chapter traces how Iraqi Kurdistan was, for all practical purposes, divided into four zones based on Iraq's governing policy of Kurdistan. Iraqi policy vis-à-vis each zone is dealt with separately. The relation of Iraqi policy for each zone and the zone's affiliation with the UKQ-I and later the KDS is also concentrated on. The final section of this thesis examines the effects of Iraq's policies on the Kurdish uprising of 1991 that eventually evolved into the Kurdistan Regional Government in 1992.

9.1. The Autonomous Region of Kurdistan (ARK)

In March 1974, one year prior to the collapse of UKQ-I, the Revolutionary Command Council of Iraq (RCCI) ratified the new Law of Autonomy.[36] This law was a clear retreat from the Autonomy Accord agreement signed on March 11, 1970 between Iraq and leaders of Free Kurdistan. Objecting to the authority and border of ARK, Kurdish leaders rejected the law. A full scale war broke out in 1974 resulting in the collapse of UKQ-I in March 1975 following the Algeria Agreement between Iran and Iraq. For Iraq the collapse of UKQ-I meant the settlement of the Kurdish question unilaterally and on its own terms. Iraq unilaterally implemented the Law of Autonomy in 1975 and founded an autonomous administration in Kurdistan. A legislative council (parliament) and an executive council (government) were established as governing organs for the autonomous Kurdistan region. Erbil became the capital and administrative centre for the autonomous region (RI-MI 1977, Article 1-e). As a gesture to the political and cultural importance of Erbil, the city was named as the summer or second capital of Iraq. Members of

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36 For full tex of the Law of Autonomy see: RI-MI, Republic of Iraq, Ministry of Information (1977), <u>Law of Autonomy.</u> Third edition, Al-Hurriya Printing Hous.

the legislative executive assemblies were comprised of people from the region many of whom were not members of the Ba'ath party (Bengio 1986: 382; Farouk-Sluglett and Sluglett 2001: 175). Top positions, such as the Executive and Legislative Council chairman, were allocated equally between the Ba'athist Kurds and members of Kurdish parties founded by Baghdad. By 1980 additional members of the Legislative Council were elected by the population of the autonomous region. The first election was held in September 1980 and followed by another in August 1983 (Bengio1986: 410). The Legislative Council had the power to ratify the laws of the autonomous region, the revival of local traditions, and the ratification of detailed projects (RI-MI 1977, Article 12: 18-19).

Furthermore, the autonomous region was favoured with financial and economic development projects intended to rebuild the war-devastated Kurdistan (Senate 1988: 10; Bruinessen 1986: 19; Izady 2004: 80). Even during the Iraq-Iran war Baghdad continued building the infrastructure including schools, hospitals, roads, and drinking water and electric facilities (Bengio1981-1982: 599). The revival of the Kurdish language and local traditions were other responsibilities that were granted to the Legislative Council. Article 2 of the Law of Autonomy ratified that "the Kurdish language shall be, beside the Arabic language, the official language" and "the language of education in the region" (RI-MI 1977). Instead of being a compulsory language of instruction from the first grade, Arabic became compulsory only from the fourth grade. In 1982 textbooks were translated into Kurdish and millions of copies were distributed throughout the Kurdish schools. The Kurdish cultural and publishing house was reactivated (Bengio1982-1983: 574-575). Though subject to harsh censorship, the Kurdish language and press flourished in an unprecedented manner (Dunn 1995: 73). Thus, for the first time in their history, the Kurds of Iraq were entitled to and enjoyed a '*de jure* autonomy' sponsored by the central government. These legal, political, cultural, and socio-economic rights granted the Kurds were unprecedented compared to what former Iraq regimes and surrounding countries offered them.

This newfound autonomy, however, suffered from many fundamental weaknesses. The first weakness of the ARK was that the leaders of UKQ-I in 1974 questioned its legitimacy. It lacked mutual consensus between the Kurds and Iraq. Moreover, the law was unilaterally imposed by Baghdad at a time when the Kurds suffered a historical defeat. In the absence of UKQ-I, the Kurds were in their weakest position since the creation of the Iraqi state. They had little, if any, say in the nature of such autonomy. Therefore, the unilaterally imposed autonomy lacked the legitimacy of recognition by the majority of the Kurdish population and was rejected by most Kurdish political parties. The second weakness of the ARK was that the real power over the internal affairs of the ARK was held in Baghdad. The Legislative and Executive

Councils of the Autonomous Region were powerless institutions that remained under strict supervision and control. The Law of Autonomy granted Baghdad the real power over the internal affairs of the autonomous region. Article 14 of the Law of Autonomy confined the authority of the local administration to education, work and housing, agriculture, the interior, transportation, culture and religious affairs. Internal affairs were limited merely to police, civil defence and civil servants. Even this department was "attached to" and its senior personnel were "appointed and transferred by" the "directorates general in the Ministry of Interior" (RI-MI 1977, Article 17-a, -c). Baghdad retained the right to appoint the head of the Executive Council and to dissolve the Legislative Council (RI-MI 1977, Articles 13, 20). The legality of the resolutions of the Autonomy's bodies subjected the agreement to the central government, and if Baghdad decided a resolution was illegal, it "shall be deemed as null and void" (RI-MI 1977, Articles 19-a, -b, -c, -e).

Until 1978 the members of the Legislative Council were appointed by the RCCI (Bengio and Dann 1977-1978: 521). They were required to swear to the principles of the Ba'ath (Bengio1979-1980: 512). Even the Ba'athist-style election process held in 1980 and 1983 did not change RCC control over the membership in the LC, and only those Kurds proven and supported by the Ba'ath party were elected as members of the Assembly (Bengio1986: 382). The responsibility for coordinating the affairs of the Autonomous Region was assigned to a Minister of State appointed by and accountable to the President of Iraq. The Minister was also "entitled to attend all the meetings of these bodies" (RI-MI 1977, Article 18-c). Thus, in addition of being under military siege, ultimate political decisions of the autonomous region were made by Baghdad and the 'autonomy' was stripped of any real power to self-rule. The Kurds retained the language of education in the region; some cultural institutions were established; and Kurdish cultural practices were permitted. The best description of the Ba'athist style of autonomy was a *cultural* form of autonomy, rather than actual *self-rule*.

The third weakness of the ARK was that the Iraqi armed forces enjoyed unquestioned rule in Kurdistan. Article 16 of the Law of Autonomy stipulated that "save Jurisdictions exercised by the Autonomy bodies […] exercising of power […] shall be maintained by the Central bodies" (RI-MI 1977). Accordingly, the military and intelligence affairs departments of Kurdistan, and therefore border control and Iraqi relations with the Kurdish movement were maintained by Baghdad. Post-war Kurdistan, however, was a militarised society. Until 1980 more than 120,000 Iraqi armed forces were stationed in the Kurdistan region. Baghdad exploited its exclusive right to manage security affairs in the ARK and used it to destroy and depopulate the rural region along the Iranian and Turkish borders.

The fourth weakness of the ARK was the unreliable and precarious nature of Baghdad policies as applied to Kurdistan. The extent of implementation of the Law of Autonomy depended on the Ba'ath status in the region. Recognition of Kurdish identity was an example that reflected the weakness and strength of the Kurdish nationalist movement. Following the defeat of the Kurds in 1975, the identity of the Autonomous Region of Kurdistan was blurred by the official description of the Autonomous Region without even an oblique reference to the Kurds (Bengio and Dann 1976-1977: 410). Education was another inconsistent institution under Iraq's Kurdish policy. Bengio, (1981-1982: 597) notes:

> Schools in the areas of Kirkuk, Khanaqin, Mosul and Duhok stopped teaching in Kurdish; the
> Kurdish section in the College of Arts (in Baghdad) was closed in 1981 and the Kurdish Union of
> Men of Letters was reportedly harassed. The University of Sulaimaniya was [closed].

In November 1977 the RCCI decreed that, apart from the study of the Arabic language, 40 percent of all other subjects should be taught in Arabic (Bengio and Dann 1977-1978: 521).

The fifth weakness of the ARK, as explained in the next section, was that the Ba'athist style of autonomy excluded significant parts of Iraqi Kurdistan. In reality, this limited autonomy comprised only a small part of Iraqi Kurdistan. Kirkuk and other disputed Kurdish areas that comprised over 40 percent of the traditional Iraqi Kurdistan region were excluded (Barzani 2003a: 7; Mina 2012: 138). The majority of rural Kurdistan that was officially part of the ARK was depopulated and displaced, thus eliminated from the map. Therefore, rural Kurdistan was practically excluded from the ARK. The autonomous region suffered many fundamental weaknesses that did not satisfy the majority of Kurdish population. Consequently, as explained in the previous chapter, the Kurds rebelled against Iraqi rule in Kurdistan. By 1980, the Kurds founded their *de facto* self-rule in a wider area of Iraqi Kurdistan. To contain the rebellion, Iraq followed the policy that can be described as the annihilation of Iraqi Kurdistan.

9.2. Iraqi policy: From Kurdish Integration to the Annihilation of Iraqi Kurdistan

Behind the facade of the Ba'athist style of autonomy, four different laws and policies were implemented in four different areas of Kurdistan. The first zone consisted of the main cities and districts of Erbil, Sulaimaniya and Duhok which had limited and symbolic autonomy granted. The second zone, small towns and collective camps (*Mujama'at*), were granted de facto indirect rule. The third zone was excluded from the autonomous region altogether and de-Kurdified as its inhabitants were relocated beyond this zone. The fourth zone was totally depopulated and its inhabitants were resettled in controlled collection camps in areas belonging to the Autonomous Region. Before studying each zone in detail, it is

relevant to illustrate the link between the collapsed UKQ-I and the Iraqi policy vis-à-vis each zone. Three criteria are followed in such a categorisation scheme: first, each zone's relation to the UKQ-I; second, each zone's vulnerability to the control of any future Kurdish *de facto* self-rule; third, the extent of each zone's access to Iraqi armed forces and to what extent they were governable by Baghdad.

9.2.1. The First Zone: Controllable Cities and Towns and the Nominal Autonomy Policy

The first zone was the proper autonomous region that was comprised of the three provincial centres of Erbil, Sulaimaniya and Duhok as well as the controllable districts and sub-districts belonging to these provinces. The provision of nominal autonomy was calculated based on the distinguishing features of this zone. First, this zone traditionally remained outside the control of the UKQ-I and the KDS. Second, for many decades the Iraqi armed forces maintained control of this zone and therefore it was less likely to fall into the hands of the peshmerga. Finally, this zone was on a plane and connected to the others by highways. Therefore, for the most part it was managed by a combination of apparent autonomy (a degree of cultural and educational rights) and heavy military presence. The size of the area of what was supposed to be an autonomous region, however, decreased significantly by the 1980s, as many districts and subdistricts were depopulated. This limited autonomy was put forth by Iraq as a facade to hide the actual policies of forcing resettlement in collection camps, de-Kurdifying and depopulating the rest of Iraqi Kurdistan.

9.2.2. The Second Zone: Less Controllable Towns and Cities and the Policy of Indirect Rule

The second zone was located just outside the main city centres of the ARK, on the main highways. It was composed of more isolated smaller towns and newly created *Mujama'at*. From 1976 until 1989 about 4,000 villages or 90 percent of the Kurdish countryside were destroyed (Gunter 1994: 148; Romano 2004: 159). The population was displaced and forcibly resettled in 110 *Mujama'ats* (*Coalition for Justice in Iraq* 2000; *IFDH* 2003: 7). Though the majority of inhabitants were displaced villagers, these *Mujama'ats* were quasi-urban settlements located on the main highways in army-controlled areas (Mina 2012: 186). Due to the absence of censuses, the population of *Mujama'ats* remained unknown. However, by 1977 some 51 percent of Kurdish society was considered to be rural (Marr 1985: 285). The majority of villagers (90 percent) and many inhabitants of the towns on the border were resettled in *Mujama'ats*. Hence, one could estimate that over one-third of the Kurdish population was forced to live in these camps.

Iraq adopted separate policies by which to administer this region based on the three criteria mentioned above. First, many of these towns were previously located within the rule of the UKQ-I and the majority

of the population of *Mujama'at* came from rural areas ruled by the UKQ-I. Therefore, compared to the population of the first zone, inhabitants of this region were influenced more by UKQ-I and had less experience with the direct and centralised rule of Baghdad. Second, being geographically an extension of rural Kurdistan, and having a long history of self-rule, this zone was more vulnerable than the first zone to the control of the KDS founded in rural Kurdistan. In fact, many towns and *Mujama'ats* of this zone were temporarily controlled by the KDS in the second half of 1980s (Dunn 1995; McDowall 2004: 352). This zone could have potentially been integrated into the liberated territory. Third, the zone's accessibility and controllability by the government of Iraq gave Iraq a difficult time. Being located between rural areas and main towns, the region was accessible by Iraqi troops or the peshmerga. Therefore, Iraq applied a different set of policies in this region.

The *Mujama'ats* were originally designed to put villagers under the army's complete control and they were to be governed by Baghdad. To guarantee the settlements' total dependence on state handouts and thereby create dependency and loyalty to the state, *Mujama'at* populations were completely cut off from their villages and farms (Leezenberg 2006: 9). As *HRW* (1993: 19) explains:

> They were to be deprived of political rights and employment opportunities until *Amn* certified their loyalty to the regime. They were to sign written pledges that they would remain in the *mujama'at* to which they had been assigned—on pain of death.

Thus, in the absence of alternatives for employment and by being controlled by the Iraqi armed forces, the *Mujama'ats* were subject to strict and highly centralised rule. Iraq's policy was to invest in the dependency of the inhabitants of *Mujama'at* at the state level and thereby create loyalty to it.

From 1980 onward with the emergence of the KDS, Iraq's policy for governing this zone was changed from strict direct rule to a de facto indirect rule by creating loyalty through middlemen. To govern this region and prevent it from falling into the hands of the peshmerga, Iraq ruled indirectly by depending on local patronage tribal forces (Leezenberg 2006: 10). The middlemen were strengthened through "tribally-based claims to authority through the monopolisation of the distribution of government food supplies to the settlements (Graham-Brown 1999: 217; Bruinessen 2002: 172; McDowall 2004: 357; Leezenberg 2006: 10). Aiming to create new opportunities for clienteles, Iraq reinforced the power of aghas. In the absence of alternative employment opportunities, this policy reinforced ordinary settlements' dependency on their chiefs that provided employment and served as mediator with the government.

Another method to prevent the fall of these areas under the control of the KDS was to reintroduce the *Jash* system, officially known as National Defence Battalions (NDP). This system was based on a policy of indirect rule and quasi-tribal organisation methods. Aghas and their tribes were recruited into irregular cavalry regiments and received generous rewards from the state (Bruinessen 1992: 40; Leezenberg 2006: 9). Each Kurdish tribe was organised into one battalion or more, and in principle, each battalion constituted some 1,000 irregular troops. Thus, by the second half of the 1980s, Iraq had incorporated between 150,000 to 250,000 *Jash* into 250 battalions (al-Khafaji 1992: 19; Graham Brown 1999: 217; McDowall 2004: 46). The tribal chieftains were appointed as commanders of their respective units and granted the title of *Mustashar* (consultant). The *Jash* were "dealt with collectively; all arms, money and commands were communicated through [*mustashar*]" (Bruinessen 2002).

This *Jash* system was similar to that of the Traditional Autonomous Entities (TAE) that the aghas and tribes enjoyed during the monarchy. Similar to the monarchy era, by maintaining arms, maintaining the security and local affairs of their tribes, the mustashars were allowed a measure of autonomy. However, once created, supported and organised by the state, the *Jash* system was less indigenous than the TAE. In fact, it was Baghdad that mainly contributed to their strength (Leezenberg 2006: 10). In other words, TAE patronage was a bottom-up system while the *Jash* patronage was imposed from above. The *Jash* tended to resemble more a militia force directed by the state, rather than a pure tribal organisation. Its duty was better described by*HRW* (1993: 47) as:

> The duties of the rank-and-file *Jash* were broadly akin to those of similar militias in other parts of the world. Poorly equipped with light weapons, they maintained road blocks, patrolled the countryside, did advance scouting work for the regular army, searched villages for army deserters and draft dodgers, and handed over suspected peshmerga to the authorities.

For several reasons, however, the *Jash* system was another failed Iraqi policy that added little to the Kurds' loyalty to the state. First, a signed *Jash* ID protected young Kurds from military service. Therefore, the motivation of many Kurds that accepted recruitment into the *Jash* was to avoid army duty. Not all who registered as *Jash* really participated in active duty. In practice, only a fraction of 150,000-250,000 nominal *Jash* genuinely bore arms (*HRW* 1993: 46). Second, by introducing the *Jash* system, Iraq in practice ratified a separate system for Kurdistan, which meant the existence of two parallel military systems in Iraq.

Third, the *Jash* was not always an option and tribal leaders often faced threats from the Ba'ath regime when they refused to cooperate in forming *Jash* units (*HRW* 1993: 45). In fact, their loyalty was often dubious as many joined the *Jash* in agreement with the peshmergas. McDowall (2004: 356) explains that:

> Many of these *Jash* signed up only half-heartedly because neither the KDP nor the PUK had the administrative capacity to absorb such large numbers of new recruits. As a result, while indirectly on the Iraqi state payroll, many of them gave information to the Kurdish resistance.

Moreover, "the dubious loyalty of the *mustashars* was well-known and well-documented by [Iraqi] intelligence services" (Leezenberg 2006: 10). Fourth, by allowing *Jash* to serve in Kurdistan, Baghdad allowed them to be part of their homeland and participate in collective activities with their countrymen. Thus, though this zone was officially located within the ARK, Iraq installed a separate system which was founded on the tribally based indirect rule. Iraqi policy to govern this zone was affected by the zone's relation to the UKQ-I and its vulnerability to control of the KDS founded in the 1980s. To prevent this zone from integrating into the KDS, Baghdad ceded a degree of sovereignty to the inhabitants of this zone.

9.2.3. The Third Zone: the Disputed Areas and the De-Kurdification Policy

The areas that were considered to be 'disputed' formed a broad arc that ran from Syria to the Iranian border (see map 6). This zone included parts of Mosul Province (i.e., Sinjar, Tal Afar, Makhmwr, Shexan), Kirkuk Province and Tuz, parts of Dyala Province (Khanaquin and Mandali) (*The Draft Constitution of the Kurdistan Region 2009*). The size of this zone was estimated to be around 35,000 to 40,000 square kilometres of about 75,000 to 80,000 square kilometres of traditional homeland claimed by the Iraqi Kurds (O'Leary 2002: 17; Gull 2007: 41; Mina 2012: 219, 251). Iraq's Kurdish policy in this zone was unique and shaped by the zone's relation to the UKQ-I. First, this zone was oil-rich and geopolitically strategically located in the plain area that was excluded from the Law of Autonomy. With the exception of the rural areas of Kirkuk, this zone traditionally remained outside the UKQ-I. In other words, Iraq traditionally maintained its rule in most parts of this region. Based on the criterion of this zone's relation to the UKQ-I during 1961-1975 and the KDS (1980-1988), this zone was distinctly different from the first and second zones and treated as such. Second, except for the rural area of the Kirkuk environs that traditionally was controlled by the peshmerga, the location on the plain with the Arab community and exposure to the Arabisation policy made the region less vulnerable to peshmerga control. Third, the zone's response to the third criterion was another distinguishing feature of this region. For Iraq this zone was one of the most accessible and manageable regions, administratively speaking.

The ownership and identity of these areas, whether Kurdistani or Iraqi, were the central issues of concern in Kurdish and Iraqi politics. Determining the identity of the disputed areas was one of the main topics of failed negotiations between the Kurds and Iraqis since 1961. Successive Iraqi regimes rejected the claim of Kurdistani identity of these areas. Consequently, its destiny was postponed in the March Manifesto of 1970 between leaders of the UKQ-I and Baghdad. The March agreement specified that the destiny of these areas would be determined on the basis of a census to be held in the areas of dispute. A city or town with a clear Kurdish majority would be part of the autonomous region; otherwise it would be governed by Baghdad. Masud Barzani, member of the political bureau of the KDP, explained in 1974 that the Kurds refused to accept the Autonomous Law that determined the borders of the autonomous region mainly because the law excluded these areas (Barzani 2002: 296-297). Consequently, intense fighting ensued between the government and the Kurds, resulting in the collapse of the first Kurdish quasi-state. It was also a main reason for the fall of Kurdish-Iraqi negotiations between Baghdad and the Kurds in 1985 and 1991. Throughout the last century the fate of these areas was a flashpoint of contention and the main reason for all Kurdish-Iraqi confrontations since 1961. Thus, the Iraqi policy vis-à-vis this zone was strongly reshaped by the UKQ-I and the KDS' claim to it.

To prevent this region's falling into the hands of the Kurds in any future arrangement, Iraq followed different forms of the de-Kurdification policy. The first form was the change of the region's demography through the construction of Arab settlements. This form of Arabisation began with the discovery of oil in the region in 1927. During the monarchy, 28,000 Arabs had been settled in the Hawija district of Kirkuk and 700 settlements were built for 80,000 settlers in the Kurdish districts of Mosul (Talabany 2001: 25; Makhmwri 2010: 30). During the period in question, the Arabisation process was intensified. For instance, in the province of Kirkuk alone 20,000 houses were built for Arab settlers (Talabany 2004: 58-62; Kirmanj 2010: Makhmwri 2010: 60-61; Mina 2012: 246-250). If an average Arab family consisted of approximately 5 members, the total Arab settlers between 1976 and 1991 in Kirkuk province could be estimated at around 100,000. During the same period, a similar number of Arabs were probably settled in other districts of this zone.

The second form of de-Kurdification was the expulsion of the Kurds from this area. Following the collapse of the UKQ-I in 1975, Baghdad expelled the Kurds from this zone. All districts and subdistricts were exposed to the policy of expulsion. Within six years, from 1984 to 1990, about 120,000 Kurds were deported from Kirkuk (Makhmwri 2010: 49). The third form of de-Kurdification was the policy of depopulation and destruction of Kurdish villages. By 1991, 779 Kurdish villages in Kirkuk province and

195 of 196 Kurdish villages in the Makhmwr district of Erbil were destroyed or given to Arab settlers (Talabany 2004: 72; Makhmwri 2010: 50). The inhabitants of this region were forcibly resettled in areas outside this zone, mostly in the three provinces of ARK. The total number of Kurdish families that were deported from cities and villages of this zone since the creation of the Iraqi state is estimated to be around 200,000 (Aziz 2011: 75). Kurdish families have an average of five members. Therefore the total deported Kurds of this zone is as high as one million.

The fourth form of de-Kurdification was the forced assimilation through the 'nationality correction' policy. As explained in Chapter Two, in 1977 the general census showed that non-Muslim Kurdish religious groups inhabited this area. The Yezidis, Kakays and Christians were forcibly registered as Arabs. The change of ethnicity was imposed on many, but not all, Muslim Kurdish tribes. The Shabak, Gargar, Salayi, Gezh, Palani, Sheikh-Bzeni, and Kikan were also forcibly registered as Arabs (Talabany 1999; Kirmanj 2010: 170; Mina 2012: 247-249). Thus within the de-Kurdification policy, tens of thousands of the Kurds were forcibly Arabised.

The fifth form of de-Kurdification was the remapping of the disputed areas through slicing and detaching sections of Kurdish-inhabited districts and administratively attaching them to other provinces. This policy was first implemented in 1969 in the Kurdish districts in Mosul province. The RCC decrees #211 and #1066 detached three out of six Kurdish districts from Mosul and attached to the new Kurdish province of Duhok (*al-Waqaii' al-Iraqiya* 03/06/1969). The RCC decrees #608 and #41 that were issued in 1976 redrew the boundaries of Kirkuk in irregular and dramatic ways. Apart from the central districts of Kirkuk and the Arab-settled district of Hawija, four out of six districts were detached from Kirkuk. The Chamchamal and Kelar districts were attached to Sulaimaniya, while Kifri and Duz were attached to the Arab provinces of Diyala and Salahaddin respectively (al-Waqai' al-Iraqiya 15/12/1975; 29/02/1976). The Kurdish districts of Diyala were subjected to a similar policy. Mandaly was dissolved and reduced to a sub-district and attached to Baladruz.

The sixth form of de-Kurdification involved the stripping of Faili/Shia Kurds of their Iraqi citizenship, the right of Iraqi residency and deporting them to Iran. During the period in question some 100,000 to 150,000 Faili-Kurds were stripped of their citizenship and exiled to Iran (*HRW* 1993 XIV, 17; Mina 2012: 128-130; Gull 2007: 34).[37] Faili-Kurds once comprised 10 percent of the total Kurdish population in Iraq. Many of them resided in the southern part of the disputed areas, such as Khanaqin and Mandaly districts in Diyala province (Kreyenbroek and Sperl 1992: 101). Accordingly, the Faili-Kurds constituted 10-20

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37 In 1970 some 40,000 Faili-Kurds were stripped of their citizenship and exiled to Iran (Freedman 2002: 33; *HRW* 1991).

percent of the total population of the disputed areas. They dominated Iraqi trade and controlled the largest part of the Baghdad market (al-Barak 1984: 151-152; Fawcett and Tanner 2002: 15). There were several immediate consequences of such a policy: first, the ethnic and economic weight of the Kurds in disputed areas was diluted; second, Kurdish influence and involvement in Iraqi trade radically declined; third, the RCCI decree #1566 issued in October 9, 1980 authorised the Iraqi state to confiscate all deportees' properties, small and large (*al-Waqai' al-Iraqiya* 16/7/1980). Their properties were given to the Arabs, mostly Sunni, as an incentive to settle in the disputed areas (Fawcett and Tanner 2002: 15). Thus, the expulsion of the Faili-Kurds resulted in a significant alteration of the ethnic demography of this zone.

The final and probably more belligerent and systematic form of de-Kurdification was the physical liquidation of the bulk of the Kurds in the rural areas of the Kirkuk environs. Within this campaign thousands of Kurdish families in this zone were eliminated. In 1988 Kurdistan was exposed to eight stages of a genocidal operation known as Anfal. In the Anfal operation that lasted six months, between 50,000 and 200,000 Kurdish civilians were killed. Three out of eight stages of Anfal, namely Anfal II, III and IV, targeted the rural areas of the Kirkuk environs (see map 7). Part of the areas that were subjected to Anfal II, III and IV officially belonged to the Sulaimaniya and Erbil provinces. For three reasons, however, they cannot be separated from the Garmiyan (Kirkuk environ) region of the disputed areas. First, a significant part of the area that was originally part of Kirkuk province, and subject to Anfal III and the de-Kurdification policy, was originally part of Kirkuk region. But with the policy of remapping, the disputed areas were detached from Kirkuk province. The Kurds rejected the remapping policy and insisted that these areas be included and its population have the right to vote in any future referendum on the residency of Kirkuk province.[38] Second, these areas bordered the disputed areas and culturally, economically and geopolitically were an extension of the Kirkuk environs. Third, the majority of disappearances from Anfal II were those that fled only to be captured in the villages located within the Kirkuk environs (Hiltermann 2008: 6-7; Kirmanj 2010: 178).

By scrutinising the pattern of disappeared (killed) persons of all stages of Anfal, it is clear that Iraqi behaviour in Anfal II, III and IV was affected by the de-Kurdification policy. Iraq dealt with civilians differently in this zone compared to the rest of the areas faced with Anfal. Apart from Anfal II, Anfal III, and Anfal IV the lives of the people were spared to some extent (*HRW* 1993: 49; *ICG* 2004: 10; Kirmanj

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38 After the invasion the Kurds insisted on the re-adjustment of the Kirkuk border and the inclusion of the population of detached districts in a referendum over the destiny of Kirkuk. This claim was included in article 58 of the Transitional Administrative Law (TAL) and restated in article 140 of the Iraqi constitution.

2010: 174-178). Only in these three stages of Anfal were women and children treated like the men and exposed to mass killing (Hiltermann 2008: 6-7; see Figure 5). In the other five stages of Anfal (I, V, VI, VII and VIII), the total number of disappearances was estimated to be only in the thousands (Hiltermann 2008: 7). Therefore the overwhelming majority of the victims were from Anfal II, III and IV. According to some calculations, 13 percent of all Anfal victims were from Anfal II, 65 percent from Anfal III and 10 percent from Anfal IV (Kirmanj 2010: 177). The total victims of Anfal in this zone may be estimated at up to 88 percent of the population. If the total number of disappeared Kurds in all Anfal campaigns is estimated at 100,000, then 88,000 of them were from the Kirkuk environs. Thus the Iraqi genocidal operation in this region was designed to carry out the de-Kurdification policy of this zone. Within the de-Kurdification policy of the third zone (DA), hundreds of thousands of Arabs were settled in this region. A half million Kurds were affected by the de-Kurdification policy. Being stripped of citizenship and deported to Iran; being forcibly displaced and resettled in areas outside this zone; and killing during Anfal operations were all part of the de-Kurdification process. The rest of the Kurds in this zone faced different forms of forced assimilation or discrimination.
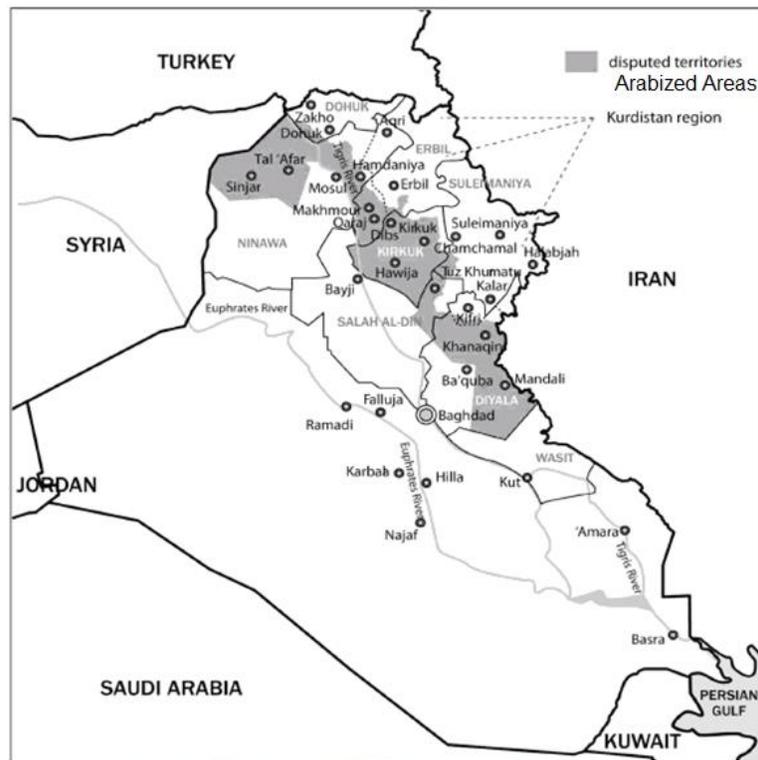
Map Map 6: The map shows the Third Zone (i.e., the disputed areas) (ICG 2007).

Map 7: The distribution of the eight stages of Anfal. (http://www.rightsmaps.com/html/anfalful.html)
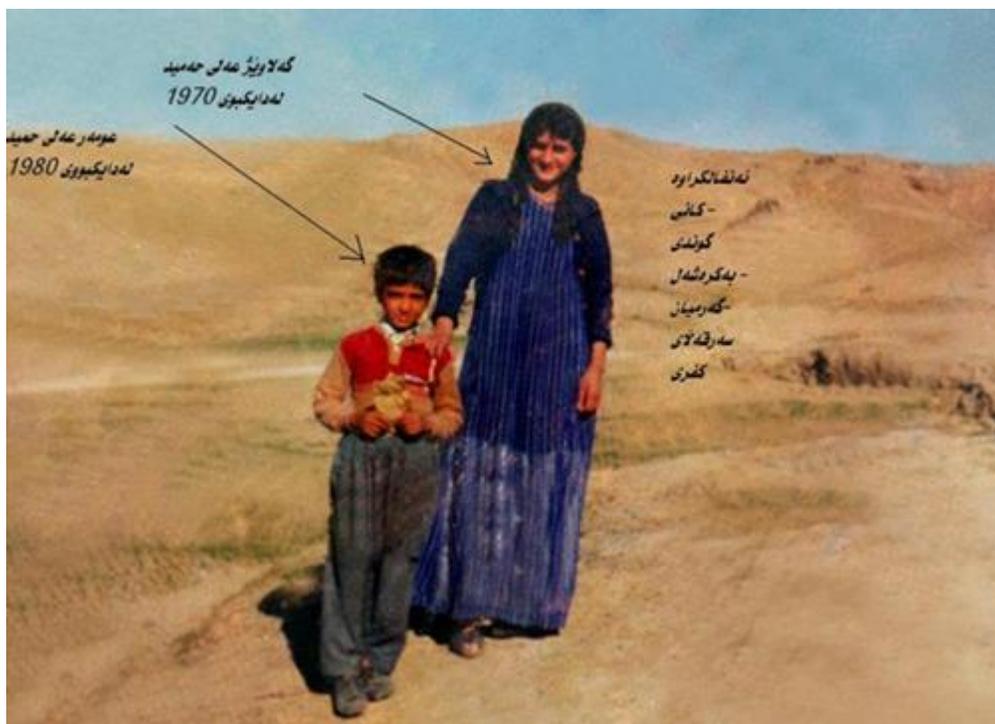

Figure 5: Photo of two victims of Anfal from Kirkuk environs. The victims were siblings:

the girl was 18 and the boy was 8 years old. (Courtesy of Omer Muhammad).

9.2.4. The Fourth Zone: Rural Kurdistan and the Depopulation Policy

This zone was a mountainous region located in the north, extending to the north-east of Iraqi Kurdistan on the border of Turkey and Iran. The zone covers most of the mountainous and rural areas of Kurdistan. As explained above, Iraq used three criteria to formulate and implement its policies towards different zones of Kurdistan. The three criteria clarifies that this zone was distinguished from the others. First, this zone traditionally remained outside of Iraqi control and represented a stronghold and strategic depth in the UKQ-I. Second, this zone was the most vulnerable to falling into the peshmerga's hands. Less than one year after the collapse of the UKQ-I in 1976, the peshmerga controlled some parts of this area (see Chapter Eight). Third, this zone was mostly mountainous and therefore less accessible. It was less likely to be governable by Iraq causing Iraq follow the depopulation policy. As explained in Chapter Four, the monarchy failed to rule the Kurdish countryside directly. This allowed the tribes a modicum of autonomy in their internal affairs. Between 1961 and 1975, this area became part of Free Kurdistan and remained outside of Iraqi control. Since the creation of Iraq, Baghdad failed to impose its authority on and administer this region directly. Following the collapse of the Kurdish quasi-state (UKQ-I) in 1975, the Iraqi army entered this region for the first time since 1961. Despite its triumph and the deployment of tens of thousands of security forces in the region, Baghdad failed to govern this region. Instead of reinstating its authority and establishing its institutions in the region, Iraq started the process of what *HRW* (1993: 35) called "physically redrawing the map of Northern Iraq". In this redrawing process, vast areas of the former Free Kurdistan was turned into a NML. The process started in 1976 with depopulating a 5-10 kilometre strip and expanding it to as much as 70 kilometres deep by the late 1980s. It ended with the destruction of almost the entire rural area of Kurdistan. The NML policy may be divided into two phases.

The first phase of the NML policy occurred between 1975 and 1979**.** The systematic depopulation of rural Iraqi Kurdistan was imposed at a time when the Kurds were defeated and Iraq enjoyed full control of Kurdistan. According to *HRW* (1993: 35), the process of NML in Kurdistan meant "removing rebellious Kurds from their ancestral lands and resettling them in new areas under strict military control of the Baghdad authorities". On August 21, 1976 Vice-President of Iraq Saddam Hussein revealed the Iraqi plan in a booklet, to turn a 20 kilometre deep strip of land running from Iran to the Syrian frontier into a NML (Hussein, S. 1977). Following the declaration of the plan in a booklet, Baghdad began to clear a strip of land five kilometres deep and 800 kilometres long along the borders of Iran and Turkey. This was to be expanded to 20 kilometres deep by 1979. In this process, some 1200 to 1400 villages disappeared from the map and 500,000 inhabitants of these areas were forcibly relocated (Farouk-Sluglett et al. 1984: 24;

Olson 1992: 476; *HRW* 1993: 37; Graham-Brown 1999: 214; Farouk-Sluglett and Sluglett 2001: 188). Thus, by 1979 an area larger than 16,000 square kilometres, roughly the size of Lebanon and Palestine combined, was depopulated (*Komala 1983*: 25; Hussain 1986: 92). These depopulated areas turned into a 'strip of death' and anyone found entering this region was imprisoned and/or executed (O'Leary 2002: 26). Considering that the size of the KRG was 40,643 square kilometres (*KRG* 2010), roughly equal to that of the three provinces of the Autonomous Region of Kurdistan (ARK), one can say that in this phase of NML policy, 40 percent of the ARK was depopulated.

This phase of systematic destruction began with a military operation led by tanks and helicopters bent on besieging villages. The region was to be depopulated and then the operation turned toward abducting its inhabitants. After the attack the entire population was arrested and, along with their cows and sheep, stuffed into army vehicles. They were to be resettled in the *Mujama'ats* or collection camps. In addition to the destruction of these villages, Iraq cut down fruit trees and filled water wells with concrete. Agricultural areas, livestock and drinking water installations were all burned or destroyed (Emin 1997a: 261-263). Thus, the Iraqi policy took the form of a scorched earth policy. By 1980 this phase of the NML was terminated for three reasons: first, the Iran-Iraq war that started in 1980 required a significant part of the Iraqi armed forces that was serving in Kurdistan (*HRW* 1993: 39). Iraq did not have enough forces in Kurdistan to continue the NML policy. Second, by 1980 the peshmerga were strong enough to resist the Iraqi NML policy. Third, involved in negotiations with the PUK between 1983 and 1985, Baghdad followed a more conciliatory approach and suspended its scorched earth policy.

The Second phase of the NML policy started in 1985 and continued until the late 1980s. By the beginning of 1985 negotiations between the PUK and Baghdad broke down and another period of armed conflict and NML policy commenced. There were several main differences between this phase and the previous phase of the NML process. First, Iraq dealt with this zone as the land of the enemy rather than as Iraqi land. The fighting between the two sides was unprecedented in that Iraq did not exempt any Kurdish villages and it indiscriminately attacked civilians and the peshmerga in the 'liberated territory' (Emin 1999: 88). The population of this zone not only faced forced resettlement by the Iraqi forces but also mass killing by means of a wide range of chemical weapons. Second, Iraq also used more sophisticated and prohibited weapons, including CW, in its war with Kurdistan. Third, the depopulation process also extended to many towns, villages and *Mujama'ats* that were either controlled directly by government forces or indirectly by *Jash* (*HRW* 1993: 15, 48; Rubin 2003: 302; Gull 2007: 57).

The unique trait of this phase is that at the end of it Iraq committed more systematic Anfal operations that lasted six months (February to August 1988). The Anfal operations took place in eight stages and their destruction impacted most parts of the rural Kurdistan area. Each Anfal stage started with widespread and indiscriminate use of chemical weapons against civilian and *peshmerga* in the targeted region. The next step was the systematic destruction of entire villages including their infrastructures, farms and rivers. Each stage terminated with detentions and the disappearance of masses of villagers (*HRW* 1993: 12; Cordesman 2000: 222; Hiltermann 2004: 153; 2008: 7). The first chemical attack began in April 1987, several months before the commencement of the Anfal operation, and the final attack ended in early September 1988 (*HRW* 1993: 51). Within this period, 250 Kurdish villages, towns and agricultural areas were attacked by CW (Rubin 2003: 13-15).

In eight stages of Anfal tens of thousands of civilians were killed or vanished without trace. A fortunate 160,000 managed to escape to Turkey and Iran (Cowell 1988; McDowall and Short 1996: 27; Farouk-Sluglett and Sluglett 2001: 269). Other survivors of Anfal, estimated at around 500,000 elders, children and women, were resettled in a dozen newly opened *Mujama'ats* (*Global IDP Database 2003*). Hence, in eight stages of Anfal operations, between 500,000 to one million villagers were killed, detained, displaced or forced to flee to Iran and Turkey. Or they resettled in one of the *Mujama'ats*.[39] In these two phases of the NML 90 percent or 4,500 out of 5,000 Kurdish villages and 80 to 85 percent of the infrastructure in Iraqi Kurdistan were destroyed (Gunter 1994: 148; Berwari 2003; Romano 2004: 159). Thus, a significant part of Kurdistan was no longer considered a part of the country of Iraq. Kurdistan was dealt with as a land of the enemy and its population was treated as an official enemy of state. For all intents and purposes a significant part of the Kurds in Iraq were 'de-Iraqified'.

A study of Iraqi behaviour during this period reveals the nature of the 'de-Iraqification' process of the inhabitants of this zone. Initially the region was declared to be a prohibited area, and its population was marginalised (*HRW* 1993: 10; Totten and Parsons 2009: 386). Then, the region was excluded from a nationwide census taken on October 17, 1987. The entire subpopulation, that consequently failed to participate in the census, was eventually stripped of its Iraqi citizenship. The next step was the

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39 As explained in section 9.3.3., stages II, III and IV of the Anfal operation were levelled against the rural areas of Kurdistan that were considered to be part of the Kirkuk environs. The majority of the killings and disappearances of these three stages of Anfal (third zone) were consistent with the central government's de-Kurdification policy. The overwhelming majority of resettled and displaced populations, however, were residents of the fourth zone. The areas subject to Anfal and the fourth zone shared two significant characteristics: they were considered to be uncontrollable areas of rural Kurdistan, and both areas were part of the 'liberated territories' that were mostly ruled by the KDS. The population was influenced by and supported the peshmerga.

indiscriminate criminalisation of the subpopulation. Based on the applicable decree, all that failed to participate in the census not only were no longer regarded as part of the citizenry of the state, but they were also considered saboteurs that deserved the death penalty (*HRW* 1993: 10; Totten and Parsons 2009: 386). Therefore, a shoot-on-sight policy was implemented (Totten and Parsons 2009: 386). Another step was to re-label the peshmerga controlled areas as a 'Land of the Enemy' and its inhabitants as active enemies of the state of Iraq. The most unconscionable and outrageous decision was that Free Kurdistan was to be Anfalised, which meant to be physically liquidated along with its inhabitants. This was to be done by any means possible regardless of international laws, institutional rules, morals, regulations, repercussions or public opinion. Thus, by considering Free Kurdistan as the 'Land of the Enemy', stripping its population of national citizenship, criminalising its inhabitants and committing the genocidal Anfal operations against it, a significant part of Kurdish society was labelled as enemy of state. Its members excluded legitimate citizens of Iraq.
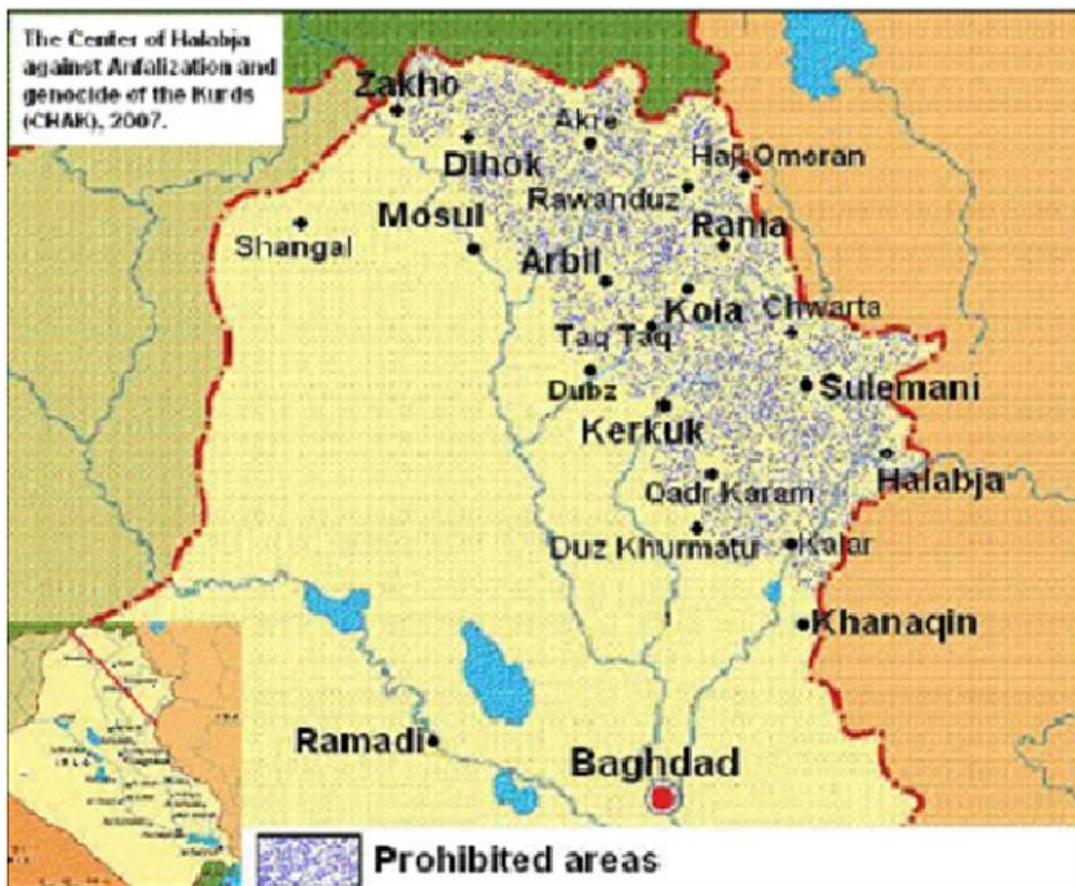
Map 8: This map shows the 'No-Man's Land' areas. The entire rural area of Kurdistan was depopulated. Source: *Centre of Halabja against Anfalisation and Genocide of the Kurds* (CHAK 2007: 13).

9.3. The Depopulation Policy after the Collapse of the KDS

The second phase of the depopulation policy ended with the collapse of the Kurdish *de facto* self-rule (KDS) in the summer of 1988. During the last stage of Anfal, Iran and Iraq declared a ceasefire and the war between the two countries ended**.** The end of the war and the collapse of the Kurdish resistance did not end the de-population policy, however. Iraq implemented a new phase of the NML policy. The main targets of this phase were the cities and towns of the second zone that had been under Iraqi control since 1975 and bordered the fourth zone. In December 1988 "[Iraq] announced its intention to create 22 new towns, each to accommodate 10,000-15,000 resettled Kurds" (McDowall 2004: 360). In the summer of 1989 the town of Qaladiza, a town of 70,000, and its environs was systematically bulldozed and dynamited (*HRW* 1993: 333; *McDowall* 2004: 360). This resulted in 200,000 Kurds being resettled to the more accessible and controllable plains of southern Erbil and Sulaimaniya. The district of Ranya and its environs were listed to be depopulated and destroyed (McDowall 2004: 360). Thus, by 1991 more than two-third of Iraqi Kurdistan was depopulated (Gull 2007: 57; also see map 8). Many Kurds saw this as a first step to wipe the entire Iraqi Kurdistan area off the map and displace the Kurds to southern (Arab) Iraq. The process only ceased with the Iraqi invasion of Kuwait in 1990.Whether pro-government *Jash* militiamen, ordinary civilians, peshmerga families, former residents of Free Kurdistan, residents of cities or *Mujama'at*, all of Kurdish society faced the same destiny. They found themselves as the spoils of war rather than as citizens of Iraq (Emin 1999: 153). These measures only served to further alienate the Kurds from Iraq, increase the bases of their victimisation complex, and increase their desperate search for a way to escape from Iraq.

9.4. The Kurds' Respond to the de-Iraqification Policy: The Uprising of 1991

These ruthless measures became a powerful motivator for Kurdish expressions of collective grievances, shared unity and integrated destiny. The whole scenario provoked a fundamental transformation within Kurdish society that showed itself in unprecedented Kurdish collective and group behavior. All Kurdish factions that were in rebellion against Iraq united under the IKF. Though established earlier, the IKF acted as the overarching umbrella for all their grievances only during the Anfal operation. Another indicator of unity was the reconciliation process that evolved within Kurdish society. To achieve such reconciliation the IKF issued general amnesty to all *Jash* prior to the uprising of 1991 (McDowall 2004: 372; Aziz 2011: 82). The third indication of the Kurds' collective behavior was the defection of the hitherto pro-Baghdad

Jash. During the Uprising of 1991 the *Jash* had collectively defected, joined the peshmerga and rebelled against the government. Only a few *Jash* leaders opted to remain loyal to Saddam (Baram 1997: 7; McDowall 2004: 371). The *Jash*'s decision to rebel and join the peshmerga resulted in the expansion of the Kurdish armed forces from 15,000 to well over 100,000 men in the space of a few days (McDowall 2004: 372). Thus the collective social behavior of the Kurds that survived the Anfal onslaught resulted in a new era of Kurdish and Iraqi politics.

Several examples shed light on the significant transformation that took place with the balance of power between the Kurds and Baghdad after the de-Iraqification policy; and these weighed in favour of the former. First, in March 1991 the Kurds from all cities in Iraqi Kurdistan rose up against Iraq. For the first time in modern Iraqi Kurdish history, all cities including Sulaimaniya, Erbil, Dohuk and Kirkuk were controlled by peshmerga forces. Second, for the first time in any Kurdish-Iraqi conflict, the *Jash* played a central role and the peshmergas a secondary role in the Kurdish struggle. In fact, the peshmerga merely threw their weight behind the uprising, which was dominated by ordinary *Jash*, and followed them onto the streets (Litvak 1991-1992: 425; McDowall 2004: 372). Without *Jash* support, it would have been impossible for the IKF to seize control of most of Iraqi-Kurdistan. Hence, the Uprising of 1991 was a direct consequence of Kurds' collective experience with policies of depopulation, forced resettlement, Anfal, and 'de-Iraqification'.

Another important indicator of the Kurds' collective behaviour, and therefore a consequence of the 'de-Iraqification' policy, was the Kurdish mass exodus in April 1991. After the defeat of the uprising, over two million people took refuge in Turkey and Iran or on their borders (Malanczuk 1991: 118; Graham-Brown1999: 23).[40] In 1992 the Kurdish population of the three Kurdish provinces was estimated to be at just over three million (Gunter 1993: 315). Accordingly, over two-thirds of the Kurdish population in Iraq participated in the mass exodus. According to the UN assessment, more than 20,000 Iraqi Kurds died during this exodus and in the border camps (Ofteringer and Bäcker 1994: 40-45; Hooglund 1991: 3). The Kurdish mass exodus was "one of the largest and fastest exoduses of refugees in history" (Clarry 2007: 149). Thus, the collective defection of the *Jash*, the popular uprising, and the exodus together functioned as an unofficial referendum of the Kurds' rejection of their status as 'Iraqis'. Baghdad's adoption of ruthless polices, highlighted above, along with Iraq's failure to responsibly govern Kurdistan, elicited these collective behaviours.

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40 Masud Barzani, the Kurdish leader, estimated the number of Kurdish refugees at around three million (Malanczuk 1991: 118)

9.5. Conclusion

After the collapse of the UKQ-I in 1975, Iraq implemented a limited and symbolic form of autonomy to three Kurdish provinces. Behind the facade of the autonomy, however, Iraq governed Kurdistan with four different modi operandi, and adopted a different policy for each. The Iraqi policy that applied to each zone was determined by three factors: first, the degree of a given zone's affiliation with the UKQ-I and KDS; second, the vulnerability of each zone to control by any future attempt of Kurdish self-rule; and third, the degree to which the region was accessible and manageable by the central government. The first zone involved the cities and districts of the three Kurdish provinces that were less directly affiliated with and therefore less vulnerable to integration into the UKQ-I and the KDS. This zone was also located on an accessible plane that was traditionally administered by Iraq. Therefore, Iraq offered symbolic, mostly cultural, autonomy with a heavy military presence.

The second zone was predominantly ruled by the UKQ-I, but from 1975 onward it was subject to Iraqi rule. Though the zone was accessible to Iraqi troops, it was less likely to be administered by Baghdad, especially during the Iraq-Iran war and it was vulnerable to recapture by the KDS. Therefore, Iraq used indirect rule and ceded a limited degree of sovereignty to the middlemen that were predominantly tribal leaders in order to organise the men into a *Jash* militia. The third zone, exempting the rural areas, was traditionally governed by Baghdad. It was therefore less susceptible to capture by the peshmerga. The main factor that reshaped Iraqi policy in this region was that its identity and belonging were continually in dispute by the Kurds and Iraq. To create an Arab identity in this region, the policy of de-Kurdification was followed. Within the framework of this policy hundreds of thousands of Arabs were settled in the region. At the same time, hundreds of thousands of Kurds were deported from the area, many of them stripped of Iraqi citizenship and expelled to Iran. Rural areas in this zone were subjugated to the strict measures of the Anfal attacks. Other Kurds were stripped of their Kurdish identity and forcibly Arabised.

The fourth zone was ruled by the UKQ-I from 1961 to 1975 and traditionally remained outside of Iraqi rule. Since 976 this zone gradually integrated into the KDS as the region was less accessible and manageable by Baghdad. Because the central government failed to govern the region, it decided to deface and depopulate it. Due to the presence of the KDS, Iraq followed the NML policy and later the 'Land of the Enemy' policy. Inhabitants of this zone were de-Iraqified, criminalised, stripped of Iraqi citizenship, treated as enemies of state, subjugated to Anfal operations, attacked with CW, and many were treated as spoils of war. By the end of this period, two-thirds of Kurdistan was depopulated or de-Kurdified. One-

third of the Iraqi Kurds were resettled in collection towns and *Mujama'ats*, deported to Iran or fled to surrounding countries.

Thus, the Iraqi failure to govern Kurdistan and its Kurdish policies resulted in the annihilation of Kurdistan and the de-Iraqification of a significant part of Kurdish society. This profoundly impacted the Kurds' ability to accept integration into the Iraqi state. These policies fundamental transformed Kurdish society. For most Kurds the main question was how to escape from Iraq—not how to join in and integrate with the oppressor. The second Gulf-war offered the Kurds a golden opportunity. The 150,000 pro-Iraqi *Jash* militiamen collectively defected and joined the IKF. Within two weeks all of Iraqi Kurdistan was 'liberated'. The exodus, which most Kurds were forced to participate in to survive, was the unofficial Kurdish referendum of their rejection of the state of Iraq.

Though defeated, the Kurdish uprising of 1991 uprooted Iraqi rule in Kurdistan and it never recovered. As explained in Chapter Ten, the Kurdistan region eventually turned into a second unrecognised quasi-state-(UKQ-II). The uprising and the UKQ-II directly resulted from the Iraqi policies of annihilation and de-Iraqification of the Kurds. The annihilation of Iraqi Kurdistan was a logical extension of Iraq's failure to adequately govern the region. The main reason behind the Iraqi failure was the legacy of the UKQ-I and its deep impact on Iraqi-Kurdish relations and the emergence of the KDS (1980s). In sum, each phase of Kurdish self-rule logically followed the circumstances of the former phase. Chapter Ten examines the second phase of Kurdish self-rule, namely the UKQ-II that was established following the Uprising of 1991.

Chapter Ten

10. The Second Unrecognised Kurdish Quasi-state (1992-2003)

This chapter scrutinises the status of the KRG from 1992, the year of the establishment of the KRG, to 2003, the year that southern Kurdistan rejoined Iraq. To examine the status of the KRG and determine whether it was a quasi-state, the four criteria of unrecognised quasi-states (UQC) are applied to the KRG. To answer the question of how the KRG responded to the weak parent state criterion (UQC-III), the weakness of the Iraqi internal and external statuses in the period in question is scrutinised. The militarisation of Kurdish society (UQC-II) is then examined. Following, the question as to what extent the KRG satisfies the criterion of symbolic nation-building (UQC-I) is reviewed. Finally, the external patronage criterion (UQC-IV) is applied to the KRG. Special attention is given to the UQC-IV. Four forms of external patronage to the Kurds are analysed including: first, Security Coucil Resolution 688 (SCR688) and the role of INGOs in the Kurdistan region; second, the Safe Haven (Security Zone) created by the Allied forces in 1991; third, the No-Fly Zone (NFZ) imposed on Iraq between 1991 and 2003, and fourth, Security Coucil Resolution 986 (SCR986), and the implementation of the Oil for Food Program (OFFP) in Kurdistan. The question as to whether external support was negative patronage is addressed by re-examining the four forms of external patronage (SCR688, the INGOs, Safe Haven, and NFZ, and SCR986 and OFFP) in light of the identified negative patronage criteria (NPC). The answer to this question relates to the Kurds' decision to rejoin Iraq after the invasion in 2003. Finally, the question of whether Iraq was a recognised quasi-state between 1991 and 2003 is scrutinised. Iraq's status based on the recognised quasi-state criteria (RQC) explains the failure of the central government to adequately govern Iraqi Kurdistan and the failure of the Kurds to integrate with Iraq.

10.1. The Establishment of the Kurdistan Regional Government (KRG)

Iraq successfully suppressed the Kurdish uprising of 1991, but failed to recapture the entire Kurdistan territory. Despite their defeat, the Iraqi Kurdistan Front (IKF) maintained its hold on a broad strip of land along the Iranian and Turkish border, including several towns, such as Halabja, Qala Diza, Raniya, and Rawandiz (Malanczuk 1991: 128). Within a month or so, the IKF managed to re-organise and recruit tens of thousands of defected *Jash* into its ranks and penetrate into other cities and towns that were re-captured by the Iraqi army. By June the Iraqi army found it impossible to deny the peshmerga presence in Kurdish cities (McDowall 2004: 378). One month later fighting between the peshmerga and Iraqi troops broke out in the main cities and towns. This led to the withdrawal of Iraqi forces while the peshmerga took conrol of

Kurdish cities. Consequently, Iraqi troops remained encamped on the outskirts, and were mostly surrounded and often protected by the peshmerga (Graham-Brown 1999: 39; McDowall 2004: 378). Losing its power base and failing to find any support among the Kurds, the central government failed to maintain its authority in the region. By autumn of 1991 Iraq was compelled to withdraw its army and administrative personnel from Kurdistan.

Following the withdrawal of Iraq, the IKF moved swiftly to fill the vacuum in the region. To achieve internal legitimacy, the IKF planned elections for May 19, 1992. The Kurdistan National Assembly (KNA) and the Kurdistan Regional Government (KRG) were thereby established. On October 4, 1992 the KNA unilaterally declared its federal region within the state of Iraq (KNA 1992). Whatever title the Kurds chose for their entity, the KRG was independent from Baghdad and acted as an independent state in all but name. Whether the KRG may be considered as another (second) phase of an unrecognised quasi-state may be determined by the four criteria that pertain to the unrecognised quasi-state (UQC) status.

10.2. The Weak Parent State Criterion (UQC-III)

The emergence and survival of the Kurdish *de facto* state after 1991 has often been attributed to the American-led alliance's interference into the Iraqi state after the second Gulf-War (Romano 2004: 157; Bengio 2006: 178). Little attention has been given to the change in the balance of power between the Kurds and Iraq in favour of the former. As will be explained, external patronage played a crucial role in the case of the KRG's quasi-state aspirations. The weakness of Iraq, however, is an important element in the emergence and survivability of the KRG and its ability to function as an independent quasi-state. The first major weakness of the Iraqi state was the turmoil within the Iraqi Arab communities (Shia and Sunni Arab) following the defeat of Iraq from the second Gulf-war. Iraqi society was mired in political chaos and economic hardship due to engagement in the second Gulf-War and its subsequent loss of control of the Shia region. This state of affairs showed itself in the rebellion of nine Shia provinces against Baghdad in 1991. This Shia uprising was clearly a sectarian, anti-Ba'ath and anti-Sunni rebellion. The uprising's main slogan was "no custodian, only Ali; we want a Shi'a commander" (al-Salihi 2000: 318; Jabar 2003: 230).[41] The main goal of the uprising was to establish Shia rule in Iraq. Therefore, no Sunni governorates participated in the uprising. The Ba'ath regime reacted ruthlessly. Under the slogan of 'no Shias after today' the regime spared no blood in squelching the uprising (Makiya 1994: 97; al-Salihi 2000: 321). Although the Shia uprising was crushed, it changed the balance of power between the Kurds

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41 In contrast to the Sunnis that consider Ali Ibn Abi Talib the fourth and final *Rashidun*(rightly guided caliphs), from the Shias' perspective, he is the first Imam. Ali and his descendants are considered the only rightful successors to Prophet Mohammad.

and Baghdad significantly. Unlike the Kurdish uprisings and rebellions, the Shia uprising threatened not only Ba'ath rule, but also Sunni domination in Iraq. Unlike the Kurdish rebellions and uprisings that never managed to reach Baghdad, the Shia uprising was so popular that it reached the suburbs of Baghdad (Katzman 1998; Litvak 1991: 423). Since Baghdad is the capital and symbol of national rule, whoever controls Baghdad rules the country. The uprising caused unprecedented cleavage among Sunni and Shia Arabs. For the first time since the creation of Iraq, Baghdad had to confront two rivalry regions simultaneously: an emerging Shia region in the south, and the Kurdistan region in the north. Hence, Baghdad had to turn the attention of part, if not most, of its forces from Kurdistan to the south. This further weakened the Iraqi regime in Kurdistan and changed the balance of power in that area in favor of the Kurds.

The second major Iraqi weakness in this period was the loss of international support. Following the Iraqi invasion of Kuwait, Iraq lost much external and internal support and a comprehensive international sanction was imposed on the country by the UN. Iraqi sovereignty was violated and its status as an independent state was undermined by external military interventions. Moreover, Iraqi sovereignty was restricted by tens of Security Council Resolutions (SCR). For instance, within four months alone, from August 2 to December 31, 1990, the UNSC ratified 12 resolutions against Iraq. Passing SCR660 paved the way for international intervention by "condemn[ing] the Iraqi invasion of Kuwait and demand[ing] Iraq's immediate and unconditional withdrawal" (SCR660 2/8/1990). The second resolution, SCR661, imposed comprehensive sanctions on Iraq and authorised member states to use force to expel it from Kuwait (SCR661 6/8/1990). Twelve other SCR were issued against Iraq in 1991. Another important resolution that reshaped Iraqi-Kurdish relations was SCR688. As will be explained in detail, the SCR688 did not portray the Iraqi-Kurdish conflict as an internal matter of a sovereign state. Rather, it threatened Iraq from any future attack on Kurdistan. The resolution demanded that Iraq end its repression against the Kurds; it allowed for subsequent humanitarian intervention on the part of the UN; and it led to the establishment of the Safe Haven and the NFZ. Another relevant resolution is SCR 687 (3/4/1991) which stated that:

> the statements by Iraq threatening to use weapons in violation of its obligations under the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925…grave consequences would follow any further use by Iraq of such weapons.

The resolution also:

recall[ed] that Iraq has subscribed to the Declaration adopted by all States participating in the

Conference of States Parties to the 1925 Geneva Protocol and Other Interested States, held in Paris

from 7 to 11 January 1989, establishing the objective of universal elimination of chemical and

biological weapons.

The resolution obliged Iraq to adhere to Chapter VII of the UN Charter:

Conscious of the need to take the following measures acting under Chapter VII of the

Charter…Iraq [is invited] to reaffirm unconditionally its obligations under the Geneva Protocol for

the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of

Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

Though SCR687 addressed the Iraqi violation of international laws in the context of the invasion of
Kuwait, it was indirectly applied to the Kurds.
Preventing Iraq from purchasing, developing and using CW changed the balance of power between the
Kurds and Baghdad significantly. By preventing Iraq access to acquire and use CW, Iraq was unable to
threaten the Kurds. Since 1987 the use of CW had changed the balance of power against the Kurds and
was the main factor for the Kurds' defeat on two occasions. One incident was in 1988 when CW caused
the termination of the Kurdish *de facto* self-rule (KDS). Another factor was the collapse of the Kurdish
uprising of 1991. Rumors about Iraq's intention to use CW played a significant role in the collapse of the
uprising (Adelman 1992). Furthermore, holding Iraq to Article VII of the UN Charter and preventing Iraq
from having access to weaponry further diminished Iraq's military ability. Portraying Iraq as a threat to
international peace and regional security brought the country into direct conflict with the international
community throughout the 1990s.

 Finally, sanctions on Iraq limited its ability to finance the development of its military machinery or to
fund military operations against the Kurds. The combination of Iraq's defeat in the second Gulf War,
international sanctions, obligations, and restrictions imposed on Iraq by UN resolutions resulted in
dramatic limitations on Iraq's military forays. Following the Iraqi defeat in the second Gulf War (1990-
1991), its army was reduced by two thirds (Graham-Brown 1999: 193). In contrast to this dramatic
decline of Iraq's military capabilities, the Kurdish uprising of 1991 increased the number of Kurdish
peshmerga from 15,000 to well over 100,000 men (McDowall 2004: 372-380). Despite ongoing internal
fighting between Kurdish parties during 1994-1998, the KRG was sufficiently strong to keep the Iraqi
state at bay after 1991. Thus, after the 1990s a significant swing in the balance of power favouring the
Kurds transpired. From 1991 onward, Baghdad was so weak that it failed to recapture Kurdistan.

Accordingly, the Kurdistan region during 1991-2003 satisfied the weak parent state criterion of unrecognised quasi-states (UQC-III).

10.3. The Militarisation Criterion (UQC-II)

An important characteristic of a quasi-state is the militarisation of society as a method to aid its survivability and legitimate itself internally by providing security to its population. On the eve of the Kurdish uprising of 1991, Kurdistan was a militarised region. Despite Iraqi involvement in the war against the Allies, and despite its high demand for manpower, Iraq devoted two of its eight military corps to Kurdistan. Masud Barzani, the President of KRG explained that during the uprising, two Iraqi army corps (the First and the Fifth) surrendered to the Kurdish rebels (Fayad 2008; *Russia Today* 2010; Barzani 2012). Prior to the Gulf-War, the Iraqi army numbered around one million (Graham-Brown 1999: 193). Therefore, the number of Iraqi troops that surrendered to the Kurds may be estimated at around 100,000 to 150,000. This facilitated access to arms for tens of thousands of civilians. Moreover, the majority of *Jash* rebelled against Baghdad. As the number of *Jash* was estimated at around 150,000 to 250,000, the number of *Jash* that joined the Kurdistan-Front may be estimated at around 150,000. Furthermore, the IKF already had 15,000 peshmerga soldiers. Thus, following the uprising, over 100,000 fighters were in Kurdistan (McDowall 2004: 372). Following the establishment of the KRG in 1992, the KRG attempted to organise these forces and established an armed force of about 80,000 peshmerga and 20,000 police (McDowall 2004: 380). Thus, after the 1991 uprising, Kurdistan became one of the most militarised societies in the region. Therefore, the Kurdistan region during the period in question satisfies the militarisation criterion (UQC-II).

10.4. Symbolic Nation-building Criterion One (UQC-I)

Since the establishment of the KRG in 1992, the Kurdistan-region has paid significant attention to the nation-building process. This process included use of the Kurdish national flag for public and official offices, anthem and holidays, its own currency, [42] museums, educational system, publishing, broadcasting in the Kurdish language and many other processes that symbolise nationhood. One of the most important symbols of nation-building is the use of a national flag. Legislation no. 14 of the Kurdistan National Assembly (KNA) in 1999 ratified the Kurdistan National flag that "reflected the feats and glories, the history and struggle and aspirations of its people" (KNA 1999). Article six ordered the Iraqi flag to fly

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42 After 1991, the KRG used a different currency from that of Baghdad. It is also an Iraqi currency but is known as the Swiss Dinar.

alongside the Kurdistani flag on occasions where required, and only after the recognition of the Kurdish right of federalism. In other words, the flying of the Iraqi flag was occasional, optional and conditional.

The importance of the flag for the Kurdistan region relates to two interconnected issues. First, according to the legislation, the Kurdistani flag "reflects the pride and dignity of his people and symbolises the home of that people". The legislation also emphasises that "the flag is the same flag that Qadhi Mohammad, the president of the Republic of Mahabad, handed to Mustafa Barzani". Prior to the execution of the former by the Iranian regime in 1947, Barzani "maintained and defended [it] for the sake of its glory with all…dedication and devotion" (KNA 1999). Flying the same Kurdish flag of the Republic of Kurdistan founded by Qazi Mohammad in 1947 was:

> [An] acknowledgement of this historic march and this sincerity, dedication and appreciation, and to fulfil the dream of our people and in response to its desire, and in compliance with his will, but for the embodiment of the Legislative and legal framework for this flag, which is for the first time in the history of the Kurds and Kurdistan, has initiated this law (KNA 1999).

Thus, the Kurdish flag is the symbol the Kurdish struggle in the last century, through which the Kurdish *de facto* state was established.

Second, the Kurdistani flag was more than merely a symbol of a federal region within a federal state. It was a declaration that the Kurds were a separate nation with its own history that went beyond the borders of the Iraqi state. Glorifying the Kurdish flag as a symbol of a separate Kurdish nation, (rather than a minority within Iraq), was further highlighted in the description and interpretation of its colours. According to the legislation, the flag's red colour "symbolise[d] the martyrs of the Kurdish liberation movement". Its white colour "symbolise[d] peace and freedom, democracy and tolerance desired by the people of Kurdistan" (KNA 1999). The Kurdish flag represented and continues to represent for the Kurds one of most important symbols of the nation-building process and the crafting of a separate identity for Kurdistan. Another important symbol of the nation-building process in Kurdistan was the Kurdish national anthem, known in Kurdish as *Ey Reqib*. It was first created and adopted as the Kurdish national anthem outside Iraqi Kurdistan by the short-lived Kurdish Republic of Mahabad in Iranian Kurdistan in 1946 (Aydin 2005: 35, 69). The *KRG* (1997) described *Ey Reqib* as:

> A part of Kurdish nation's culture with a glorious status in the Kurdish liberation movement of Kurdistan and in the hearts of its people. It is a mirror of the thoughts and the conscience of all segments and strata of the Kurdistani nation".

Moreover, *Ey Reqib* emphasises that "We [Kurds] are the children of the Medes and Cyaxares [first king of Medes] Both our faith and religion are our homeland". Hence, similar to the sun of Zoroastrianism

represented in the Kurdish flag, by tracing Kurds to Medes and Zagrossian civilisations, *Ey Reqib* abnegated any Kurdish relations to Iraq.

Another important symbol of the nation-building process is the Kurdish national day *Newroz*. In 1997, the KNA in its legislation no. 2 promulgated *Newroz*, as the Kurds national holiday. Similar to the dominant theme that is reflected in Ey Reqib, *Newroz* is another pre-Islamic myth. It represents the myth of the Kurds' victory over tyranny in 700 BC (KNA 1997a). It also represents both the Kurdish new-year and calendar. Thus, the goal behind the Kurdish national flag, anthem and national day was to sustain pre-Islamic myths, to create a common mentality, and to construct an overarching identity for the Kurdish nation. The process of reviving the Kurdish language and reshaping or rebuilding Kurdish identity is another important step toward nation building. During the period in question (1991-2003), the KRG focused on the Kurdification or de-Arabisation of Kurdish society. All stages of education, media, communication, and street signs were Kurdified (Natali 2010: 34). Moreover, functional nation-building processes were manifested in the Kurdistani civil society and media, 40 Kurdistani based political parties and 120 civil society institutions belonging to different ethnic, religious and political backgrounds. Furthermore, 30 TV and radio broadcast stations, 167 newspapers and magazines mostly based on Kurdish language and underlined by nationalist themes were founded (Berwari 2003). As a result of twelve years of Kurdish education in KRG schools and universities, and the dominance of the Kurdish language in the public sphere, a new generation had emerged that could not speak Arabic. Since 1991 the KRG engaged in a relatively successful nation-building process and the development of a common national identity in Kurdistan. Thus, nation-building in the KRG satisfied the first symbolic nation-building criterion (UQC-I).

10.5. External Patronage Criterion (UQC-IV)

After 1991, the UN, the American-led coalition (Allies), and the INGOs replaced Iran as external patrons of the Kurds. The Allies' patronage was more official and significant than that of previous patronages offered the Kurds during the UKQ-I and the KDS in the 1980s. SCR688 and SCR986 allowed the Allies and INGOs to intervene on behalf of the Kurds. Based on the nature, form and chronology of support, international patronage may be categorised into five phases: the SCR688, the Safe Haven, the NFZ, SCR986 and the Oil for Food Program (OFFP).

10.5.1. Security Council Resolution 688 (SCR688)

SCR688 (5/4/1991) was the international response to the refugee crisis following the Kurdish exodus. It legitimised clear acts of interference into Iraqi internal affairs, thus violating Iraq's sovereignty. The resolution condemned the repression of the Iraqi civilian population in Kurdish populated areas and demanded the immediately end of repression. There are five implications of the resolution. The first implication was the internationalising of the Kurdish issue in Iraq. The SCR688 perceived Iraq's repression of the Kurds as a threat to the "international peace and security in the region" (SCR688 5/4/1991). Consequently, the Kurdish cause was elevated from a purely internal affair, to an international incident. The second implication of SCR688 was the legalisation of international intervention into what heretofore considered as an 'Iraqi internal affair.' The resolution ordered that:

> Iraq [had to] allow immediate access [to] international humanitarian organisations to [aid] all those in need of assistance in all parts of Iraq and to make available all necessary facilities for their operations […] in particular [with regard to] the Kurdish population, suffering from the repression in all its forms inflicted by the Iraqi authorities [...] ; [it] appeal[ed] to all Member States and to all humanitarian organisations to contribute to these humanitarian relief efforts" (SCR688 5/4/1991).

Thus, the resolution gave the UN and INGOs the legal power to intervene in the internal affairs of Iraq in favour of the Kurds.

The third implication of SCR688 was the compromise of Iraq's sovereignty by authorizing the INGOs to help the Kurds, and by forcing Iraq to accept the establishment of the INGOs in Kurdistan. The fourth implication is that the Security Council laid the grounds for UN-sponsored patronage of the Kurds. The resolution authorised the UN control of two matters that would normally fall within the exclusive domain of a sovereign nation: the protection of Iraqi citizens (Kurds), and the delivery of goods and services to them. The fifth and most important implication of SCR688 was that it offered a framework for international organisations and Allies to simultaneously assume the role of patron to the Kurds and to usurp a measure of Iraq's sovereignty. This was clearly evident in three cases of international intervention, namely the establishment of INGOs in Kurdistan, imposing the Safe Haven, and the creation of the NFZ by US-led Allies. Hence, the SCR688 authorised programs of international intervention in an unprecedented manner and authorised the Security Council to enforce measures of particular concern to the Kurds to aid them in a time of crisis.

10.5.2. International non-Governmental Organisations (INGOs)

Responding to SCR688, tens of INGOs became involved in humanitarian activities in Kurdistan. From 1991 on the Kurdistan region was open to aid agencies, human rights workers and journalists (Graham-Brown 1999: xv). By 1994 fifty INGOs were established in the Kurdistan region (Natali 2010: 31). These INGOs delivered financial help, goods and other humanitarian aid and support for the Kurds. From 1991 to 1996 the Kurdistan region received over $1billion in humanitarian assistance that sustained 1.25 million Kurds (Graham-Brown 1995: 7; Natali 2010: 30). This financial assistance mitigated the economic hardship resulting from the double embargo on the region: one international that was imposed on the entire state of Iraq and the other imposed on Kurdistan by the central government. Within the harsh environment of post-1991 sanctions, the INGO involvement had many implications that went beyond humanitarian and financial assistance. First, the INGOs provided an important source of revenue that aided political stability. Their work within the SCR688 context meant that the KRG enjoyed the symbolic blessing of the UN. The Kurds found a channel via the INGOs to share their plight with the international community. This was important because the Kurds historically were among the most politically and geographically isolated people in the region. Furthermore, the INGOs proved offer the first big step on the road to engagement with the outside world. The INGOs that became active in Kurdistan belonged to and were directed by a dozen donor nations (Natali 2010: 30). Though informal, indirect, and at the level of humanitarianism, their involvement in Kurdish affairs "brought Kurdish civil servants directly into contact with the UN and NGO counterparts" (Stansfield 2003: 134). Thus, a humanitarian relationship was established between donor nations and the Kurdish administration.

Moreover, the INGOs reinforced the separatist and independent status of the Kurdistan region. By focusing on the Kurdistan region while ignoring other parts of Iraq, they, unintentionally reinforced the ethnic division between the Kurds and Arabs and therefore further alienated the Kurdistan region from Iraq (Natali 2010: 47). Finally a latent consequence of INGO activity in Kurdistan was the provision of a form of protection to the Kurds. Offices and staff members of fifty INGOs were scattered in different parts of the Kurdistan region. These multinational INGOs assumed a role akin to a human shield that discouraged Iraq from attacking the region. An attack from the Iraqi military would have harmed INGO members and result in more drastic interference from those nations represented to protect their citizens. In other words, the INGOs offered the Kurds a level of protection that the central government would have to think twice about violating. Hence, the INGO's assumed role of patronage to the KRG provided

protection, stability, financial and political support, while strengthening the independent status of Kurdistan.

10.5.3. The establishment of a Safe-Haven

An important form of patronage granted by the Allies was the establishment of the Safe-Haven in April 1991 in Iraqi Kurdistan close to the Turkish border (see map 9). The Safe Haven was established for Kurdish refugees by a US-led military operation that was code named 'Operation Provide Comfort' (OPC). It consisted of a 10,000 square kilometre strip of land that was ppatrolled by more than 13,000 soldiers from eleven countries including the US and the UK (Malanczuk 1991: 121; Graham-Brown 1995: 34; O'Leary 2002: 18). The main tasks of the OPC and the establishment of the Safe-Haven were to halt the further influx of refugees to Turkey and to prepare for the return of refugees that had already crossed the Turkish border. The OPC also provided humanitarian aid and security and thus prevented Iraq from committing further acts of atrocity upon Kurdish refugees (Graham-Brown 1995: 4; 1999: 120; Ahmed 2007: 150).

The Safe Haven presented a turning point in the nature of patronage that would be provided to the Kurds in the future. The Allies' patronage evolved from the mere condemnation of Iraq to direct military intervention for the first time. Consequently, the operation involved direct invasion of parts of Iraq. The operation undermined Iraq's status as a 'sovereign state'. Moreover, it was the first time in history that the UN intervened in the internal affairs of a sovereign state in support of a non-sovereign region or people. SCR688 provided the legal framework for the establishment of the Safe Haven (Ahmed 2007: 150). This means that there was consensus within international community to protect the Kurds. Furthermore, unlike the INGOs, the Allies engaged directly by military means. This was regarded as a departure from historic Kurdish-client patron relationships. Since 1961 most patronages were hidden, usually operated at the security level, and were dominated by a regional country like Iran. With the establishment of the Safe Haven, however, eleven countries including three members of the Security Council, (the USA, UK, and France), provided overt military protection. Finally, the Safe Haven was an important form of external patronage that encouraged Iraq to withdraw its troops and the KRG to establish itself. By the autumn of 1991 Baghdad had withdrawn its army and administration from three provinces of Iraqi Kurdistan, provinces that eventually turned into the Kurdistan Regional Government. Thus, the Safe Haven was one of the most significant and influential types of external patronage granted to the Kurds and it adjusted

power relations between the KRG and Baghdad as well as permanently reorienting and reshaping Kurdish-Iraqi relations.

10.5.4. The No-Fly Zone (NFZ) .

In April 1991 the NFZ was put in place by the Allies to protect the Kurds from any future Iraqi air assaults. This NFZ continued until the collapse of the Ba'ath regime in 2003. Under the NFZ Iraqi aircraft were forbidden to fly inside the Kurdistan region north of the 36th parallel (see map 10). Thus, Iraq was prevented from launching major attacks on the Kurdistan region in order to bring it back into the Iraqi fold (Graham-Brown 1999: 27, 121). Both in scope and duration, the NFZ was more comprehensive than the Safe Haven. Unlike the Safe Haven, under the NFZ the Allied troops were not actually on the ground of Iraqi Kurdistan. The region, however, was protected by Allied air forces that patrolled the region's air space. Similar to the Safe Haven, the NFZ was founded under the banner of humanitarian intervention and within the framework of SCR688. The role of the NFZ was crucial to the survival of the KRG. In fact, many believe that the Kurdish semi-independent state was enforced and guarded by it. (Graham-Brown 1999: 110; Stansfield 2003: 131; Barkey and Laipson 2005: 67; Freij 2007: 131). In other words, the establishment and the survival of the Kurdish quasi-state (1991-2003) may be attributed to the goodwill of the Allies and their commitment to protect the zone.

The role of the Allies was not limited to merely patrolling the Kurdish air space and physical protection of the KRG; it also dominated Kurdish internal politics. The Allies involved themselves in the establishment of the Iraqi opposition bases in the Kurdistan region (Graham-Brown 1999: 117). Moreover, the Allies played a crucial role in the reconciliation of Kurdish rival factions. In 1998, for example, the two rival Kurdish leaders were invited to Washington, D.C. and top American officials including the secretary of state mediated a peace process between them (Leezenberg 2002: 21; Ackerman 2006: 17). The resulting Washington Agreement ended the Kurdish civil war. Thus, the establishment of the NFZ was another significant phase of the patron-client relation between the super-powers and the Kurds. Within the NFZ mechanism, US-led Allies provided different forms of protection and political support to the Kurds. For the first time in history, the international community and super-powers demonstrated their longstanding commitment to protect the Kurds from the perceived and actual acts of aggression by Baghdad.

10.5.5. The Oil-For-Food Program (OFFP)

The Oil-For-Food Program (OFFP) was authorised by Security Council Resolution 986 (SCR986) in1995. The OFFP was "a temporary measure to provide for the humanitarian needs of the Iraqi people". It

authorised "the import of petroleum and petroleum products originating in Iraq […] to produce a sum not exceeding a total of one billion United States dollars every 90 days". These funds were used "to finance the export to Iraq […] of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs" (SCR986 14/4/1995). The program began functioning late in 1996 and ended in 2006 following the US invasion of Iraq.

Scrutinizing the nature and size of funds provided to the Kurdistan region and the way they had been administered demonstrates how the UN assumed the role of external patron to the Kurds. The first important and probably unintentional consequence of the OFFP was the further alienation of Iraq from Kurdistan. Though OFFP funds originated from the sale of Iraqi oil, it was the UN's obligation "to monitor the sale of petroleum and petroleum products to be exported by Iraq" (SCR986 14/4/1995). UN agencies assumed the role of external funding to the Kurdistan region at the expense of Iraqi sovereignty. Therefore, the OFFP was perceived by the Kurds to be more as a UN program than an Iraqi one. The second important consequence of OFFP was the recognition and consolidation of the status-quo of Kurdistan as a *de facto* self-rule region. The resolution emphasised the "equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country". To achieve an equitable distribution Article 8-b of SCR986 authorised the Security Council to "provid[e] between 130 million and 150 million United States dollars every 90 days [to the Kurdistan Region]". As the sale of oil for 90 days totalled one billion USD, 13-15 percent of the revenues from the sale of Iraqi oil had been allocated to the Kurdish Region. SCR986 justified a separate budget for the Kurds due to "the exceptional circumstances prevailing in the three [Kurdish] Governorates" (SCR986 14/4/1995). In the first year of OFFP, the KR had received 520 to 600 million USD.

Moreover, the government of Iraq was not allowed to administer the OFFP program in Kurdistan as it did in other parts of Iraq. SCR986 made clear that OFFP funds should be provided to "the United Nations Inter-Agency Humanitarian Program operating [in Kurdistan region]" (SCR986 14/4/1995). Thus the UN followed two programs in Iraq: one administered by Baghdad, the other in Kurdistan that was administered by the UN, with the UN acting as trustee for the OFFP money. UN agencies acted on behalf of the central government in Kurdistan to supply, transport, and distribute the funds. This arrangement enabled the KRG to directly cooperate with twelve UN agencies in the region instead of Baghdad. Nine of these agencies were involved directly in the management of the OFFP in Kurdistan (O'Leary 2002: 20). Thus, though the OFFP fund was from Iraq's oil wealth and had to come through Baghdad, it was authorised, monitored, and in case of Kurdistan, administered by the UN. The program strengthened the

independent and separate status of the Kurdish *de facto* state. The UN distributed and therefore assumed a degree of Iraq's sovereignty while acting as patron of the Kurdish quasi-state.

The third important consequence of the OFFP was the provision of a degree of economic independence for the KRG. Dedicating $520 to $600 million annually to Kurdistan was a significant step toward the latter's economic revival and survivability. The significance of such financial aid was evident in that the KRG budget for 1994 was less than 25 million USD (KNA 1994). Hence, the OFFP program by 1997 multiplied the economy of the region by 20 times what it had been in 1994. In February 1998 SCR986 was replaced by SCR1153. Under the new resolution funds that the KRG received nearly tripled. This is because SCR1153 increased total Iraqi oil sales from one billion per 90-day-period to more than $ 2.5 billion (SCR1153 20/2/1998). The funds allocated for the Kurdistan region nearly tripled from $130-150 million USD every three months to $340-390 million USD for the same period. Based on these figures, between 1996 and 2003 a total of eight to nine billion USD from the OFFP was allocated to the Kurdistan region. This figure was eight times higher than the total value of humanitarian aid, or $1 billion USD that the KRG received from INGOs from 1991 to 1996. The significance of the OFFP funds in consolidating economic independence for the KRG may be understood within the economic context of the KRG which inherited the wholesale devastation of Kurdistani villages and its agricultural infrastructure. Combined with the high rate of unemployment and social deprivation resulting from the double embargo, the Kurdistan region had suffered extreme hardship. The majority of the population in the region relied on UN handouts for basic needs. The OFFP was one of the most important components in the Kurdistan region's prosperity. It can be credited for rehabilitating Kurdistan and improving the health and education sectors in Kurdistan (Lawrence 2000: 24; Barzani 2007: 18). The OFFP also decreased KRG dependence on neighboring countries and therefore reduced its vulnerability. Thus, the OFFP helped to keep the Kurdish quasi-state alive.

The fourth important consequence of OFFP was its latent function in assisting the Kurdistan region to find a source of protection. With twelve UN agencies scattered throughout the Kurdistan region and nine of them involved in the administration of the OFFP, any aggression from Baghdad would potentially threaten the security of these agencies. Therefore the presence of these UN agencies played a role similar to that of INGOs in the first half of the 1990s by providing moral support to the Kurds. The fifth unintentional consequence of the OFFP program was its contribution to the stability of Kurdistan. The OFFP revenue "lubricated relations between the KDP and the PUK by reducing the imbalance of funds available to two parties and their respective administration" (Stansfield 2003: 135). It was no coincidence that the internal Kurdish war between the PUK and the KDP terminated in 1997, the year of the

implementation of the OFFP. In addition, the final peace process between the two rival Kurdish factions was followed by the availability of sufficient funds due to the implementation of SCR1153. In sum, by comparing figures due to SCR688, the INGOs, the Safe Haven, the NFZ, SCR986 and the OFFP program, it is clear that the KRG was physically protected, financially and politically. The UN and US-led Ally support to the Kurds was so important that it can truly be considered as a patron-client relationship that satisfies the fourth criterion, namely the external patronage criteria (UQC-IV).

10.5.6. The KRG (1991-2003) as a Second Unrecognised Kurdish Quasi-state (UKQ -II)

The KRG thus met all qualifications necessary to classify it as an unrecognised quasi-state during the period under review. The KRG exercised symbolic nation-building enterprises (UQC-I); Kurdish society had been militarised (UQC-II); Iraq as a parent state was too weak to recapture the region (UQC-III); and finally the KRG was protected by external patrons (UQC-IV). Satisfying all criteria of unrecognised quasi-state status, this *de facto* state may be classified as an unrecognised Kurdish quasi-state (UKQ). This UKQ was the second Kurdish quasi-state in the history of Iraqi Kurdistan. The first existed between 1961 and 1975. Therefore, this phase of Kurdish self-rule shall be called the Second Unrecognised Kurdish Quasi-state (UKQ-II).

10.6. The Case of Negative Patronage

The UN and the Allies contributed to the emergence, survival and consolidation of the UKQ-II. However, the aims and scopes of this external patronage were insufficient to help the Kurds move toward independent statehood. Failing to evolve into a *de jure* independent state, the UKQ-II rejoined Iraq following the US occupation in 2003. One of the main reasons behind the Kurds' decision to rejoin Iraq was their lack of a reliable, permanent and positive patron. In Chapter One three criteria were introduced to distinguish negative patronage from positive patronage. The patronage is considered negative if it satisfied the three negative patronage criteria (NPC): first, the patron and client states do not share the same ethnic or cultural identity (NPC-I); second, the patron state is not motivated by interests, rights or identity of the client state (NPC-II); and third, the patron state is not willing to recognise the client's independence (NPC-III). As there was no existing Kurdish state in the world and no country participating in the UN, Allies and INGOS shared the same ethnic or cultural identity with the Kurds, all of these parties satisfied the conditions of NPC-I. Therefore, this section only scrutinises the nature of the patronage provided the Kurds based on NPC-II and NPC-III.

10.6.1. Security Council Resolution 688

As explained, SCR688 laid the legal framework for the INGO activities in Kurdistan: the Safe Haven and the NFZ. A close look at the resolution reveals that the Kurdish cause was not the main concern for these international actions. First, the purpose of the resolution was to eliminate the impact of the April 1991 Kurdish exodus of on international and regional (especially Turkey's) peace and security. SCR688 described the Kurdish exodus as "a massive flow of refugees towards and across international frontiers and to cross-border incursions". SCR688 emphasised that the consequences the Kurdish exodus "threaten international peace and security in the region". To prevent such a threat, SCR688 "demand[ed] that Iraq […] remove the threat to international peace and security in the region [and to] immediately end this repression". Hence, international and regional peace and security, rather than the protection of Kurdish self-rule, was the main purpose for SCR688. The resolution therefore satisfies the first criteria (NPC-II) of the negative patron-client relationship.

Second, SCR688 emphasised the Security Council "duties and responsibilities under the Charter of the United Nations for the maintenance of international peace and security". SCR688 recalled Article 2, paragraph 7, of the UN Charter that stipulated two obligations. One obligation was the condition of limited UN intervention, both in scope and duration:

> Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter (*The Charter of the United Nations* 1945).

Based on the charter, UN intervention within the scope of SCR688 could not go beyond humanitarian aid and only for a short period. Moreover, the resolution portrayed the Kurdish exodus as threat to international peace and regional security. In other words, the resolution was adopted when the Kurdish problem posed a threat to regional peace and the world order. Whenever the Kurdish problem ceased to pose such international ramifications, the resolution would hypothetically lose its power and effect, become an internal Iraqi affair and dealt with as such. This is the way it had been traditionally dealt with at least until 1991. Consequently, the Allies and the international community did not come up with any political solutions to 'the Kurdish problem', nor was it intended to once the Kurdish problem ceased to threaten other nations. Another obligation was the commitment of the world body to the territorial integrity of Iraq. This was clearly reflected in SCR688 which "reaffirm[ed] the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq". Such commitment was at the expense of the Kurds' right to self-determination and evidence that the

international body while offering a degree of protection to the Kurds, stood against the establishment of a Kurdish state in Iraq. The resolution therefore fulfilled the requirements of NPC-III. Though the implementation of SCR688 provided a form of external support and patronage to the Kurds, it was just another form of negative patronage.

10.6.2. The Safe Haven

The Safe Haven was another form of negative patronage. It was established with the same logic that underlined the passage of SCR688, namely, to remove the refugees' threat to "international peace and security in the region". The Safe Haven was established on the Iraqi border with Turkey and within an area that covered one-eighth of Iraqi-Kurdistan. It was obvious that no safe haven was created for those Kurdish refugees that fled to Iran, nor was one created for those Kurds that failed to leave the cities and towns recaptured by the Iraqi military. Since only 500,000 refugees headed to the Turkish border, the Safe Haven was offered for a small proportion, or about 15 percent of the Kurds. Some three million Kurds, including over 1.5 million refugees that headed to Iranian border, were left without protection of any sort (Malanczuk 1991: 121; Izady 2004: 85). Only those refugees that threatened the stability of Turkey were offered Safe Haven. This is clear evidence that the motivation behind the Safe Haven was to protect Turkey and Europe from the influx of Kurdish refugees. Furthermore, Iran was in conflict with Western countries, Turkey was an American ally, a member of NATO, and was considered to be the refugees' gateway to Europe. By implication, the main goal behind the Safe Haven was to protect Turkey from any refugee crisis caused by the influx of the Kurds. In other words, the Allies' priority and main concern behind the creation of the Safe Haven was to protect Turkey, rather than to establish Kurdish self-rule. Thus, the Safe Haven resolution fulfilled the requirements of NPC-II. The mechanisms and principles of the Safe Haven also did not offer any form of recognition to Kurdish self-rule. Therefore, the Safe Havenalso fulfilled the requirements of NPC-III. It was another form of negative patronage.
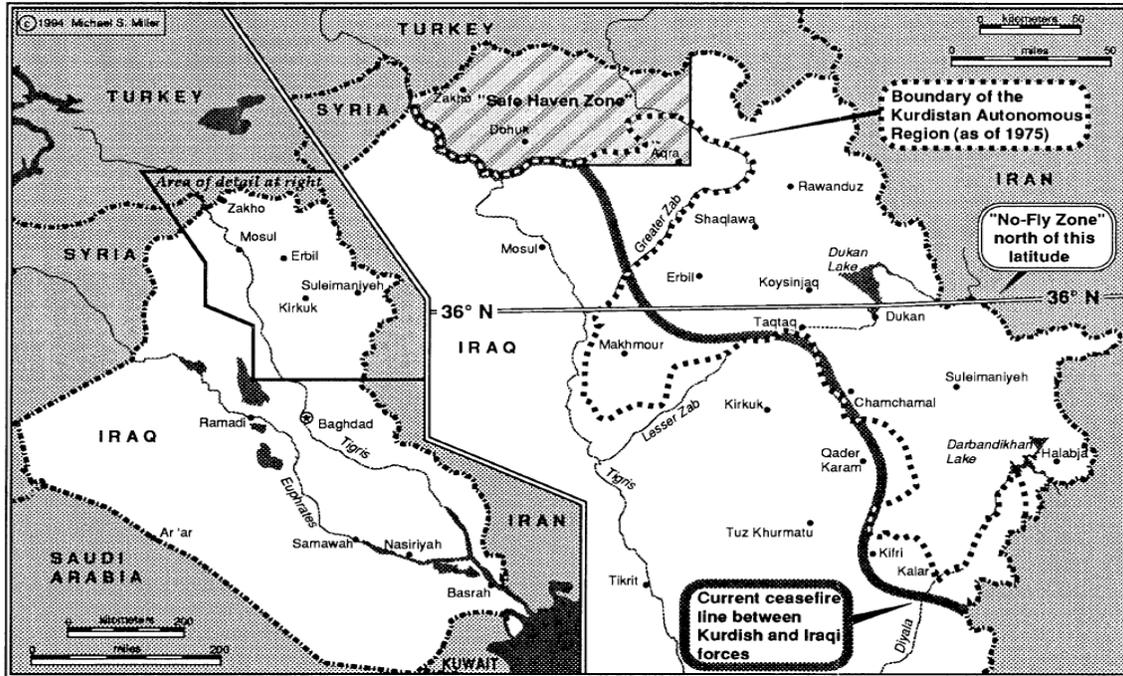
Map 9: The Safe Haven Zone (Graham-Brown 1995: 32).
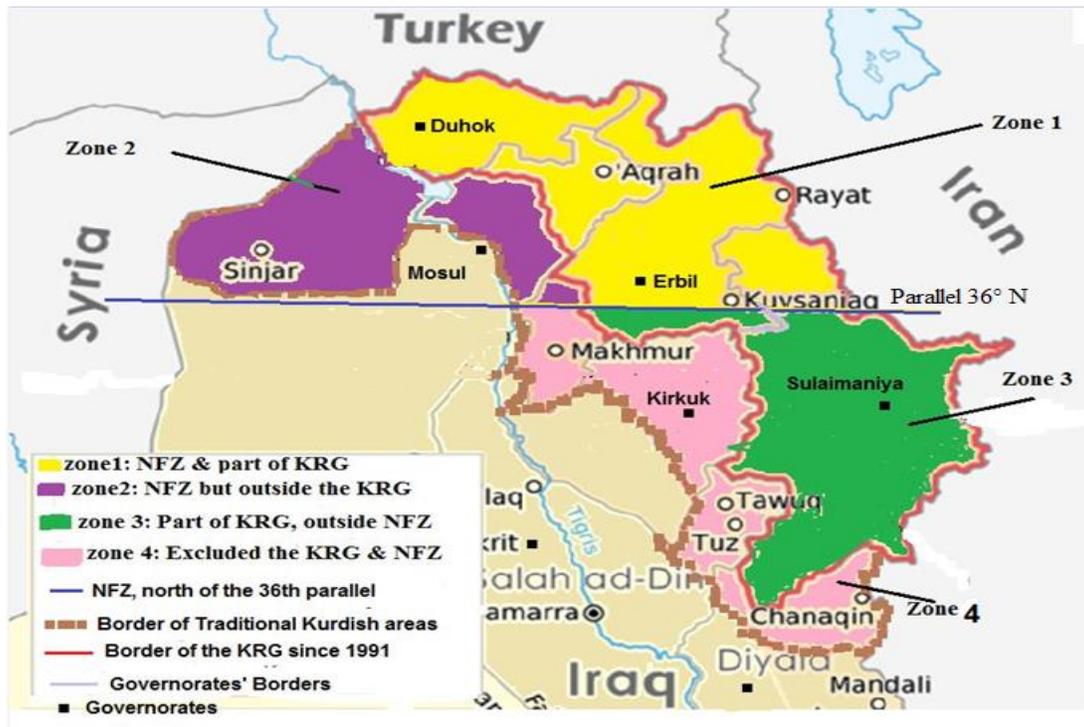
Map 10: This map shows how Iraqi Kurdistan was divided onto four zones under the NFZ. The map is derived from: *HRW* 1995; ICG 2007; (www.ehistory.osu.edu); (*Hawlati* 22/5/2011).

10.6.3. The No-Fly Zone

The NFZ was another arrangement in which the Kurdish cause was not the main concern behind the Allies' actions. First of all, if the Safe Haven had been established to entice the Kurds to return to their homes, the NFZ was established to prevent any future refugee crises. Similar to the Safe Haven, the NFZ covered most areas adjacent to the Turkish border. Other parts of Iraqi Kurdistan were excluded from the NFZ protection. Second, the NFZ caused further fragmentation and disintegration of Iraqi Kurdistan. Under the NFZ Kurdistan was divided into four zones. The first zone was an area that mostly bordered Turkey, was covered by the NFZ and was located within the KRG administration. The second zone was covered by the NFZ, but excluded from KRG rule. The third zone was administered by the KRG, but not covered by the NFZ. The fourth zone was a Kurdish area that was neither covered by the NFZ, nor administrated by the KRG (see map 10). Thus, the NFZ left out over two-thirds of Iraqi Kurdistan, which was either not protected by the Allies or not included in the KRG.

Third, the Kurds were not protected from ground aggression committed by Iraq and neighboring countries. Throughout the 1990s the Allies had not obligated themselves to keep the Turkish, Iranian and even Iraqi ground troops from the NFZ. During the 1990s Turkey managed 50 military incursions into the Kurdistan region (Bengio 1998: 310). In some of these military incursions more than 50,000 troops participated (Graham-Brown 1999: 114; Lawrence 2008: 88). Turkey had not been restrained by the Allies from attacking Kurdistan during this time. The USA usually demonstrated its 'understanding' of these incursions by offering logistical and intelligence assistance to the Turks (Bengio 1998b: 302). Iran is another country that threatened the security of the Kurdistan region, either through military attacks or other violations. In July 1996, for example, 3,000 Iranian commandos attacked Koysenjaq, hundreds of kilometres beyond its border in the Iraqi Kurdistan region (Tahiri 2007: 27). Similarly, on August 31, 1996, at the invitation of the KDP, Iraq invaded Erbil with 30,000 troops and 400 tanks (Graham-Brown 1999: 232). Though the Iraqi attack was coordinated with and in support of the KDP, it was a clear violation and threat to Kurdistan region security. Considering the Kurdistan region as an integral part of Iraq, the Allies did not prevent the economic embargo to which the zone had been subjected (Graham-Brown 1999: 121). Thus, the NFZ offered no protection from Iraq, Turkey and Iran. Nor did it offer protection from all the other forms of violence to which the zone had been subjected.

Fourth, the region was used as a base by the Allies to contain the threat of Iraq to its neighbors. Following the second Gulf War "Kurdistan remained America's only window into Saddam's secret world" (Lawrence 2008: 88). The NFZ was a useful tool designed to provide a buffer between the Iraq and

Turkey. The NFZ was also used by the USA as a base to interfere in Iraq's internal politics and to maintain pressure on Baghdad. This was evident in that the region was used to support Iraqi opposition parties. The US, for example, funded Arab deserters that fled to Kurdistan and put pressure on the Kurds to allow the Iraqi National Congress (INC) to establish bases in Kurdistan in late 1992 (Graham-Brown 1999: 116).

 Fifth, the NFZ offered an important early warning of any perceived Iraqi aggression against Kuwait and to prevent the spread of weapons of mass destruction (WMD). The US' goal was highlighted by Tommy Franks of the US Central Command, who stated that the NFZ was designed to establish:

> a continued and significant troop presence to enhance deterrence and show the United States' commitment to force Saddam to comply with sanctions and WMD inspections […and to] provide access and interaction with Gulf governments; ensure Iraq cannot easily repair and improve its anti-aircraft capabilities within the no-fly zones; and ensure the ingress and egress routes that would be necessary to prosecute an expanded war against Iraq[and to ensure that Iraq] remain sufficiently clear of sophisticated surface-to-air missile systems" (Cited in Bernard 2004: 465).

Hence, the NFZ was exploited by the Allies as a key component of their containment policy against Baghdad, and even as a potential base to overthrow the Iraqi regime. In sum, none of the goals and interests that motivated the Allies in their NFZ arrangement put the Kurdish cause and interests as the primary concern. Therefore the NFZ operation satisfies the criteria for NPC-II. Within the NFZ the UN and Allies provided no legal or formal status to Kurdish self-rule, and they denied any kind of political recognition of the KRG. This state of non-recognition left Kurdistan under constant threat from Iraq and other neighbouring states. It thus fulfils the negative patronage requirements of NPC-III. Hence, through the NFZ, the Kurds were provided another form of negative patronage.

10.6.4. Security Council Resolution 986 and the Oil for Food Program (OFFP)

The Kurds enjoyed benefits, prosperity and special treatment from SCR986 and the OFFP. However, they offer more examples of the greater powers' negative patronage of the Kurdistan region. Several pieces of evidence demonstrate that the OFFP was designed to assure the territorial integrity of Iraq, rather than to provide long-term provisions for the survival of the Kurdish quasi-state. First, as mentioned, throughout the period in question, international sanctions were placed on the Kurdistan region as part of the UN sanction against Iraq to contain Saddam's regime. Despite the Kurdistan region being outside of Iraq's control, the UN refused to lift sanctions on the Kurdistan region, justifying that such a move would encourage the secessionist aspirations of the region (Graham-Brown 1999: 72). Second, as explained

above, the UN took full charge of the OFFP in Kurdistan, while leaving Iraq to administer the program for the rest of Iraq. The UN, however, "excluded the KRG from decision-making or implementation processes" (Natali 2010: 70). This meant that "the overall [OFFP] program in the north remained in the control of UN-Baghdad and not the KRG" (Natali 2010: 61).

There are two implications of the OFFP. First, by denying KRG from participation in the decision-making process of OFFP projects, the UN undermined the internal sovereignty of the UKQ-II and limited its self-sufficiency. Second, by depriving the KRG from decision-making while offering Iraq such rights, the OFFP practically proved its dedication to the one-Iraq policy. Hence, the manner in which the OFFP was handled was clear evidence that the UN was more interested in the unity of Iraq than the Kurds and KRG interests. Therefore, the OFFP satisfies the negative patronage criteria of NPC-II. Moreover, the scope of the OFFP did not offer support and recognition to an independent Kurdish state. Therefore, the OFFP satisfies the criteria of NPC-III making the OFFP another form of negative patronage.

In sum, none of the UN and Allied programs, namely, SCR688, the INGOs, the Safe Haven, the NFZ and the OFFP was motivated by sympathy for the Kurdish plight, and certainly not with concerns involving Kurdish ethnicity and identity. The independent state of Kurdistan simply was not supported. Such a hypothetical state posed a threat to the status quo and would promote instability in the region, so it was thought. These programs were designed to promote 'one-Iraq' while protecting the interests and stability of the regional governments, particularly Turkey. The UN and Allies provided a degree of patronage to the UKQ-II that aided its survival. At the same time, however, they denied the UKQ-II recognition and prevented it from attaining independence. Hence, the UN and Allies' patronage can be considered as negative.

10.7. Iraq (1991-2003): A recognised Quasi-state

During the period under investigation, Iraq satisfied all criteria of the recognised quasi-state (RQC). The first criterion was a state that violated, instead of imposed, the rule of law and threatened some of its citizens (RQC-I). Three examples demonstrate how Iraq violated its own laws and threatened the Kurdish population. The first was the indiscriminate bombardment against civilians during the uprising of 1991 that led to the mass exodus that resulted in the death of 20,000 civilians (Hooglund 1991: 3; Ofteringer and Bäcker 1994: 40-45). The second was the deportation of Kurds from areas outside of the disputed areas. It is estimated that, during 1991 to 2003, as part of the Arabisation and de-Kurdification processes in the disputed areas, over 120,000 Kurds were deported. Their properties and farms were confiscated by the government and given to Arabs that had been imported from southern Iraq and resettled to these areas

(HRW 2003: 2). This process was a clear violation of Article 19-a of the *Interim Constitution of Iraq* (1990) that was enacted during this period. The article promulgated the principle that "citizens are equal before the law, without discrimination because of sex, blood, language, social origin, or religion". The third example of the violation of Iraqi rules and laws that threatened the population was the internal embargo that was imposed by Iraq on the Kurdistan region from 1991 to 2003. Thus, the extent of Iraq's violation of its own laws and rules, as well as the Iraqi threat to the Kurds, based on their ethnic background, satisfy the criteria of RQC-I.

Iraq also satisfied the second criterion (RQC-II). Since 1991, Iraq had lost control over three governorates of Kurdistan, known officially as the Kurdistan region. The third criterion (RQC-III) is the condition in which a state seeks external patronage from a stronger state because it is incapable of confronting and conquering its separatist region. Iraq apparently did not seek external support to challenge UKQ-II because it was too weak. Unlike the UKQ-I, where Iraq perpetrated five major wars on the Kurdistan region between 1991 and 2003 in hopes of recapturing it, there was not one single such attempt. Another reason behind Iraq's reluctance to seek outside support was its isolation, both regionally and internationally. Hence, though Iraq did not seek outside support, this criterion is still compatible with Iraq's circumstance. The fact is that Iraq was weak and isolated; it was not strong nor was it integrated with regional and international powers. It simply lacked superior strength.

The fourth criterion of the recognised quasi-state (RQC-IV) is a state that suffers the violation of its sovereignty from external powers. Iraq's sovereignty was violated in many areas by the UN and the Allies. First, SCR688 legitimised the international community's interference in Iraq's internal affairs and the subsequent establishment of INGOs in the Kurdistan region. This state of affairs clearly compromised Iraq's sovereignty. Second, the creation of the Safe Haven, the expulsion of Iraqi forces from the areas, and the deployment of thousands of Allied troops were other violations of Iraq's sovereignty. Third, the creation of the NFZ, the control of the Iraqi air space by the Allied air forces, and the prevention of Iraq from flying over a significant part of the Kurdistan region were other significant violations of Iraq's sovereignty. In the period in question Iraq faced another Safe Haven in the southern region, south of the 32nd parallel. Fifth, Iraq was subjugated to comprehensive international sanctions. Hence, Iraq satisfied all RQC criteria and therefore was clearly a recognised quasi-state during the period in question. The existence of two quasi-states, the UKQ-II and the Iraqi RQ, side-by-side within the same internationally recognised country, means that Iraq was a country of two quasi-states.

10.8.   Conclusion

Following the withdrawal of the central government from the Kurdistan region in the autumn of 1991, the Kurdish parliament (KNA) and the regional government (KRG) were founded. The KRG satisfied all criteria to identify as an unrecognised quasi-state. First, facing both internal and external challenges, Iraq suffered many weaknesses and experienced unprecedented cleavage among the Sunni and Shia Arab communities. It also lost international support and was subjugated to international sanctions, external military interventions and dozens of Security Council Resolutions. The KRG satisfied the weak parent state criteria (UQC-III) in that Baghdad failed to recapture the Kurdistan region during the period in question. Neither did Baghdad even attempt to recapture it. Second, with some hundred thousand fighters the Kurdistan region became militarised. The KRG had enough military strength to keep Iraq at bay; therefore it met the militarisation criterion UQC-II. Third, the KRG engaged in a relatively successful nation-building process. To craft a separate national identity in Kurdistan, the KRG adopted a Kurdish national flag, anthem and holidays and re-Kurdified the educational system. The KRG also developed a sense of a unified past, common memory, collective destiny, and a shared culture. Thus, the symbolic nation building criteria (UQC-I) was another that the KRG satisfied.

Fourth, the external patronage criterion was also satisfied by the KRG. The UN, the Allies, and the INGOs acted as external patrons of the Kurds, facilitated by the legal framework of SCR688. The international community thus intervened in the Iraqi-Kurdish conflict in favour of the Kurds. Within the provisions of SCR688, tens of the INGOs entered Kurdistan; the Safe Haven was created by the Allies; and the NFZ was founded. The INGOs provided financial support, the Safe Haven offered military protection, and the NFZ protected the KRG from possible Iraqi air assault. Fifth, SCR986 and the OFFP consolidated economic independence, encouraged political stability and reinforced the separatist and independent status of the KRG. Through different forms of patronage, including SCR688, the INGOs, the Safe Haven, the NFZ, SCR986 and the OFFP, the KRG was physically protected and financially and politically supported. Therefore, the UN and Allied support satisfied the external patronage criteria of UQC-IV. In sum, the KRG fulfilled all criteria necessary to be classified as an Unrecognised Quasi State: the KRG exercised symbolic nation building enterprises (UQC-I); Kurdish society had been militarised (UQC-II); Iraq as a parent state was too weak to recapture the region (UQC-III); and finally the KRG was supported by external patrons (UQC-IV). Thus, from 1991 to 2003 the experienced their second unrecognised Kurdish quasi-state (UKQ -II).

One main weakness of UKQ-II, however, was the state of negative patronage. The support and patronage that was provided by the UN and the Allies fulfilled all criteria of negative patronage (NPC). Because no Kurdish state had yet been established anywhere in the world, and no country belonging to the UN, the Allies, or represented by the INGOS shared the ethnic or cultural identity of the Kurds, all of these parties satisfied the NPC-I. Moreover, the UN and Allies were motivated by the need to keep international peace and security in the region, rather than to protect the UKQ-II in their support and patronage for the Kurds. The Kurdish cause simply was not in the forefront of the international communities' or the Allies' minds when they designed the policies that appeared to protect the Kurds. Hence, all forms of the UN and Allies patronage to the Kurds in this period satisfied the NPC-II. Furthermore, none of the 'protectors' of the Kurds perceived or imagined the reality of any future Kurdish state; nor did they intend to redraw the Middle Eastern map to make it compatible with their interests in the region. Neither the UN nor the Allies were willing to provide any long-lasting political recognition of the KRG, let alone an independent Kurdish state. Therefore, the external patronage in this period meets the NPC-III criteria. Thus, the UN and Allies fulfill all criteria of negative patronage (NPC). Lacking a reliable and positive patron to support, protect and recognise them was the Kurds' Achilles' heel. Negative patronage was the main reason behind the UKQ-II failure to develop into a fully independent state and it is the reason they chose to rejoin Iraq in 2003.

During the period in question, Iraq fell into the quasi-state category, though, a recognised one. Iraq fulfilled all four criteria of recognised quasi-states (RQC). First, Iraq met the RQC-I criteria by violating Iraqi and international laws and rules in its abuse of the Kurds. Second, Iraq satisfied the RQC-II, because it lost control over a significant part of Iraqi Kurdistan. Third, Iraq fulfilled the RQC-III criteria due to its failure to manage war campaigns as it did during the UKQ-I. Furthermore, because of its isolation, Iraq failed to find an outside alliance to help it fight against the UKQ-II. Fourth, Iraq experienced the presence of foreign military forces on its soil during the Safe Haven, the NFZ, and international sanctions, thus meeting the RQC-IV criteria. Therefore, when putting all criteria together, Iraq may be classified as a quasi-state. From 1991 to 2003 Iraq was a country of two quasi-states: the UKQ-II and the recognised Iraqi quasi-state.

Chapter Eleven

11. The Third Unrecognised Kurdish Quasi-state (UKQ -III) after the 2003 Invasion

This chapter focuses on the Kurdistan Regional Government (KRG) after the 2003 invasion of Iraq. After the US occupation in 2003 the KRG rejoined Iraq. The question is whether this process terminated the UKQ–II or whether it commenced a new phase of the pre-existing Kurdish quasi-state. The question is approached by examining the status of the KRG in light of the four unrecognised quasi-state criteria (UQC). The criteria involved in nation building is examined (UQC-I) before focusing on the militarisation process in the Kurdistan region (UQC-II). The status of Iraq as a weak parent state of the KRG is briefly discussed (UQC-III), followed by a discussion of patronage of the quasi-state (UQC-IV). After 1961, negative patronage is the weakest point in the Kurds' successive periods of *de facto* self-rule. This chapter traces the Kurds' approach to the patronage issue after the invasion of Iraq (PII). The Kurds' use of oil as a mechanism by which to achieve positive patronage is then highlighted. This chapter also examines Iraq during Kurdistan's PII stage beginning with the recognised quasi-state criteria (RQC). Iraq's reconfiguration during the three phases of the US occupation is scrutinised. The impact of the treaties and agreements between Iraq and the US as they impacted the sovereignty of Iraq is also examined.

11.1. Termination of UKQ-II or a New Phase of the Kurdish Quasi-state?

Following the US invasion, KRG officials, such as Jalal Talabani, Masud Barzani, and Barham Salih, declared their voluntary reunion with Iraq and seemed satisfied with the federalism arrangement (Talabani, Q. 2005; Barzani 2003b, 2008; Salih 2006; Fayad 2006; Kirishan 2008). Federalism apparently became the dominant theme in Kurdish official party media and the Kurds actively participated in the reconstruction of the Iraqi state. Article 117 of the Iraqi Constitution recognised the legitimacy of the KRG in a federal Iraq. Existing legislation and decrees promulgated by the KRG Parliament were formally recognised in Article 141 of Iraq's permanent constitution which also favoured the KRG with revenues (Articles 106 and 121). The new Iraqi state was rebuilt on the basis of consensus, parliamentary power-sharing and federalism. Articles 110, 111, 112, 113, 114, and 115 ratified the authority of both the KRG government and the central government (*Iraqi Constitution* 2005*)*.

In addition to the power sharing arrangement in some fields of authority by Baghdad and Erbil, pertinent exclusive rights were allocated to each side with the central government apportioning a degree of its sovereignty to the KRG. Since 2003 the KRG has generally portrayed itself as a *de jure* "federal region within Iraq" (see *The Draft of the Constitution of the Kurdistan Region* 2009). Many scholars on the

Kurdish issue have argued that since 2003, the KRG has compromised its independent status by becoming an integral part of a federal Iraq (Brancati 2004: 11-12; Galbraith 2006: 169; Gunter 2008: 20-22; Natali 2010: 110). Based on this argument one might argue that Iraq was transformed from a unitary state into a federal one, and the Kurdish quasi-state was terminated by rejoining Iraq.

From the Kurdish perspective, however, reunification was interpreted to mean that they would not compromise their *de facto* independence. After the invasion of Iraq, Kurdish leaders such as Nechirvan Barzani and Qubad Talabani insisted that they would not accept less than their existing situation (Talabani, Q 2005; Barzani, N 2010). The Kurdish version of 'reunification' was clearly reflected in the Iraqi Constitution. Article 117 stipulated that "this Constitution, upon coming into force, shall recognise the region of Kurdistan, along with its existing authorities, as a federal region". Article 121 authorised that "the regional government shall be responsible for all the administrative requirements of the region". The article also emphasised that "the regional powers shall have the right to exercise executive, legislative, and judicial powers in accordance with this Constitution". Article 141 stipulated that:

> Legislation enacted in the region of Kurdistan since 1992 shall remain in force, and decisions
> issued by the government of the region of Kurdistan, including court decisions and contracts, shall
> be considered valid (*Iraqi Constitution* 2005).

Thus, the KRG parliament, armed forces, the Kurdistan Region's *de facto* border with Iraq, rules and legislation, treaties and external relations all remained intact. Reunification did not diminish KRG status or its internal sovereignty. In addition to attaining legal status, the KRG reserved and further consolidated its *de facto* rule in the Kurdistan Region. KRG legal status during PII provided new opportunities for the Iraqi Kurds to nation-build. As explained in Chapter Ten, the second Kurdish quasi-state (UKQ -II) suffered many weaknesses. To guide the analysis of the KRG's status during the PII, the four criteria that determine quasi-state status will be applied.

11.2. The First Criterion (UQC-I): Nation-building

Chapter 10 focused on the nation- and state-building processes significant to the second Kurdish quasi-state (KUQ-II) during 1991-2003. Though the nation-building process was unsuccessful and therefore unable to transform the KRG into a recognised independent state, they progressed sufficiently to prevent the evolution of the Kurdistan region into PII, despite its official reunification with Iraq. Instead of integrating into the Iraqi state, the Kurds used the legal status that they had acquired after the invasion to

accomplish the mission that began in 1991. In fact, after the invasion the KRG engaged wholeheartedly in comprehensive nation-building.

Emphasising a common external enemy is a useful tactic for the nation-building process and a powerful motivator for national unification. Ironically, despite the Kurds' representatives in Baghdad and the formal recognition of the KRG by Iraq, the latter is portrayed in the Kurdish media and in official discourse as a 'common external enemy'. For example, KRG President Masud Barzani has emphasised that "our fear is the mentality [of Iraqi rulers] that still believe in using planes, artillery and tanks to solve problems" (Barzani 2012). He regards the Iraqi army "as an extension of the dictatorial Baathist army that destroyed Kurdistan and destroyed Iraq" (Barzani 2008). In 2009, Speaker of the Kurdish Parliament Kamal Kirkuki called Shia Prime Minister of Iraq, Nuri Maliki a "second Saddam" (*Asharqalawsat* 17/2/2009).

Rewriting history is another task of the nation-building process. A fourth grade textbook called *Social Education*, provides an example of the extent of rewriting history in the Kurdistan region. On the cover page are seven photos representing 'Kurdistani' civilisation from the dawn of time to the present day (see Figure 6). One photo of the Shanadari Cave, where the remains of the Neanderthal were found, represents the pre-historic era. Other photos show two old castles believed to have been built several thousand years BC. Other photos show the Kurdish tragedies under Iraqi rule including the chemical bombardment of Halabja in 1988 and the Kurdish exodus of 1991. The last two photos show the progress that the Kurdistan region made after 1991 under self-rule. Finally, as a symbol of Kurdistan's internal sovereignty, the KRG emblem was printed at the top. However, there is no symbol or photo on the cover page to indicate that the Kurdistan region is part of Iraq. Another example that demonstrates the rewriting of history appears on a level 12 history textbook. Its cover shows two photos of the map of greater Kurdistan and the emblem of the KRG Council of Ministry (see Figure 6). Again, no symbol or photo of Iraq appears on the cover of the textbook. This avoidance of association with Iraq can be found on all textbooks printed after 2003 in the Kurdistan region. Thus, textbooks, present a prime example of the nation-building process and the development of a common national identity—to the exclusion of Iraq.

Courses in KRG universities offer other examples of rewriting history. Of 34 subjects, for example, offered in the history department of the University of Sulaimaniya, only two related to Iraq. One is dedicated to Iraqi history and the other to the history of Iraq and Iran. 'The history of modern Iraq,' for third-year history students, demonstrates how Iraq's history was rewritten from the Kurdish perspective. Three of six references used for this course are Kurdish; one was European, and two were from Iraqi-

Arab historians (*University of Sulaimani* 2012). The two Arab historians whose works were used in the University program are known for their critical analyses of Iraqi history and society. One of the historians, Ali al-Wardi's work, emphasis the failure of nation-building process and undermines the status of Iraqi people as a nation (e.g., al-Wardi 1994).

Establishing national universities was another post-invasion area of nation-building for the Kurdistan region. In 1991 there was only one university, the University of Salahaddin. By 2012, however, there were ten universities established in different areas of the Kurdistan region (*Ministry of Higher Education and Scientific Research 2012*). Establishing new universities reflected a clear departure from the Iraqi education system because Baghdad had no say in the Kurdish educational system and university policies in the Kurdistan region. Funding, devising programs, writing textbooks and the choice of language to study was solely the responsibility of Kurdistan region education officials. Kurdistan enjoyed self-sufficiency in terms of establishing ten universities. Students from the Kurdistan region did not enter Iraqi universities and vice-versa. Opening universities that were limited to students from the Kurdistan region created feelings of solidarity and provided a common identity in terms of educational purpose. Courses and programs offered within Kurdistan region universities were mostly 'Kurdified' (University of Sulaimaniya 2012b). Another importance of the universities was their role in the nation-building process. They promoted the study of the Kurdish language and culture and educated generations that could not speak or write Arabic. Thus, universities were an important area of nation-building. The importance of universities also lies in the fact that they represent the intellectual and the official face of society.
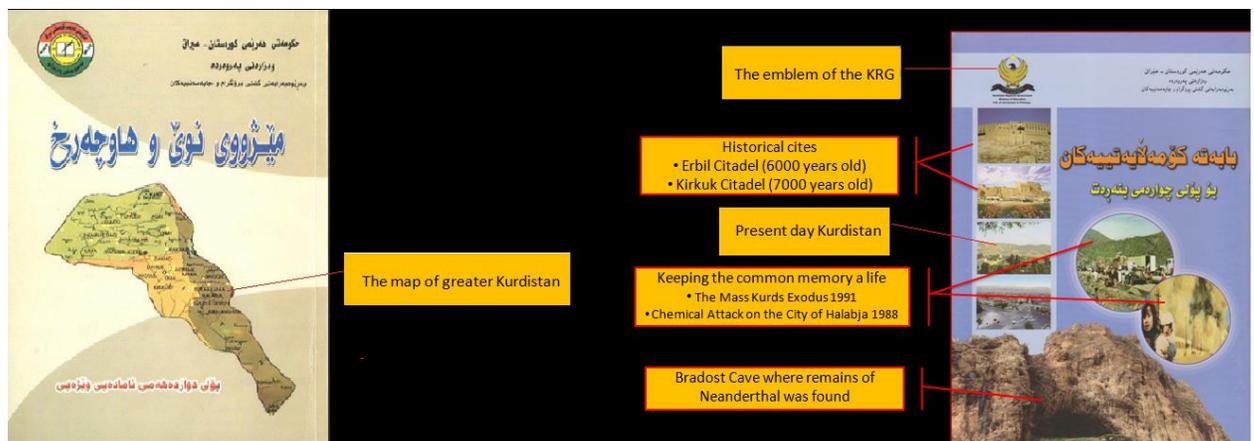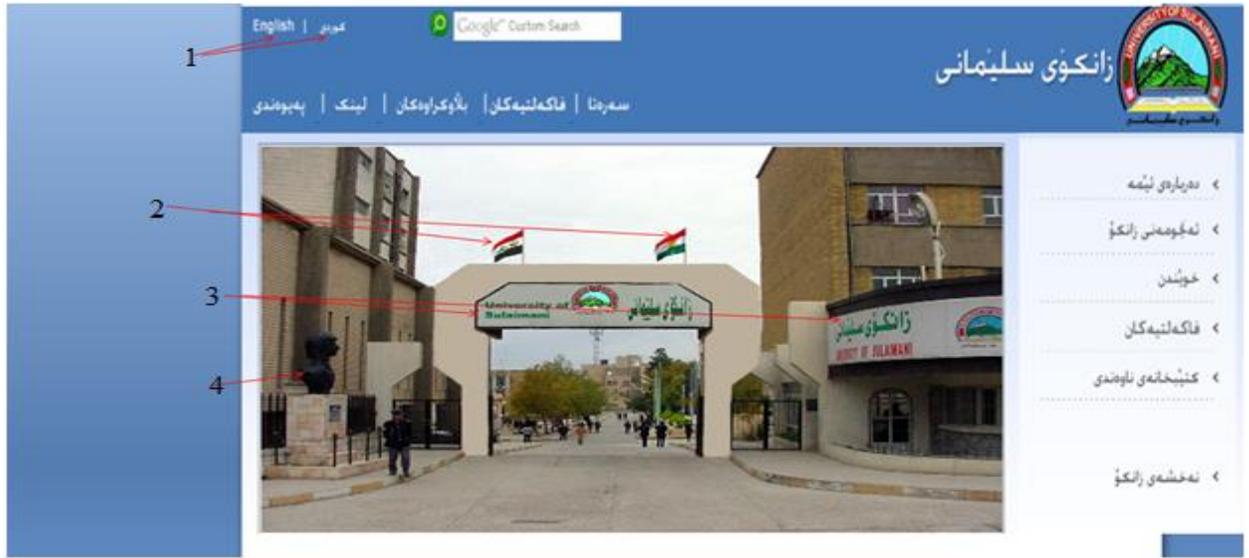

Figure 6: KRG Textbooks. Left: the cover page of the fourth grade textbook, *Social Education*, in KRG schools. Right: the cover page of the textbook, KRG-ME 2008, *Modern and Contemporary History*, for level 12 of KRG schools (KRG-ME 2008).

Figure 7: The main entrance to the University of Sulaimaniya. Numbers on the figures represent: 1-
Kurdish and English are only languages of the website; 2- Kurdish and Iraqi flags; 3- the signboard is
written only in Kurdish and English; 4- a status of a Kurdish 'martyr' killed by Iraq. Source: the official
website of the University of Sulaimaniya 2012.

Figure 7, depicting the entryway to the University of Sulaimaniya, shows the extent of the nation-building
process in Kurdistan. First, it shows the Kurdification of the educational system in the Kurdistan region.
As the figure indicates, the signboard is written only in Kurdish and English. The absence of Arabic is
blatant in the official websites of the Kurdistan region universities. Five of seven major universities in the
Kurdistan region use Kurdish as their main language next to English on their official websites. Only two
of them use the Arabic language, next to Kurdish and English, on their official websites: the University of
Raparin and the University of Duhok. Ironically, the University of Duhok does not offer courses in the
Arabic language and there are no Arabic departments as there are English and Kurdish departments
(University Raparin 2012: University of Duhok 2011).

Second, symbols, placards and banners appearing on the entrance of the university exemplify how the
common national identity developed among the people of the Kurdistan region. The University displayed
Kurdistan region emblems thus demonstrating how the nation-building process took place in the KRG. A
nation's flag is a predominant symbol of nation building. Since the 1990s the KRG has officially adopted
its own national (Kurdistani) flag, National Day (Newroz), and national emblem. Article 11 of the *Draft
Constitution of the Kurdistan Region* (2009) reemphasised and constitutionalised these important symbols
of PII. The Iraqi flag was mostly replaced by the Kurdistani flag and draped throughout the Kurdistan
region. There are a few exceptions, such as Parliament and the Council of Ministries, where the Iraqi and

Kurdistani flags hang side-by-side. In lower institutions, however, the Iraqi flag is rarely flown. In the entrance of the University of Sulaimaniya both the Iraqi and Kurdistani flags are raised. Figures 8; 9; 10; and 11 show the Kurdistani flag without the Iraqi flag in the Kurdistani armed forces and public events. Another important nation-building enterprise is the construction of war memorials. Throughout Kurdistan the names of Kurdish heros and martyrs are put on the streets, stadia and buildings in the suburbs. At the entrance of the University of Sulaimaniya, for example, one can find a statue of a student leader that was executed by Iraq in the late 1970s (Figure 7). Thus, the extent of Kurdistan region nation-building processes meets the first criterion by which to classify the separatist KRG as a quasi-state (UQC-I).

Figure 8: The peshmerga forces in military uniform with the Kurdish flag. At a base in Qara Henjir in Kirkuk Province (disputed area), a group of peshmerga are in formation for military training (left) [photo by *Rudaw*]. Soldiers at a peshmerga base in the KRG (right) [photo from *Awene Newspaper*].

Figure 10: The Kurdistan National Team with the Kurdish flag on uniforms preparing for the VIVA game in the National Stadium in Kurdistan. Source: Niha. Kurdistan and Cyprus in their final game (NIHA 2012).

Figure 9: The Kurdish flag at an anti-corruption rally on Kurdish national day (*Newroz*) in Kurdistan (Hawlati 22/03/2011).

Figure 11: The Parliament of Kurdistan where the Kurdish flag flies side-by-side with the flags of other nations including Turkey, Iraq, the EU, Sweden and the US.

11.3.   The Second Criterion (UQC-II): The Militarisation of Kurdish Society

Chapter Ten pointed out that between 1991 and 2003 the Kurdistan region was a militarised society. However, the trend toward militarisation increased during PII for several reasons. One reason is that Iraq

recognised the KRG's right to to maintain its own armed forces, including police and regional guards or peshmerga. Following the US invasion and the collapse of Iraq's armed forces, the peshmerga was the only organised armed forces in the PII. Baghdad not only failed to abandon these forces or integrate them into the Iraqi armed forces, but succeeding Iraqi rulers gave legal recognition to these *de facto* forces. Article 54(A) of the *Law of Administration for the State of Iraq for the Transitional Period* [Iraq] (2004) (2004) stipulated that "the Kurdistan Regional Government shall retain regional control over police forces and internal security".[43] Article 121 of the *Iraqi Constitution* (2005) recognised the KRG right to establish and organise internal security forces "such as police, security forces, and guards of the region". Thus the government of Iraq recognised the legality of the peshmerga. The Coalition Provisional Authority (CPA) tacitly recognised the status of the peshmerga. Order no. 2 of the CPA (2003e) formally abolished the Iraqi army and its defence system. Contrary to their deal with the Iraqi armed forces, the peshmerga forces remained intact. The peshmerga, by contrast, was credited as part of the coalition forces. As ex-speaker of Kurdistan Parliament Jawhar N. Salim, explained, in the first year of invasion the KRG armed forces including the peshmerga, police, *Asayish* and intelligence services, numbered around 100,000 troops (Salim 2008: 74).

Another reason is that the KRG focused on the institutionalisation and constitutionalisation of the peshmerga. The Kurdistan region parliament issued laws and regulations to institutionalise and legalise the peshmerga forces. Law no. 19, for example, stipulates that the peshmerga:

> Protects and guards the Kurdistan region and defends it and ensures its national interests and nationalism…Protection of the political entity of the region and the system of democratic rule and to defend its constitutional institutions (*Waqai' Kurdistan* 15/8/2007).

The law stipulated that the peshmerga was an independent army that was administered by the Ministry of Peshmerga. Unlike the Iraqi army for which the Iraqi Prime Minister was commander in chief, the Kurdistan region armed forces were under the command of the President of the KRG.

Furthermoe, the Kurdish armed forces were unified in PII, whereas previously they lacked a unified body and command due to the Kurdish civil war in the 1990s and the division of the KRG into two (KDP and PUK) rival administrations. Recognition of the Kurdish armed forces by the Iraq constitution gave the

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43 The law was also called *Iraqi Transitional Administrative Law* (TAL), it was Iraq's provisional constitutionfollowing the US invasion 2003.

KRG the financial resources and power to maintain and develop their armed forces. The Iraqi revenue sharing law increased the status of the KRG at the expense of the political parties' status because now the KRG replaced the PUK and KDP in administering the peshmerga. Hence, the new environment helped the KRG to reunify the peshmerga and other armed forces. A unified Ministry of Peshmerga and Ministry of Interior were established in 1992 thereby replacing those previously set up by the KDP and the PUK in their respective regions (Aziz 2010: 51).

Moreover The peshmerga forces had access to the Kurdish areas outside the KRG and this provided thousands of new recruits. The Kurds participated in the coalition-led invasion against Iraq. The US ground forces' participation in the northern front was mostly symbolic and the peshmerga worked with them to defeat the Iraqi military there (Lortz 2005: 68; Andres 2006: 395-396). The peshmerga advanced into Kurdish cities, towns and villages that were previously outside KRG rule and under Iraq's rule. Within a few days they 'occupied' Kirkuk city. The disputed areas, where the Kurds were a majority of the population, covered 40,000 square kilometers, almost the same size of the Kurdistan region (O'Leary 2002: 4). The area had a population of two million, about one-half of the KRG population. Thus, peshmerga access to these areas added a logistical depth, a new source of manpower and additional areas of influence to peshmerga forces.

Moreover, the peshmerga had access to the weaponry of the defeated Iraqi army in PII. The peshmergas directly and openly participated in the battle against Iraq at the request and support of the Allies. In fact the peshmerga were the only significant force inside Iraq to participate in war against Saddam's regime during the invasion of Iraq. The unprecedented opportunity to access the defeated army's weaponry gave the peshmerga hundreds, if not thousands, of the collapsed Iraq army's tanks and artillery (Allawi 2007: 140; Loney 2011).[44] Thus, the seizure of large amounts of sophisticated Iraqi weaponry further facilitated the militarisation process and enhanced the peshmargas' military capability.

The Coalition Authorities provided logistical support and training to the peshmergas. In the first years of occupation, Iraq had no viable military forces of its own. The US occupation faced staunch resistance by many Iraqi militia groups. The peshmergas emerged as ideal 'native' or indigenous forces to confront the insurgents. Not only the Americans, but also the new rulers of Iraq appealed to the peshmergas to impose

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44 According to Loney (2011), "About 4,000 tanks left by the former Iraqi army in the streets and cities disappeared, and our investigations indicate that the Kurds have most of them".

order in Baghdad and many other Iraqi cities (*KRG* 2008). This encouraged the US to provide logistical support and training to the peshmerga (*KRP* 2012).[45]

In addition, while the Kurds initially participated in rebuilding the Iraqi army, the Iraqi government failed to recruit ordinary Kurds into the Iraqi armed forces. Masud Barzani, the president of the KRG, emphasised that the Kurds were one of the founders of the new Iraqi state and the first three brigades of Iraq's army in PII were founded by peshmerga (Kirishan 2008; *Khabat* 04/04/2010). Despite that, as the Kurdistan Regional Presidency explains, the Kurds' participation and proportion in the army was four percent and of 407 officers in the defence directorate, only two of them were Kurdish (*KRP* 2012). As their percentage of the overall Iraq population was estimated at 17-20 percent, the Kurds were practically absent in the sensitive security institutions in Baghdad. This is despite the fact that a significant proportion of the Kurds lived outside the KRG under direct Iraqi rule. Probably more than one-third of the total Kurdish population in Iraq lived either in disputed areas or other mixed areas like Baghdad, Mosul and Dyala. This meant that the population of these areas has little desire to participate in the Iraqi army or the Iraqi rulers did not want them in the national army. The situation provided the KRG an ideal opportunity to monopolise the recruitment of the Kurds inside and outside the KRG.

Finally, having the revenue sharing program with Baghdad, the KRG was able to promote its own defence system. Some 24 percent of the total KRG budget in 2011 was dedicated to the armed forces (Kamaran 2011). The total KRG budget for that year was estimated at around $11 billion USD (ICG 2012). Thus, 2.5 billion USD was dedicated to the armed forces. This caused a dramatic increase in the number of peshmerga recruits. In February 2011 Jaf'ar Mustafa, the Ministerof Peshmerga, announced that the KRG has 200,000 peshmerga (*Sokesman* 2011*)*). Since the population of the Kurdistan region is estimated at around four million, this meant that there was a peshmerga soldier for every 20 inhabitants. Thus, the Kurdistan region during PII may be considered as one of the most militarised societies in the region. During PII the peshmerga and Kurdish armed forces was consolidated into a capable fighting force by regional standards. The process of militarisation process in Kurdistan satisfied the second criterion (UQC-II) for classifying a separatist region as an unrecognised quasi-state (UQ).

11.4.   The Third Criterion (UQC-III): Iraq as a Weak Parent State

When the US invaded Iraq, the country lost both internal and external sovereignty. The PII period may easily be considered as the weakest Iraqi era since the founding of the Iraqi state. For the first time since

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45 'KRP' stands for Kurdistan Regional Presidency which is headed by KRG President Masud Barzani.

the 1920s the Kurds dealt with an occupied and disarmed Iraq. After the invasion, Iraq experienced wholesale collapse. The country was left in chaos as the Shia and Sunni conflicts that were deeply rooted in Islamic history intensified. Shia and Sunni radicals carried out ethnic cleansing campaigns against each other based on identity alone (Simon 2008: 64; Biddle et al. 2008: 43). Furthermore**,** the new Iraqi rulers failed to regain or re-impose their authority or to redeploy the Iraqi army in Kurdistan. Article 65 of *The Draft Constitution of the Kurdistan Region* (2009) stipulated that the Iraqi army was not allowed access to Kurdistan without the Kurdistan Parliament's permission. The US did not establish military bases in the Kurdistan region and only Kurdish armed forces were operating to control Kurdistan (KRG 2008). This state of affairs created an unprecedented imbalance of power. Hence, Iraq may be considered as a weak parent state that qualifies the KRG to have satisfied the third criterion for unrecognised quasi-states (UQC-III).

11.5. The Fourth Criterion (UQC-IV): External Patronage

During PII the Kurdistan region received significant external patronage, particularly from the USA. As part of the patron-client relationship that was established after 1991, the US followed a separate policy during PII in the Kurdistan region. For example, the KRG was exempted from occupation; the US did not establish bases in Kurdistan and the KRG; and its institutions and armed forces remained intact (*KRP* 2012; *KRG* 2008). The USA used the peshmerga as part of its northern front in return for financial assistance, weapons and military training for the Kurds. Moreover, the US offered Kurdistan protection from any Turkish, Iranian or even Iraqi invasions. In 2007 Turkey threatened the KRG with military operations in the Kurdistan region and they even crossed the border into Kurdistan. Under pressure from the US, however, Turkey terminated its military operation (Tran 2008). Similarly, in 2008, during the standoff between the KRG and Baghdad, the US military immediately interfered (Shadid 2009; Cockburn 2009; Martini et al. 2011: 6). Kurdish leaders were provided moral and diplomatic support as well. The president of the KRG was welcomed to Washington, D.C. as head of state. The US extent of support and patronage to the Kurds therefore satisfied the fourth criterion of the unrecognised quasi-state (UQC-IV).

11.6. Kurdish Strategy to Find Positive Patronage during and after the Invasion

As explained in previous chapters, negative patronage had been the Kurds' Achilles's heel during the phases of the first and second unrecognised Kurdish quasi-states. Though negative patronage provided the Kurds enough support to survive, the support was insufficient to guarantee development into a recognised quasi-state. No state provided sufficient support to the Kurds to satisfy the criteria of positive patronage.

The Kurds' key strategy during PII focused on finding alternatives to negative patronage. Such a strategy must be built on at least three considerations: the need to create a self-reliant economy; the creation of long-term interests for potential patron states through a policy of support in exchange for oil; and the transformation of the KRG from the periphery to an emerging regional oil power.

11.6.1. From Financial Dependency on External Patrons to Revenue Sharing with Baghdad

Traditionally, the lack of a viable and independent economy has been a fundamental weakness of Kurdish quasi-states due to the fact that they posed a financial burden on any potential patron state. The chronic economic dependency, backwardness, isolation, and marginalisation of Kurdish society underlined the failure of previous Kurdish quasi-states. The situation was exacerbated by frequent international and internal embargos on Kurdistan. Consequently, Kurdish society remained under-developed, without integrity, and politically dependent. Its very survival was continually in question. During the 1990s the KRG relied on an economy based on smuggling and external aid (Romano 2004: 160; Park 2004: 20). This financial dependence was replaced by the Oil for Food Program (OFFP) in 1996. Following the invasion of Iraq, however, the KRG shifted its economic base from an economy based on smuggling and external aid to a revenue sharing economy with Baghdad. After 2003, 17 percent of the total Iraqi national budget was dedicated to the KRG. The net yearly budget allocated to the KRG since 2008 has ranged from $8 to $11 billion USD. In 2008 the KRG received about $8 billion from Baghdad, and in 2012 it received $11 billion of Iraq's $100 billion national budget. This represents 12.39 and 11.67 percent of the total Iraqi budget for those years respectively (*ICG* 2012). This revenue sharing source of income constituted approximately 95 percent of the total KRG budget (Natali 2010: 119). Thus, by 2012 the revenue sharing plan resulted in the KRG budget increasing sevenfold, from $1.5 billion USD to $11 billion USD, compared to 2002.

The revenue sharing scheme, however, is probably the main source of the anomalies in the Kurdish situation during PII. On the one hand, the scheme created sufficient financial resources for the KRG. It decreased the poverty level and social unrest that dominated Kurdistan during the 1990s. Revenue sharing also diminished KRG dependence on neighbouring countries. This reduced the foreign intervention in internal Kurdish affairs and allowed the consolidation of KRG internal authority. On the other hand, revenue sharing constitutes the main bond between the KRG and Iraq due to economic dependency. As the sole financial source of support, the Kurdistan region will most assuredly remain a part of federal Iraq in the short term. In the long term, however, revenue sharing leaves the Kurdistan region weak and dependent. Moreover, revenue sharing maintains the political culture of Kurdistan's eighty years of

financial dependence on Baghdad. Relying on Baghdad for finances will prevent the KRG from integrating into the international community in terms of trade and the international economy. A handy budget will, in time, undermine the region's capacity building, long term development, and internal sovereignty because the KRG will need to compromise its nationalist rights to secure its yearly budget from Baghdad. Having a ready budget has further exacerbated, rather than rehabilitated, the region's devastated agricultural sector. During the PII few Kurds lived in the villages (Natali 2010: 128; *Kwrdistani Nwe* 12/08/2010). Once the bread-basket of Iraq, the KR still imports 90 percent of its food sources from the outside (*Kwrdistani Nwe* 2010). The Kurdistan region exists in a constant state of uncertainty regarding food security. Finally and most importantly, without an alternative source of support, the KRG will remain vulnerable to blackmail or embargos and blockades. Iraq's role as the sole source of financial support may, in the long term, threaten the very survival of the Kurdish quasi-state.

A KRG key strategic objective during PII was the development of its own economic base and the achievement of financial independence and self-sufficiency. Transitioning from revenue sharing, to an economy based on oil production, is their only hopeful strategy. To achieve this goal, the KRG is following a set of policies among which is the creation of a legal framework for exploring, producing and exporting the region's petroleum; signing oil contracts with International Oil Companies (IOCs) independently without Iraq's permission; attempting to export oil; using oil for external patronage; creating foundations for an independent economy; laying a strategic framework to become a regional oil power; and finally preparing for integration into the world economy.

The first crucial development on the road to financial independence is the KRG ability to create a legal framework to explore and produce its oil. The KRG has put much weight in their negotiations with new Iraqi rulers to achieve this goal. KRG President Masud Barzani stresses that the Kurdistan Region's top priority is to exercise their "right to develop the oil on its territory" (Barzani 2008). Moreover, in PII the Kurdish representatives advocated for the KRG's right to exploit and manage its oilfields. Though they failed to impose their vision on their Arab countrymen, the *Iraqi Constitution* (2005) hints at the KRG right to develop its oil sector. Article 111, for example, specifies that "oil and gas are owned by all the people of Iraq in all the regions and governorates". Article 112 stipulates that:

> First: The federal government, with the producing governorates and regional governments shall undertake the management of oil and gas extracted from present fields […] Second: The federal government, with the producing regional and governorate governments, shall together formulate the necessary strategic policies to develop the oil and gas wealth.

Moreover, Article 115 states that:

> All powers not stipulated in the exclusive powers of the federal government belong to the authorities of the regions and governorates that are not organised in a region. With regard to other powers shared between the federal government and the regional government, priority shall be given to the law of the regions and governorates not organised in a region in case of dispute.

These two vague articles have been used by the KRG as a legal framework by which to draft its Oil and Gas Law of the Kurdistan Region in which Article Three states:

> Paragraph 1: Petroleum in the Region is owned in a manner consistent with Article 111 of the Federal Constitution. The Regional Government shall share Revenue derived from Petroleum with all the people of Iraq, pursuant to Article 112 of the Federal Constitution and this Law.

> Paragraph 2: The Regional Government shall oversee and regulate all Petroleum Operations, pursuant to Article 115 of the Federal Constitution and in a manner consistent with Article 112 of the Federal Constitution. The Minister may license Petroleum Operations to third parties to maximise timely returns from the Petroleum resources of the Region.

> Paragraph 3: The Regional Government shall oversee and regulate the marketing of the Regional Government's share of the extracted Petroleum from the Delivery Point where that Petroleum has been extracted from Petroleum Operations, and may license the marketing of that share to third parties (*KRP* 2007).

Article 4 of the *Oil and Gas Law* ratifies the establishment a five-member Regional Council for Energy Affairs. The Regional Council is authorised to "formulate the general principles of petroleum policy, prospect planning and field development. Second: approve Petroleum Contracts; and third: limit production levels in the Region" (KRP 2007). Similarly, Article 74 of the *Draft Constitution of the Kurdistan Region* (2009) emphasised the KRG's right to:

> Manage, in accordance with the laws of the Kurdistan Region, all exploration, production, management, development, sales, marketing, and export activities, as well as all other operations, required for crude oil and gas fields, including oil and gas that has not been extracted or that has been extracted but not put into commercial production before August 15,2005.

The combination of the Iraqi and KRG laws and regulations provided the KRG a legal framework by which to explore and produce its oil independently from Iraq. Accordingly, the right of ownership and management of the petroleum in the region is the exclusive right of the KRG and Baghdad has little

authority over the Kurdistan region hydrocarbon sector. Thus, one crucial step toward financial independence of the KRG is its insistence on the right to develop its oilfields independently.

The second crucial development on the road to financial independence of the KRG is its Oil Contracts with International Oil Companies (IOCs). The KRG succeeded in implementing its carbohydrate law despite Baghdad's staunch objection. The KRG official website, for instance, lists 43 contracts with 30 IOCs from 17 countries that are designed to allow for the exploration and production of oil and gas in 43 different locations in the Kurdistan region (*KRG* 2012; also see Map 11). Baghdad has frequently voiced its opposition to these oil contracts and most of these companies have been blackmailed by Baghdad. The Exxon Mobile and TOTAL, the two largest oil companies in the world, were the last two examples that signed contracts with the KRG (*The Kurdish Globe* 2012; Heuvelen 2012a). Despite Baghdad's opposition to KRG oil contracts and its frequent emphasis on their illegality, tens of IOCs have signed contracts with the KRG. There are several reasons behind IOC involvement in this adventure. First, the KRG has emerged as one of the largest non-explored oil rich region in the world. Second, in contrast to the chaos and instability in other parts of Iraq, the KRG has created an environment-friendly and secure region. Third, as explained below, the KRG has awarded the IOCs with lucrative Production Share Contracts (PSCs).

Map 11: The distribution of IOCs based on oil blocks in Kurdistan (*Seeking Alpha* 2009).

The third crucial development on the road to financial independence of the KRG is its success in exporting its oil. The KRG's decision and actions to export its oil independently through Iraqi pipelines and through tankers was another step towards economic independence. By early 2012, the KRG exported some 200,000 bpd through Iraqi pipelines (*The Kurdish Globe* 2012b). To show further independence from Iraq, the KRG began to find alternative routes for exporting oil. Since 2010 the Turkish and KRG governments began to construct a direct Kurdistan-Turkey oil pipeline (*ICG* 2012). The construction is planned to be completed by 2013. In May 2012 the KRG Minister of Natural Resources Ashti Hawrami declared that "in the next 12 months, a million-barrel oil pipeline will be constructed to connect to the Ceyhan pipeline (*KRG* 2012b). Since 2010 the KRG has been in negotiations with the Turkish authority to build a gas pipeline from Kurdistan region to Ceyhan on Turkey's Mediterranean coast and to supply NABACO with Kurdish Natural gas (*Khabat* 11/06/2010). Minister Hawrami highlighted that the region "plans for a new gas pipeline to supply Turkey's BOTAS gas grid" (cited in *KRG* 2012b). These two pipelines would be separate from and bypass the Iraqi export network and remain under KRG control.

The fourth crucial development on the road to financial independence of the KRG is its ability to create an income from the oil sale. After 2010 the KRG started producing oil at a significant commercial level. Iraqi officials stated that the KRG exported some 68.11 million barrels of oil in 2011 (Tiron and Klimasinska 2012). Kurdistan's oil exports through Iraqi pipelines amounted to 175,000 bpd (*ICG* 2012). If the total Iraqi daily export for 2012 is considered to be around 2.6 million bpd, Kurdish oil exports constitute 6.7 percent of total Iraqi oil sales. Ninety-five percent of the Iraqi budget comes from oil revenue (Gunter 2011: 102). Hence, the overall Kurdish contribution is around six percent of the total Iraqi budget. The Iraqi budget for 2012 is approximately $100 billion, of which about $6 billion comes from KRG oil sales. Al-Shahrstani, Iraqi Deputy Prime Minister for Energy Affairs, insists that the KRG also smuggles part of its oil supply for sale to external markets. He reports that Kurdish oil exports, including those that take place through Iraqi pipelines and smuggling, generated $8.475 billion USD (Tiron and Klimasinska 2012). The proportion of total KRG oil sales to the total Iraqi budget is around eight percent if both 'legal' and 'illegal' sales are considered. Additional oil is produced for local consumption and there are 200 refineries at present (*ICG* 2012).

The KRG aims to increase its oil production to 1 mbd by 2014 (Blanchard 2010: 5; Mahwi 2012; *KRG* 2012b) and there is a steady increase in Kurdish oil production. If the KRG succeeds in producing and exporting such an amount, it could make over $20 billion USD annually at an average price of $75 per barrel. Officially 17 percent of the total Iraqi national budget is allocated to the KRG. As part of the

budget is dedicated by Baghdad for sovereignty purposes, the net yearly budget allocated to the KRG ranges from 11.6 percent to 12.4 percent, or 8-11 billion USD for the last three years. Within a few years the KRG will produce oil wealth that exceeds the amount that it receives from the Iraqi revenue sharing arrangement. Thus, UKQ-III is on the way to becoming an economically independent quasi-state. Alternate and independent oil revenues will reduce the region's dependency on Baghdad and other external actors. Iraq will eventually lose its main leverage and pressure source which is its economic superiority over the UKQ-III. Similarly, the Kurdistan region will lose one of its main ties to Iraq which is financial dependency.

The fifth crucial development is the KRG ability to provide its domestic energy requirements. The Kurdistan region is already producing enough energy to satisfy its domestic needs. Oil production has facilitated the establishment of tens of private and small size refineries. Three refineries with a total capacity of 200,000 bpd have been built that provide 80 percent of the KRG's energy requirements (Gunter 2011: 103). Satisfying part of its domestic needs has already decreased UKQ-III dependency on Baghdad. Since 2010 the Kurdistan region has only had received 35,000 bpd instead of 130,000 bpd or 5 percent instead of 17 percent of its share of Iraq's refined crude oil. Following the escalation of tension between Baghdad and Erbil in 2012, this figure decreased to less than 15,000 bpd which is less than three percent of the Kurdistan region's share of national oil (*KRG* 2012b; 2012b). The KRG managed to produce and refine domestic energy needs themselves making them less susceptible to Baghdad's blackmail. Thus, the UKQ-III is considered to be self-sufficient in terms of energy.

The Kurdistan region's energy self-sufficiency has reshaped Kurdish-Iraqi relations in several ways. First, oil wealth has relieved, to a large extent, Kurdistan's eighty years of financial dependence on Baghdad as the KRG has become more self-reliant. Second, Baghdad's attempt to blackmail the KRG and cut its oil-share will not cause the social or economic turbulence that Baghdad counts on. Third, the oil-sector has strengthened KRG internal sovereignty and political leverage in the country. Thus, if Kurdistan's oil and gas fields evolve as UKQ-III plans call for, oil wealth will likely become the Kurdistan region's ticket to independence.

11.6.2. Oil for External Support and Positive Patronage

Using oil as a bargaining chip for diplomacy, to win political support and even physical protection is clear from official KRG statements. KRG Prime Minister Nechirvan Barzani states that:

> [e]conomic and commercial activity can often lead to reducing political tensions, [… and] as a result of working together [with Turkey] and maintaining strong economic ties, we are able to make major political achievements. [Therefore ...], cooperation and coordination [with Turkey] across all economic fields in general, but particularly in the energy sector, is a key foundation of the KRG's functioning policies (*KRG* 2012d).

Similar statements are made by Mas'ud Barzani, president of the KRG. He explains that countries in which IOCs belong will defend the area if their interests are there. In 2011 the world's largest oil companies, Exxon Mobil and TOTAL, signed a multi-billion dollar contract with the KRG (*The Kurdish Globe* 03/03/2012). Barzani highlighted the role of such a contract in encouraging the US to protect the KRG, stating that "if Exxon Mobil came, it would be equal to 10 American military divisions" (*Gulf Time* 2012).

Beyond economic independence, the KRG oil policy is designed to attract external protection. Both the KRG and Turkish officials emphasise the role of oil in reshaping their relations. Nechirvan Barzani stated that, as a result of a "welcoming environment and a generous investment law, Turkey has become a major foreign partner and investor in the Kurdistan Region". He also explains that the KRG's ambition is to build "strategic relationship between Turkey and the Kurdistan Region" (KRG 2012d). Turkish Minister of Energy Affairs Yeldiz, shares this view of KRG officials and emphasises that "Turkey should also be considered as the regional Kurdish government's gateway to the West" (cite in Bengio 2012). Yeldiz affirmed that:

> Turkey's future energy requirement is 48-50 billion cubic metres of gas. [...] With the Kurdistan Regional Government and the Iraqi government, we will develop such projects and we will stand by them when they face problems (cited in *KRG* 2012b).

Thus, for an energy-hungry Turkey, there is no more relating to the UKQ-III as a pan-Kurdish nationalistic threat to Turkey's integrity. Instead, Turkey is ready to become the KRG's lifeline and positive patron in return for the KRG's oil supply. Similarly, for financial- and diplomatic-hungry Kurdistan, Turkey is no more the 'occupier of a part of Greater Kurdistan'. Rather, as Energy Minister Hawrami said, "Turkey means for [the KRG] the access route to monetise oil and gas" (cited in *KRG* 2012b). Accordingly, the KRG is willing to abandon its pan-Kurdish sentiment and supply Turkey with oil and gas in return for protection, financial and diplomatic gains. Turkey is willing to abandon its acrimony towards the KRG and offer its protection to the region in return for satisfaction of its energy requirements.

The KRG hydrocarbon law reflects its policy of oil for outside protection and political achievement. The law awards production sharing contracts (PSCs) instead of technical service contracts as in the case of Iraq and other oil-producing countries. Article 24 of the Oil and Gas Law of the Kurdistan Region stipulates that "a Petroleum Contract may be based on a Production Sharing Contract" (*KRP* 2007). Article 37 explains that under the PSC model an IOC recovers the costs of exploration and production from the percentages of oil produced and sold in given fields. Thus, the KRG hydrocarbon law was designed to assure the long-term presence and involvement of IOCs in the oil sector in Kurdistan. This is expected to encourage contractee countries to protect the interests of their nationals' companies and accordingly the UKQ-III.

11.6.3. The KRG Goal: from Periphery to Emerging Regional Oil Power

With its huge oil reserve the UKQ-III ambition is to emerge as a regional oil power. The KRG's minister of natural resources, Ashti Hawrami, announced that the Kurdistan region keeps on hand 45 billion barrels of proven oil reserves (*The Kurdish Globe* 2012; Rudaw 06/01/2011). The KRG ambitiously seeks to boost its oil production to one million bpd in 2014 and to two million bpd by 2019 (*KRG* 2012b). This could bring KRG oil production up to the world's sixteenth largest oil exporter in the world, on par with Algeria and Angola.[46] This could also mean that in the future an independent Kurdistan could be in the world's ten richest countries in terms of oil reserves. It is also estimated that the region's reserves are at about 100-200 trillion standard cubic feet of natural gas (Gunter 2011: 103). The KRG's "gas reserves surpass some of the leading piped-gas suppliers to the EU, including Norway, Libya, Azerbaijan, the Netherlands, and the UK" (Pflüeger 2012). This huge oil and gas reserve makes the KRG confident enough to behave like a developed state rather a federal region within a sovereign state. Prime Minister Nechirvan Barzani insists that:

> as a result of this [KRG carbohydrate] policy […] Kurdistan has been able to put its fingerprint on [the] global energy map, and there is no doubt that Kurdistan will have an important role in providing energy to the world (*KRG* 2012d).

Hence, oil wealth has helped the Kurdistan region catch up with the rest of the world in some respects. Due to its unexplored oil reserves, within a few years the Kurdistan region will move from being one of the most marginalised regions in the world to the heart of the international economy.

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46 For a list of world's largest oil exporters, see EIA 2010.

In PII the Kurdistan region attempted to change its image from a war-devastated marginalised region to a savvy investment-friendly 'second Dubai'. Based on the Dubai model, the KRG plans to expand the scope of its economy by shifting from a purely oil-based economy to tourism and services (Layelle 2012; Woolf 2010). To achieve such a goal, the KRG has adopted a set of policies designed to attract foreign investment. First, instead of being a centre of pan-Kurdism in the region, the KRG has attempted to transform itself into a centre for attracting foreign direct investment. Barham Salih, former prime minister of the KRG, explains what is involved in the multibillion dollar investment projects and lucrative commercial activities with neighbouring states (Salih 2012).

Second, to achieve its dream to be the region's 'second Dubai,' the KRG passed a liberal and competitive investment law in 2006 destined to attract foreign investment. Article 3 of the Law of Investment in Kurdistan Region – Iraq promulgates that:

> Foreign investors and foreign capital are dealt with on equal footing with national investors and capital. The foreign investor has the right to own the entire capital of any project that he establishes in the Region under this law (KRG 2006b).

This strategy has already proven successful to some extent. Since 2010, for example, foreign firms have invested more than 18 billion USD in various projects. Of this amount 29 percent has been invested in the industrial sector (Salih 2012). The KRG has also attracted 1200 foreign firms into the Kurdistan region (Gulan 2012). Being open to the outside world has attracted 400,000 foreign workers to the Kurdistan region (Jam 2012). The success of the KRG policy is that during PII the KRG has increasingly been looking outward towards the regional countries rather than inward to Baghdad.

The KRG's policy of heading towards integration into the world economy seems to be successful. This is evident in the regional, and to some extent the international, community's willingness to accept the KRG as an emerging member and partner in the regional and world markets. Turkey, a state that has traditionally opposed any Kurdish entities, has become a vital trade partner with the KRG. In fact, the Turks dominate the Kurdish market. In 2012, for example, 720 of 1200 firms (60%) investing in Kurdistan are Turkish (Gulan 2012). Turkey is also "the major exporter of consumer and luxury goods in the region" (Natali 2010: 128). The result is that the KRG has become among the top ten trading partners of Turkey (Zaman 2010: 2; Strouse 2010). Some reports show that the KRG market is the second largest for Turkish exports (Ergin 2012). In 2009 alone the trading volume between the two entities was around $5-6 billion USD (*Khabat* 07/04/2009). In 2012 the KRG accounted for seventy percent of the 11 billion dollars of Turkish trade with Iraq (*KRG* 2012b). These significant Turkish economic interests in the

Kurdistan region have had significant political implications. Turkish business interest in Iraqi Kurdistan is believed to be a key reason that Ankara did not escalate its incursion into the Kurdistan region in 2007 (Khalil 2009: 4). As a gesture of recognition of the KRG, Turkey opened a consulate in the Kurdistan region. Turkish officials, including the Turkish prime minister and foreign ministers have officially visited the region, and vice versa.

A similar figure is true for KRG trade relations with Iran. In 2011 the amount of trade between Iran and the KRG was estimated at approximately $5 billion (Zawya 2011). Similar to KRG-Turkish trade, the size of KRG-Iran trade exceeds the quantity of Iran-Iraq trade. The KRG represents 65-70 percent of total Iranian trade to Iraq (*Zawya* 2011; *The Kurdish Globe* 2012b). The volume of trade between the two countries was more than $10 billion, out of which 70 percent was with the KRG. Moreover, there were 500 active Iranian companies in the Kurdistan region (*The Kurdish Globe* 2012c). The Kurdistan region has made a remarkable recovery from the chronic state of being on the periphery of regional and international relations and involvement to being at the very center of regional economics and politics.

In sum, the KRG during PII had as its goal to depart from its historic pattern of attracting negative patronage (mostly since the 1960s). As a result, it is making progress in its attempt to secure positive external patrons. To achieve this goal the UKQ-III aims to secure diplomatic relations and security in return for trade and oil. There are signs that some countries, including Turkey, are willing to provide a more positive patronage and supportive relationship to the UKQ-III.

11.7. Iraq since 2003: A Recognised Quasi-state

This section scrutinises whether the PII fulfils the four RQC criteria to qualify as Recognised quasi-state. The first criterion for qualifying as a RQC is a state that violates the rule of law and threatens some of its citizens (RQC-I). A brief examination of the role of the Iraqi army and police in perpetrating internal violence between the Shia and Sunni communities in PII explains how Iraq's armed forces have violated Iraqi laws and rules and posed a serious threat to the Sunni Arab population. With 700,000 troops at its disposal, Iraq was one of the most militarised societies in the region (Perry, et al. 2009: 9; Katzman 2012: 37). This number is twice as large as the Iraqi army under Saddam's rule prior to the US invasion.

The makeup of the Iraqi army does not reflect the ethnic mosaic of Iraq as not all Iraqi communities were included. First, the Iraqi army is dominated by the Shia (Devigne 2011: 60). The Kurds are practically non-existent in the Iraqi army and the army is not allowed to enter the Kurdistan region. The Iraqi army is not a national army from the Kurdish leaders' perspective. A strong Iraqi army with sophisticated aircraft

is viewed as a danger to the Kurds (*KRP* 2012). The Kurds' refusal to accept the legitimacy of the Shia dominated Iraqi military after 2008 is demonstrated by the stalemate over control of the disputed territories that is currently in place between the KRG peshmerga and the Iraqi army.

Second, taking advantage of their domination, the Shia used the police and armed forces as a facade to organise anti-Sunni death squads. These camouflaged death squads united under the Shia police force kidnapped, imprisoned, tortured, and killed Sunnis in mixed areas. One result of killing and displacing hundreds of thousands of Sunnis was that many mixed areas were cleansed of Sunnis altogether (Agnew et al. 2008; Kirmanj 2010: 219). Kurdish officials in PII constantly complained of Iraqi army involvement in the ethnic cleansing and displacement of Kurds in mixed or disputed areas of Diyala province under Iraq's control (Abdullazada 2012; *Aknews* 27/09/2012). The Iraqi army was accused by both the Kurds and the Sunnis of being victims of killings and displacement of thousands of Sunnis in Baghdad and Kurds in Diyala province.

Rejecting the legitimacy of the Shia dominated state, and to protect the Sunnis from Shia 'oppression', many Sunnis departed from their traditionally centrist status and called for a type of self-rule. After the withdrawal of US troops, provincial councils of three Sunni provinces, Tikrit, Diyala, and al-Anbar, voted to establish a federal region in their respective provinces (*AKnews* 17/11/2011; al-Ahram 23/11/2011; Mahdi 2011;). Tariq Al- Hashimi, the ousted vice-president of Iraq, for example, called for the establishment of a Sunni region akin to the KRG that included the Sunni provinces of Salahaddin, Diyala, al-Anbar and Mosul (al-Hamdani 2012). Usama al-Nujaifi, speaker of the Iraqi parliament, is another Sunni leader that overtly called for a Sunni region. He justified his call to protect Sunnis from Shia exploitation (al-Buratha 2011). Thus, the Shia dominant government of Iraq posed a threat to a significant part of the Iraqi population. Therefore, the PII satisfies the first criterion of the recognised quasi-state (RQC-I).

The second criterion used to classify a state as a recognised quasi-state is a state that loses its monopoly on the legitimate use of force in a territory of the country (RQC-II). As explained in previous sections, during the PII the central government failed to impose its authority on the Kurdistan region and the result was the absence of Iraqi administrative mechanisms, institutions, or armed forces in the Kurdistan region. Since 2003 the Kurdistan region has been heading towards further independence from Baghdad. The Iraqi armed forces are not allowed to enter the Kurdistan region and the KRG developed economic and political relations with the outside world. The UKQ-III is acting as an independent state in all but name. Therefore, Iraq satisfies the criteria of RQC-II. Implementing the third and fourth recognised quasi-state

criteria, shows that Iraq satisfies both criteria. The third criterion is a state that fails to confront the separatist region on its own and seeks external patronage from a stronger state to challenge the separatist region (RQC-III).

The fourth criterion is a state that suffers violation of its sovereignty from external powers (RQC-IV). Though the occupation of US troops on Iraqi soil was the result of the Iraqi-Kurdish conflict, the US troops acted as protectors of Iraq's integrity and unity in PII. Moreover, the invasion of Iraq reshaped Iraq's status as well as the Kurdish-Iraqi conflict. For the first time since 1932, the Kurds had to deal with an Iraq that was occupied. At least until 2005 the Kurds had to deal more with occupiers than with Iraqi rulers. The occupation may be divided onto two phases: (i) the civilian, and (ii) the military occupations. The two bodies were created by SCR1483 (2003) which recognised the CPA as an occupier with limited and temporary sovereignty. In the first year of the war and occupation the US ruled Iraq through the Coalition Provisional Authority (CPA) and the Coalition Task Force (CTF). The CPA represented the civilian wing of the occupier's authority. The CTF, however, represented the military wing of the occupation. To administer Iraq the US authority established a civil administration known as the Coalition Provisional Authority (CPA). SCR1483 provided the legal framework for this authority in Iraq. The first regulation of the CPA (2003a) began with "Pursuant to my [Paul Bremer] authority as Administrator of the Coalition Provisional Authority (CPA), relevant U.N. Security Council resolutions, including Resolution 1483 (2003), and the laws and usages of war". Then the regulation promulgated that:

> [t]he CPA shall exercise powers of government temporarily in order to provide for the effective administration of Iraq during the period of transitional administration. […] The CPA is vested with all executive, legislative and judicial authority necessary to achieve its objectives (*CPA* 2003a).

Thus, the CPA was vested with the right to act on behalf of the sovereign state of Iraq. In addition to administering the country, the CPA exercised all legislative and judicial authority in Iraq.

Being the absolute ruler of Iraq, the CPA attempted to transform its entire system of governance. This transformation included the deconstruction and reconstruction of the Iraqi state. The CPA's first order targeted the ruling Ba'ath party by ratifying the "de-Ba`athification of Iraqi Society" (*CPA* 2003t). The order "eliminate[ed] the party's structures and remov[ed] its leadership from positions of authority and responsibility in Iraqi society" (*CPA* 2003t). CPA order no.2 dissolved the entire Iraqi defense system as well as the parliament (*CPA* 2003e). The combination of the de-Ba'athification of Iraq and the dissolution of the defence system and legislative bodies resulted in the deconstruction of the entire system of governance and the termination of 80 years of Sunni rule.

More than half a dozen new ministries were created by the CPA (see *CPA* 2003b; 2003h; 2003i; 2003j; 2003k; 2003l). Many symbols of Iraqi sovereignty and national identity were replaced by new ones including the dinar banknotes (*CPA* 2003m); penal code (*CPA* 2003n), the Council of Judges (*CPA* 2003o); tax law (*CPA* 2003p); Central Bank Law (*CPA* 2003q); Traffic Code (*CPA* 2003r); the Electoral Law (*CPA* 2003u); and finally a new Political Parties and Entities Law (*CPA* 2003s). Thus, the CPA role in deconstructing and reconstructing the Iraqi system was no less significant than the role of the British in Iraq during the mandate period in the 1920s. In this regard, if the Monarchy in Iraq was a 'British Iraq' then the PII may easily be called the 'American Iraq.'

If the CPA role was to reshape the entire system of governance in Iraq, then the role of the Coalition Task Force (CTF) was to implement and maintain such change. The CPA vested authority in the CTF similar to that of a sovereign state's armies with the job to "maintain[] Iraq's territorial integrity and security" (*CPA* 2003a). The CTF possessed a dual mission: that of providing security and assuming the role of civilian authority in many parts of Iraq. The CTF was authorised to fill the gap created as a result of the collapse of civilian authority throughout the Arab part of Iraq. In other words, the CTF filled the power vacuum by imposing order and stability and mediating between the conflicted ethno-sectarian communities of Iraq. By carrying the major share of the stability and reconstruction missions, the CTF possessed a role akin to that of a military authority (Bensahel, et al. 2008: xxiii). On June 28, 2004 the CPA civilian administration was dissolved and the authority was transferred to the Iraqi Interim Government (*CPA* 2003v). The CTF, however, did not hand over its authority to the Iraqis. The occupation was continued and only non-security related sovereignty was transferred to the Iraqis (Bensahel, et al. 2008: 118).

As an occupying power, the US military was authorised by SCR1546 to "to take all necessary measures to contribute to the maintenance of security and stability in Iraq" (SCR1546 8/6/2004). The US mandate was extended each year by UNSC resolutions, such as SCR1637 (11/11 2005), SCR1723 (28/11/ 2006), SCR1790 (18/12/ 2007) and SCR1859 (22/12/2008). The CTF mission continued until the end of 2010 when the ISF replaced it to provide security to population centers (Katzman 2012: 38; Sky 2011). Some 140,000 US troops maintained final authority on most security related issues until the end of 2010. Although the US role from 2004 to 2011 was supposedly limited to security issues, it actually involved political, economic, judicial and governance affairs, making it the real authority in Iraq. In fact, Iraq was united in name only—not because of the ability of the Iraqi state to maintain unity, but because more than 140,000 US-led coalition troops enforced the goal. The US-led coalition possessed a dual mission: to occupy Iraq and to maintain the country's integrity. Thus Iraq fulfilled both the RQC-III and RQC-IV

during this period. It was an occupied country (RQC-IV), and its integrity was protected and defended by US military forces (RQC-III).

By the end of 2011 the US withdrew its military from Iraq and terminated its occupation of the country. The withdrawal of US forces was based on the Status of Forces Agreement (SOFA) signed at the end of 2008 by the two countries. Implementing SOFA, the US completed the withdrawal of its troops on December 18, 2011 (Katzman 2012: 33). SOFA was followed by the Strategic Framework Agreement (SFA) which established long-term strategic relations. The SOFA, SFA, and the US withdrawal, taken together, did not necessarily mean that Iraq regained full sovereignty. Finding itself lacking internal legitimacy and struggling to maintain its integrity following the US military withdrawal caused Iraq to appeal to the US as a patron.

Scrutinizing the US-Iraq strategic agreements of this period reveals that the two states played the roles of patron and client. SOFA begins with "[a] genuine desire of [Iraq and the US] to establish a long-term relationship of cooperation and friendship" (SOFA 2008). This 'long-term relationship,' however, was not a mutual relationship between two sovereign states. The US was acting like a patron and Iraq as its client. Article 27 concluded that the US and Iraq "agree to continue close cooperation in strengthening and maintaining military and security institutions and democratic political institutions in Iraq" (SOFA 2008). Thus, the main goal behind SOFA was to maintain Iraqi civilian and military institutions. Hence, maintaining these institutions did not remain the exclusive mission of Iraq as a 'sovereign' state; rather, with external (i.e., US) support, Iraq could fulfil this mission. To achieve this goal the SOFA authorised the US to interfere through military or any other measure to prevent internal or external threats to Iraq's unity and sovereignty. In this regard the SOFA promulgated that:

> In the event of any external or internal threat or aggression against Iraq that would violate its sovereignty, political independence, or territorial integrity, waters, air space, its democratic system or its elected institutions, and upon request by the Government of Iraq, […] the United States shall take appropriate measures, including diplomatic, economic, or military measures, or any other measure, to deter such a threat (SOFA 2008).

Though intervention required the 'request of central government', the US could take "diplomatic, economic, or military measures" against any threat to Iraqi integrity and sovereignty.

The SFA covered areas that were not addressed by the SOFA. The patron-client relationship between the US and Iraq was more clearly identified in the SFA. Article 5 of the SFA "reaffirm[ed] that such a long

relationship in economic, diplomatic, cultural and security fields [would] contribute to the strengthening and development of democracy in Iraq". It also confirmed US support for] Iraq's institutions and "in so doing, enhance Iraq's capability to protect these institutions against all internal and external threats" (*The SFA* 2009). The US was required to support Iraq's regional and international status. External support of the US according to the SFA covered all aspects of governance in Iraq including economic and energy (section V) and health and the environment (section VI) (*The SFA* 2009).

 US patronship also extended to Iraq's internal affairs by demanding that the US support political reconciliation between Iraqi ethno-sectarian groups. As in any patron-client relationship of any quasi-state, the US-Iraq relationship was based on providing external support to protect Iraq's integrity. The SOFA and SFA are evidence that after the withdrawal of US armed forces, Iraq still needed external patronage from a stronger state to maintain its integrity. It was also required to cede some of its sovereignty to a foreign state. Therefore, despite regaining its sovereignty, Iraq still satisfied all criteria of the recognised quasi-state.

11.8.   How Two Quasi-states in One Country Hindered Kurdish Integration into Iraq

As analysed, the PII satisfied all four criteria necessary to qualify as a Recognised Quasi-state. The KRG in PII is considered as the third and the most developed phase of the Kurdish quasi-state. The PII is a country of two quasi-states: one Unrecognised Kurdish quasi-state (UKQ), and the other a Recognised Iraqi quasi-state. Thus, Iraq has the experience of being a country of two quasi-states for several decades: from 1961 to 1975, and from 1991 to the present. The existence of the two quasi-states side-by-side means that there are two state-building and nation-building processes going on simultaneously, one Kurdistani and the other Iraqi. This state of affairs by definition has deprived Iraq from exercising sovereignty in the Kurdistan region. Therefore, Kurdish integration into Iraq is unlikely.

When only one quasi-state exists within a country, the issue of integration of all segments of society and the improvement of the system of governance is more likely than in the case of two quasi-states within a country. In the case of one quasi-state there is only one nation-building and state building process going on, though such a process may be challenged by a portion of that state's inhabitants. In the case of two quasi-states, however, there are two necessarily oppositional state- and nation-building projects going on. Two different (and usually oppositional) identities and loyalties make each state- and nation-building project counter-productive to the success of the other. Moreover, in such dual quasi-states two rival forces seek to monopolise the exercise of violence. There are two separate systems of army recruitment, two

armed forces defending their respective territories, and two entities pushing their respective legitimacies on the other. There is also a *de facto* boundary that separates the two states in which the institutions of the RQ are absent in the areas of the UQ.

The monarchy of Iraq, for example, satisfied most criteria of the quasi-state including the institutions of the armed forces, schools and administrative units that existed in Kurdistan, particularly in the main cities and towns. But during the era of UKQ-I (1961-1975), UKQ-II (1991-2003) and UKQ-III (after 2003) Iraqi institutions were expelled from Kurdistan, and the Kurdish administration, institutions and armed forces replaced them. In a country of one unrecognised quasi-state, the process of integrating the inhabitants of different territories and ethnic/national backgrounds is more likely than in a country with two quasi-states.

11.9.   Conclusion

The reunification of the KRG with Iraq in 2003 did not result in the termination of the Kurdish quasi-state (UKQ-II) that was founded after 1991. Rather the KRG was transformed into a stronger quasi-state, and may be considered as the third phase of the Unrecognised Kurdish quasi-state (UKQ -III). It possesses all the traits and fulfilled all the criteria necessary to classify it as a quasi-state. Beginning after 1991, the process of nation-building in the Kurdistan region continued during PII and extended Kurdistani identity to many areas. Examples include the rewriting of history, the Kurdification of education and street names, the construction of war memorials, and the constitutionalisation of the national days, flag and anthem. Thus, the KRG's nation-building process fulfilled the first criterion of the unrecognised quasi-state (UQC-I). The militarisation of Kurdish society fulfilled the UQC-II in that the armed forces were maintained, reunified and further legitimised. Since 2003 the KRG expanded its military capacity and its armed forces doubled from 100,000 to 200,000.

After the US occupation of Iraq in 2003, the country became its weakest since 1932 in terms of political, institutional, and military strength. The US deconstructed and reconstructed its military and administration institutions, which, combined with internal Shia and Sunni conflicts, caused Iraq to lose much of its influence in the Kurdistan region. The weakness of the Iraqi state fulfilled the UQC-III. Finally, the KRG in PII enjoyed significant external support, particularly military, diplomatic and financial from the USA. Thus, the external patronage that was provided to the KRG fulfils the fourth criterion of unrecognised quasi-states (UQC-IV). All criteria of unrecognised quasi-states were therefore met by the KRG. Hence, it may be considered an unrecognised quasi-state.

This quasi-state, however, departed from traditional forms of quasi-statehood founded since 1991. The most significant development in the patronage issue was that KRG policy in PII focused on finding alternatives to negative patronage that it had received from the external powers. To achieve this goal the KRG actively invested in its newly discovered oil wealth. KRG policy was formulated as oil for external support and patronage. The KRG provided relatively lucrative oil contracts and a friendly environment for tens of IOCs as it portrayed itself as an emerging regional oil power. Consequently, the UKQ-II headed towards finding positive patronage based on mutual interests and relations. Another important development in PII was the KRG policy of creating an independent economy, through production and exporting of oil as well as investing its oil product for the Kurdistan region's internal needs. These developments contributed in the transformation of the KRG to a more functional quasi-state. The PII entity in Kurdistan is a most developed form of quasi-statehood in modern Kurdish history. Therefore it may be considered as a third phase of the quasi-state (UKQ-III).

Not only the KRG, but Iraq itself may be defined as a quasi-state, albeit a Recognised Quasi-state. Iraq itself fulfils all four criteria for classification as a Recognised Quasi-state. First, The Shia-dominated Iraqi government violated its own rules and laws by threatening the Sunnis in mixed areas such as Baghdad, and the Kurds in some of the disputed areas. The Iraqi armed forces were accused of ethnic cleansing against Kurdish inhabited mixed areas under Iraqi control. Hence, Iraq satisfies the RQC-I. Second, Baghdad in PII failed to regain control over the Kurdistan region and for many years lost control of a significant part of Iraq. Therefore, Iraq satisfies the RQC-III. Third, Baghdad was not in a position to prevent the KRG from separating from Iraq. Iraq remained united and the KRG failed to separate from Iraq because of the occupiers' support to the unity of Iraq and their rejection to the Kurds secession. The agreements made by the US and Iraq guaranteed US patronage after the US withdrawal. By seeking external support to challenge the separatist region, Iraq fulfilled the third criteria of a Recognised Quasi-state (RQC-III). Fourth, following the US invasion in 2003, Iraq suffered the violation of its sovereignty. Its sovereignty was also undermined by agreements with the US following US withdrawal. Hence, Iraq also fulfilled the fourth criterion of the Recognised Quasi-states (RQC-IV). Therefore, Iraq may be considered as a Recognised Quasi-state. Thus, post 2003 Iraq is a country of two quasi-states: one, the Unrecognised Kurdish Quasi-state (UKQ), and the other, the Recognised Iraqi Quasi-state (RQ).

Chapter Twelve

12. Conclusion

On December 10, 2012, KRG President Masud Barzani visited areas surrounding the Kirkuk city within the border of the Kirkuk province. His visit, accompanied by the minister of peshmerga and high ranking commandants of the Kurdish armed forces, was unusual. In addition to his post as president of the KRG, he is also commander of chief of the Kurdistan region's armed forces. The visit was to reconnoiter the trench of peshmerga forces (see figure 12). In a speech to the peshmerga, Barzani stated that the Kurdistan nation didn't want war, but were ready defend their dignity and to die, but not to subjugated to oppressors (Baghdad). He also expressed his hope that there would be no war with Baghdad, but if war happened, the Kurds have a just cause. The peshmerga, he added, were not occupying other land, rather they were here for a sacred duty, which was to defend their land. Then he said that we all had to be ready to sacrifice our lives for such a holy duty, the duty to protect and return this holy land that had been cut from Kurdistan (KRP 2012b).

Fourteen brigades of peshmerga with heavy arms, including tanks and anti-air guns, were stationed in what became a new frontier between Baghdad and Erbil (*Hawlati* 27/12/2012). These forces were deployed in areas that faced over 30 thousand Iraqi army personnel and thousands of federal police and other armed forces (Sbeiy 2012). The standoff was one of a series of stand offs in the last few years, but it was the most serious of armed confrontation between Erbil and Baghdad. The first standoff was in August 2008 in Khanaqin district of Diyala province. Only with the interference of the US was an armed conflict avoided. The second was in March 2011 and the third was in August 2011. The two standoffs happened when the Kurdish side accused the Iraqi army for ethnic cleansing in disputed areas of Diyala province. To 'protect' the Kurds from the Iraqi army, peshmerga were deployed in the region. The latest standoff occurred following the establishment of the new army unit code named the 'Dijla' (Tigris) Operation command that consisted of two Iraqi armed divisions (five and twelve), totaling 30,000 troops and federal police forces. The reaction to Barzani's visit to Kirkuk was harsh and severe. Yasin Majid, and Hussein al-Asadi, two senior aids of Nuri al-Maliki, the Iraqi prime minister, stated that, Barzani's visit to Kirkuk was tantamount to a declaration of war against Baghdad (Nawa 2102a; 2012b). The standoff that started two months earlier shows the shaky foundation of the peace and political process in Iraq. It also shows that Iraq is a country of two quasi-states. This thesis addresses the root causes of the Iraqi-Kurdish conflict. The latest standoff shows that the conflict has remained as one of the country's most pervasive problems since the American invasion of Iraq.

Figure 12: Barzani with Peshmerga commandants in a trench, indicating the Iraqi army position. Date of photo: 10/11/2012 (KRP 2012b).

The structure of this thesis based on five working hypotheses that were laid out in Chapter One along with the theoretical framework for this study. Chapters Two through Eleven fleshed out these hypotheses and developed the theory. The conclusion evaluates the validity of the five hypotheses in light of the applicable theories on nations and the development of quasi-states. This work involves a comprehensive coverage of the following issues: (1) to highlight the main principles and characteristics of the Kurdish nationalist movement (Kurdayeti) and Iraqi nationalism; (2) to analyse the status of the Kurds and address the question as to whether the Kurdish people of Iraq comprise a nation without a state (NWS); (3) to scrutinise the status of Iraq and address the question as to whether Iraq is a non-nation state (NNS); (4) to scrutinise how the respective statuses of the Kurds and Iraqis have reshaped the nature of the Kurdish-Iraqi conflict; (5) to study factors behind the Iraqi failure to govern and integrate the Kurds into Iraq; 6) to evaluate the evolution of the Kurds from a NWS to a quasi-state; (7) to analyze the simultaneous process of (i) the development of the Kurdistan region into a quasi-state and (ii) the devolution of Iraq into a recognised quasi-state; (8) to address the challenges and obstacles that kept the Kurds from establishing an independent state; and (9) to investigate the dominant myth and symbols of nationalism and statehood in a range of schools, codes, legal and official documents, etc. These tasks are undertaken through an

exhaustive study of the theoretical approaches regarding Nations without States (NWS), Non-Nation States (NNS), sovereignty and Recognised Quasi-States (RQS), Unrecognised Quasi-States (UQ) and through the application of the criteria determining positive and negative patronage to quasi-states.

Chapters Two, Three, Four, and Five examined the status of Kurdish and Iraqi nationalisms and their respective nationhood projects during the monarchy. The question as to whether the Kurds and Iraq qualify as a nation without a state (NWS) or a non-nation state (NNS) (respectively) is analysed. Issues addressed include how the Kurds perceive the creation of Iraq, Iraqi identity and nationalism and the nature and character of Kurdayeti. These chapters discuss the Iraqi nationhood project including the contradictions and incompatibilities of the Kurdish and Iraqi nationalisms. Iraqi perceptions and policies towards Kurdayeti and its nationhood project and the issue of Kurdish integration into Iraq are handled in these contexts. Chapters Six, Seven, Ten and Eleven, examined the four stages of Kurdish-Iraqi relations and the 'liberation' of a significant part of Kurdistan where Kurdish leaders established *de facto* self-rule. The status of Iraq was scrutinised in light of the Recognised Quasi-state Criteria (RQC) including the question as to whether and why Iraq devolved from an NNS into a Recognised Quasi-state. These chapters also examined the nature of external negative and positive patronage to the Kurds and how negative patronage contributed to the failure of the Kurds to maintain or consolidate their quasi-state status. Chapters Eight and Nine examined why Iraq failed to adequately govern Kurdistan despite its control over the Iraqi-Kurdistan region from 1975 to 1980 and again from 1988 to 1991.

12.1.   Two Contradictory Nationhood Projects: Arab Iraqi and Kurdistani

This section evaluates the validity of the first hypothesis that the Kurdish-Iraq conflict is due to their competing statuses as a nation without a sate (NWS) for the Kurds and a non-nation state (NNS) for Iraq. The examination of Kurdish nationalism and the Kurds' status as an NWS is carried out by bringing together the conclusions of this work and applying the theory of nations and nation without states. The status of Iraq based on the theory of non-nation states is presented in Chapter One. Kurdayeti was constructed with the perspective that the Kurds as a people could qualify for, but are deprived from, achieving nation-state status. The Kurdish nationhood project (KNP) was designed with nationhood status and an independent state in mind. Kurdayeti and its nationhood project are based on the following fundamental principles:

1. The Kurds share a distinctive culture, a common myth of descent (ancestry) and an integrated history associated with Kurdistan. These components fit Smith's theory that nations are "territorialised

communities" that feel a "strong attachment" to their respective territories. The Kurds fit this definition and they therefore meet the criteria for nationhood.

2. The Kurdistan region provides a historic national identity for the Kurds. This criterion, combined with the first criterion confirms the validity of Anderson's definition of nation as an "imagined" political community with finite boundaries.

3. The Kurds and Arabs have never shared a common memory, heritage, ancestry, culture, language, history, territory or national identity. They are two separate nations. Based on Anderson's 'imagined community' theory, Kurdish self-representation means that Iraq is not a country of one nation, but a country of two separate and distinct nations: Arab and Kurd.

4. The Kurdish homeland was never part of Iraq nor was it ever part of Arab land or territory.

5. Kurdistan and Iraq comprise two separate homelands.

6. Iraq is an occupier of the Kurdish homeland and only the Kurdish areas that are controlled by the Kurds are 'liberated' or known as 'free' Kurdistan.

7. The Kurds' outright deny the legitimacy of Iraqi rule in the Kurdistan region.

8. Iraqi identity and nationalism are seen as an alien, artificial and externally imposed from the Kurdish perspective, for all the reasons outlined above.

Hence, the Kurdish denial of the legitimacy of Iraqi rule and Iraqi authority, identity and nationalism, and their belief that Kurdistan and Iraq are two separate nations, all together demonstrate that Iraq does not meet Cottam and Cottam's definition of nation states: "states which a nation should be based on". In other words, Iraq is a country of two nations: a Kurdish and an Iraqi Arab. Therefore, Iraq is a non-nation state (NNS).

9. The Kurdish nationalist movement is a liberation movement.

10. Until 1991 leftism, anti-imperialism and secularism were methods used by the Kurds to escape from Iraq's sphere of influence and rule.

11. The attachment of Kurdistan to Iraq was imposed upon Kurdistan through an imperialistic process that usurped the Kurds' right of self-determination.

12. The Kurds are eligible for, but deprived of, the right of self-determination. Therefore attaining the right of self-determination has become a common goal of most Kurdish political parties.

13. Voluntary union with Iraq as an alternative to the right of self-determination was acceptable by most Kurdish political parties as a secondary option to independence as a state and full self-determination. Voluntary union may be considered as a soft version of the right of self-determination that facilitated their voluntary secession.

The combination of Kurdayeti principles 8, 9, 10, 11, and 12 qualify the Kurdistan region of Iraq as "nation without a state" (NWS) according to Guibernau's theory. The theory of NWS refers to a nation that lacks a state but is politically motivated to direct its actions toward creating such a state. Thus, the Kurds as a NWS and Kurdayeti constitutes its own nationhood project.

The Iraqi nation-building project (INP) was centred on two principles: (1) the abnegation of the Kurdish ethnic, national and territorial identities in order to solidify one-nation state; and (2) Arab identity and the unitary integrity. Though Kurdish identity has been constitutionally recognised for decades, the Kurds were commonly viewed as an ethnic minority inhabiting Arab land and perceived as potential Arabs. Iraq is portrayed as an Arab country and as a part of the greater Arab homeland. Forced assimilation and Arabisation of the Kurds became a central policy of the Iraqi nationhood project whose aim was to create a homogeneous and overarching Iraqi identity. The Kurds' quest for nationhood with a separate territory was rejected, suppressed and criminalised as the Kurdish plotters conspired with the enemies of the Arab nation. The Kurdish issue was perceived as a security issue and threat to the very nature and existence of the Iraqi state.

The two nationalisms shared neither common ground, nor the intention to accommodate each other. Iraq's perception of the Kurds as plotters, conspirators and enemies of the Arab nation justified sustained state-sponsored violence and militaristic strategies against the Kurds—from Iraq's perspective. For decades, the Kurds remained in a state of rebellion against practically all successive Iraqi regimes. Military movement was introduced into the Kurdayeti modus operandi of resistance to fulfil its nationhood project and to challenge state 'oppression'. Consequently, the oppositional nature of Kurdish and Iraqi nationalisms, their respective nationhood projects, and their exclusive visions were important contributors to the tension that existed between two nationalisms that existed at the expense of the other.

Iraqi Arabs and the Kurds are two separate nations with two distinct nationhood projects, whose goals run in opposition to that of the other. The Kurds constitute an NWS and its project is to establish an

independent Kurdish nation-state in its historical homeland in present-day northern Iraq. Iraq, in contrast, is an NNS with a nationhood project that emphasises the unitary integrity of Iraq, including the Kurdistan region, as its historical Arab homeland. The Kurdish nationhood project is based on the creation of a homogeneous Kurdistani identity and a sovereign independent Kurdish state. The Iraqi nation-building project aims to create one homogenised and unified Iraqi nation through the abnegation of Kurdish ethnicity and identity and the criminalisation of Kurdayeti as well as the delegitimation of its nationhood project. Thus, the Iraqi-Kurdish conflict is a clash of two antagonistic nationalisms and two separate nations with two nationhood projects that directly oppose each other. Observations and findings of this study support the theories of Smith, Anderson, Guibernau and Cottam and Cottam, regarding the first hypothesis of this thesis:

1. *The root cause of the Kurdish-Iraqi conflict lies in these two entities' respective statuses as (a) a nation without a state (NWS in the case of Iraqi-Kurdistan) and (b) a non-nation state (NNS in the case of Iraq). Each possesses a nationhood project that differs from and opposes the other's to the extent that Iraq is unwilling to accommodate the Kurdish National Project (KNP), and the Kurds are unwilling to accept the Iraqi national project (INP).*

12.2. Iraq: a Country of Two Quasi-states

This section of the conclusion evaluates the second hypothesis of this work by analysing two issues: (1) The evolution of the Kurdish people from a NWS to a quasi-state by means of Kurdayeti. This development resulted from (a) Iraq's unwillingness to accommodate the Kurds, and/or (b) their failure to annihilate Kurdish nationalism. (2) The devolution of Iraq from an NNS to a Recognised Quasi-state was directly related the emergence of the Unrecognised Kurdish Quasi-state (UKQ). As explained throughout this work, in each case in which the Kurds qualified as an NWS and Iraq as an NNS, contrary nationhood projects emerged that made it impossible for either to accept the other's vision. Iraq was unwilling to accommodate the Kurdayeti and the Kurds were unwilling to accept Iraqi nationalism. Iraq sought to annihilate Kurdayeti as a means to accomplish its nation-building project. Failing to accommodate Kurdayeti, Iraq had three interconnected policies that were designed to annihilate it. The monarchy imposed these three policies on three different segments of Kurdish society based on the role that each segment played in Kurdayeti. The first policy was designed to fragment Kurdish society. The Arabised Kurds that were less inclined toward Kurdayeti and more attracted to Iraqi nationalism were integrated into the state. The urban elites

that were considered as pioneers of Kurdayeti and advocates of the Kurdish independent state were excluded and marginalised. The aghas that were neither attracted to Kurdayeti nor to Iraqi nationalism were offered a modicum of autonomy.

According to the Ba'ath disintegration policy, Kurdistan was divided into four zones based on the degree that each affiliated with the Kurdish *de facto* self-rule (KDS): (1) the deKurdification of ethnically mixed areas and more strategic and controllable Kurdish areas; (2) a modicum of cultural autonomy combined with strict military control in the cities and towns that were not part of strategic and mixed areas but were controllable by Iraq; (3) the less controllable towns and complexes were offered indirect rule; (4) the rural areas of Kurdistan that traditionally remained outside of Iraq's control were dealt with as the 'Land of the Enemy' and consequently faced the genocidal Anfal operations, chemical warfare (CW), depopulation, displacement, and forced resettlement. The second policy was the delegitimation and criminalisation of Kurdayeti. The urban nationalists that pioneered and advocated Kurdayeti were deprived of political and social activities. The monarchy achieved this by banning their political and social organisations during the republican era. The excessive use of violence against areas located within the Kurdish *de-facto* self-rule (KDS) (1961 to 1991) dominated Iraqi-Kurdish relations.

The third policy was the indirect rule in tribal areas. This policy was designed to pacify a significant part of Kurdish society; to isolate Kurdayeti; and to gain a modicum of legitimacy of Iraqi rule in Kurdistan. This policy was carried out by both the monarchy from 1925 to 1958 and the Ba'ath regime from 1968 to 2003. Tribal communities were permitted to maintain their *de facto* Tribal Autonomous Entities (TAE) in rural Kurdistan during the monarchy. In the 1980s Iraq allowed indirect rule in the collection camps (*Mujama'at*) and towns of Kurdistan. This indirect rule took several forms. First, the conscription system was replaced by the *Jash* system. The tribal system was revived in Kurdistan and almost all tribes were organised into one or more battalions with the aghas appointed as commanders. The *Jash* were responsible for the local security of their areas. Second, Baghdad conceded a degree of sovereignty to the aghas that acted as middlemen between the *Mujama'at* and the populated towns and state. Thus, inhabitants of the towns and camps were allowed a measure of autonomy.

None of these policies successfully terminated Kurdayeti, however. In fact, they were simply counterproductive. During the monarchy, the combination of the exclusion of the urbanites and

indirect rule in rural areas resulted in the creation of Traditional Autonomous Entities (TAE) that provided a safe haven for the urbanites. The Kurdayeti was able to recruit from the rural population due to the following factors: (1) creating a dual (tribal and urban) leadership apparatus; (2) establishing a military wing of Kurdayeti; (3) creating autonomous political parties that dominated Kurdish politics; and (4) the absence of Iraqi nationalism and political parties in Kurdistan (see Chapter Five). Iraq's failure to create loyalty and support among the Kurds, the military and loyal aghas caused the central government to lose the Kurdistan region as part of an integrated Iraq. Indeed Iraqi rule depended upon the aghas' cooperation, without which Iraq would lose control of Kurdistan.

On two occasions in modern Kurdish history, Iraq's indirect rule policy became the main contributor to the establishment of the Kurdish *de facto* self-rule (KDSs). The first occasion was in 1961 when Barzani, led several thousand militiamen and tribal leaders in a rebellion that eventually enabled the first KDS to emerge that lasted until 1975. The second occasion was in 1991 when 150,000 *Jash* militiamen defected from the government, joined the peshmerga, and played a central role in the Uprising of 1991. The result of this uprising was the establishment of another phase of KDS (1991-2003). Despite the Kurdistan region's decision to rejoin Iraq in 2003, the KDS maintained its semi-independent status and therefore it can be considered as another KDS (2003-present).

Two questions that remain are whether these KDSs are quasi-states, and, if so, how they contributed in the devolution of Iraq's status into a recognised quasi-state. The criteria of unrecognised quasi-states and the criteria for recognised quasi-states that were introduced in this work offer the solution. These themes are developed based on: Smith's and Weber's definitions of state, Jackson's quasi-state theory, and Kolstø's treatment of quasi-states. As outlined in Chapter One, two sets of criteria are developed for both unrecognized quasi-states and recognised states. A KDS is considered to be an urecognised quasi-state (UQ) if it fulfills criteria for unrecognised quasi-states (UQC). Similarly a *de jure* 'sovereign' state must fulfill certain criteria to be classified as a recognised quasi-state (RQ).

The three KDSs, namely (a) the KDS of 1961-1975; (b) the KDS of 1991-2003 and (c) the KDS of 2003-present, were in fact unrecognised quasi-states as they met all four criteria of Unrecognised Quasi-states (UQC). As presented in Chapter One these four criteria are: (1) a symbolic nation-building process (UQC-I); (2) the militarisation of Kurdish society (UQC-II); (3) a weak parent state (UQC-III); and (4) external patronage and support (UQC-IV). The KDS of 1961-1975 and the KDS

of 1991-2003 were classified in this work as the first and second unrecognised Kurdish quasi-states (UKQ-I) and (UKQ-II) respectively (see Chapter Six, Seven, and Ten).

In the same periods that the Kurds established their unrecognised quasi-states, Iraq was in the process of devolving into a recognised quasi-state, as it fulfilled all criteria of recognised quasi-states (RQC). The first criterion (RQC-I) is a state that violates its rules and/or threatens its citizens. In all cases Iraq targeted and threatened civilians and violated Iraq's own rules and laws, not to mention international law. The second criterion (RQC-II) is the state's loss of control over part of its territory. In at least in four periods Iraq lost control over significant parts of Kurdistan, putting these areas back in the hands of the Kurds. These four periods were (a) from 1961 to 1975; (b) from 1980 to 1988; (c) from 1991 to 2003; and (d) from 2003 to the present. The third criterion (RQC-III) entails a state that seeks external military support from a stronger state in order to challenge a separatist region. From 1961 onward and on many other occasions, Iraq appealed to outside sources for direct military support to contain the Kurdish threat. For example, they appealed to Syria and Egypt in the 1960s, the Soviets in 1974-1975, and Turkey in the 1980s. In each case the external nations called upon sent troops to support Iraq in its war against the Kurds. During PII the US played the same role but in a different manner. The 'unity' of Iraq was largely owed to the US will to keep the country together.

The fourth criterion (RQC-IV) for determining whether a state is a recognized quasi state is a state that cannot prevent the presence of foreign military forces on its soil, or a condition in which the state is subjected to international sanctions (RQC-IV). On many occasions foreign troops reposed on Iraq's soil outside of Iraq's control: Israeli military personnel resided in Kurdistan in the 1960s and 70s, Iran in 1974-1975 and 1986-1988, and Turkish troops in 1983. Moreover, from 1991 to 2003, Iraqi air space north of the 36th parallel and south of the 32nd parallel was controlled by Allied forces. Finally, after 2003 Iraq was directly occupied by the US-led Coalition forces. Thus, since 1961 Iraq satisfied all the criteria to qualify as a recognised quasi-state. Thus, between 1961 and 1975 and from 1991 onward Iraq was a country of two quasi-states: a recognised Iraqi quasi-state and an unrecognised Kurdish quasi-state. These conclusions confirm the second hypothesis of this thesis:

> *(2) Iraq's failure to accommodate or eliminate the Kurdish nationhood project resulted in the evolution of the Kurds' status from a NWS to a de-facto self-rule or unrecognised quasi-state, and the devolution of Iraq, as a parent state, from a NNS into a recognised quasi-state.*

12.3. Governing the Recaptured Territory of a Former Unrecognised Quasi-state by the Parent State

On four occasions Iraq was able to recapture or return to Free Kurdistan: 1975, 1988, 1991 and 2003. On all of these occasions, however, Iraq failed to adequately govern, manage and/or to maintain its rule in the region. This section highlights the simultaneous occurrences of Iraq's failure and the impact of Kurdish quasi-states on the Kurdish populace. When only a recognised quasi-state exists within a country, the issue of integration of all segments of society and the improvement of the system of governance is more likely than in the case where two quasi-states co-exist within a country. In the case of one quasi-state there is only one nation-building and state-building process, though such a process may be challenged by a portion of that state's inhabitants. The process of nation-building in that case, as it was during the monarchy, was unbalanced and the process did not happen simultaneously and at the same pace in all parts of the country. The process almost failed in the Kurdistan region, but the state directed nation-building project was the only dominant process. However, in the case of two quasi-states (i.e., an unrecognised and a recognised quasi-state) within the boundaries of one country, there are two necessarily oppositional state- and nation-building projects transpiring simultaneously. Two different (and usually oppositional) identities and loyalties make each state- and nation-building project counter-productive and in opposition to the success of the other. In such dual quasi-states two rival forces vie for power and seek to monopolise the exercise of violence in the secessionist territory. Two separate systems of army recruitment and two armed forces are active in defending their respective territories, and two entities push their respective legitimacies on the other. There is also a *de facto* boundary that separates the two states in which the institutions of the recognised quasi-state are absent in the areas of the unrecognised quasi-state. In a country of one unrecognised quasi-state, the process of integrating the inhabitants of different territories and ethnic/national backgrounds is more likely than in a country with two quasi-states. From 1961 to 1975 Iraqi authority was absent in a significant part of Kurdistan (Free Kurdistan) in which the Kurds established their UKQ-I.

The UKQ-I fulfilled the basic tasks such as providing security and protection to defend the region during the five major wars that Iraq inflicted on Kurdistan. The UKQ-I also developed a common national identity and destiny among its inhabitants by defending the region.The UKQ-I found it easy to portray Iraq as it main external occupier and threat due to the five wars that Iraq inflicted on it. This perception was a useful and powerful tool by which to motivate Kurdish unification and nationalistic sentiments. With the collapse of the UKQ-I, Iraq regained an opportunity to rule the region. However, during the era

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of UKQ-I (1961-1975), Iraqi institutions were expelled from Kurdistan, and the Kurdish administration, institutions and armed forces replaced them. With the collapse of the UKQ-I, the Kurdish local administrations collapsed leaving a void in civil administration, functional institutions, and native supporters. With this set of circumstances, Iraq's only option for maintaining its rule was to govern the region militarily. The military, however, failed to meet its obligations satisfactorily. Within one year of the collapse of the UKQ-I, Iraq's military superiority was challenged by the peshmerga in rural Kurdistan. By the time that the Iraq-Iran war broke out, Iraq had lost military control of most parts of rural Kurdistan. Thus, Iraq did not succeed in governing the Kurdistan region administratively or militarily.

The result of Iraq's failure to govern Kurdistan from 1976 onward was that the Kurdistan region was divided into four zones, each with a different policy imposed by the central government. The policy for each zone was based on the degree of the zone's affiliation with UKQ-I. The first policy offered symbolic autonomy but with a heavy military presence in the main cities and towns that were less directly affiliated with and less vulnerable to integration into the UKQ-I. The second policy offered indirect rule through middlemen and the *Jash* militia. It was the policy for the newly created collection camps and towns that were ruled by the UKQ-I. From 1975 onward this zone remained under Iraq's authority but was vulnerable to be being recaptured by the peshmerga. The second policy was designed for the ethnically mixed areas that were less affiliated with UKQ-I. Iraq followed the combined policies of Arabisation and de-Kurdification in this zone. They were less vulnerable to being captured by the peshmerga, but insisted on being considered as an integral part of the Kurdish homeland. The fourth policy was the depopulation of rural Kurdistan that was ruled by the UKQ-I until 1975 and by the peshmerga between 1980 and 1988. Iraq also followed the policy of annihilation and de-Iraqification of inhabitants of this region. By 1988 about 80-90 percent of rural Kurdistan was depopulated.

The second occasion in which Iraq failed to govern the Kurdish self-ruled areas followed the collapse of the second period of Kurdish self-rule in 1988 when Iraq defeated the peshmergas and recaptured the entire Iraqi Kurdistan region. Despite its undisputed control over Kurdistan, Iraq did not attempt to reconcile with the Kurds, repopulate or reconstruct the war-devastated rural areas. Nor did they attempt to provide services and implement a functional civil administration to the region. What Iraq did was to expand its depopulation policies to towns and collection camps that they had previously ruled indirectly. Thus, failing to govern Kurdistan between 1976 and 1991 resulted in the depopulation of two-thirds of Iraqi Kurdistan. The third occasion in which Iraq failed to govern the Kurdish self-ruled areas was after the Kurdish Uprising of 1991. Iraq defeated the uprising and recaptured the main cities and towns. But it

still failed to govern or maintain its authority in the region. For the first time in its history, Iraq was compelled to withdraw from all three Kurdish governorates, the region that eventually turned into the UKQ-II. The final occasion in which Iraq failed to govern the Kurdish self-ruled areas was after the invasion period when the Kurds rejoined the country. In 2003 the KRG formally rejoined Iraq, an act that became constitutionally recognised and resulted in a federal and unified Iraq. Despite the KRG decision to rejoin Iraq, Iraqi institutions, administration and armed forces were not allowed to enter the region and are totally absent in Kurdistan. The UKQ-II established after 1991 was transformed into a more functional, progressive and stronger quasi-state.

In sum, failing to accommodate the Kurds as a NWS and the failure to acknowledge its nationalism and nationhood project resulted in the imposition of two sets of policies by the monarchy: a state of indirect rule in rural Kurdistan and the delegitimation of the Kurdayeti. The two polices resulted in the emergence of the Autonomous Tribal Entities (AET) and autonomous political parties with access to weaponry. The UKQ-I resulted from the development and cooperation of the two autonomous entities. After the collapse of the UKQ-I, the KDS was founded in the 1980s as a result of Iraq's failure to govern Kurdistan. Instead of implementing the Law of Autonomy in all Kurdish areas, Iraq for all intents and purposes divided the region into four zones. The Uprising of 1991 directly resulted from Iraq's policies of annihilation of Kurdistan and the de-Iraqification of the Kurds. The policies of annihilation logically followed Iraq's failure to govern or manage Kurdistan. Annihilation also resulted from the emergence of the KDS in the 1980s and the resulting status of UKQ-I. Though defeated, the Kurdish Uprising of 1991 uprooted Iraqi rule in Kurdistan and it never recovered. The Kurdistan region eventually developed into an UKQ-II. Finally, the UKQ-III after the invasion of Iraq was nothing more than an extension of and a developed phase of the UKQ-II. Hence, each phase of Kurdish quasi-statehood or *de facto* self-rule logically followed the former phase. Thus, the findings of this work provide sufficient support, historical coverage and applicable evidence to support the third hypothesis of this thesis:

> *(3) If a NWS establishes de-facto self-rule or quasi-statehood in part of its territory, and the territory is recaptured or reabsorbed by the parent state, then it is less likely to be re-administered or 're-governed' by the parent state.*

12.4. Kurdistan as an Outward-Looking Nation without a State

The Kurds of Iraq portray themselves as a nation eligible for and capable of self-determination and the establishment of its own independent state. Being part of Iraq is perceived as a usurpation of their inherent rights as a nation. Iraq is viewed as an 'occupier' and Kurdistan is seen as an occupied homeland. Therefore, the Kurds have continually searched for outside protection from internal exploitation and for outside support to escape the 'oppressive' rule of 'the occupier', Iraq. The Kurds justify their outward search for support as a legitimate quest to protect their 'subjugated nation' and to retain their usurped right of self-determination that is guaranteed by the UN Charter. The Kurds' outward-looking policy is one of the main characteristics of Kurdayeti. During the monarchy the Kurds communicated with various international bodies and superpowers in their appeal for protection, justice and support for national rights. Following the establishment of the UKQ-I, the Kurds' goal was to establish client-patron relations with regional states or superpowers in order to secure and develop their quasi-state. They have been offered different forms of patronage that have included political, logistical, military and financial support.

The search for outside protection must be understood in terms of the Kurds' self-representation as a NWS but has not been recognized or acknowledged as such. Based on the Kurds' self-representation the Kurdistani nation is eligible for self-determination. To date, however, they have been denied this right. Several examples demonstrate how the Kurds' outward search for patronage may be interpreted as their unwillingness to compromise their nationhood project. One example is that during the formation years of Iraq and until the 1930s, many Kurds considered the British as their main security against exploitation from Iraq. This was the case whether the Kurds were pro-autonomy, pro-independent Kurdish state, or pro- or anti-colonial. Even the Kurdish rebels that fought both the British and the Iraqis sought British protection and preferred British rule to that of Iraq.

Another example is that because they so overwhelmingly rejected the legitimacy of Iraqi rule and authority, the Kurds were more willing to appeal to foreign powers for protection rather than to their supposed protector, the Iraqi state. For example, from 1925 to 1958 the Kurds presented tens of petitions to various international bodies such as the League of Nations and leading statesmen to plead for external support. Moreover, since 1961 the quest to secure an outside protector became a life-and-death matter for Kurdish *de facto* self-rule. Being in a continual state of conflict with Iraq and under a permanent economic blockade, the UKQ-I was in desperate need of arms and financial assistance. As a land-locked region without friendly neighbors, coupled with the absence of Iraqi and international recognition, the viability and survival of the UKQ-I rested on finding reliable external patrons. To gain external support

and protection, the Kurds established relations with whoever showed willingness to offer assistance regardless of their stand on Iraq or even the Kurdish case itself. In the 1960s the Kurds found support from Iraq's traditional enemy, Israel. They also received significant support from the Kurds' traditional enemies: Iran in the 1970s and 80s, Turkey in the 90s, and Syria from1976 onward. Each of these countries had significant Kurdish minorities as part of their population and traditionally opposed Kurdish rights in Iraq.

Further more, supported by external patron states on at least two occasions, the Kurds preferred to fight Iraq rather than to compromise their rights. Encouraged by Iran and the US in 1974, the Kurds became overconfident in their ability to defeat Iraq in future confrontations. Consequently, they rejected Iraq's version of 'autonomy' that led to renewed fighting with Iraq. Similarly, the Kurdish delegation that negotiated with Baghdad after the defeat of the 1991 uprising rejected continued negotiations with Baghdad. They settled their conflict based on Iraq's proposed autonomy. One of the main reasons for the Kurds' withdrawal from negotiations was the Allies' willingness to support and protect them through the establishment of the Safe Haven and NFZ established in parts of Kurdistan. Consequently, fighting between the peshmerga and Iraqi armed forces broke out that resulted in the withdrawal of Iraq from Kurdistan.

Another example is the Kurds' support of the US invasion of Iraq was another example of their outward-looking policy. Many Iraqi Shia and Sunni Arabs considered the US forces as an occupier of Iraq and they showed their opposition to the US presence by participating in the anti-American insurgency. Unlike the Iraqi Arabs, the Kurds participated in the US war on Iraq in 2003 and welcomed the US troops as liberators. In contrast to other Iraqis that called for the US to withdraw, many Kurdish leaders encouraged the US to establish a permanent military base in the Kurdistan region. The Kurds' support for the invasion should be understood as consistent with the Kurdish outward-looking policy and their corresponding attempt to escape domination from Iraq.

The final example is that, instead of integrating into Iraq's economy after the US invasion, the UKQ-III sought to integrate into the regional and world market. To that end, the UKQ-II attempted to create a legal framework in which to institutionalise its outward policy. Against Baghdad's objection and Iraq's attempts to impose control, the KRG ratified its own investment and petroleum laws that were designed to achieve two goals. One goal was to exchange the Kurdistan region's oil for external support and protection. Kurdish official discourse emphasised that foreign countries may defend Kurdistan if they have interests in the area. To assure their long-term presence and involvement, the IOCs and international

corporations were awarded lucrative production share contracts. Thus, through the creation of economic interests for various countries, the Kurds sought political support and even physical protection from 'outsiders'. The other goal of the KRG investment and petroleum laws was to achieve economic independence from Iraq. Owning huge oil and gas reserves, the KRG was confident enough to behave like a developing state rather a federal region within a sovereign state.

Despite sharing revenue and securing 17 percent of Iraq's budget, the KRG developed its own oil and trade sectors without Iraq's consent and in opposition to its stated policies. UKQ-III insisted on its right to own and manage the petroleum and economy in the region. Since 2010 the KRG began to produce a significant amount of oil for its commercial ventures. The KRG intends to become financially self-sufficient within a few years and economically independent from Baghdad. Financial independence could only enhance and strengthen the Kurds' move towards independence and weaken its ties to Baghdad. Iraq would lose its main leverage and pressure point against the Kurds, namely, economic superiority.

In sum, due to their rejection of the legitimacy of the central government, the Kurds as a NWS were less inclined to participate in Iraq's political processes or to compromise their national intentions. Instead, they have been in an almost constant search for an outside patron to guarantee their security. The Kurds' outward-looking policy became a 'thorn in the flesh' to Iraq's nationhood project. The clash of the Kurdish nationhood project with that of Iraq's resulted in tension, violence and conflict. Iraq used the Kurds' outward-looking policy to justify its rejection of Kurdish nationalist demands as well as to suppress and criminalise the Kurdish parties as plotters that conspired with the enemies of the Arab nation. Iraq's constant use of violence and persecution encouraged the Kurds to search for outside support. In spite of itself, Iraq contributed and possibly forced the Kurds to consolidate their outward-looking policy. Based on Kurdish experience, the findings of this work provide sufficient evidence to support the fourth hypothesis:

> (4) *A NWS is outward-looking in order to find external patrons that will support its nationhood project and help it to become independent. A NWS is less likely to look inward for protection and to be satisfied by attaining political and cultural rights within the boundaries of the NNS as this would compromise its nationhood project and tend to diminish its status as a separate nation.*

12.5. Negative Patronage and the Kurds' Failure to Achieve Independence

In search of outside patrons and sources of protection, the Kurds managed to gain different forms of external support. Two striking examples of support offered to the UKQ-I from1961 to 1975 and UKQ-II from 1991 to 2003 demonstrate the types of external support offered and accepted. During the UKQ-I the Kurds received external patronage from the Soviet Union, the USA, Israel and Iran. While the UN Security Council (UNSC) and US-led Allies offered different types of patronage to UKQ-II, such as the creation of the Safe Haven and the NFZ and the UN granted financial support in the form of INGOs and OFFP. These patronages contributed in the emergence and development of these two UKQs. All of this external support, however, is considered to be negative patronage because, as laid out in Chapter One, the aid served the purposes of the patron, rather than that of the client. External patronage is considered to be negative if it fulfills three criteria (NPC): (1) the populations of the patron and client states do not share the same ethnic or cultural identity (NPC-I); (2) the patron state is not motivated by interests, rights and/or identity of the client state; and (3) the patron-state does not seek the client's independence and is not willing to recognise the independent state.

Based on the framework outlined in Chapters Seven and Nine, all patronage provided to the Kurds qualified as negative patronage. First, there was no Kurdish state in the world that shared the Kurds' ethnic and/or cultural identity. Secondly, neither type of patron was motivated by the interests, rights and/or identity of the client state. USA and the Soviet Union support of the UQK-I was formulated within the context of the Cold War and much depended on their respective relations with Baghdad. Israeli support to the UKQ-I took place within the context of the Arab-Israeli conflict; the Iranian patronage transpired in the context of its border disputes with Iraq. Therefore each of these patronages ended when the circumstances surrounding the particular conflict with Iraq changed.

No external patron during the UKQ-II was motivated by the Kurds' rights and interests. The priority of UNSC and US-led Allies' interference and patronage was to protect the security and stability in the region rather than to protect the Kurds' rights and self-rule. In other words, the Allies patronages were designed to support the 'one Iraq' policy and to protect the interests of the regional governments as well as to promote their stability. Third, none of the patrons supported the idea of an independent state of Kurdistan and Kurdish secession was perceived to be against their respective interests. Neither the UKQ-I nor the UKQ-II gained recognition from their respective patrons. The Kurds were not encouraged to ask for separation from Iraq. Thus, the patrons of the first and second UKQs satisfied all criteria of negative patronages. Patrons supported the Kurds out of self-interest, not to further Kurdish interests.

The question that remains relates to the relationship between negative patronage and the collapse of the UKQ-I in 1975 and the UKQ-II decision to rejoin Iraq in 2003. This relationship must be understood in the context of the policies of the external patrons to the Kurds. It is instructive to look at several examples to see how these matters flesh out.

First, all patron states followed the 'one Iraq' policy. They emphasised their commitment to the territorial integrity of Iraq. Their support stopped short of offering support for full independence or a *de jure* autonomy for the Kurds. Kurdish quasi-states were denied political recognition, a situation that left them under constant threat from Iraq and other neighbouring states. From 1961 to 1975 Iraq inflicted five major wars on Kurdistan. None of Kurds' patrons attempted to prevent Iraq from attacking. Despite being a traditional and staunch rival to Iraq, Iran remained committed to the 'one Iraq' policy. It was Iran that saved Iraq from collapsing in its final war on Kurdistan in 1975. Iran abandoned the Kurds and turned against the UKQ-I. Similarly, as patrons to the UKQ-II, the Allies did not prevent the economic embargo or other forms of violence to which the zone had been subjected. Being under constant threat from surrounding countries, the KRG was coerced into officially asserting its commitment to the integrity of Iraq. Thus, negative patronage had no intention of assuring the movement of an unrecognised quasi-state entity toward becoming a recognised state.

Second, all patron states followed a 'no-win' policy. They were motivated by their own concerns apart from and often contrary to Kurdish interests and rights. No patron state was motivated by altruism or by a wish to see a Kurdish victory or a strong autonomous Kurdish region, let alone an independent Kurdish state. Any aid granted the Kurds fell short of guaranteeing a Kurdish victory in the UKQ-I wars against Iraq. Consequently by 1975, the Kurdish-Iraqi conflict exhausted the UKQ-I. Iran's switch from patronizing Kurdistan to supporting Iraq left little hope for the survival of UKQ-I. Similarly, the US-led Allies followed the same no-win policy with the UKQ-II. In fact, their patronage was designed to contain the Kurdish quasi-state as much as to contain Iraq. From 1991 to 2003 the UKQ-II remained under constant threat from surrounding countries including Iraq. Moreover, UKQ-II was subjugated to similar measures by the international sanctions that were imposed on Iraq by the UN. The Allies' and the UN's refusal to lift sanctions on Kurdistan was justified in that it would encourage the secessionist tendencies of the Kurds.

The NFZ was designed to control the UKQ-II as much as to protect the Kurds. Under the NFZ, Kurdistan was divided into four zones. Only the zone bordering Turkey was covered by the NFZ and only a part of this protected zone was under KRG administration. The rest of the zones were either part of the UKQ-II

but excluded by the NFZ, or included in the NFZ but not part of the KRG administrative area, or they were outside the NFZ and the UKQ-II control altogether. In other words, the policy of 'divide and control' was followed to prevent the development of the UKQ-II into a more functional state that could get out of hand. Thus, by denying its recognition and subjugating it to international sanctions, the UKQ-II remained weak, vulnerable and incapable of developing into an independent state. It also made it easy to compel it to rejoin Iraq when necessary. Viewing the secession of its client to be against their own national and regional interests, negative patrons preferred 'stalemate' and the status quo to an independent client and the change that that condition would necessitate.

Third, patron states tended to use the UKQ as their own bargaining chip. Two major external patrons of the UKQ-I and UKQ-II, Iran and the US-led Allies, are striking examples of how negative patrons were responsible for terminating or collapsing their client quasi-states. Both Iran and the US were the main contributors to the termination of the very UKQ that they had previously supported; and they did this for their own interests. During the fifth war on Kurdistan in 1974-1975, for example, Iraq was on the verge of collapse and dismemberment. Had Iran increased its assistance to the Kurds during this war, Iraq might have been defeated. Iran, however, did just the opposite and terminated its patronage to the UKQ-I. Iran not only cut its financial and military aid to the Kurds, but it also forced the Kurds to terminate the war and surrender to Iraq. Iran even threatened to join the Iraqis in a combined attack on the Kurds if the latter refused to accept the terms of the Algeria Agreement that was signed by Iran and Iraq in March 1975. The dramatic shift from Iran's longstanding support (1966-1975) to its anti-Kurdish stance resulted in the total and immediate collapse of the UKQ-I. So the main reason for the collapse of the UKQ-I was the fundamental shift in Iran's viewpoint and stance from being the main patron of Kurdistan to the supporter of Iraq following the Algeria Agreement.

The UKQ-II experienced a similar outcome with the Allies' patronage. The US was the only real authority in Iraq following its occupation in 2003. During the first years of occupation the Iraqi state practically collapsed. The US had the ability to dismember Iraq at will. But the US did just the opposite. Instead of offering its client independence, the US forced the Kurds to rejoin Iraq and participate in the reconstruction of the Iraqi state. The US was involved in the process of reconstructing Iraq at the expense of the independence of its client quasi-state (UKQ-II). For many years Iraq remained (nominally) a united country because more than 140,000 US-led coalition troops assured that this was the case. In fact, the US attempted to dissolve the UKQ-II and impose a form of federalism based on 18 governorates rather than a

federal system based on a plan that included the KRG as a federal region.[47] Facing difficulties such as the Sunni-based anti-American insurgencies, the Sunni-Shia civil war, and political stalemate, the US abandoned its policy.

In sum, the Kurdish quasi-state experience demonstrates that negative patronage played a pivotal role for its collapse and termination, as happened with the UKQ-I in 1975 and the UKQ-II in 2003. Hence, in light of the negative patron model and observations and finding of Chapters Seven, Ten and Eleven, there is more than sufficient evidence to confirm the validity of the fifth hypothesis:

> *(5) A quasi-state of a NWS that lacks positive patronage and attracts only negative patronage is less likely to achieve independence or to develop into a more functional quasi-state, since negative patronage is unwilling to secure the long-term success of its client (the unrecognised quasi-state). Negative patronage involves goals that are external to the unrecognised quasi-state's purposes for seeking assistance.*

12.6. Questions for Further Research

Several themes are introduced and developed throughout this thesis, including the following: traditional autonomous entities (TAE); political autonomous entities; the outward looking nature of the NWS; the country with two quasi-states; criteria for unrecognized quasi-states and criteria for recognised quasi-states; positive and negative patronages and criteria for negative patronage. The main questions that arise include how to apply these themes to international relations theory; and how to apply these models to analyse conflicts at the wider Kurdish, regional and international levels.

At the Kurdish level, there is the question as to what extent the Kurdish issue in Iran, Syria and Turkey support these developed approaches. Are the Kurds of Iran, Syria and Turkey outward looking NWSs similar to their fellow Kurds of Iraq? If so, why they haven't achieved *de facto* self-rule or an unrecognised Kurdish quasi-state similar to that of the Kurds in Iraq? What has positive and negative patronage contributed to their failure to establish *de facto* self-rule? This is particularly important if we consider that for many years the Iranian and Turkish Kurds received external support from both the Iraqi and Syrian states respectively. How would the Iranian, Syrian and Turkish states respond to criteria for the recognised state? The TAE can provide a sense of direction in the case of the Kurds of Turkey. There are some 50,000 pro-government and tribal based Kurdish militia personnel, popularly known as *Köy*

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47 In November 2003, an agreement between Paul Bremer, the occupier ruler of Iraq and the Iraqi Governing Council was reached to base Iraq's future structure on the country's 18 existing governorates.

Korucular (Village guards). They have a role akin to that played by the *Jash* in Iraqi Kurdistan during the 1980s. There is a question, however, as to whether these tribes contain traits of TAE, and if so, how it will affect the Kurds' integration into Turkey. How it contributed to the establishment of the pro-Kurdish parties in Turkish Kurdistan is another question that begs to be answered.

Other related questions that beg to be answered include the following: at the regional level, do other territorial communities, such as the Azeri and Arabs of Iran qualify as NWSs, and, if so, are they outward looking communities similar to the Kurds of Iraq? Whereas there are Azeri and Arab states that would grant these two communities positive patronage, why haven't these two communities established unrecognised quasi-states? The question of positive/negative patronage can also be applied to the Palestinian territory, a region that is supported by many Arab and Islamic countries. The TAE may also provide an answer to the question of the coming of Iranian ayatollahs to power and the Shia Islamists in Iraq. In these two countries the Shia institutions and hierarchies, including the Hawza and Marja', had a role akin to that of the TAE. They played a vital role in the coming of the Shia Islamists to power in 1970 in Iran and in Iraq after the 2003 US invasion.

At the international level, the answers to these questions may offer solutions to the nature of many conflicts around the world. For example, the TAE may provide answers to the puzzle of the survival of the Taliban in Pakistan and Afghanistan. The pashtun tribes of these two countries enjoy a TAE similar to that of Kurds during the monarchy. Similar to the role of the Kurdish TAE in providing a safe haven to the Kurdish political parties, these tribes, also provides a safe-haven to Taliban militants. The themes that emerge in a country of two quasi-states also may be offer answers to internal conflicts of other countries they may help to re-categorise many countries around the world as countries of two or more quasi-states. Cyprus is one example that can be scrutinised to know whether it is a country of two quasi-states: the unrecognised Turkish quasi-state and a recognised Cyprus quasi-state.

Another country that needs to be evaluated is Georgia, in order to understand whether it fulfills a country of three quasi-states: the recognised quasi-state of Georgia and the two unrecognised quasi-states, namely, Abkhazia and South Ossetia. These two examples are also useful to further research the role of negative and positive patronages in the emergence and survival of unrecognised quasi-states. The ideas of negative and positive patronage are also useful to answer the question as to why some unrecognised quasi-states, such as Eritrea and East Timor have achieved international recognition, while other quasi-states such as the Tamils of Sri Lanka collapsed. At the midway, however, are many unrecognised quasi-states that have managed to survive but failed to achieve recognition. Among these are: West Sahara and Nagorno-

Karabakh Republic. These themes may also prove useful for finding a different and more appropriate solution to the Israeli-Palestinian conflict.

Answering these questions not only offers a better understanding of the nature of protracting conflicts among people groups, but may provide a proper solution to them. One alternative solution could be further involvement of the international communities in resolving these conflicts. This is because conflicts between quasi-states often involve contention between one recognised and one unrecognized quasi-state. These sorts of conflicts have an international dimension involving one or more regional states or a super power to act as a patron state. Hence other related questions that that remain include the following: is it proper under common international law for the UN and the international communities to interfere in conflicts between quasi-states and parent states? To what extent may the international communities' involvement resolve or complicate the conflict between the unrecognised quasi-states and its parent state? Clearly, there is much food for thought, research and discussion relating to quasi-state relations with parent states and the rights that minority nations have within a larger recognised state.

12.7.   The Kurdish Lesson and Future Prospects

In 2003 the UKQ-II was reabsorbed into Iraq and the federal status of the KRG was agreed to. However, the political stalemate of PII coupled with the nation-building process and militarisation of Kurdish society under UKQ-II made the reunification of the KRG with Iraq merely a nominal process. Iraq itself was on the verge of being dismantled as both the US occupation and the new Iraqi rulers were challenged by a Sunni-dominated insurgency. The Iraqi state collapsed in 2003 and was reconstructed. The Shias and Sunnis were exhausted and divided by civil war. Consequently, UKQ-II institutions and its structure remained untouched; the Kurdistan region remained unoccupied by the US, and the Iraqi authority failed to return to Kurdistan. After the invasion the KRG was in its third phase as an unrecognised Kurdish quasi-state (UKQ-III). This was the most developed phase of quasi-statehood in Kurdish history. Post-invasion Iraq was not merely a NNS; it was a recognised quasi-state that satisfied all criteria of recognised quasi-states presented in Chapter One.

The post-invasion Kurdish-Iraq conflict is reflected in the quasi-state status of these two entities. The Kurdish-Iraq conflict is not between a state and disadvantaged rebel or minority group, nor is it from a peripheral territory or a conflict over cultural, economic, human and/or ethnic rights. Rather it is a conflict between two antagonistic quasi-states, each struggling to escape from its quasi-state status and be transformed into a real sovereign state at the expense of the other's sovereignty. Several aspects of the

Iraqi-Kurdish conflict show that the conflict was between two separate (quasi) states rather between a federal region with a central state. For example, similar to the ongoing border dispute between two rival neighboring states, the KRG-Iraq border dispute was the central issue behind the contention between Baghdad and Erbil. The KRG border was constitutionally recognised and the two entities were separated by clear boundaries. To gain internal sovereignty, the UKQ-III aimed to extend its authority into disputed areas that represented some 40 percent of what the Kurds believe to be their historical homeland. Iraq's goal, however, was to extend its sovereignty into the Kurdistan region and to transform the quasi-state of the KRG into a federal region within the sovereign territory of Iraq. The KRG's intention, in contrast, was to maintain internal sovereignty and incorporate the disputed areas into its territory. To maintain its internal sovereignty, the KRG prevented Iraq's institutions and army from entering the Kurdistan region. Furthermore, each entity was protected by two separate independent military forces. The Iraq army has over 750,000 soldiers, very few of which are Kurds. The Kurdish armed forces number around 200,000. Of course, Iraq has no authority to command these military personnel. Moreover, the KRG has control over its own economy, military, education, and oil fields.

Conflict over external recognition of state sovereignty is another item that presented a potential conflict area between two states. Iraq asserts that establishing international relations is its exclusive right and that Kurdistan has no right in this area since it is part of Iraq. On the contrary, to achieve externally recognised sovereignty the UKQ-III established both diplomatic and economic relations with foreign countries despite Iraq's opposition. The KRG established its representatives in dozens of countries and many countries reciprocated by establishing direct relations with the KRG by opening consulates in Kurdistan. KRG President Masud Barzani was received by heads of states of numerous countries including the USA, Turkey, France and Iran.

 The economic independence of the KRG related to both internal and external sovereignty areas of concern. Obviously, this was another central conflict between the two competing entities. Both sides claimed exclusive rights to own, produce and export oil in the Kurdistan region. Despite the central government's opposition, the UKQ-III has independently produced and exported petroleum from the region. The KRG has signed oil contracts with international oil companies (IOCs) that are involved in multi-billion-dollar investment projects. The KRG's lucrative commercial activities with the outside world continue without Iraq's permission. The only main shared or common bond between the two entities is the revenue shared by the two quasi-states. The shared revenue is based on the separate and autonomous entities: 17 percent of Iraq's total budget goes to Kurdistan. The UKQ-III is heading towards

financial independence primarily due to the developing oil sector. Despite the relative calm between the two sides in PII, the potential of war remains high. This is because (1) most historical conflicts between the two sides have remained unresolved; (2) both sides own military forces; (3) there are factions on both sides that incline toward military solutions to resolve their conflicts. They have been in a standoff since 2008.

This thesis comes to an end by making several recommendations. First, the international community should deal with the Kurdish-Iraq conflict as they would any conflict between two quasi-states. They should not treat any aspect of a Kurdish-Iraq conflict merely as an internal matter, or affair of one sovereign state. The UN established a UNAMI committee in 2007 to mediate between the KRG and Iraq regarding disputed areas. Similarly, the US in PII continues to play a peace keeping role even after the withdrawal of its troops. However the scope and level of international community involvement needs to be expanded and elevated. The UN must mediate negotiations between the KRG and Iraq over all unresolved issues between the two sides. Second, the conflict settlement should be based on the principle of 'soil for sovereignty'. To resolve the border disputes between the KRG and Baghdad, and within the framework of the Article 140 of the Iraq Constitution, the UN should be mandated to redraw the frontier between the KRG and Iraq (see Appendix 1). In return, Iraq was to retain part of its sovereignty over the KRG. Among other areas that Iraq may retain authority over include: (1) managing and protecting the border areas of Kurdistan and Iran, Turkey and Syria, (2) the establishment of a federal police force, and courts side-by-side with those of the KRG.

Third, Iraq-KRG relations should be rearranged based on the confederal arrangement. Though the confederal arrangement may not satisfy either side completely, it is a 'midpoint' between the status of the UKQ-III and what has been ratified in the Iraq constitution. For the Iraq side the confederal solution is tantamount to recognition of the actual status quo of the geo-political reality in Iraq. It also may prevent the partition of the country and help Iraq to regain some sovereignty in the Kurdistan area. Though confederalism falls short of the Kurds' request for an independent state, due to the lack of positive external patronage and the international communities' support for an independent Kurdish state, confederalism remains best alternative to their current quasi-state status.

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