

The Kurdish question in Iraq: historical background and future settlement

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This article explores the political history of the Kurdish question in Iraq. It starts by giving a short historical background to the issue, and moves on to explain Kurdish demands and past attempts to resolve the problem, both militarily and peacefully. It then gives an account of the idea of autonomy as understood by various Iraqi governments and Kurdish leaderships. The article also concentrates on the obstacles hindering and obstructing a lasting, peaceful solution to the problem. Finally, it offers the writer's suggestions for bridging the gap between the Arabs and Kurds in Iraq in general, and the various Kurdish leaderships and the central government in particular.

Keywords: The Kurdish question; Iraq; historical background; future settlement; federal solution

Historical Overview

The Kurds are an indigenous people of the region known for thousands of years as Kurdistan (the land of the Kurds). Like many other parts of this area of the world, Kurdistan has been divided and re-divided many times against the wishes of its people and placed under the control of the empires and countries that ruled the region. The latest division of Kurdistan occurred in 1923 as a result of the Lausanne Treaty, which divided the region along the lines we know today. Modern Iraq, which was placed under the British mandate, was made up of three Ottoman provinces (*wilayats*), Mosul, Baghdad, and Basra. After Iraq was occupied by the British, Mosul was divided into four governorates: Mosul with an Arab majority, Erbil and Sulaimaniya with a Kurdish majority, and Kirkuk with a Turkmen majority, except in some of its northern parts.

The Kurds of Sulaimaniya and Erbil rejected the British mandate absolutely from its inception for several reasons, the most important of which was religious. In fact, the majority of the Kurdish tribal leaders, and the Kurdish people in general, were devout Muslims, which explains why calls for a holy war (*jihād*) alongside the Islamic Ottoman Empire against the Western occupiers met with a largely sympathetic response.

When the Kurdish leadership saw that the Ottoman forces were vanquished and that an Iraqi state might be established, with the region divided into several states, Kurdish tribal leaders, such as Shaykh Mahmud al-Barazanji of Sulaimaniya, pushed for an independent Kurdish state, just as the other peoples of the region also pressed for independent states for themselves. Later, several attempts were made to reject the increasing power of the central government, and to protest against the

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refusal to grant the Kurds their political and cultural rights, particularly their right to use their language. It is important to note, however, that although successive Iraqi leaders tried to reach an agreement with Kurdish leaders and establish closer ties with the Kurds as an inseparable part of the Iraqi people with its own characteristics, the British administration used Kurdish discontent as a bargaining counter, through which to exert pressure on successive Iraqi governments, in an attempt to force them to sign long-term agreements and treaties that served British interests alone. In other words, the British were provoking and inciting the Kurds to fulfill their own objectives. Once they had secured their goals, the British would send their army and the air force to bomb Kurdish areas and exile Kurdish leaders from Iraqi Kurdistan and Iraq. In fact, the negative foreign influence on the Kurdish national movement has been persistent, although it took different forms throughout the years.

When Iraqi national rule began in 1921, the British administration insisted on keeping two issues pending: the matter of the Wilayat of Mosul, which was claimed by Turkey, and the full annexation of the Kurdish governorates to the new Iraqi state under the reign of an Arab monarch, King Faisal I. At that time, the British administration continued to spread the word that Turkish influence in Iraqi Kurdistan was widespread and that most Kurds were in favor of unification with Turkey. King Faisal I therefore sent the Minister of the Interior, 'Abd al-Muhsin al-Sa'dun (who later became Prime Minister) to Iraqi Kurdistan to investigate the matter. Sa'dun wrote back to King Faisal, saying: 'On the first day of my visit, I met with the notables of Sulaimaniya who informed me that they were willing to pledge allegiance to your majesty and to join the young Iraqi state, and that they were ready to send petitions in favor of that position to Baghdad and other parts of Iraq. We agreed to do this the next day.' Sa'dun also confirmed to the King that 'the Turkish threat did not exist' and that the vast majority of Kurds he had met rejected the idea of joining Turkey, the country which had inflicted so much suffering on them. Sa'dun then wrote: 'When we met the next day, everybody refused to sign the petitions and literally said that since we were still incapable of telling the good from the bad we will resort to the British High Commissioner to decide what is in our best interest' (Jawad 1981, pp. 9, 29–30).

Most importantly, after the Iraqi parliament agreed to sign the Iraqi-British Treaty in 1924, with a majority of 37 members in favour, 24 against, 8 abstentions and 31 members absent, Sulaimaniya became part of Iraq. The League of Nations promulgated a decision stipulating a settlement with Turkey over the disputed territory of Mosul, although the majority of the inhabitants of the old Ottoman province of Mosul had voted to remain as part of Iraq in a referendum in 1925 organized by the League of Nations Commission to find a solution to the conflict between Iraq and Turkey over this province. The border problems with Turkey were definitively resolved in 1925 by the League of Nations decision to keep the whole of Mosul Wilayat as part of the Iraqi state. Turkey was to be paid some compensation (Tripp 2000, pp. 58–60). Before that, a joint Iraqi-British memorandum was issued in December 1922, which gave the Kurds the right to establish their own local government in Iraqi Kurdistan. They were also allowed to send representatives to Baghdad. However, this part of the memorandum remained unimplemented.

By 1930, the admission of Iraq to the League of Nations as an independent state had been proposed and this required the signing of a new treaty with Britain. Those who opposed were the Iraqi nationalists who were still hoping for full independence,

prominent among them Jaffar Abu Altman, leader of the al-Nahdha (Awakening) Party (Tripp 2000, pp. 52–53) They objected to some of the treaty's clauses and, at the same time, many Kurds voiced their objections regarding the lack of Kurdish cultural rights in Iraq. The situation culminated in a student uprising in Sulaimaniya. Shaykh Mahmud al-Barazanji returned to the political stage to announce a new revolution against what he described as the neglect of the national cultural rights of the Kurds. He also argued that neither these rights, nor the guarantees proposed by the Kurds within Iraq's application to join the League of Nations, had been taken into account.

After the new treaty of 1930 was signed and Iraq joined the League of Nations in 1932, the British air force raided the Kurdish regions in an attempt to crush what they called 'another Kurdish rebellion' (Jawad 1981, p. 12).

Similar Kurdish rebellions and armed uprising took place repeatedly under the monarchy in Iraq, particularly between 1939 and 1946 when Iraqi military and civilian leaders resisted joining the World War on the British side. Consequently, a rebellion arose against the central Iraqi government and the British occupation. In 1941, war broke out between the young Iraqi army and the British occupation forces, which resulted in the re-occupation of Iraq. Contrary to the accusation of some extremist Iraqi Arab nationalists, the national Kurdish movement never obeyed British orders nor cooperated with the British when asked to do so.¹ On the contrary, the Kurds' sense of patriotism, just like that of the Arabs of Iraq, led them to reject the British policy of marginalizing the role of nationalist parties and excluding the participation of political parties in power.

Pressure on these movements was sometimes relaxed and sometimes increased to unbearable levels, which resulted in popular and armed revolts with strong nationalistic objectives. The harshness later adopted by the British forces and successive Iraqi governments is evidence of the extent of the conflict that arose from the opposition of these movements to the occupation and the government that was subjugated to it. It is worth mentioning that Arabs, Kurds and Turkmens participated in the national Iraqi movement, represented by the Iraqi Communist Party, the National Democratic Party, the al-Ahali group and the Movement of Free Officers, with no discrimination whatsoever.

The official response to the crisis

When the monarchy was established in Iraq and all the Kurdish movements, revolts, and rebellions were crushed, the royal regime found it necessary to adopt an official national policy regarding the Kurds. As a result, the regime was able to absorb most influential Kurdish figures into the power structure, and appointed them in senior positions. Almost every cabinet established under the monarchy was either headed by a Kurd, or included a Kurd as head of a powerful ministry, such as defense or the interior, or as army chief of staff. It is true that this policy appealed to the Kurdish bourgeoisie and the feudal class, and in fact, the number of Kurds in the army was for years higher than that of the Arab Iraqis and feudal leaders were allowed to keep possession of large areas of land throughout Iraqi Kurdistan. As a result, the Kurdish nationalist movement remained secret at the beginning of the monarchy and had no significant influence. It also collaborated with the Iraqi nationalist movement in general with the aim of initiating a change that would benefit both parties.

In other words, the Iraqi monarchy distinguished between two categories of Iraqi Kurds, the 'loyal Kurds', who could easily be granted privileged government positions, and the 'opposition Kurds', who could not be absorbed or allowed to participate in any part of government. Naturally, all the Kurdish parties such as Heywa (hope) and the Kurdistan Democratic Party (KDP) fell into the latter category. Due to the relative calm in Iraqi Kurdistan as a result of the crushing of the rebellions and revolts of 1939, 1943 and 1947, the royal government felt no need to draw up a plan or program for settling the Kurdish problem or persuading Iraqi Arabs and Kurds to live in a unified and stable Iraq. The same applied to the British occupying authority, which, after taking control of the oil fields and striking long-term agreements² with Iraq, did not see the need to use the Kurdish question as a bargaining card, and so simply neglected it.

The situation was not much different during the first republican regime. Although the Arab Iraqi parties, leading figures and professional organizations, as well as their Kurdish counterparts, did feel they had greater freedom of movement, and despite the fact that the KDP began, for the first time in its history, to operate overtly even before it obtained a license in 1960, the official position remained as it was before — unclear, not abiding by any specific plan, and based only on a few rights and privileges which the government could withdraw at any time.

Prime Minister 'Abd al-Karim Qasim thought that the 'freedom' granted to the Kurds following the Revolution of 14 July 1958, which was consolidated and guaranteed by paragraph 2 of the new provisional constitution (cited in Jawad 1981, p. 38), along with permission for them to publish their own newspapers and for their exiled leaders, particularly Mulla Mustafa Barzani, to return home, the release of Kurdish prisoners, and the repatriation of those who had been expelled from Iraqi Kurdistan, was sufficient to earn the satisfaction and gratitude of the Kurdish people. Qasim did not consider the possibility of laying the foundations for active Kurdish participation in government, or think of clarifying the legitimate national rights of the Kurds and consolidating them in the framework of legislation. Neither did he specify the Kurds' cultural rights and their right to learn the Kurdish language. Even when Qasim granted the KDP a license, he only did so after modifying the party's name and program. This arrogant and paternalistic approach to dealing with the Kurdish question could never provide a solution. It is true that the Kurds were happy about what they had achieved and they settled for the program set for them by the government on the grounds that obtaining a license was more vital than the other principles, which could be retained as the party's unwritten values, but all these achievements depended on the approval and blessing of the government and could be abolished by the government at any time as long as they were not enshrined in the constitution or the law.

Indeed, this is what happened when the relationship between 'Abd al-Karim Qasim and Barzani's KDP deteriorated, culminating in a fierce conflict. This arrogant approach was even more evident during the conflict, which began in September 1961 and lasted until the end of Qasim's period of office in February 1963. Even then, it did not occur to him to suggest any initiative or plan to solve the Kurdish question. He persisted in his biased position and considered Mulla Mustafa and the KDP leaders to be 'ungrateful', saying that 'they harmed those who lent them a hand and allowed them to work overtly and in freedom' (Dann 1969, pp. 337–338).

What increased the intransigence of 'Abd al-Karim Qasim was his sense that Britain was fomenting dissent in Iraq's Kurdistan, and that the British ambassador had paid bribes to create such problems and overthrow the regime, particularly following Qasim's claim on Kuwait in 1961 and his decision to deprive the British oil companies of all the unexploited lands in Iraq, by the promulgation of Law Number 80 in that same year.³

Qasim failed to act in a statesman-like manner and to distinguish between his personal view and his official position as a leader. His failure was even greater when it came to finding the right solution to the problem, for he resorted to military action and could not understand that the failure to settle the problem would only weaken his regime and increase foreign influence. Qasim should have gained the trust of the Kurds and understood their position rather than leaving them exposed and pushing them into cooperation with other parties in order to protect themselves.

Even when the KDP tried to isolate itself from armed tribal activities in Kurdistan, describing them as old-fashioned colonial actions against the achievements of the 14 July Revolution (see the KDP statement of June 1961, cited in Jawad 1981, p. 80), Qasim did not seize this opportunity. Instead, he viewed the KDP as an opponent and decided to liquidate it along with the Kurdish tribes and the Kurdish opposition leaders who opposed his politics.

When 'Abd al-Karim Qasim was ousted and the Baath Party came to power for the first time in 1963 with a group of Iraqi Arab nationalist officers, the new regime seemed to have no clear plan for the Kurdish question either. Their main interest was limited to what they had written about it under Qasim's regime, which can be summarized as follows: what is happening in Iraqi Kurdistan is a tribal insurgency that represents a conflict between two former allies, Qasim and Mulla Mustafa. They considered that Qasim had not used enough military force to crush the insurgency. Instead of looking for a settlement, the new regime tried to keep the KDP and Mullah Mustafa silent until they had enough military force to crush the movement. When the new leaders came under pressure from the Arab countries to settle this issue, they suggested administrative decentralization as a solution. In fact, this was proposed by the Iraqi regime as a means of procrastination. In addition, the Kurds themselves rejected various suggested solutions and refused to discuss them. They did not show any flexibility in dealing with the new status quo and began to press the Kurdish demands with the emergence of several new parties, which had distinct points of view. Although the KDP had suggested a political slogan for the national Kurdish movement, 'Democracy for Iraq and autonomy for Kurdistan', the party did not act upon this slogan. The Baath Party did not examine the Kurdish question when it had been preparing to oust Qasim and did not lay plans for an adequate solution to it. Despite the fact that the Baath Party came to power in 1963 and left it in the same year (its failure to settle the Kurdish question being the main reason), and although it attempted to return to power by embracing new policies, such as openness, the Baath did not conduct a serious study or analysis of the Kurdish question until 1969. (This will be discussed below.)

The suggestion put forward by 'Abd al-Rahman al-Bazzaz, the then Prime Minister (1965–1967) in 1966, may be regarded as the first and most serious attempt to find a solution to the Kurdish question on the basis of an objective political program that took account of Iraq's situation and circumstances. This was the first

civil solution, as opposed to the military solutions that had been adopted until then, that had been proposed to tackle the Kurdish problem. Previous agreements had only stipulated ceasefires, the release of prisoners, the return of the exiled, and compensation for those who had incurred damage. In other words, they never touched the core of the problem. In contrast, the memorandum issued on 29 June 1966 by al-Bazzaz, spoke of a comprehensive program for cultural and political rights, such as the establishment of a Kurdish university in Sulaimaniya, the licensing of Kurdish parties, and the establishment of a third Kurdish province. Although these clauses remained a secret part of the agreement because of the fear that the military leaders would be provoked by them, they were well-known secrets that laid the foundations for dealing with the Kurdish problem into the future, rather with immediate issues alone. However, the only problem was that al-Bazzaz was in too weak a position to implement the agreement due to the domination of power by the military. It is true that he took advantage of the army's major failure in the battle of Hindeen in 1966, in which some Israeli sources later stated that Israel played a major role.⁴ But the army's defeat did not put an end to the influence of the military leaders, who, a few months after the announcement of this agreement, managed to oust al-Bazzaz from power.

To be objective and fair, one must admit that the way the Baath dealt with the Kurdish question after coming to power again in 1968 was one of the boldest and most foresighted.⁵ Had the Baath Party maintained the same spirit with which it tackled the issue from the end of 1969 until the announcement of the historical March Manifesto of 1970,⁶ and had the Baathist leadership honestly implemented the clauses of the Manifesto later on, the situation of Iraqi Kurds would have been much better than it is today. It is also fair to say that the Kurdish leadership represented at that time by the KDP and Mullah Mustafa Barzani share the responsibility for the failures that followed after 1974.

Most important is the fact that the Baath Party undertook a serious consideration of the Kurdish question in 1969 following demands by the Iraqi public to find a peaceful solution to the conflict. Later, in 1969–1970, special studies were published in Baath publications in order to educate the party's members about the Kurdish question (Jawad 1981, pp. 263–264). The studies convinced party members and the Iraqi public of the need for a solution based on autonomy, an option which had previously been viewed as a taboo associated with secession and, in the view of some conservatives and Arab nationalists, amounted to the creation of another Israel in the north of Iraq. The March Manifesto of 1970 set out a clear plan to implement autonomy. Already paving the way for this plan was the implementation of the secret clauses of the agreement of 29 June 1966, which included the establishment of a Kurdish university in Sulaimaniya and the creation of a third Kurdish province, Dohuk, made up of parts of Erbil and Mosul. (Only one secret clause of the agreement remained unimplemented, which is the granting of a license to the KDP.) Following on from these steps and the March Manifesto, approval was granted for the teaching of the Kurdish language alongside Arabic in all Iraqi schools. Schools in Kurdish regions were given the right to use Kurdish as a language of instruction up to a specific stage, after which they would also have to use Arabic.

As previously mentioned, what was most interesting was the emphasis on the fact that the solution was based on autonomy for the Kurdish region. In fact, autonomy

was adopted after numerous Kurdish demands that this should be the basis for running the Kurdish region made up of Sulaimaniya, Erbil and Dohuk, as well as the northern parts of Kirkuk, which are predominantly inhabited by Kurds. The Autonomy Law of 1974 (Khadduri 1978, pp. 264–270) allowed the creation of two Chambers of Parliament, legislative and executive, made up of ‘elected representatives’, in addition to the participation of the Kurds in the central government of Baghdad with five ministers (there had previously been two). After March 1970, the KPD was licensed to operate openly and was given the right to open several branches all over Iraq. Large numbers of Kurdish students were admitted to Iraq’s military academies and part of the Kurdish militia (the Peshmerga) was merged with the Iraqi armed forces to act as frontier guards. It was also agreed that an Iraqi Kurd would be appointed vice president of the republic.

All these positive developments were signs of a peaceful and lasting settlement of the Kurdish question. However, what happened on the ground was in direct contrast. In fact, the tension between the two sides, the KDP and the Baathist leadership, increased from the end of 1973 and culminated in an armed conflict in April 1974. The reasons for this flagrant deterioration are numerous and both parties share responsibility. Despite expressions of cooperation expressed by the Baath party and its leaders, all the small details remained largely dependent of the central authority’s approval. This policy of centralization, which was the basis for the government’s dealing with the Kurdish region, was rejected by the Kurdish leadership.

The Baath Party also appointed certain individuals to the legislative and executive chambers, and endeavored to exclude the main Kurdish leaders, specifically the supporters of Mullah Mustafa. The Baath also gradually neglected the teaching of Kurdish in Iraqi schools and the Kurdish regions, and granted Kurdish members of the Baath party more privileges and rights than those of the KDP. Eventually, the KDP gained a sense that the Baath leadership was not serious about finding a comprehensive and definitive solution to the problem based on the recognition of the other party’s existence and its full rights.

For its part, the Baath leadership complained that despite the comprehensive agreement signed in March 1970 which granted Iraqi Kurds most of their rights, a position that Kurds in neighboring countries would envy, the KDP leadership did not completely break off its relations with countries hostile to Iraq and the Baath Party, such as Iran (under the Shah) and Israel. Indeed, the close ties between the Kurdish leadership and these countries were strengthened after the March agreement and, furthermore, the nationalization of Iraq’s oil in 1972, which was supposed to bring wealth and happiness to all Iraqis, pushed the KDP leadership to establish closer ties with the United States. Mulla Mustafa publicly proposed cooperation with the USA in order to abort the nationalization efforts and grant the Kurds more rights and privileges in Iraqi Kurdistan and Kirkuk. A secret agreement was then signed between the KDP and the Central Intelligence Agency (CIA) providing for the supply of arms and financial support to the Kurds (Agee 1977, pp. 56, 195–198). The USA and Iran also worked jointly to extend the Israeli Mossad’s influence in Iraqi Kurdistan. Entering Kurdistan for non-Kurdish Iraqis required several procedures that gave the impression of entering a foreign country outside Iraq’s borders. In short, in most issues the Kurdish authorities persisted in operating behind the back of the central government.

The main problem was not solved at that time and persists today. It is the crisis of confidence, or the lack of it, between both parties that has prevailed under all Kurdish and Arab leaders in Iraq and now affects many segments of the Kurdish and Arab communities in Iraq. A second reason for the exacerbation of the problem was the failure to draft a permanent constitution that would guarantee the national rights of the Kurds, albeit neither party at that time was endeavoring to achieve democracy because it would seriously conflict with their own plans and political stance.

As a result, the situation took a dramatic turn that ended in armed conflict between the two parties. Besides the large-scale destruction of Iraqi Kurdistan, the huge human losses among Kurds and Arabs of Iraq, and the material losses incurred by Iraq, the conflict contributed to the loss of parts of Iraq to Iran in return for its withdrawal of its support for the Kurds. An agreement was signed in Algiers in March 1975 between Iraq and Iran by which the latter withdrew its support for the Kurdish Peshmarga and the KDP (Jawad 2005, pp. 131–133, 1982). In the wake of this agreement, the Kurdish revolt completely collapsed.

It was a shameful disaster that long years of hope and struggle for a lasting peace ended in this tragic manner. The Baath Party was able to monopolize and completely dominate power in Iraq. The regime was almost an absolute dictatorship with one press and one party. The Kurdish leadership, press and parties had previously acted as a counter-balance to prevent the Baathists from monopolizing power, but the March 1970 agreement and the autonomy law of March 1974 became nothing more than ink on paper.

Then came the Iraq-Iran war in 1980 to kill the remaining hopes and dreams of placing Iraq on the path of development. This resulted in the rise in oil prices and the depletion of Iraq's oil reserves. Iraq, which had fiduciary reserves of about \$45 billion, came out of the war in 1988 with more than \$60 billion worth of debts. Furthermore, the on-going war gave the central authorities an opportunity to liquidate all its opponents, citing the need to preserve national and internal security in wartime. As most of the former Kurdish leaders were present in Iran and had made the mistake of collaborating with the Iranians against the Iraqi army, the government found a new excuse to inflict unjustified oppression on the Kurds in Iraqi Kurdistan.

The killings and deportations and the use of internationally prohibited weapons were claimed by the Baathist regime to be means of protecting Iraq's national security. Although recalling the many tragedies of that era may awaken unwanted feelings of sorrow and sadness, it is important to point out that the events of that period, up until 1991, created a serious breach in Arab-Kurdish relations from which Kurds and Arab Iraqis will continue to suffer for years to come.

The period from 1991 to 2003 witnessed an official withdrawal from Iraqi Kurdistan. This meant that the Iraqi authorities, civil service, army, police and security forces withdrew from that region, leaving the ground to the Kurdish leadership, which came to be represented by two parties, the KDP and the Patriotic Union of Kurdistan (PUK). However, these two parties were not on good terms and fierce fighting took place between them from 1994 to 1998, thus adding to the Kurdish people's suffering. Later, the central Iraqi government imposed a complete siege on the entire Kurdish region. When this failed to persuade the two Kurdish parties to sign a comprehensive agreement, about which no announcement was

made, the central government tightened the siege although it was aware that foreign influence was behind the aborting of every attempt at a peaceful settlement. This was obvious when both parties' leaders announced that they had reached an agreement with the government, but then returned to Kurdistan separately to obtain the approval of the rest of the Kurdish leadership and never returned to Baghdad afterwards.

In an attempt to show that Iraqi Kurdistan enjoyed a better 'democracy' than the rest of Iraq, both parties agreed to conduct general elections in 1992. Although the KDP claimed success in the elections, the PUK rejected the result and claimed it was close. Consequently, the 'fifty-fifty' solution was adopted. This meant that power would be divided between the two parties in such a way that a minister appointed from one party would have a deputy minister from the other, which also meant paralyzing of regional government activities due to the sharp division and differences between the two Kurdish parties. Consequently the regional Kurdish government was split into two separate governments, one in Arbil and the other in Sulaimaniya. However, this situation did not last long as each party tried to seize opportunities to destroy the other's influence, and this ended in an armed conflict which took place mainly in Erbil and which did not cease until foreign parties intervened to put an end to it.

The two main parties initially tried to appear to agree, although this agreement was most often imposed from abroad, particularly from the United States, which had set its mind on ousting the Iraqi regime from power and began to gather the support for this purpose from all the Iraqi opposition forces. The discord between the KDP and the PUK remained visible and volatile. This was proven in 1996 when the disagreement increased in intensity and the PUK appeared to expand its influence into the KDP's strongholds, even driving out the KDP in some instances. At that crucial and decisive moment, when it found itself on the losing side, the KDP asked for help from the leaders of the central Iraqi Baath government. In August, the Iraqi government sent its armed forces in a swift surprise attack that succeeded in expelling the PUK from Erbil to outside the KDP's zone of influence.

In a gesture of goodwill and in acknowledgement of the agreement between the KDP and the Iraqi government, the Iraqi forces pulled out of Kurdistan after completing their mission. However, this did not prevent the KDP leadership from increasing its cooperation and liaison with foreign powers that were at odds with the central Iraqi leadership. Neither did it stop the expelled PUK leadership from seeking the assistance of regional powers in a bid to return and establish an independent entity in Sulaimaniya. In fact, both the KDP and the PUK were more than keen to offer to collaborate with the USA to overthrow the Iraqi regime and 'liberate' Iraq, as they put it.

In reality, communication channels remained open between the leaders of both Kurdish parties and the Iraqi government until the beginning of the US occupation in April 2003. The dialogue between the KDP and the PUK also continued, though intermittently. There were two different points of view with regard to settling the Kurdish question: the Kurdish leaders were insisting on federalism as the only solution they would accept, while the Iraqi Baathist government was only offering the expansion and modification of the existing autonomy law. Due to the weakness of both parties, and their inability either to defeat one another or to reach an understanding, the situation remained deadlocked, with two separate Kurdish

administrations (with two governments and two parliaments) unable to unify, and a government in Baghdad unable to solve the problem and disabled by heavy foreign influence in the form of international sanctions and an ongoing embargo.⁷

While the settlement was being debated, both Kurdish parties suggested 'Federalism' as a satisfactory solution both for the leaderships and for the Kurdish people. The Iraqi government expressed its willingness to reconsider the autonomy law and develop it so as to bring it into line with the desires of the Kurdish people of Iraq. However, this proposal was rejected by the two Kurdish parties who were backed by foreign support which had transformed Sulaimaniya, Erbil and Dohuk into a 'safe haven' where the Iraqi authorities were not allowed to enter or intervene (though it should be noted that the US forces monitoring this region did not lift a finger to stop the Iraqi army from entering Iraqi Kurdistan in 1996, or from achieving victory for one Kurdish party over the other and taking over premises that were previously used by the Iraqi regime's opposition forces). On the other hand, the Iraqi government for its part did not take advantage of the events of August 1996 to declare a new initiative to solve the problem, nor did it explain how it would modify the autonomy law, as it was suggesting. In this situation, the two Kurdish parties made public their position on federalism.

In fact, the announcements about federalism that were made under the previous regime were completely different from those that were, and still are, published under the US occupation. The Kurdish leadership's concept of federalism was extended and took other forms that included the possibility of establishing 'an independent structure' separate from the central government.⁸ The discussion developed and open federalism came to be associated with self-determination and the eventual establishment of an independent state. The Arab majority in Iraq, which had never opposed the national rights of the Kurds, therefore felt now that the two Kurdish parties were beginning to think in a self-centered manner that did not take into consideration Iraq's interests and the integrity of its territories. What upset the majority of Arab Iraqis, as well as the Turkmens, Iraq's third national cultural group, was that the Kurdish leaders insisted on considering Kirkuk to be the 'Jerusalem of the Kurds' and many 'cleansing' operations were conducted there by the Kurdish Peshmergas, who argued that the city's culture had changed as a result of the old regime's policies.⁹ Even if this were true, how could such arbitrary and lawless actions be permitted?

In defense of their insistent call for federalism, Kurdish leaders stated that this was a policy agreed in opposition conferences which took place outside Iraq prior to the invasion of Iraq in 2003, although these conferences¹⁰ have no legal standing and do not necessarily represent the view of the Iraqi people. The Kurdish leaders also relied on the Transitional Administrative Law (TAL), the legislation that was set out by the American civil administrator, Paul Bremer, and was rejected by the vast majority of Iraqi national forces (Bremer 2006, pp. 269–271).¹¹ Ironically, the Kurdish leaders, who are firmly committed to the federalism concept stipulated in the TAL, refuse to acknowledge what that same piece of legislation says regarding the disarming of all partisan militias, and insist that the Peshmergas cannot be called a militia. As for the attitude of the post-occupation Iraqi governments, they have all been politically weak and have simply obeyed the orders of the occupying forces to maintain their own positions and serve their own interests. As a result, no government has been able to come up with a clear plan for the settlement of the

Kurdish question. Even worse, these governments continue to avoid discussing the policies and behavior of the Kurdish parties so as not to upset them and consequently lose their support in parliament or in the government itself.

On the popular resistance side, i.e. parties and armed groups who are resisting the US occupation, there is a somewhat clearer position regarding federalism. Some do not oppose the term itself but define it in terms that do not accept a division in matters of foreign policy, defense, public finances, or natural resources. Others oppose the word itself because they consider that the term is used in relation to unifying a group of states or scattered entities in one single country. However, the majority believe that federalism is a matter that concerns all Iraqis, not only those who would benefit from it, and the matter must therefore be subject to a public referendum. They also insist that no meaningful and neutral referendum can take place under the occupation and with the existence of intense foreign and regional interference. In short, current and previous discussions have resulted in the majority of those who oppose federalism beginning to consider using such terms as decentralization and union to indicate their commitment to the unitary nature of the Iraqi state.

Issues hindering mutual understanding and solution

Despite the fact that the long history of the Kurdish question in Iraq should have led to a mutual understanding and closeness between Arab and Kurdish leaders regarding the best solution for the problem, the reality is that both sides still have an incomplete understanding and that reaching a compromise is still a long way off. This problem has even been exacerbated by the occupation, which has resulted in substantial privileges for the Kurdish leaders and the political weakness of the central government so that the so-called 'Government of Kurdistan' always acts independently with regard to its own military, economic and security affairs.

Obviously, the first matter obstructing a solution is the insistence of the two Kurdish parties on federalism in its extensive form. The majority of the Iraqi Arabs have expressed their reservations about and objections to the use of the term, which could, in the current circumstances, result in two separate administrations. Anti-occupation forces insist that any solution that is adopted and anchored in the constitution will be rejected and that this will result in constant instability as long as there is no rejection of occupation-backed foreign solutions, no comprehensive and serious dialogue between all the parties concerned following free general elections that lead to a national assembly representing all segments of the Iraqi population, and no respect for the integrity and unity of Iraq's territories.

For some, especially Iraqi Arab nationalists, the problem lies in the content rather than in the term 'federalism' itself. They consider that the term began to be rejected after it was used to imply many things that have nothing to do with the concept of one country, one people and the interests of the common struggle. In their view, the right to self-determination should not be exercised in an arbitrary manner but should rather be understood as a concept of voluntary partnership in an agreed, rather than compulsory, union. It should be exercised within a unified Iraq and with the agreement of the Iraqi people on the rights of the Kurds through the establishment of a freely elected national assembly after the end of the occupation. It

should also be made clear that partnership and union are not to be imposed but must be freely chosen.

They also believe that all the parties concerned should focus their efforts on creating a solid democracy protected by laws and legislation. Iraq must enjoy pluralism in both its Arab and its Kurdish areas. Everyone should have the right to freedom of expression, which must be guaranteed by law. Freedom and democracy would necessarily lead to economic wellbeing and prosperity, and would create favorable conditions for a lasting and strategic settlement of the Kurdish issue. This is far more important than holding on to words that might be accepted as a political deal in specific circumstances, only to be rejected later when those circumstances changed. In order to resolve the differences between the parties, it is vital to be rational, conciliatory, moderate and non-intransigent. When defining federalism, expanded autonomy, union or decentralization, the patriotic interests of all should be taken into account, not the interest of one party alone. The solution must be based on developing the autonomy of Iraqi Kurdistan in such a way as to safeguard the national and cultural rights of the Iraqi Kurds within the unity and sovereignty of Iraq. Discussion of these issues must take place in a spirit of dialogue and interaction, while bearing in mind the preservation of Iraq's sovereignty, integrity, natural resources, foreign policies and national security.

The second cause that could hinder the settlement is the problem of Kirkuk, which the Kurds insist on viewing as part of the Iraqi Kurdish region or, more than that, as the 'Jerusalem of the Kurds'. They are determined to annex it to Iraqi Kurdistan. Kurdish researchers and authors have spent more time writing books and articles on the 'Kurdish origins of Kirkuk' than on writing about the means of finding a peaceful and lasting solution to the Kurdish question.¹²

Naturally, amidst the thrill and excitement that followed the achievements of the two Kurdish parties, all efforts were centered on proving the Kurdish origin of Kirkuk by resorting to military force in order to restore what was described as the Kurdish previous demographic nature of Kirkuk. Consequently, Arabs and Turkmens living in Kirkuk began to feel threatened and tension heightened. All former and current Kurdish leaders, when considering the problem of Kirkuk, had agreed to conduct a neutral referendum and demographic census to decide the city's future. In all the agreements between Kurdish leaders and successive Iraqi governments, including the March Manifesto of 1970 and the Autonomy Law of 1974, as well as in the talks that took place between 1991 and 1992, it was accepted that the results of the demographic census that took place in 1957 should be adopted as a basis for defining Kirkuk's culture. It is worth mentioning that the demographic census of 1957 showed that the Kurds did not constitute the majority of the inhabitants of the city and Governorate of Kirkuk. Rather, the majority was made up of Turkmens and Arabs. The percentage of Kurds became even smaller following the KDP's agreement in the March Manifesto that the northern regions of Kirkuk, which have a Kurdish majority population, should be included in the autonomous Kurdish area. After this modification, the Kurds cannot refer to a Kurdish majority in Kirkuk. However, the basic principle that must be adopted in solving this and similar problems is to adopt a solution that recognizes the Kurdish national, political and cultural rights, and enables them to enjoy these rights throughout Iraq.

Another related issue is property and residence. In all the world's democracies, the citizens of a given country can live in any part of their country. However, in Iraq,

the former regime limited residence for the Kurds to certain areas and gave property rights to Arabs in Iraqi Kurdistan. It is important to note that the transfer of Arab tribes did not affect the Kurdish nature or demographic Kurdish predominance of Iraqi Kurdistan,¹³ just as the presence of over one million Kurds living in Baghdad has not changed the city's culture and identity, and the migration of many Kurdish families to Mosul has not affected the Arab culture of that city either. However, the Kurdish leadership reacted negatively and consequently, many Arab families were forced to leave some areas in Kirkuk and Iraqi Kurdistan. The persistence of such problems is further exacerbating the situation between Kurds and Arabs in Iraq. The present author believes that the solution could lie in the following:

- (1) All Iraqis should have the right to own property and reside in any part of Iraq.
- (2) All Kurds forced out from the Governorate of Kirkuk should have the right to return to their original lands and properties if they so desire. Compensations should be paid to those who wish to return but have lost their homes, and to those who have lost their property and decide not to return.
- (3) Arabs who were forced to live in Kirkuk or any other city of that Governorate should have the right to choose to staying in the areas to which they were displaced or to return to their original areas of residence. Compensations should also be paid to settle the problems resulting from this situation.

The third problem that stands in the way of a settlement is easy to overcome and is related to the teaching of the Kurdish language. The fact that successive Iraqi governments neglected this issue has in fact contributed to the increasing alienation between the Arab and Kurdish Iraqis. It is unthinkable that the Arab majority should be ignorant of their country's second language. All countries in a similar situation to Iraq's have adopted school programs that enable their people to establish mutual understanding between the various segments of society. Iraq's education system should adopt a plan that stipulates the teaching of Kurdish in all Arab schools, and a plan for teaching Arabic in all Kurdish schools. The following conditions are required:

- (1) Arabic should be the official language of Iraq except in Kurdish areas, where the official languages should be both Arabic and Kurdish.
- (2) The stipulation of the March Manifesto 1970 as to the teaching of the Kurdish language in all Iraqi schools should be implemented.
- (3) No government employee who does not speak and write Kurdish should be appointed in Iraqi Kurdistan.
- (4) The right to employment in Kurdistan should be granted to all Iraqis based on merit and competence, bearing in mind the need for competence in the Kurdish language, as referred to above.
- (5) Realistic arrangement should be made for all Iraqi Kurds who have not learned Arabic during the past fifteen years to be taught Arabic within a specific period of time.

Other problems remain which are related to each party's vital or national interests. Just as Iraqi Arabs should protect and defend the Kurdish national and

human rights, so the Kurds should firmly support basic Arab causes, such as the Palestinian cause, ending colonial attempts to dominate Arab countries, and defending freedom and human rights. It is not enough to accept one's own right to freedom, knowing that the other party is denied that right. The fact that foreign policy is the responsibility of the central government, does not make it acceptable for one party to collaborate with foreign powers to serve its own interests regardless of what the other party might suffer at their hands.

It is unthinkable that one party should call for democracy while oppressing all those who do not share its views. There should be a pact of commitment and honor that prohibits collaboration with foreign forces by one party without the other party's knowledge. History has taught us that collaboration with foreign powers, just like the military option, can only cause suffering for both the Arab and Kurdish peoples.

The Kurds may have suffered most from alliances with foreign parties and from harsh military solutions. Internal cooperation and unity are therefore the only way to a real and lasting solution for Iraq's internal problems. In this regard, one must point out the shameful conduct of elites and intellectuals on both sides, Arabs and Kurds, who have exhibited arrogant, chauvinist, racist behavior, resulting in total rejection of the other party's attitude and points of view. Fanaticism and bigotry leave no room for considering the other party's point of view, or even trying to comprehend it. Perhaps what we most need is an evaluation of each party's position towards the other. There should be self-criticism of erroneous positions and an attempt to bridge the gaps between the two parties. No Arab party should be held responsible for the mistakes of previous governments, just as the Kurdish people should not be assumed to be responsible for their leaders' errors. The intellectual and political elite among both the Arabs and the Kurds are now more than ever invited to strive for this historical achievement by drawing up a plan that gains both parties' support, without foreign intervention or influence.

Final remarks

All the above leads to the following four main conclusions that should be taken into consideration in discussion about a fair and permanent settlement for the Kurdish question:

- (1) Legitimate Kurdish national rights are just and cannot be denied. There is a great need to understand these rights and enshrine them openly and permanently in the constitution with the approval of both the Kurdish and the Arab peoples and in normal and peaceful circumstances.
- (2) Official (government) failure to find a peaceful and lasting solution has contributed to ever increasing complication of the problem. What is more, it has damaged and endangered Kurdish-Arab relations. This in turn has left room for foreign interference in the crisis and its use against the interests both the Kurds and Arabs.
- (3) Foreign intervention and the occupation of Iraq have resulted in the decimation of the country and the exhaustion of its resources, which in turn have impeded the democratic process. This intervention has been tied to foreign interests and has ended, as has been the case before, in the sacrifice

of the Iraqi people in general and the Kurds in particular. It is well known that foreign power and occupiers have always exerted pressure in order to get what they desire from submissive governments.

- (4) The main obstacle that stands in the way of solving the problem is the narrow-mindedness and intolerance of both Kurdish and Arab leaders. The approaches of both successive Iraqi governments and various Kurdish leaders have usually been dominated by personal interests. In addition, each side has held to its position when feeling stronger than the other and, when the other seemed to be weak, has ignored its demands. Similarly, each party, when feeling itself to be in a weak position, has sought closer ties with the other in an attempt to regain some strength. Most agreements between the parties have followed this strength-versus-weakness logic. Even good and mutually accepted agreements were not taken seriously because the stronger party felt it could go back on them without any fear from the weak side, while the weaker side would accept them in public and plot against the in secret. Thus, no party was really serious about implementing these agreements.
- (5) The leaders of the two Kurdish parties, and especially Maşud Barzani, should realize that a strong and united Iraq, whether federal or not, will serve the ambitions and objectives of the Kurdish people, as well as the Arabs, in Iraq. A weak and disunited Iraq will only encourage foreign interference – and this could be very dangerous for the Iraqi Kurds. Almost all surrounding the states, especially Turkey and Iran, stand firmly against any independent or semi-independent Kurdish entity. Previous experiences have shown that, even if the Iraqi Kurds could secure the support of a major power, as in the past with Britain, the former Soviet Union, Israel and the USA, this support was always short-lived and opportunistic. Such a support would always end as soon as any of these powers had exploited the Kurds, or when it conflicted with their other long-term objectives. The recent dispute between the Turkish government and the two Iraqi Kurdish parties¹⁴ must have demonstrated to the latter their need for a strong and united Iraq. It was no accident that Mr Barzani chose to speak in Arabic and to appeal to the Iraqi government to stand firm in the face of the Turkish threats to invade Iraqi Kurdistan on the pretext of ending anti-Turkish activities acting from Iraqi Kurdistan. Neither American support for the Kurds, nor any other support for them to keep Iraq weak and disunited, would last long and serve the Kurds' national objectives. It is almost certain that the USA would be ready to sacrifice the Kurds if it managed to establish a strong and capable central government in Baghdad with which it could have better relations and sign long-term deals. Any Turkish invasion of Iraqi Kurdistan would not only humiliate the Kurdish leaders and silence their boasts of being able to defend themselves, but would also further harm Iraq and increase its weakness and vulnerability. It would also lead to an endless Turkish influence in Iraqi Kurdistan.
- (6) Any acceptable, just and lasting solution must be based on and continue with direct dialogue between the Kurdish and Iraqi peoples in openness and without pre-conditions. History must teach the various parties that a year of dialogue is far better than a week, or even less, of fighting.

Notes

1. The Iraqi Kurds were the first to revolt against the British in 1919. The first British political officers to be killed in Iraq were also in Iraqi Kurdistan in the same year.
2. These agreements included the 1930 Treaty and the Oil Concession agreements of 1925, which gave the British oil companies the right to explore and exploit Iraqi oil everywhere in Iraq (Tripp 2000, p. 60).
3. According to this Law the Iraqi government limited the rights of the British and foreign oil companies to explore and exploit oil to the areas the companies were working in, all the other unexplored areas were to be under the control of the Iraqi government (Dann 1969, pp. 332–347, Tripp 2000, p. 167).
4. See Jawad (1990, pp. 184–188) who quotes *Yedioth Aharanoth* (10 May 1978, 30 September 1980), *Maarive* (30 September 1980, 1 October 1980) and *Haaratz* (10 October 1980); see also Nakdimon (1997). For recent proofs of the Israeli involvement in Iraqi Kurdistan, see *Yedioth Aharanoth* (1 December 2005).
5. The Baathist leaders, headed by the late president Saddam Husain, showed their readiness to accept autonomy as a solution to the problem. This was, at that time, a very advanced step towards peaceful settlement. In fact using the word autonomy was a bold move as it was regarded by most Iraqis as a taboo and a step towards separating Iraqi Kurdistan for most Iraq Arab nationalists (Jawad 1981, pp. 239–263).
6. For an analysis of the March Manifesto, see Jawad (1981, pp. 239–267). For a full text of the Manifesto, see Khadduri (1978, pp. 231–240).
7. In August 1990 the Security Council imposed heavy, strict and inhumane sanctions and an embargo on Iraq. These measures completely paralyzed the Iraqi state, weakened its ability to meet the dire needs of the people and impoverished the vast majority of Iraqis. Iraq was prevented from exporting its oil or importing any commodity without the approval of the UN. These sanctions claimed the lives of about 1,800,000 Iraqis according to the Iraqi government statistics.
8. This is what Massoud Barzani told Paul Bremer, the US civil governor of Iraq under the occupation (Bremer and McConnell 2006, p. 271). This was also clear in the different interviews given by leaders of the two Kurdish parties, and the views expressed by different Kurdish daily newspapers, especially *Khabat*, since 2003. See also the TV interviews made by Massoud Barzani, leader of the KDP, on al–Arabia Satellite Channel on 19 April 2004, 13 February 2006, 4 June 2006 and 9 April 2007 (www.Alarabiya.net).
9. The Kurdish leaders claim, not unjustly, that the identity of Kirkuk was marred by the transfer of Arab tribes to the province during the 1960s and 1970s.
10. The conferences in London and Salahudin in the north of Iraq are referred to in Allawi (2007, pp. 50–53).
11. The relevant part of this law spoke about deciding the future of Kirkuk in a future referendum in 2007. This was included in the Permanent Constitution, paragraph 140, which is still the bone of contention between the Arab and Kurdish leaders.
12. For example, www.Alarabiya.net (19 April 2004, 17 January 2007, 9 February 2007).
13. Only in some areas of Kirkuk it shifted the balance. In any case the 1957 census showed the Kurds were not the majority in Kirkuk province (Haseeb 2006, pp. 200–201). They were, and still are, a majority in two sub–provinces in the north of Kirkuk, which the Iraqi government included in 1970 into the Kurdish autonomous region.
14. Turkish threats to invade Iraqi Kurdistan were made in order to end the anti–Turkish activities waged by Turkish Kurds of the PKK party stationed in Iraqi Kurdistan. In September 2007, the Turkish government decided to invade Iraqi Kurdistan in pursuit of the fighters of PKK members, followers of the imprisoned Turkish Kurdish leader, O’Jallan. The majority of them are taking shelter in the Iraqi Kurdistan mountains. Bombing of Iraqi Kurdish areas has taken place almost on a weekly basis since November

2007. The Turkish government also accused the regional Iraqi Kurdish government of encouraging, supporting and financing PKK activities.

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