

Chapter 4

Kurdistan's Political Landscape and the Path Towards Independence

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Masoud Barzani, president of the Kurdistan Region of Iraq (KRI), recently announced that a referendum on Kurdish independence will be held on September 25, 2017, a historic moment in history, and one that is likely to produce a yes-vote. As the largest nation in the world without a state of their own, the Kurds have fought multiple battles in pursuit of their own state, ever since imperial powers established the Westphalian nation-state system from the ruins of the Ottoman empire and deprived the Kurds of a state of their own.

The Kurds have suffered countless atrocities and multiple betrayals from the international community in their pursuit of statehood. History, however, is not always unkind to those that persevere. A regional order that many believed was impermeable because of the strength of the Arab state, the oil-wealth at the disposal of the region's regimes (and their alignments with the West) was soon beset with cracks. The Arab-Israeli conflict, social injustice, failures in governance and the credibility deficit of Arab despots and autocrats that followed were later coupled with the destabilizing rise of political Islam in the 1970s and the Iranian revolution in 1979. These radically transformed politics and security in the region and it was the emergence of a Shi'ite theocracy in Iran in 1979 that encouraged the Ba'ath Party to over-reach and control Iraq over-reached and pursued an expansionist ambition that resulted in the grueling eight-year Iran-Iraq war in the 1980s.

Saddam's war with Iran bankrupted the Iraqi state and precipitated his invasion of Kuwait in 1990. Heavily defeated in the first Gulf War by the international community, the bruised but undefeated butcher of Baghdad shifted his focus to the Kurds, against whom he had already used chemical weapons in a campaign that killed more than 100,000 Kurdish civilians. The imminent threat from the Ba'ath regime resulted in the establishment of Operation Provide Comfort, the Western-imposed no-fly zone over northern Iraq in 1991, which had originally been opposed by the U.S. but

was eventually implemented at the insistence of the British.¹ The introduction of the no-fly zone allowed the two dominant parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), to establish their own autonomous region, complete with its own political system (including elections), institutions, and foreign relations.² Elections in 1992, the first of its kind in Iraq's history and described as a "full and free expression of the wishes of the Iraqi Kurdish electorate,"³ set a threshold of 17 percent of the votes for entering the parliament (five out of 105 seats were reserved for Christians). Only the KDP and the PUK managed to cross the threshold, while the Islamic Movement of Kurdistan (IMK) came in third with five percent of the votes.

The 1992 elections and the establishment of a *de facto* state in northern Iraq was, arguably, the single most important milestone in the Kurdish state-building trajectory. It was achieved through a combination of sheer perseverance in the face of the Ba'ath regime's devastating brutality but also luck in terms of Baghdad's miscalculations and overreach. Despite the obstructive geopolitical environment of the 1990s that saw Iraqi Kurdistan surrounded by powerful, resource-rich neighbors—who were far better positioned than they are today—ready to invade and militarily terminate the *de facto* Kurdish state, the 1992 elections established the path towards sovereignty that the Kurds are moving along today. This was, as the Economist remarked at the time, "independence in action."⁴ The birth of Kurdish self-governance in the 1990s should additionally be appreciated against the historical backdrop of the 1970 March agreement that the Kurds signed with the Baghdad government, after negotiating with the then vice-president of Iraq, Saddam Hussein. The agreement gave the Kurds representation in Baghdad, enshrined the Kurdish language in official discourse, and legalized Kurdish language publications. During the

¹ See Ranj Alaaldin, "Cameron needs to lead like Thatcher did," *Independent*, 3 December 2015, available at <http://www.independent.co.uk/voices/as-a-kurd-i-believe-cameron-needs-to-lead-like-thatcher-in-syria-a6759316.html>

² For an elaborate history of the Kurds, see David McDowall, *A Modern History of the Kurds*, New edition (I B Tauris & Co Ltd, 2003). For the most up-to-date book on Iraq's Kurds see Ofra Bengio, *The Kurds of Iraq: Building a State within a State* (Boulder, Colo.: Lynne Rienner Publishers, 2012).

³ Michael Meadowcroft, Kurdistan Elections for Iraqi Kurdish National Assembly and Leader of the Kurdistan Liberation Movement, 19th May 1992, Monitoring Report (Electoral Reform Consultancy Services, London 1992), 4. For more on this, see Yaniv Voller, *The Kurdish Liberation Movement in Iraq: From Insurgency to Statehood*, (London: Routledge, 2014).

⁴ "Independence by Stealth," *Economist*, May, 1992.

short-lived 1970-1974 period of the March agreement, “the Kurds learned the skills of administration and direct governance, skills that were to prove useful in the 1990s.”⁵

The Challenges of Governance and Kurdistan's Resilience

Despite the landmark elections and continued Western enforcement of the no-fly zone, governance was not without its challenges. The Kurdistan Region's political process was still nascent. Hostile neighbors surrounded the Kurds and had no interest in seeing this new emerging democracy advance further, for both domestic and geopolitical reasons. Inevitably, regional powers, including Turkey, Iran, and Syria, alongside the Ba'ath regime began their efforts to destabilize the region, principally through fostering division among the parties, manipulation, and by offering patronage to rival political parties and movements.

To compound these difficulties, the PUK and KDP had their own historic differences. Both leaders of the two main parties believed in their right to lead the Kurdish national movement; the leadership of the two parties had a history of personal divisions. Both Masoud Barzani, the KDP head and son of the legendary Mullah Mustafa Barzani, and PUK founder and head Jalal Talabani (affectionately referred to by Kurds as “Mam (uncle) Jalal”) believed in their right to be the undisputed heads of the Kurdish national movement. The equal distribution of power after the 1992 elections and the split vote also meant that both parties controlled important and influential positions within the government. Ideologically, the parties re-positioned themselves by moving to the center of the political spectrum and by re-defining themselves as moderate secular parties. Yet, they monitored each other through their security services and the effort to weaken each other led to dysfunctional governance and a series of disputes over territory, revenue, and power. These culminated in the 1994 civil war that was known in Kurdish as *brakuji*, or the killing of brothers.

The Kurdistan Region of Iraq became deeply divided as a result of civil war. Territorially, the KDP retained the entirety of Dohuk province, as well as Erbil province. The PUK administered Sulaymaniah and some parts of Kirkuk province. Socially, Kurdistan's population experienced

⁵ Liam Anderson and Gareth Stansfield, eds., *The Future of Iraq: Dictatorship, Democracy, or Division*, 1st ed. (Palgrave Macmillan, 2004), p.166. See also Brendan O'Leary, *How to Get Out Of Iraq With Integrity*, (Philadelphia: University of Pennsylvania Press, 2009).

political suppression, to the extent that the local population feared bearing the colors of the two main parties. Kurds living in KDP-administered territory would avoid wearing green, the color representing the PUK, while Kurds in PUK-administered areas would avoid wearing yellow, representing the KDP. The security services of both parties gained notoriety during this period for enforcing displacement policies, with the KDP and PUK alleging the displacement of their members and supporters, numbering the tens of thousands.⁶ The conflict additionally saw regional powers back opposite sides, before coming to an end as a result of the 1998 U.S.-negotiated ceasefire.

Despite the challenges, the *de facto* state and autonomous region remained intact. In spite of their concerns and hostility, regional powers did not eliminate the Kurdish state-building project in northern Iraq. The Kurdistan Region remained resilient, in part because of domestic political dynamics and the international influence, particularly the U.S.' commitment to toppling the Ba'ath regime. Saddam Hussein's survival and his track-record of conducting genocidal attacks on the Kurds meant that there was still a moral, in addition to strategic, imperative to ensuring the continued survival of the Kurdistan Region.

Their resilience during this tumultuous period, one that should have witnessed the collapse of the Kurdish state-building project, can be attributed to the nuances that shape the relationship between the two main parties. While the Kurds have historically been disparaged for being divided and incapable of governance and independence, this demeaning, orientalist argument that colonial powers have for long used to suppress the legitimacy of Kurdish self-determination fails to appreciate the distinctions that have shaped the interactions between the two rival parties. The KDP and PUK still, to this day, have serious differences, but both parties were born from the Kurdish national movement; both President Barzani and Jalal Talabani are Kurdish nationalists at their core, who perceive of themselves and their parties as state-builders that strive for a Kurdish state. Their parties have historically been shaped, and continue to function in accordance with this political outlook. That does not mean the rivalry should not be taken seriously or that there is any room for complacency. The resources that go toward fighting party rivalries could be better spent on governance and security. The more the rivalry persists, the weaker the prospects of the Kurdish state-building project. In other words, divisions, at most, con-

⁶ The author experienced these conditions during multiple visits to the region in the 1990s.

stitute setbacks to the state-building project, rather than death-knells. What has additionally been fundamental to the resilience of the Kurdish *de facto* state is the acceptance by both the KDP and PUK toward the late 1990s that they were both condemned to live with one another and so compromise became, and continues to be, the order of the day.

This political outlook and maturity helped the Kurds achieve the status of a democratic success story. The Kurdish leadership spoke the language of pluralism, human rights and international norms, in the effort to acquire international recognition and legitimacy. In 2002, the democratic experiment in the Kurdistan Region was also endorsed for the first time by the European Parliament, when peers demanded “support for the democratic experiment of the Kurdish administration in Northern Iraq and for projects for the development of civil society.”⁷

In the same vein, the political outlook and consciousness of the 1990s ensured the Kurdish state-building project remained resilient after 2003 amid a series of additional challenges that followed the toppling of the Ba’ath regime. This is not only the result of a more mature political process and the unifying thread of Kurdish state-building but also the experience of governing under two separately administered territories. Unlike the rest of Iraq and the experience of Baghdad’s main parties, the PUK and KDP had a prolonged period of uninterrupted disruption to their governance and were no longer shackled by personal and party-based rivalries. By 2003, there were two sets of civil servants and bureaucrats who had many years of exposure to the international system, interaction with international organizations and years of experience administrating territory.

Weathering the Storm

The biggest challenges facing the Kurdistan Regions are public dissatisfaction over services, corruption, bureaucracy, and nepotism, as well as the appeal of Kurdish Islamic movements, which thrive on public discontent. While another civil war is unlikely, tensions still exist among supporters, members and representatives of the parties. The Peshmerga forces are yet to be unified. Further, security and intelligence forces of both sides remain separate and continue to covertly monitor each other. Mistrust and political jockeying over important ministries including Finance, Nat-

⁷ European Report, “EU/Iraq: Parliamentary Report to Human Rights Violations,” April 27, 2002, No. 2679

ural Resources, and Planning, which control the largest share of KRG resources, are ongoing and are underpinned by mistrust and a competition for political fortunes and patronage deals. PUK-KDP divisions, thus, persist and remain driven by personalities, mistrust and money. The failure to remedy divisions could hamper the Kurdistan Region's efforts to achieve their goals at the national level as well as regionally. Further, divisions provide an environment conducive to social discontent and polarization.

The Kurdistan Region's political climate was dramatically changed in 2009 with the advent of the Gorran ("Change") Party. Gorran is a PUK offshoot group led by the late Nawshirwan Mustafa, a former PUK deputy and co-founder. Gorran has since aimed to break the two-party dominance and offer the electorate a more acceptable alternative to the two-ruling parties than the far-right Islamist or far-left communist groups are able to offer the region's largely secular Kurds. The party has campaigned on a platform of reform and modernization, lambasting the PUK and KDP for its corruption, cronyism and nepotism. It made its entry into Kurdish politics in the region's 2009 parliamentary elections, which saw Gorran emerge as Kurdistan's first viable opposition group for the first time since the autonomous region was established in 1991, another boost to the KRI's democratic process that has revised the politics of authority in Kurdistan and has forced both main parties to rethink their interactions with the electorate.

The 2009 results saw the PUK and KDP alliance receive only 57 percent of the total votes, a dramatic decline from the previous election in 2005, when they won more than 85 percent. Gorran won 24 percent alone, while other opposition groups got at least 15 percent. The party's advent into Kurdish politics dealt a severe blow to both parties, and in particular the PUK, which saw Gorran take its most important political base, the traditionally-PUK stronghold province of Sulaymaniah. The KRI's stability faced another challenge with the outbreak of the Arab-Spring uprisings in 2010. Arab-world inspired protests took place on February 17, 2011 and resulted in at least five deaths and more than 100 wounded. Protests in the region were not an entirely new phenomenon, however. Protests have regularly taken place in towns and villages, typically because of unemployment or the lack of services. What made the protests different in 2011 was that they were taking place against the backdrop of a dramatically modified Middle East, one that had empowered the civilian population and had enhanced their capacity to contest power and politics. However, the PUK and KDP were able to weather the storm for a number of reasons.

Firstly, the KRI's democratic process, although not perfect, has been deemed free and fair by the international community and enjoys both local and international legitimacy. Whilst the Kurdish population might be discontent with the political process, there is still widespread personal affection toward both Massoud Barzani and Jalal Talabani. The KRI's economic growth and its growing middle class has also helped the PUK and KDP, even if dissatisfaction from these strata of society has grown since the decline of oil process and the economic crisis that followed.

While protests did not take place beyond Sulaymaniah, they were still important for a number of reasons and go beyond merely being symbolic in their impact. In many respects, they constituted a milestone for Kurdish politics, principally because it meant that the KRG was not immune to the challenges and demands other regional governments faced. Further, it signified Gorran's capacity to disrupt Kurdish politics and stability in Kurdistan, meaning the party could also potentially constitute a spoiler for Kurdish independence, its own internal problems notwithstanding.

The political climate continues to be fluid and susceptible to being re-configured. The Kurdistan Region's parliamentary elections in September 2013 showed that Gorran could replace the PUK as the second most dominant force in the region. The PUK, rather than to run on a joint list with the KDP, as it did in 2009, opted to go it alone, for three reasons. Firstly, the party's members were unhappy with its close relationship with the KDP, secondly, they wanted to diminish the KDP's dominance and finally, because they believed they would fare better if the party distanced itself from its historic rivals. Its decision proved to be a miscalculation. The party came in third. Gorran emerged with a total of 24 seats, capturing almost 450,000 votes, compared with the PUK's 18 seats and 320,000 votes. The KDP emerged as the supreme political force in the region, gaining 38 seats and close to 750,000 of the popular vote.⁸ Nonetheless, Gorran's aspirations proved to be short-lived in the governorate elections that followed in 2014 (which saw it come third, behind the PUK) as well as because of disintegration and divisions internally within the party, which may not recover to its formative strength now that Nawshirwan Mustafa has passed. The party's anti-establishment identity served it well during the formative stages of its history but no longer resonates as much since

⁸ "PUK Falls to Third Place in Iraqi Kurdistan Elections," September 21, 2013, *Al-Monitor*, accessed at <http://www.al-monitor.com/pulse/originals/2013/09/iraq-elections-preliminary-results.html###ixzz2nFvPVDGM> on 12 December 2013.

it became a key component of the 2013 coalition government, holding a series of ministries.

It has not helped the Kurdish state-building project that Gorran's relationship with the KDP has deteriorated dramatically in recent years, despite the former (as the largest bloc) picking Gorran over the PUK as its main coalition partner in the government that followed the 2013 national elections. Relations deteriorated after Gorran led an effort in June 2015 to amend the presidential law of Iraqi Kurdistan as President Barzani's term was coming to an end. This was seen as an attempt to undermine Barzani and a breach of Gorran's obligations as a coalition partner. The law was never amended and a governmental body later extended Barzani's term. When in October 2015 the KDP's offices in Sulaymaniyah came under attack by protesters and resulted in at least five fatalities, Gorran was blamed for the assault on its offices. The KDP then blocked the speaker of the Kurdish parliament (held at the time by Gorran) from entering Erbil in October 2015, effectively ending Gorran's participation in the government.

Gorran and the PUK have attempted—but have so far failed—to band together to counter the electoral and political supremacy of the KDP, whose organization and capacity to keep its internal divisions behind closed doors has afforded it a competitive advantage. Such efforts have failed largely as a result of personality clashes and internal factionalism within Gorran and the PUK. The problem for the Kurdish state-building project is not so much the divisions between, and among, the parties, but rather the multiple lines of authority that have resulted from the factionalism within the two parties. If anything, Kurdistan's problem has been the various centers of power that have emerged within the PUK and Gorran in recent years. As such, it could fall on the KDP to not only ensure its own political competitiveness, but also to manage the differences that shapes the internal politics of its rivals to move Kurdistan toward sovereignty, post-referendum.

Conclusion: Convincing Friend and Foe

State institutions in Iraq and the rest of the region have collapsed or weakened and it is now questionable if statehood can ever be rehabilitated as sub-national identities based around ethnicity and religion continue to thrive in uncontested and ungoverned spaces. War has led to multiple ungoverned spaces in which armed groups that have little respect for

human rights and international norms have become powerful mobilisers of people and resources and have replaced the elites as the administrators of territory. With support from regional patrons, these transnational actors have become the providers of services and security and their networks extend across the region, rendering meaningless the once resilient and impermeable boundaries of the region.

As the tensions between the Gulf states show, the Middle East and North Africa (MENA) region has a broken system; there are competing regional visions that are currently being violently played out in Syria, Iraq, Libya and Yemen, among others. The proxy warfare that has engulfed these countries has resulted in disastrous and far-reaching humanitarian crises that have led to a global refugee crisis, internally displaced persons (IDPs), and forced displacements. The demographic composition of once vibrant, pluralistic and heterogeneous societies is being violently manipulated by militias and warlords.

The Arab uprisings have placed the region's Kurds in a rare situation where their powerful and historically hostile neighbors are engaged in conflicts elsewhere. Armed conflict and instability since 2011 has resulted in a radical shakeup of geopolitics. Not so long ago did Ankara refuse to deal with the Kurdistan Regional Government (KRG) and decide to oppose its efforts to consolidate control in disputed oil-rich areas such as Kirkuk. Moreover, the Kurdistan Workers' Party (PKK), which has fought the Turkish state for more than four decades, has complicated the KRG's efforts to strengthen political and economic ties with its neighbors, all of whom have historically combated Kurdish rebellions within their own territories. Yet, over the past-decade, the KRG's relationship with Turkey has changed significantly. There have been landmark visits and exchanges between senior-ranking Turkish and KRG officials as well as a rapid increase in trade that has seen Turkish companies flood the KRG's market and the building of a pipeline that has enabled the KRG to independently export its hydrocarbons to international markets. Ankara has slowly moved toward accepting a Kurdish state over the past three decades, even if it is not actively pushing for it.

While Ankara has historically opposed autonomy, let alone a state for the Kurds, it has transformed its economic relationship with the KRG into a regional security arrangement of which Iraqi Kurdistan is a key pillar. Despite its initial intransigence after the Kurds gained autonomy in 1991, Ankara has invested extensive resources into Kurdistan's economy that has seen it build on the economic opportunities exploited by around

500 Turkish companies since 2003. Turkey has effectively established an axis that acts as a buffer against instability in the rest of Iraq but also Iranian influence. Turkey simultaneously guarantees its access to the region's huge oil and gas reserves and increases its diplomatic clout. Iraqi Kurdistan continues to be regarded, as it has been since the 1990s, as a conduit through which to counter and manage its own Kurdish issue and the PKK. Turkish influence in Iraqi Kurdistan has largely been framed as a Turkey-KDP project aimed at securing the KDP's position as the dominant party there, to the detriment of the PUK which enjoys closer ties to the Democratic Union Party (PYD) and the People's Protection Units (YPG), the PKK-leaning groups in Syria. But the situation is much more complicated than that. It is commonly believed that Turkey's strong ties with the KRG only recently emerged, when, in fact, the relationship strengthened in the 1990s. Turkey played an important role in alleviating the humanitarian crisis that followed the first Gulf War. The ensuing western-backed no-fly zone and the creation of an autonomous Kurdish region further enabled the space for commercial ties, even if politically, and publicly, relations remained tense and constrained.

Today's political cooperation between Ankara and Erbil is an extension of these ties. Contrary to conventional wisdom, in the past, both the KDP and the PUK have worked alongside Turkey against the PKK, whose Marxist-orientated vision of Kurdish nationalism runs contrary to their social-democratic and liberal outlook. As recently as 2009, Talabani asked the group to leave Iraqi Kurdistan.⁹ Both Barzani and Talabani were given Turkish passports, which allowed them to travel freely outside of Iraq and Turkey, and were even allowed to establish official representation in Ankara.

Over the past two years, the spillover from the Syria conflict has complicated Turkey's ties to the region's Kurds, owing to its own domestic confrontation with the PKK but also the ascendancy in Syria of the PYD and the YPG. The Syria conflict has heightened Kurdish nationalistic sentiments and has provided the opportunity for greater Kurdish autonomy throughout the region. This has also made more difficult KRG efforts to balance domestic Kurdish sentiments with their dependency on Ankara. Yet, Turkey is still the only reliable ally for Iraq's Kurds. In a region that can no longer count on United States engagement, Turkey may be the

⁹ 'Disarm or leave, Iraq's Talabani tells PKK', *Reuters*, 24 March 2009, available at <http://in.reuters.com/article/idINIndia-38665720090324>.

least worst option for the KRG. Partnering with Turkey—a major military power, a NATO member and historic western ally with a resilient economy—provides the Kurdistan Region with its own “buffer” against the atomized security structures in Iraq and the rest of the region. The state and non-state actors that threaten the Kurdistan region in the current political and security environment will think twice before challenging Turkey’s security interests in Iraq and, for now, those interests overlap with the KRG’s own. The KRG will also benefit from increased foreign investment, technological expertise and access to the European markets. Continued interaction could also help to alleviate Turkey’s tensions with other Kurdish groups in the region and, potentially, restart the peace process with the PKK.

The notion of a U.S.-aligned Kurdish state that has vast hydrocarbons, a viable economy, that has strong ties to the U.S. and the Gulf and sits adjacent to its borders constitutes a nightmare scenario for the Iranian regime. While Iran will still need convincing and may even threaten the KRG with invasion (or the deployment of its Shiite militia proxies), Iran has historical ties to Iraq’s Kurds, providing them with a sanctuary and base from which to fight the former Ba’ath regime. There is sufficient historical context and co-existence to try and attempt to manage and ease Iranian apprehensions toward a Kurdish state, in addition to the economic benefits that it could bring. While the KRG may look to rely on the U.S. and the mobilization of American support to constrain the space that allows potentially hostile neighbors to destabilize the KRI if and when it becomes independent, the challenge will be to win the political and intellectual debate on Kurdish independence so that friend and foe are convinced that an independent Kurdish state will bring opportunities, not problems for the region. No one should be allowed to forget the atrocities and genocide committed against the Kurds, but now the Kurdistan Region’s leadership must win the intellectual war of narratives, including in Tehran itself, where a complex political system offers opportunities as much as it does challenges.

