

The Sources of the Ethnic Rivalries in the Post-Saddam Era



Kurdistan conflict and Crisis Research Center



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Introduction

The collapse of the Iraqi Baathist regime in 2003 is one of the most sensitive periods in the Iraqi history, the result of which was a transition from the dictatorial system to a democratic system. In this period political power change terms from the Iraqi Sunni Arabs to the Shia Arabs. The individuals, peoples and groups that found themselves in power before 2003 saw that under this new Iraqi regime their status in the country was at risk. Under the unique circumstances, high-ranking members of the former Iraqi Baath party made contact with the Sunni Arab tribes, most of which were located in Iraq's Sunni provinces and had previously supported the ideology of the Iraqi Ba'ath party. Furthermore, the terrorist groups that infiltrated Iraq after 2003 had boasted that they had an alliance with the Iraqi Sunnis against the new Iraqi government and the Shia Arabs. According to those terrorist groups. The killing of Iraq's Shia and Kurdish populations was a religious obligation as the Shia were considered apostates and the Kurds desire separation (1). However, the Kurds and the Shia Arabs, who during the previous regime were marginalised, were advantaged by the new Iraqi government. The newfound

power of these two groups became a cause for concern for the Sunni Arabs who before 2003 controlled the entirety of power in Iraq. With the Iraqi Shia Arabs being awarded hegemony over Iraqi power the Iraqi Sunni Arab's had little choice but to confront this new governing power as an ethnic group to fight for the return of the power they once enjoyed (2). The marginalisation of the Iraqi Sunni Arabs in the new Iraq came at the same time as the process of 'de-Baathification'. The federalising Iraq and the conflict over the Iraqi disputed territories, which all worked to further destabilise Iraq via the deepening of ethnic and sectarian strife.

'De-Baathification' and the Sunni Rebellion

The program of 'de-baathification' traces back the George W Bush administration and the period in which Paul Bremer was the top civilian administrator and head of the Coalition Provisional Authority (made the head of the CPA by an order issued in May 2003). The program insured that all the leading and active figures of the Iraqi Baath Party were banned from political participation in the new Iraq (3). In essence, the United States intention when forming the Coalition Provisional Authority was to utilise it to remove the hegemony and effectiveness of

Baathism ideologically, politically and militarily from Iraq and over the citizens of the country, as well as distancing those leading and active individuals of the Iraqi Baath party that enjoyed immense influence over the Iraq and its political life. However, what was unexpected was that this policy became a cause of anger for the Iraqi Sunni Arab community. By dispossessing the Iraqi Sunni Arab community from power the United States it was clear that it had immensely misunderstood the fabric of Iraqi politics and society. The distancing of the Sunni Arab population from political and economic power, and marginalising the Iraqi Baathists from political life became the cause that encouraged this ethnic group to play a significant role in Iraq's post-Saddam ethnic conflict. Furthermore, it worked to allow a large part of the Iraqi Sunni community to become the sponsors of rebellion and violence against the Shia dominated Iraqi government (4).

This new political reality fuelled Sunni Arab discontent further as they believed 'de-Baathification' was akin to the 'de-Sunnification' and, hence, their group's marginalisation. It was this backdrop that paved the way for the Iraqi Sunni Arabs to resort to well funded, organised and militarised violence on the new Iraqi establishment. The leaders of this Sunni rebellion, who were the same individuals and elements that were in power during the Iraqi Baathist period, formalised this new anarchism in Iraq so that it could cause, at the very least, a headache for the new Iraqi government.

The violent Sunni Arab rebellion against the Iraqi government and its allies quickly became an ethnic conflict in which the former Baathists became primary players. In reality, the argument that was in their favour was that 'de-Baathification' became a primary cause of the sprouting of ethnic rivalries in Iraq. It is important to remember that because the majority of Saddam loyalists had been removed from power, the Iraqi Sunni Arabs had begun to contemplate attacking symbols of the new Iraqi government and the other ethnic groups Iraq. With this in mind, the Sunni Arab deterrence against the Kurds and Shia Arabs of Iraq was not only extremely violent and rebellious, but it also brought Iraq to a breaking point. At the same time, some of the former Iraqi Baathists became the leaders of the Sunni Arab rebellion in Iraq (5). Their feeling of marginalisation from politics and government cause these former Baathists members to play the ethnicity card to attempt to reach power once again. To push the ethnic argument, these Sunni Arabs worked swiftly to use Iraq's Sunni rebellion to carry out acts of organised violence in order manufacture and strengthen their argument that Iraq was in the midst of ethnic conflict for power.

The environment explained above established a fertile ground in Iraq for an ethnic conflict between the different component groups of the country and ultimately work to put the safety and security of Iraqi citizens at risk. For example, according to a poll carried out by the Iraqi Centre for Strategic Study

60% of those polled believed that their entire life was at risk (7). For this reason, Iraqi politics became divided. On the one side, the Iraqi Shia Arabs and Kurds were pleased with the expulsion to the Iraqi Baathists from government and political life and believed that the distancing of Iraqi Baathist leaders and notables played a significant role in taking power away from Iraq's minority Sunni Arab community. On the other side, the bellicose Iraqi Sunni Arabs who were working on deepening the ethnic conflict in the country were unhappy, with the de-Baathification process. It was this general unhappiness with 'de-Baathification' by the remnants of the former Iraqi Baathist party that encouraged them to utilise the weakness of the new Iraqi government, national instability, the hate and animosity between the ethnic components of Iraq and the general anger of the Iraqi Sunni Arabs at the new status quo to find a number of pathways, such as igniting and ethnic conflict, to find their way back into power in Iraq.

The Federalism Paradox

The confrontation between Iraq's ethnic groups was one of the prominent features of the post-Saddam era, especially the fact that it became formalised as a result of the disagreements between the Kurds (who believed in a decentralised system) and the Arab nationalists (who believed in central government). During this period both sides attempted to influence the re-establishment of the Iraqi political system in

their respective interests. In truth, in both constitutions of the post-Saddam era (the Transitional Administrative Law and the 2005 Iraqi Constitution) the Iraqi political system was recognised as a federal system. Groups like the Kurds desired a federal system based on Iraq's ethnic divides, a system that contrasted the idea of a central Iraqi State political system. However, in contrast to this Kurdish desire, Arab nationalists and the Sunni Arabs supported a governing model that strengthened the Iraqi centre (8). These competitive positions caused new cracks to appear between Iraq's ethnic groups. From the perspective of the Arabs generally and the Sunni Arabs, particularly a change from a central government to a decentralised government, came with severe risks. For example, the Sunni Arabs and the remnants of the Iraqi Baathist party believed that federalism would kill their efforts to regain power in Iraq (9).

Furthermore, their most prominent concern with federalism in Iraq was that it would likely pave the way for and catalyse the establishment of a Kurdish State (10). In contrast to this view from Iraq's Sunni Arabs the Kurds that decentralisation in the Iraqi governing system would be a factor to remove the ethnic rivalries prevalent in the country and thereby would, in contrast to the view of the Iraqi Sunni Arabs, keep Iraq together rather than break it up. The problem was that the Sunni and Shia Arabs feared that the existence of a federal system in Iraq would pose a risk to the interests of

Iraqi Arabs across the board and would embolden the Kurdish vision of independence (11).

For their part, the Kurds believed the Arab opposition to federalism in that manner outlined above was a misunderstanding of the issues. The Kurdish leadership thought the existence of a Federal government would be better than any other political system, especially for a diverse state like Iraq. The primary reason behind this opinion sources from the hypothesis that protecting the rights of an ethnic group like the Kurds can only be achieved federalism. Experts in the study of political systems believed that to not implement federalism in Iraq would be akin to the break up of Iraq into its constituent parts (12). For the Kurds, federalism was the way in which they could prevent: the re-establishment of a centralised oppressive government in Iraq, perpetual internal Iraqi conflict, oppression against the Kurds and the further implementation of Arabisation going forward. This Kurdish fear traces back to the fact that if federalism is not implemented in Iraq then it is impossible for the different ethnic groups in the country to come together, respect each other. Divide the government posts equally and for the county to hold free and fair elections. Furthermore, for the Kurds, the existence of a non-centralised government will be a guarantee to Iraq's minorities that their ethnic rights Will be protected from injustice, totalitarianism and opposition(13).

It is also worth mentioning that the

disagreements surrounding federalism have revealed the extent to which the differences between the Kurds and Arabs have deepened. However, here it is important to discuss, without any regard for any distinct ethnic group in the country, what the theoretical framework examines about de-centralisation. In regards to the effect that federalism would have on reducing ethnic rivalries, scholars and leaders of federal states are agreed on the fact that federalism as the political system must play its role in finding a solution to end ethnic and sectarian violence. All the theories that have tried to understand federalism have underlined that this form of political system would be a cause for the coming together of all the different conflicting ethnic groups in one geographic territory and it would also guarantee the autonomy of its minority communities(14). From their perspective, these theorists are agreed that federalism would offer ethnic groups the opportunity of self-governance Ballot the same time distancing the central government from their affairs, which by consequence would bring about a level of peace and stability within the state (15).

Disagreement over land and the rivalry between Iraq's Kurds and Arabs:

After 2003, a large number of Kurds and other minority groups returned to their ancestral lands, which they had previously been displaced from by the former Iraqi Baathist government. This

internal migration ignited another conflict in the new Iraq between the Kurds and Arabs, this time over land and territory. This conflict became one of the primary disagreements between the two ethnic groups and worked to deepen further Iraq's ethnic rivalry. What is more, this conflicts overlaid gradually also drew in Iraq's Turkomen, Christian and Yezidis as these groups argued that they had for centuries been the rightful inhabitants of the land separating Kurds and Arabs in Iraq. The development of the disagreements over the Iraqi disputed territories between the Arabs and the Kurds did not only serve to swell the political and security problems in Iraq, but it was underpinned by the fact that there was no official, reliable data or census to resolve the argument by identifying ethnic borders. Nevertheless, in 2004 at a time when the Iraqi leaders were still grappling with multiple areas of disagreement, the coalition forces in Iraq passed a transitional Iraqi constitution (Transitional Administrative Law). According to article 58 of this document, a number of mechanisms were set up to allow for the return of the displaced residents of the Iraqi disputed territories to their rightful lands. In addition, the article set up provisions to solve the Issue of the Iraqi disputed territories, of which the historical problem of Kirkuk was included (16). The Sunni Arabs opposed the implementation of Article 58 of the Transitional Administrative Law and that until the formation of the first Iraqi

government in 2006 article 58 of the Transitional Administrative Law remained unfulfilled. When the Transitional Administrative Law was replaced by the 2005 Iraqi Constitution Article 58 became Article 140 of the new constitution. In short, both articles placed the great significance of remedying the mistakes of the past. However, no practical step was taken for their implementation, and therefore it could not be utilised to resolve Iraq's ethnic rivalries.

The sub-articles of article 140 of the 2005 Iraqi constitution stressed the importance of a process of normalisation, a census and a referendum in the Iraqi disputed territories to resolve the problems in those areas. According to the sub-article regarding the normalisation phase required by article 140 those citizens who were forcibly displaced from their homes between 1968 in 2003 have the right to return and that they should take up that right. Moreover, to restore the demographic balance those Arabs that have been migrated the disputed areas should return to their original homes. in central and southern Iraq (17). Therefore, constitutionally the basis was there to reverse the politics of Arabisation and this was an issue that the Kurdistan Regional Government worked on seriously. However, the Sunni Arabs, especially those that had migrated to the disputed territories during the period of the former regime (for financial and other benefits) and that had settled in those areas opposed to Article 140. The majority of those

Arabs were against the annexation of Kirkuk to the Kurdistan Region of Iraq as they feared that it would be the final stepping stone before the Kurds declared independence.

In general, practically the feeling to reverse the politics of Arabisation resulted in the formation of a Committee by the Iraqi Government that was tasked with the normalisation of the Iraqi disputed territories, particularly Kirkuk. While the committee had much support in this regard, the results of the attempts to implement article 140 resulted in it creating an atmosphere of crisis not only in Kirkuk but nationally between Iraq's ethnic groups over the future of the Iraqi disputed areas.

Article 140 was distinct in that it proved to be one of the most prominent articles in the Iraqi constitution and held immense significance. First, this article encouraged the Iraq Arabs to return to those Iraqi provinces that they were initially from. Second, it urged the original inhabitants of the Iraqi disputed territories to return to their former homes. Third: it supported an administrative change in those territories, specifically for the province and its administrative units to return to their pre-1976 borders. Fourth, the article required that the people of the Iraqi disputed areas decide the own future via a referendum between remaining under central government administration or becoming part of the Kurdistan Regional Government administrative body (18).

Here, what is essential to reference is that there were a number of factors that

motivated the Iraqi central government to not take serious strides in implementing this constitutional article. The new Iraqi decision-makers consistently demonstrated their concern at losing control over Kirkuk's oil reserves. What is more, they feared that the implementation of Article 140 would lead to the collapse of the Iraqi state and the formation of a Kurdish state in Iraq's north. This fear unified the Iraqi central government's attempts to oppose the implementation of Article 140 pre-requisites concerning the normalisation of the disputed territories (19). This Iraqi central government's refusal to implement Article 140 of the 2005 Iraqi constitution gave rise to the feeling that Baghdad would never allow the disputed territories to be annexed from state control, especially those areas that were rich in natural resources. The lack of serious effort to reach an agreement over those territories revealed that there remained severe rivalries between Iraq's ethnic groups and that the Iraqi central government lacks the means to resolve them. Therefore, it became evident to Iraq's Kurds that the government in Baghdad was dragging its feet on the process of normalisation in the Iraqi disputed territories (20). The Baghdad decision makers believed that solving the problem of the Iraqi disputed territories would strengthen the Kurdistan Region of Iraq, widen the powers of the Kurdistan Regional Government and ultimately lead to the establishment of an independent government in Iraqi Kurdistan.

As a result, while it was incumbent on

and a legal requirement of Iraqi governments to implement Article 140 of the 2005 Iraqi constitution, Baghdad's delay and opposition to its implementation revealed that there were political reasons behind Baghdad's reluctance to implement it. It became clear to the Iraqi Kurds that the government in Baghdad was intentionally blocking the implementation of Article 140 and that it did so as a means to curb the powers of the Kurdistan Regional Government.

Uprooting the Yazidis: The ethnic rivalries in Iraq during the period of the Islamic State

From its establishment, Iraq has been a multi-ethnic, multicultural and multi-religious state. Aside from the Kurds and Arabs Iraq is also home to Assyrians, Christians, Turkmens, Faily Kurds, Yazidis, Shabak, Zoroastrians, Kaka'i, Bedouins, Assyrians, Circassians and Sabaeen-Mandaean. While the Iraqi constitution has guaranteed the rights of minorities as Iraqi citizens, these minority groups have consistently been targeted by terrorist groups. From the beginning of August 2014 the radical Sunni Islamist 'Islamic State' organisation, was able to take over and control the Iraqi town of Shingal in Nineveh Province. The majority of Shingal's residence are Yazidis. The Yazidis see themselves as ethnically Kurdish as they speak Kurdish and number 500,000-700,000 and are indigenous to a region of northern Mesopotamia (northern Iraq, northern Syria

and southeastern Turkey) (21). When the Islamic State invaded and took over Shingal, they perpetrated the Sinjar massacre, killing 2,000 Yazidi men and taking Yazidi women into slavery, leading to a mass exodus of Yazidi residents. There is a body of evidence which proves that the motivation behind the Islamic state's attack on Shingal and the Yazidis was motivated by its desire to eliminate the Yazidi faith from Iraq. Other than religious justification, their attack on the group also had ethnic motivations that traced back to Iraq's internal ethnic rivalries as the Yazidis are ethnically Kurdish, they speak the Kurdish language and do not possess any marker of another ethnic group.

Even though the Islamic State organisation argued that their actions against the Yazidis had religious justification, it cannot be ignored that these actions were also as a result of Iraq's ethnic conflicts. In their publications, Islamic state organisation describe the Yazidis as having no religion, unbelievers and against Islam. They believed that the Yazidi faith was an untruth and based on the worship of the devil (21). It was for these religious and ethnic reasons that, once the Islamic State took over Shingal the groups began the distribution of publications in which they threatened the people of the town to convert to Islam (23).

The available evidence reveals that those in the Yazidi community that rejected the Islamic State's request were confronted with genocide. From this standpoint, Iraqi decision-makers have

shown that during the Islamic state attack on Shingal hundreds of Yezidi residents were murdered because they refused to convert to Islam. Other than committing a massacre against the Yezidi community, not differentiating between the age of their victims and killing hundreds of children and elderly Yezidi residents, the Islamic State also killed 300 female residents, committed widespread sexual violence (such as sexual enslavement) against the group (24).

Due to the reasons outlined above, the Shia Turkmen were also confronted by systematic killings by the Islamic State. The community was forced with displacement from Telafar near Mosul. Human Rights Watch revealed that between the 13th June to the 10th July 2014 almost 83 Turkmen civilians had been abducted from the eastern Mosul region of which seven were later found murdered, and the rest are still unaccounted for. Furthermore, between 25th June to the 2nd July the Islamic State destroyed nine mosques belonging to the Shia Turkmen in Telafar. Since the area fell into the hands of the Islamic State almost 90% (125,000 people) of its residents have been displaced (25). Along with the increase in systematic killings, constant threat and crimes against humanity by the Islamic State, the global superpowers (such as the United States and international organisations like the United Nations) were all agreed that it was the fatwas issued by radical Sunni groups that paved the way for their committal of genocide against these Iraqi groups. The

United States and United Nations decision-makers warned that the Islamic State militias were engaged in a campaign of genocide against the Yezidi people and that it was necessary to intervene to prevent this action (26).

It is worth discussing the attacks on Iraq's Yezidi and Shia Turkmen community, and the destruction of Shingal and Telafar by the Islamic State was a new wave in the Iraqi ethnic conflict as innocent people were targeted due to their ethnic, sectarian, religious, linguistic and cultural identity.

Conclusion

After the collapse of the former Iraqi Baathist regime in 2003 the level of ethnic conflict in the country reached its peak. The causes behind the rise in the ethnic conflicts in the country can be traced back to a number of political and security factors. After 2003, remnants of the former Iraqi Baathist party were able to utilise the inherent political and security weakness of the new Iraqi State for their political ends. What is more, the ethnic conflicts were also fuelled by the rivalry between the Kurds and Arabs of Iraq over control of the Iraqi disputed territories. The fact that the Islamic State arrival onto the Iraqi scene and its takeover of large swathes of the country also pushed the ethnic conflict into a new phase.

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