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The Kurds: Independence is
going to have to wait.... again

By Zachary A. Klein

Written for Professor Moroney's Great Political Ideas Course

POLS 130 01

The Kurdish population has undergone many hardships since the end of World War I and the breakup of the Ottoman Empire. On multiple occasions, they have been promised and have even fought for a state of their own to no avail, making them the largest ethnic population in the world without their own state. Throughout their history, since the Treaty of Lusanne in 1923, they have been broken up into multiple organizations across four principle nations: Iraq, Iran, Syria, and Turkey. In each nation, they have been oppressed and separated from the greater society to thwart their desire to create a single independent Kurdistan. However, while they are without loyalty to their national governments there is also little loyalty between one another. Infighting between the two major political parties of the Kurdish Autonomous Region of Northern Iraq is not unusual. The Syrian Kurdish Defense forces have reported several clashes with the Kurdistan Workers Party's Syrian off-shoot while also fighting against ISIS. Disunity among the various organizations has hampered a coalesced independence effort and instead, left each group to search for independence or greater autonomy independently of the others. The Kurdish people do have a right to the referendum that was held in Northern Iraq on September 25th that would begin the process of creating an independent Kurdistan in northern Iraq. However, the political realities of the region combined with a lack of an effective governmental authority in the claimed area and a lack of international recognition and guaranteed protection of the new state from regional players, provide grounds for why it should not have passed.

The rights of minority ethnic groups have had various interpretations throughout history. For the most part of history, states and similar institutions came into existence as a result of waging war. Meaning that should a minority group wish to have its own state they create it by revolution. However, since the closings of World War I and II, decolonization, and the break up Yugoslavia other dimensions have been added to this theory. The closing of the First World War had a

profound effect on the creation of states. President Wilson's Fourteen Points characterized the end of World War I, one of which dealt with the self-determination of peoples (Nawaz). This pattern can be seen through the creation of ethnically homogenous states like Austria, Lithuania, Hungary, and Poland. The League of Nations vaguely referenced to self-determination in its founding charter in Article 22 (Nawaz). However, the League of Nations failed to fulfill the right due to the reluctance of the French, British, and various other European powers to give up their colonial possessions. It was not until the creation of the U.N. that the right to self-determination was actually given greater credence.

The United Nations was a much more powerful successor of the League of Nations. As M. K. Nawaz points out in his article for the *Duke Law Journal*, two articles of the U.N. charter, self-determination is directly expressed as a right of citizens of the world:

The expression "self-determination" is explicitly mentioned in two articles of the Charter. Article 1 (2) specifies one of the purposes of the United Nations to be the development of "friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace." Article 55, relating to international economic and social cooperation, states that the United Nations shall promote certain objectives "with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples." (88)

This explicit recognition of the right gave it greater legitimacy in international law, precipitating into the 1960s and rapid decolonization of the European holdings across the globe. By the 1960s, Africa went into full scale revolt against its colonial overlords. France, Belgium, The United Kingdom, Portugal, and others all tried to hold onto their colonial possessions in Africa, but they quickly realized that it was not feasible to do so. Thus, began the decolonization of Africa under the guidance of the U.N. creating the borders we have today on the continent.

In each instance, the groups allowed to express the right have been relegated to certain geographical areas and given to certain people. In the case of post-World War I the victors, France and Britain, drew borders for new countries that were once a part of the Austro-Hungarian and German empires in Europe but meanwhile gathered more colonial holdings and left their own colonial possessions untouched. In the post-World War II era, Africa and the Indian sub-continent were the only places decolonized. Britain, France, and the U.S. still held onto some of their colonial possessions in the Pacific and Atlantic oceans. Additionally, another important contradiction between the two periods is pointed out in 1971 by Rupert Emerson in the *American Journal of International Law*:

The point of the contradiction lay in the fact that the people involved in the Wilsonian period were ethnic communities, nations or nationalities primarily defined language and culture, whereas, in the present era of decolonization, ethnic identity is essentially irrelevant, the decisive, indeed, ordinarily the sole, consideration being the existence of a political entity in the guise of a colonial territory. Thus two quite different and mutually incompatible definitions of “people” entitled to exercise the right of self-determination marked by the two periods: in the first, politically shapeless ethnic communities were authorized to disrupt the existing states; in the second, the inhabitants, however haphazardly, assembled by the colonial power, take over pre-existing political units as independent states, but with firm prescription, reiterated in substance under various auspices as in Resolution 1540 (XV), that ‘any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations’ (463)

Now the previous situation regarding the right to self-determination has a different connotation, in that it allows for people like the Kurds, who are under alien rule, the ability to secede from that rule. According to the precedent set by the decolonization of Africa, the Kurds should not be allowed the right, seeing as they do not meet the specific qualifications for how the U.N. operates. Because Iraq was a country that was already created, the U.N. is not looking to violate the territorial integrity of its members excessively. This means that the right of succession is not included in the

U.N.'s definition of self-determination. These conflicting sentiments regarding self-determination and secession have led to confusion as to when peoples are allowed the right of self-determination and when secession is allowed. But, there is a corollary on this precedent set forth in the friendly relations declaration by the U.N. It stated that secession is allowed under the doctrines of the U.N., so long as certain principles are violated (Johnson 153). The circumstance allowing secession must follow a certain pattern according to Hurst Hannum in the *Encyclopedia Princetoniensis*:

The principle of territorial integrity or political unity would seem to be superior to that of self-determination, since '[n]othing in the foregoing paragraphs' shall be construed to authorize or encourage 'any action' which would impair this principle. However, this restriction applies only to those states which conduct themselves 'in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government *representing the whole people* belonging to the territory *without distinction* as to race, creed or colour.'

If a state violates these circumstances it has agreed to as a member of the United Nations, then it becomes possible that the right to self-determination supersede the right of the state to maintain its territorial integrity as a result of the declaration (Johnson 153). The Kurds in Iraq have suffered heavily under Iraqi Arab rule, particularly under Saddam Hussein. The Anfal Campaign that Saddam pushed resulted in the death 182,000 Kurds in northern Iraq (Romano 1346). This campaign made the Kurds second class citizens and essentially took citizenship away by forcibly removing people from their homes in several towns in northern Iraq as well as employed Sarin gas to kill thousands. Not only that, Saddam's government also had no Kurdish representatives in it, making it an exclusively Arab ruled state (Romano 1346). These transgressions constitute and effective restriction of the basic human rights ensured to peoples across the globe as per international law and the Universal Declaration of Human Rights.

One defense Baghdad, Ankara, or Tehran may use to try to deny the self-determination of the Kurds is that it would endanger their right to self-determination. For example, creating a Kurdistan in south eastern Turkey would harm the Turks to self-determination because the Kurds would attempt to take over Turkish land or carry out terror attacks on Turkey. However, this argument is problematic when considering possible states as Jonathan Berg explains in his piece for the *Public Affairs Quarterly*, “. . . the right to self-defense cannot be exercised until the self is under attack. In terms of nations this means that the sovereignty of one must not be violated until that nation has commenced an attempt against the sovereignty of another.” (Berg 220) When talking about a group like the Kurds, who have no sovereign state under the rule of their own government and no other governing authority, a state cannot claim self-defense since the violation of their sovereignty is might happen and not rooted in reality. Once it has come to reality, the state is free to act as it must to maintain its national sovereignty and territorial integrity, but it cannot act preemptively.

Kurds in Syria, Iran, and Turkey have experienced similar treatment to their Iraqi brethren. In Syria Kurds were denied citizenship by President Bashar-al Assad who prohibited them from participating in the census (Sherry). Assad also pursued measures similar to Saddam by sending large Arab populations into the Kurdish inhabited regions of the nation to “Arabize” them (Sherry). In Iran, the Kurdish populations are mistreated even still today, with proponents of independence being targeted by officials in government, unlawful killings by security forces, cultural repression, discrimination in housing, work, employment, and education (“Iran”).

However, the Turks have a more interesting history with the Kurds. For a long time, relations between the Kurds and Turks had been shaky as the Marxist Kurdish Workers Party (PKK) vied for independence. This included a bloody insurgency that was ended with a ceasefire

between the PKK and Turkish government. But as the insurgency ended, relations between the Turks and Kurds began to improve. Kurdish was allowed to be spoken in the classroom, Kurdish parties were allowed representation in government, and the police state in the south-east began to subside (Göksel). However, a combination of Erdogan's changing agenda as he became more autocratic, the beginning of the Syrian Civil War, the rapid and terrifying growth of the Islamic State, and the steady growth of representation of Kurdish interests in government quickly soured relations. Now, the insurgency has resumed and the PKK is launching more guerilla campaigns against Turkish Armed Forces while Turkish tanks roll into villages that contain PKK fighters (Göksel). As well the Turks have at times been able to work with the KRG in knocking out terror groups and granting protection from Baghdad (Alaaldin). Needless to say, the laundry list of mistreatment is by no means exclusive to one single group of Kurds.

Clearly this distinct ethnic group is not safe under the authority of their current governments. The expression of the right to self-determination by the Iraqi Kurds is legitimate and in accordance with international law. The referendum is a nonviolent way for the region to secede in a semi diplomatic fashion and is justified under international law. The state of Kurdistan would be much safer than the current situation for all parties currently living with Kurds within their borders. As seen in Turkey, Kurdish Nationalism has become a potent ideology that has led to a bitter fight between the PKK and the Turkish government with nearly 30,000 people having perished in the fighting (Alaaldin). In Iran, the PJAK fought a long guerilla war, as well, against the Iranian military, killing 120 Iranian soldiers in 2005 alone plus more in consecutive years according to the Iranian government (PJAK/PEJAK). These states are experiencing violence as a result of the oppression levied against the Kurds which has led to more oppression and then led to more violence. No longer having the Kurds within their borders would go a long way in helping

to stem the tide of violence within the four principal nations of Iran, Turkey, Iraq, and Syria. Additionally, the new homogenous state of Kurdistan would understandably be much safer for the Kurds as homogenous tribal groups, like the Kurds, rarely devolve into genocidal and heavily oppressive actions against one another. Unfortunately, while this right ought to be ensured to this mistreated ethnic group, the political realities of the situation do not allow for the safe exercise of the right to self-determination.

Before we address the realities of the situation a quick history lesson is in order. Kurdistan once briefly existed in the early days of 1946 when the Soviets occupied parts of Iran during World War II. This was called the Republic of Mahabad, founded by the Kurdish population in Iran as a self-ruling democratic entity. However, it was dismantled by the Shah when the Soviets withdrew from the area a few months later (“Time of the Kurds”). The short-lived republic spawned a more important group known as the Kurdistan Democratic Party (KDP), which is the founding and ruling party of the Kurdistan Regional Government (KRG) based out of Erbil. The KRG has been in control of Northern Iraq since July 1992 after the First Iraq War. The KDP has had a historic rivalry with Kurdistan Union Party (PUK), a Marxist offshoot of the KDP, which erupted into a civil war for control of the KRG in 1994 and lasted until 1998 (Gunter 226-31). Once the war finished the KDP unified the KRG behind the Iraqi Kurdistan Front and the PUK fell in line with guaranteed representation in the government, as per the Washington Peace Accord that ended the civil war. Since then, the two parties have cooperated with one another for the good of their people. In 2005 when the Iraqi constitution was drafted under United States supervision, the U.S. made sure that the Kurds had a healthy amount of representation of their interests while writing the constitution (Romano). This led to provisions recognizing the creation of an autonomous region in the north of Iraq to be administered by the KRG. This came at a cost. The crude oil pumped out

of the KRG controlled oil fields could be sold so long as a portion of the revenue went to the Iraqi Federal Government in Baghdad and to the KRG (Romano).

Kurdistan continually asks the Federal Government in Baghdad ‘when will the KRG become fully autonomous?’ Economically the KRG is still heavily tied to Baghdad because of the revenue sharing program. There are two sets of revenue pools that are shared between the two governments. One being the overall taxes collected by the federal government and the other being oil sales. The first works by the Iraqi National Congress setting aside 15% of the national budget for the KRG to use as it pleases (Natali, “Stalemate”). The way the oil revenue sharing program works is that the KRG produces a certain volume of oil prescribed by Baghdad to the State Oil Marketing Organization (SOMO), who then gives the KRG their share of the oil sales at the end of the period, according to how much they gave into the total pool of oil sold from Iraqi oil wells. Should the KRG not give the full amount prescribed then the revenues, and usually their portion of the government budget as well, are withheld until it gives the missing volume to SOMO (Knights). Along with this, the KRG gets most of its money to operate from the overall revenue of Iraq. The KRG only receives what the Iraqi federal government wishes it to receive. As such Baghdad has cut the KRG allotted budget by over 95% in the past couple of years (Natali, “Stalemate”). This has caused serious problems for the region’s economic development according to Denise Natali in her article for *Al-Monitor* entitled “Is Iraqi Kurdistan Heading Towards a Civil War?”:

The availability of electricity has decreased to 2005 levels, or about four hours a day in many areas without private generators. Tens of thousands of youths continue to migrate from the region. The once-touted Kurdish energy sector is being undermined legally and politically. Although the KRG exports about 600,000 barrels of oil per day to Ceyhan, these exports remain contentious, are dependent on Turkey and are largely sourced from Kirkuk — still a disputed territory — and not the Kurdistan Region. International oil companies have thus far abandoned

19 oil fields in the Kurdistan Region, including ExxonMobil's withdrawal from three of its six fields.

The lack of foreign capital has resulted in an under developed energy sector, little modern infrastructure, and a lag on payment of government salaries by over two years (Natali, "Is Iraqi"). This is due in part, to the fact that Iraq has not had time to rebuild since the rise and retreat of ISIS, the need to fight a war, and because the KRG has repeatedly sold oil outside of SOMO. Due to this violation of Iraqi federal law, Baghdad has responded by withholding both sources of revenue from the KRG, leaving the region with very little capital to further develop (Zhdannikov). Having infrastructure in the current state will only create more problems in a newly independent state that needs rapid development of an independent export based economy. Considering the rebuilding of infrastructure is unlikely to happen anytime soon, given that ISIS is not completely expunged from Iraq. It is better to stay under Baghdad's rule to help spread the cost that would burden them in rebuilding with the rest of the country and quicken the pace at which rebuilding can occur.

Kirkuk is one of the larger cities in northern Iraq and boasts 9 billion barrels of proven crude oil reserves ("Time of the Kurds"). This city is claimed by both the KRG and Baghdad, and it would have to be negotiated as to who gets ownership of the city when it comes time to drawing the borders of an independent Kurdistan. Baghdad has stated that it will not accept any outcome in which Kirkuk is not under its authority. Meanwhile, the KRG claims Kirkuk as sovereign Kurdish territory. While the current territory the KRG has allotted to it by Baghdad has 4 billion barrels of proven reserves the difference of 4 to 13 billion barrels of crude oil reserves is critical to a new microstate surrounded by hostile neighbors ("Time of the Kurds"). Currently, it is assumed that there is a Kurdish majority in the city of Kirkuk. However, there has not been an effective census in the city since 2003 so there is no guarantee that it is still the case ("Kirkuk"). The current city council of 41 has ethnic composition twenty-six Kurds, nine Turkmen, and six

Arabs so it is possible that the city is made up of a Kurdish majority if these numbers are representative of the greater population (“Kirkuk”). This would give reason for the city to be included in the new borders to be drawn. But, since the city has 4% of the total global oil reserves within its control, it is highly likely that Baghdad will disregard this fact to keep the city in its control (“Time of the Kurds”). Already the Kurds have tried to act independent of Baghdad regarding their economy to disastrous consequences as explained by Denise Natali in her article for the *Brookings Institute*:

The KRG’s financial break from Baghdad has had direct consequences on the Kurdistan Region’s internal stability and economic viability. In the absence of a financial buffer to replace Baghdad (by June 2014 the KRG had no savings in its central bank) the KRG’s oil gamble with Turkey has devastated and destabilized local populations and the economy. Civil servant salaries have gone unpaid for months, thousands of local businesses have closed, IOC payments remain in arrears, new investment has halted, and nearly 25,000 Kurds, mainly educated youth, have fled the Kurdistan Region over the past eight months. The KRG has also borrowed billions from Ankara and local businesses while front-loading its oil sales to 2016 in the attempt to meet operating costs and a U.S.\$22 billion debt accumulated over the past year.

The KRG has made deals independent of Baghdad and SOMO to sell its oil reserves with Turkey as an attempt to gain further independence from Iraq. But, in the process they attracted the ire of Baghdad resulting disastrously for the Kurdish economy. Without Kirkuk, the KRG would have some oil but not nearly enough to be an effective state and generate enough income for the government to function properly. Additionally, it is essential to consider is the new cost added on by defense. Under the current system the Kurdish defense forces known as Peshmerga are paid for by two sources, the KRG and Baghdad (Rasheed and Jalabi). If the KRG secedes, it is left to defend all of its territory and maintain its armed forces of 115,000 fighters all on its own (“Time of the Kurds”). While the Islamic State is losing ground very quickly it is still far from being defeated, as it already has started to become an al-Qaeda-like organization and begun to switch over to

operating in cells to carry out attacks (Engle). While the KRG operates largely independent of Baghdad's authority economically it is still far from independent of Baghdad's economic influence. Additionally, the KDP and PUK both have a heated rivalry that, with the emergence of the Islamic State, has subsided temporarily. With ISIS falling on all fronts, the reemergence of this rivalry is inevitable given their current social and economic standing. Problems such as exceedingly high foreign debt, large numbers of refugees to be taken care of, and the inability to pay government salaries and provide services are what led to the 1998 civil war in northern Iraq between the KDP and PUK that devastated the area (Natali, "Is Iraqi"). Ultimately the state would be paralyzed with inefficiency should it become independent from within, which would leave it open to attack from the outside.

The next aspect to observe is the general lack of acceptance from the world regarding the referendum. Both Iran and Turkey have stated that there will be harsh repercussions should the vote happen. The two nations fear that the referendum will embolden Kurdish insurgencies within their borders to renew their push for independence. Turkey plans on applying sanctions to the KRG to eliminate the ability to sell oil through the one pipeline that goes through the KRG across the Turkish border to the Mediterranean port of Ceyhan, Turkey (Bektas). Iraqi and Iranian foreign ministries both stated they would work together to draft responses to the upcoming vote. More than likely that they will come up with economic sanctions of their own (El-Ghobashy and Fahim). Normally when regions declare independence there is an international power who supports and protects the nation. When Kosovo declared independence in the 1990s, the U.S., Western Europe, and NATO were able to shield Kosovo politically and militarily from the Serbian Government allowing Kosovo to remain independent. However, no regional power or any international power has voiced any support for the referendum besides Israel, who is not capable of ensuring the

independence of the would-be nation. France has voiced lukewarm support by stating that they would not oppose nor support the referendum. However, the real shock to the international community, and to the Kurds in particular, was when the U.S. stated the referendum needed to be postponed (Arraf)

The reason that the KRG exists as a semiautonomous region is because of the U.S. In the aftermath of the first Gulf War in 1992 the U.S. established a Kurdish safe haven in northern Iraq (al-Khafaji 35). Saddam Hussein continued to push further north with his anti-Kurdish agenda and pursued a number of genocidal actions. These measures included the Anfal Campaign, which was the forced relocation of Kurds out of Kirkuk and several other cities and pushed further north to increase the Arab population in the area, thereby making the area more responsive to his rule (al-Khafaji 35). But, according to David Romano, Saddam Hussein was not satisfied and continued by “using internationally prohibited chemical weapons in such areas as the city of Halabja, Balisan and parts of the Duhok Province. They have razed some 4,500 towns and villages while driving tens of thousands of unarmed civilian Kurds, among them Faylis and Barzanis, into an unknown future” (Romano 1346).

Then, in 2003 the U.S. invaded Iraq once more and this time ousted Saddam Hussein. In the post war theatre, the U.S. stayed and provided stability to Iraq and helped ensure the creation of a new democratic constitution recognizing the KRG. The U.S., along with rebuilding the nation, also acted as a mediator between the Arab majority country and the Kurds helping to ease tensions (Romano 1345). However, the U.S. withdrew and the rise of ISIS dramatically changed the U.S. foreign policy in the region. No longer was the U.S. focused on stabilizing the region in the wake of large power vacuum, now the focus was on holding Iraq together and defeating the Islamic State. This change in foreign policy is the reason why the U.S. will not acknowledge the

referendum. The U.S. spent billions of dollars, thousands of lives, and political capital stabilizing Iraq and is not ready to let Iraq be divided without its approval. At first the goal was preventing the Islamic State from taking over Iraq, and then it evolved into the overall destruction of the Islamic State once their advance was halted and reversed. The U.S. then began providing airstrikes against the Islamic State while supplying arms and other supplies to the Kurds in both Iraq and Syria to help fight ISIS (Glenn). The U.S. still had the desire to preserve stability in the region, but stability now had a new context. Rather than managing ethnic conflicts and defusing tensions which had been the case in the post 2003 world, it was now about preventing the onslaught of anarchic jihad, being perpetrated by ISIS, against states weakened by recent wars. The U.S. seeks territorial integrity of current nations, until the Islamic state has no more ground under its control. After the defeat of ISIS, the U.S. will allow talk of the creation of new states but no sooner. Since the Kurdish referendum is a step towards secession, current U.S. foreign policy does not support the timing of the referendum (Dubin and Tamkin).

Because neither the U.S., Turkey, Iran, Iraq, nor any other major regional or international power is willing to support or recognize the referendum, it carries no weight. International law regarding self-determination exists, and a plethora of treaties and international organizations recognize the right but almost exclusively for colonial holdings (Emerson 136-40). It has been used for groups not in colonial holdings, i.e. Kosovo, but the vast majority of cases have been colonial domains in the decades after World War Two (Emerson 140). However, in practice there is no set legal way for peoples to exercise their right to self-determination without the aid of an outside power. Currently, no designated international organizations exist to enforce the right, which means these struggles for self-determination by minority populations in countries are left to the mercy of the government. Aleksander Pavkovic and Peter Radan point in their essay for the

Macquarie Law Journal that “Territorial sovereignty still remains the central source of political power and the main locus of international recognition,” which is to say that control of the land allotted to a nation is how a government maintains its legitimacy (Pavkovic and Radan 5). Given the newness of the Iraqi government and the humiliation it has suffered at the hands of the Islamic State, Iraq is keener than most to strengthen its legitimacy and not tolerate any secessionist movement. Since there are currently no outside powers willing to protect the KRG from the repercussions of the referendum or even try to mediate between the Iraqi Arabs and Kurds, the referendum must fail. Pavkovic and Radan further explain that “in relation to the question of whether the liberty of a minority within a state prevails over the liberty of the majority, cases of attempts to secede from a liberal- democratic state suggest that it is the majority that prevails,” (Pavkovic and Radan 9).

Timing of the Kurdish referendum has dictated the response to it. The cease fire that had been in place between the Turkish Government and the PKK is now mute, and fighting has resumed (Butler). The Turkish Parliament also renewed a bill authorizing the military to conduct operations in Iraq and Syria if there are national security threats present (Bilginsoy). Both nations have Kurdish minority populations who could aid the PKK in its insurgency providing easy justification for military action against the KRG by the Turkish government. The Turkish military also has long history of conducting raids in Northern Iraq on PKK encampments there (“Iraqi Kurdistan”). Meanwhile Iran has begun to block flights to their Kurdistan region amid safety concerns as well as scheduled wargames along their border with the KRG (“Iran Launches”). Iran also moved tanks to the border with Iraqi Kurdistan in the days after the referendum (Jalabi).

The governments of Iran and Turkey both have encountered serious internal divisions within their populace aside from their unruly Kurdish populations. Last summer, Erdogan, Prime

Minister of Turkey, experienced an attempted military *coup d'etat* and is still under a state of emergency to this day from that event. The state of emergency is still in effect is because Erdogan is still unsure of the military's loyalty. This is seen through the dismantling of the military court martial system and replaced with the civilian court system, a place where Erdogan has more support than within the military (Gurcan). Another change is that the National Intelligence Organization, the Turkish equivalent of the NSA, is now given the authority to investigate any soldier or company at any time for supposed disloyalty (Gurcan). What this represents is that Erdogan's position is still not secure and requires more time in order to make it secure, and an emboldened PKK is something he fears would only prolong his cementation of power. In Iran, the Ayatollah's power has been heavily tested by the recent president Hasan Rouhani, leading to split in the political power of the state. No longer is it under the iron rule of the Ayatollah, instead the upstart liberal reformer Rouhani is expanding presidential authority at the expense of the Ayatollah ("Exactly"). These political divisions within these two countries dictated their response to the referendum. Because the power within their country is being uprooted, and, given everything going on in the Middle East at this time, having to deal with one more bellicose population striving for independence is another challenge the ruling authorities would rather remain undisturbed. Given the push back from these nations and the world as a whole Kurdish independence should be further postponed.

The Kurds have experienced many hardships throughout their history and continue to do so today. Having their own state is a major way to prevent future discrimination and should be given to them in accordance with international law. However, to create a state that is likely to have volatile domestic politics, an unstable economy, and no regional or international allies combined with the current state of affairs of the Middle East would be a disaster for the Kurds. The region

itself is already in a state of chaos; adding one more conflict to the plethora that already exist would not be beneficial to the other states of the Middle East. Forcing the Kurds to wait for independence when they will be more able to defend themselves and run a successful state is going to be part of many nations' foreign policy for the foreseeable future. Waiting is something the Kurds clearly do not enjoy, as 92% of the 3 million Kurds who voted for independence on September 25th proved (Qiblawi). But it is necessary given the current political and economic predicament of the Kurds and their neighbors.

Works Cited

- al-Khafaji, Isam. "The Destruction of Iraqi Kurdistan." *Middle East Report*, no. 201, Oct.-Dec. 1996, pp. 35-38ff.
- Alaaldin, Ranj. "Why the Turkey-KRG Alliance Works, For Now." *Al Jazeera*, 7 Nov. 2016, aljazeera.com/indepth/opinion/2016/11/turkey-kr-g-alliance-161105141533661.html?xif=.
- Arraf, Jane. "What to Know About the Independence Referendum in Iraqi Kurdistan." *National Public Radio*, 22 Sept. 2017, <https://www.npr.org/sections/parallels/2017/09/22/552571060/what-to-know-about-the-independence-referendum-in-iraqi-kurdistan>.
- Bektas, Umit. "Turkey Threatens Sanctions Over Kurdish Independence Vote." *Reuters*, 20 Sept. 2017, reuters.com/article/us-mideast-crisis-iraq-kurds-turkey/turkey-threatens-sanctions-over-kurdish-independence-vote-idUSKCN1BV0N3.
- Berg, Jonathan. "The Right to Self-Determination." *Public Affairs Quarterly*, vol. 5, no. 3, July 1991, pp. 211-225.
- Bilginsoy, Zeynep. "Turkey Oks Military Intervention, Warns Iraqi Kurds on Independence Vote." *The Star*, 23 Sept. 2017, thestar.com/news/world/2017/09/23/turkey-oks-military-intervention-warns-iraqi-kurds-on-vote.html.
- Dubin, Rhys, and Emily Tamkin. "Iraqi Kurds Vote for Independence Over U.S. Objections." *Foreign Policy*, 25 Sept. 2017, foreignpolicy.com/2017/09/25/iraqi-kurds-vote-for-independence-over-u-s-objections/.
- El-Ghobashy, Tamer, and Kareem Fahim. "Kurdish Bid for Independence From Iraq Emerges as Regional Flash Point." *The Washington Post*, 26 Sept. 2017, http://wapo.st/2fOmqO?tid=ss_mail&utm_term=.775dabeb06b7.
- Emerson, Rupert. "Self-Determination." *Proceedings of the American Society of International Law at Its Annual Meeting (1921-1969)*, vol. 60, April 28-30, 1966, pp. 135-41. *JSTOR*, www.jstor.org/stable/25657693.
- . "Self-Determination." *American Journal of International Law*, vol. 65, 1971, pp. 459-75.
- Engel, Pamela. "New Rep[ort Finds ISIS' Caliphate 'Is on a Path to Collapse'." *Business Insider*, 22 Apr. 2017, businessinsider.com/isis-collapsing-report-2017-4.
- "Exactly How Powerful Is Iran's President?" *Stratfor Worldview*, 9 Mar. 2017, <https://worldview.stratfor.com/article/exactly-how-powerful-irans-president>.
- Glenn, Cameron. "Timeline: US Policy on ISIS." *Wilson Center*, 27 Apr. 2016, wilsoncenter.org/article/timeline-us-policy-isis.

- Göksel, Nigar. "A New Cycle Begins in Turkey-PKK Conflict." *International Crisis Group*, 11 Aug. 2015, blog.crisisgroup.org/europe-central-asia/2015/08/11/a-new-cycle-begins-in-turkey-pkk-conflict/.
- Gunter, Michael M. "The KDP-PUK Conflict in Northern Iraq." *Middle East Journal*, vol. 50, no. 2, Spring 1996, pp. 224-41.
- Gurcan, Metin. "Erdogan Hastens Executive Presidency With New Decree." *Al-Monitor*, 30 Aug. 2017, al-monitor.com/pulse/originals/2017/08/turkey-emergency-decree-redesigns-vital-institutions.html.
- Hannum, Hurst. "Legal Aspects of Self-Determination." *Encyclopedia Princetoniensis*, n.d., <http://pesd.princeton.edu/?q=node/254>.
- "Iran: Human Rights Abuses Against the Kurdish Minority." *Amnesty International*, 30 July 2008, www.amnesty.org/en/documents/MDE13/088/2008/en/.
- "Iran Launches War Games Near Iraqi Kurdistan Border." *CNBC*, 24 Sept. 2017, cnbc.com/2017/09/24/iran-launches-war-games-near-iraqi-kurdistan-border.html.
- "Iraqi Kurdistan Profile – Timeline." *BBC News*, 31 Oct. 2017, bbc.com/news/world-middle-east-15467672.
- Jalabi, Raya. "Iran Sends Tanks to Border With Iraq's Kurdish Region, Kurdish Official Says." *Reuters*, 2 Oct. 2017, reuters.com/article/us-mideast-crisis-kurds-referendum-iran/iran-sends-tanks-to-border-with-iraqs-kurdish-region-kurdish-official-says-idUSKCN1C71EF.
- Johnson, C. Don. "Toward Self-Determination – A Reappraisal as Reflected in the Declaration on Friendly Relations." *Georgia Journal of International & Comparative Law*, vol. 3, no. 1, 1973, pp. 145-63.
- "Kirkus Votes to Take Part in Kurdish Independence Poll." *Al Jazeera*, 29 Aug. 2017, aljazeera.com/news/2017/08/kirkuk-votes-part-kurdish-independence-poll-170829134834287.html.
- Knights, Michael. "Making the Iraqi Revenue-Generating Deal Work." *The Washington Institute*, 2 Dec. 2014, washingtoninstitute.org/policy-analysis/view/making-the-baghdad-krq-revenue-generating-deal-work.
- Natali, Denise. "Stalemate, Not Statehood, for Iraqi Kurdistan." *Brookings*, 2 Nov. 2015, brookings.edu/blog/markaz/2015/11/02/stalemate-not-statehood-for-iraqi-kurdistan/.
- . "Is Iraqi Kurdistan Heading Toward a Civil War?" *Al-Monitor*, 3 Jan. 2017, www.al-monitor.com/pulse/originals/2017/01.

Nawaz, M. K. "The Meaning and Range of the Principle of Self-Determination." *Duke Law Journal*, vol. 82, no. 1, 1965, pp. 82-83.

Pavkovic, Aleksandar, and Peter Radan. "In Pursuit of Sovereignty and Self-determination: Peoples, States and Secession in the International Order." *Macquarie Law Journal*, vol. 3, 2003, pp. 1-12.

"PJAK/PEJAK: Party for Free Life in Kurdistan; Party for a Free Life in Kurdistan; Free Life Party of Kurdistan." *GlobalSecurity.org*, n.d., www.globalsecurity.org/military/world/para/pjak.htm.

Qiblawi, Tamara. "Kurds Vote Overwhelmingly in Favor of Independence From Iraq." *CNN*, 27 Sept. 2017, <https://www.cnn.com/2017/09/27/middleeast/kurdish-referendum-results/index.html>.

Rasheed, Ahmed, and Raya Jalabi. "Iraq Cabinet Plans to Cut Kurdistan Share in 2018 Federal Budget." *Reuters*, 6 Nov. 2017, www.reuters.com/article/us-mideast-crisis-iraq-kurdistan-budget/iraq-cabinet-plans-to-cut-kurdistan-share-in-2018-federal-budget-idUSKBN1D627S?il=0.

Romano, David. "Iraqi Kurdistan: Challenges of Autonomy in the Wake of US Withdrawal." *International Affairs*, vol. 86, no. 6, 2010, pp. 1345-59.

Sherry, Virginia N. "Syria: The Silenced Kurds." *Human Rights Watch*, vol. 8, no. 4(E), 1996, www.hrw.org/legacy/reports/1996/Syria.htm.

The Time of the Kurds: A CFR InfoGuide Presentation. *Council on Foreign Relations*, 4 Oct. 2017, on.cfr.org/1Q9PWRG.

Zhdannikov, Dmitry. "Kurdistan Details its Secretive Plan to Export Half a Million Barrels of Oil Per Day Right Under Iraq's Nose." *Business Insider*, 17 Nov. 2015, businessinsider.com/r-exclusive-how-kurdistan-bypassed-baghdad-and-sold-oil-on-global-markets-2015-11.