



Uluslararası Sosyal Araştırmalar Dergisi
The Journal of International Social Research
Cilt: 10 Sayı: 53 Volume: 10 Issue: 53
www.sosyalarastirmalar.com Issn: 1307-9581
http://dx.doi.org/ 10.17719/jisr.20175334116

THE UNCHANGING AGENDA OF THE IRAQ'S KURDS IN THE PROCESS LEADING TO THE INDEPENDENCE REFERENDUM: CITY OF BLACK GOLD- 'KIRKUK'

Sinem ÇELİK*
Cabir ÇELİK**

Abstract

Kirkuk is an important city that has been home to different nations for thousands of years. Kirkuk, where communities have struggled mercilessly to possess it, has become a place where many ethnic groups have lived together over time. As of today, Kurds, Arabians, Turkmens and a small number of Chaldean Christians live in the city. This diversity of ethnic structure has led to the emergence of undesirable problems in the city from past to present. Oil conflict has been added to these problems since the beginning of the 20th century, when it was discovered that the city had rich oil reserves. When the historical process is analyzed, both in ethnic- based problems and in the sharing of oil wells, power struggle is seen among the Arab and Kurds. Having the central administration as much as the US occupation of Iraq, the Arabs are superior to Kirkuk in comparison to the Kurds, who have long been trying to achieve autonomy in northern Iraq. The Kurds, supported by the United States after the occupation of Iraq, have become a big authority in the city. However, Kirkuk, which is among the controversial regions according to the constitution of Iraq, and whose situation should be clarified with a referendum, continued to be a problem between the Kurds and the central government after 2003. When the policies and actions of the Kurds towards Kirkuk are evaluated in general, it is clear that they are strongly insistent on taking the city under the control. Accordingly, the authorities of the KRG consistently mention Kirkuk issue in their explanations. In these explanations, the KRG executives clearly express that Kirkuk is the red line of their demands for an independent state. This study, attempted to explain the main reasons for the insistence on the Kirkuk issue, which was at the forefront of controversial places in which the Kurds put something to vote in the independence referendum. For this purpose, firstly, the Northern Iraqi Kurds have been examined in the light of historical documents and population censuses which claim that they are the essential elements of the city. Then, it is mentioned that Kirkuk oil is important for the Kurds, who want to establish an independent state in northern Iraq, and the political and military steps taken by Kurds in order to possess the city and this oil reserves have been discussed in detail. At the conclusion part, new risks that will reveal from the military intervention of the central government against Kirkuk after the independence referendum and with the presence of Hashd al-Shaabi organization that supports this organization in the city has been mentioned. When the policies of Kurds up to today towards the Kirkuk issue, which has gained a new dimension after the independence referendum, are evaluated in general terms, it is understood that the Kurds have not given up on seeing Kirkuk as the red line of independent state demands. However, the recent developments show that the insistence on the Kirkuk issue has caused the city, which the Kurds actually controlled, to lose completely. On the other hand, nowadays it is not easy to say that Kirkuk's dream is ending for the northern Iraqi Kurds.

Keywords: Kirkuk, Hashd al-Shaabi, Iraq's Kurds, Kurdistan Regional Government Independence Referendum, Massoud Barzani.

*"Kirkuk is a small Iraq
and Iraq is a small Middle East."
Prof. Dr. Ahmet Davutoğlu*

Introduction

Kirkuk is an important city that has been home to different nations for thousands of years. Kirkuk, where communities have struggled mercilessly to possess it, has become a place where many ethnic groups have lived together over time. As of today, Kurds, Arabians, Turkmens and a small number of Chaldean Christians live in the city. Although the ethnic groups in question have exhibited beautiful examples of the culture of living together from time to time, there is chaos in the city for many years. The power struggle among the ethnic groups of Kirkuk became the source of problems causing a chaotic environment in the city. The absence of power after the region had got out of the Ottoman dominance, undoubtedly, caused the relations between the ethnic groups to become even tenser.

The increasing power struggle among the ethnic groups caused dramatic consequences especially since 1925 when oil reserves were started to be drilled in Kirkuk. Until 2003, Arabians were the superior party in this struggle. The Arabians, who ruled the country from 1932 to 2003, when the Independent Iraqi State was founded, followed a violent Arabization policy against Turkmens and Kurds in Kirkuk, especially during the Baath regime. For many years, the central government has forced the Kurdish and Turkmen population in the city to migrate through pressures, and moreover, provided a settlement for the Arabians

* Arş. Gör., Karadeniz Teknik Üniversitesi, İİBF, Uluslararası İlişkiler Bölümü, sinem.tan@ktu.edu.tr.

** Arş. Gör., Karadeniz Teknik Üniversitesi, İİBF, İktisat Bölümü, cabir.celik@ktu.edu.tr



brought from outside Kirkuk to the city and tried to make the demographic structure in favor of the Arabians.

In 2003, when the US invaded Iraq, the Arabization policy of the Baath regime for Kirkuk ended and there was a hope that the ethnic problems in the city would be solved democratically. However, this time, Kurds initiated a process as in the Baath regime with their policies towards Kirkuk. On the one hand, the Kurds with the US support tried to maintain the control of Kirkuk, on the other hand, they started mass immigration to the city. Although the Kurds based their attitudes in Kirkuk issues on the grounds that they are the main element of the city, the truth is different from that since the developments clearly indicated that the main motivation source of the Kurds' insistence on Kirkuk is rich oil wells in the city.

Moreover, the Kurds' policies and practices in Kirkuk issue, absolutely, have a background based on long before 2003 because Kirkuk is one of the priority issues for the Kurds having tried to found an independent state in North Iraq for decades. Such that, in the 1970s when the autonomy negotiations between the Central Government and the Kurds began in earnest, the most important issue which the Kurds did not agree to compromise was Kirkuk. In fact, the autonomy law declared in 1974 by the Baath regime to solve the problems among the Kurds did not give the expected result due to Kirkuk issue because the Kurds stated that they did not adopt the Autonomy Law on the grounds that Kirkuk was indicated outside the borders of the autonomous region in the law. Although their insistence on Kirkuk caused them to wait for the year of 1992 for autonomy, they did not step back in any way. The Kurds indicated that their insistence continued by accepting Kirkuk within the federal state borders they declared in 1992.

The Kurds waited until 2003 when the USA invaded Iraq to approach their goals in Kirkuk issue. As of this date, the Kurds quickly took steps to ensure that they seized both actual and legal control over Kirkuk. Article 140 which was put in the Iraqi constitution upon the request of the Kurdistan Regional Government (KRG) directly served this purpose of the Kurds. This article decrees that people in the city will decide their future with a referendum to be held at the end of 2007 at the latest. Although the Kurds, who changed the demographic structure of the city after 2003 in their favor, were very confident about the result of the referendum to be held, the referendum in question could not be held at the predicted time and afterwards. Both the fact that the Central Government extended the process, and both the Turkmens and Arabians did not want to be connected to KRG were the reasons extending the process. Furthermore, the threat of the ISIS terrorist organization heading to Kirkuk in the summer of 2014 provided a turning point for Kirkuk issue, when the KRG's hand grew stronger.

Iraqi soldiers left the city when the ISIS terrorist organization took action to attack Kirkuk in June 2014. Thus, peshmerga connected to KRG prevented the attack of ISIS by entering Kirkuk. This situation caused KRG to take control over Kirkuk to the extent that it has not been up to now. Moreover, the Kurds took the control of two out of five oil wells in Kirkuk in this process. As a result of all these developments, KRG is no longer satisfied with only talking about Kirkuk referendum. Furthermore, KRG started to make statements that they wanted to found an independent Kurdish state including Kirkuk.

In 2017, the leader of KRG, Massoud Barzani made an unexpected move from his own and announced that they will hold an independence referendum including controversial regions such as Kirkuk, Sincar and Hanekin along with the cities he officially controls. This decision, which has led to the already warming of Iraq and the region, which are already in a mixed situation, has been reacted hard. The central government, which received support from Iran and Turkey, announced that if it is insisted on the referendum decision contrary to the Iraqi constitution, it will activate military option. However, KRG carried out the referendum on independence on September 25, 2017, in spite of all objections. A few weeks after the referendum, the Iraqi central government regained control in Kirkuk with an operation supported by the Hashd al-Shaabi organization.

1. Discussions on the Ethnic Identity of Kirkuk

Kirkuk is a North Mesopotamian city the history of which dates back before the Christian era. It was found out in the studies conducted that the settlements of people in Kirkuk region extended to the period of the Sumerians, Acadians, and Hurrians. (Nakip, 2007: 22). The person who made it possible for this region to become a city is regarded to be Sarnabal, the ruler of Assyria. Moreover, historical sources indicate that Sarnabal called the city he founded "Kerhsuluh". The city was ruled during various periods by the Babylonians, Persians, Muslim Arabians, Mongols and Turks after the Assyrians. The fact that the city constantly witnessed the states' struggle to establish dominance caused it to be called with different names. The name of Kirkuk was first started to be used for the region after the Mongolian invasion (Musul- Kerkük ile ilgili Arşiv Belgeleri [Archive Documents related to Mosul-Kirkuk], 1993: 15-23; Ahmed, 2005: 40). Of course, the only consequence of the fact that Kirkuk has been under the control of many nations is not that it



has been called with different names in the history. This situation also led to the result that Kirkuk became home to people of different ethnic and religious backgrounds.

The fact that the Turkmens, Kurds, Arabians and a small number of Chaldean Assyrians live together in Kirkuk nowadays is the most important evidence of this multiethnic structure of the city (Bet-Shlimon, 2012: 914). We do not have the exact data related to the historical course of the concentration of ethnic groups in question in the city. It is known that the first official data related to the population structure in Kirkuk belong to the years under the Ottoman dominance. According to the results of the census carried out in Kirkuk which was a district connected to Baghdad Province during the period of Suleiman the Magnificent, the Turkmens who were 6558 in number constituted 90% of the total population. With regard to this census, the Arabians, Kurds, Jews, Christians and others accounted for 10% of the urban population (Yalçın, 2016: 145-146).

When the Ottoman archive documents are examined, it is observed that the census of Kirkuk has been resumed in the recent periods of the empire and conducted at frequent intervals. The Ottoman administration conducted the last census in Kirkuk shortly before the First World War. It was concluded in the census conducted in 1906/7 that the population of Kirkuk consisted of 67458 Muslims, 788 Armenian Catholics, 1758 Jews and 2 Greeks, in total 70006 people (Archive Documents related to Mosul-Kirkuk, 1993: 14). The fact that this population census does not contain any information on the Turkmen, Kurdish and Arabian populations that make up the Muslim class stands out as a significant deficiency because, considering these data, it is quite difficult to know how the population density of the ethnic communities in Kirkuk was distributed at the beginning of the 20th century. This situation makes it quite difficult to identify in favor of which ethnic group or groups the demographic structure formed in Kirkuk after the First World War was. Together with the occupation of Kirkuk by the British in 1918, the need for the data reflecting the ethnic structure of the city before the First World War was better understood. Since this period, the censuses were tried to be manipulated in favor of certain ethnic groups by the intervention of the non-regional actors and sometimes the Central Iraqi Government.

There is a strong conviction that the British, who were an influential force on the post-Ottoman territory for many years, played significant roles in such a manipulation. The reports on the population of Kirkuk presented by the British at the Lausanne Peace Conference support these convictions. According to the census conducted by the British officers in 1921, the population of Kirkuk was stated to consist of 45000 Kurds, 35000 Turkmens, 10000 Arabians, 600 Christians and 1400 Jews. These results were rejected by people defending that the Turkmens constituted the majority of the city on the grounds that they did not reflect the truth. However, there were also various criticisms on the numbers provided in relation to the ethnic population structure in Kirkuk by the Iraqi Government and Turkey in the same years. The common criticism for the results of the censuses provided by all three states is that it is speculative and does not comply with the modern statistics principles (The Problem of Mosul and Kirkuk and Sharing Kurdistan, 1991: 86-87). However, there are many people who think that the population censuses conducted by the Independent Iraqi state in later periods are far from objectivity. This situation indicates that we have to use certain data other than the results of the census to correctly identify the ethnic identity of Kirkuk. It is expected that by this way a healthy evaluation can be carried out related to the density of the Turkmens, Kurds, and Arabians living in Kirkuk in the post-Ottoman period.

The official documents published by the Iraqi government are one of the most accurate ways to understand which ethnic group was the majority in Kirkuk in the post-Ottoman period. At this point, the declaration prepared by the League of Nations Council and approved by the Iraqi Parliament on May 5, 1932, can be considered as a very significant resource because this declaration clearly states that a significant proportion of the population in the city of Kirkuk consisted of the Turkmens.¹ Another document that has a historical value on the ethnic identity of Kirkuk is the Law on Local Languages No. 74 issued by the Iraqi government in 1931. The law in question decreed that the Turkmens are the majority in Kirkuk and thus, the courts should be conducted in Turkish (Hürmüzlü, 2003: 54-55).

Both documents approved by the Iraqi Parliament ruled by the Arabians are highly critical for the Turkmens in Kirkuk. This is because the fact that the Turkmens are the majority in Kirkuk in which the Turkmens, Kurds, and Arabians live together was approved by the Iraqi Government and declared to the whole world with these documents. Of course, it is possible to talk about the existence of many more official documents that can shed light on the controversies related to this issue. At this point, it will be beneficial to deal with some of the secret writings between the British Government and ambassadors in Iraq who

¹ For more information, see <http://www.solami.com/a3a.htm>, (15.10.2017).



improved their relationships based on self-interest with the Iraqi Kurds especially in the post-Ottoman period.

J. M. Trulbil, the British Ambassador in Iraq, stated in the Iraq report he submitted in 1952 to the Minister of Foreign Affairs of Great Britain that the Turkmens were the majority in Kirkuk. In the same report, the Ambassador praised the Turkmens for the fact that they lived together with the Kurds and Arabians without any problems, in spite of their numerical superiority. It was emphasized in another report prepared by the British Ambassador in Baghdad on July 18, 1958, that the majority of people in Kirkuk spoke Turkish (Nakip, 2007: 195). It stands out that the statements in favor of the Turkmens were surprisingly used in the British reports related to Kirkuk. It is understood from all these documents that the ethnic group that had the numerical superiority in Kirkuk until the 1960s was the Turkmens. However, it is also known that significant changes have been experienced in the demographic structure of the city since this period as a result of the Arabic policies of the Baath Regime.

The Arabians, who did not tolerate the presence of another ethnic group in Kirkuk during the Baath regime, implemented an intensive Arabization policy in order to attain the numerical superiority in this city. Accordingly, on the one hand, the regime provided the settlements of the Arabians in Kirkuk and, on the other hand, forced the Turkmens and Kurds to migrate (Cambaz, 2009: 15,29,39). It does not seem possible to completely determine the effects of these policies implemented until 2003, when the Baath regime ended, on the population density of the Turkmens and Kurds because discussions on the ethnic identity of Kirkuk still continue on political grounds as it was in the past. This political style is considerably evident in the Kurds' statements regarding Kirkuk, which have become an important force in Iraq, especially after 2003.

The Regional Kurdish Government, which began to express the statement on the fact that the Kurds are the main element in Kirkuk more frequently, took steps to take the actual control in the city by going beyond the political rhetoric. The Regional Kurdish Government indicated the fact that the Baath regime forced the Kurds into mass migration and the sufferings they experienced as a justification to make this action legitimate in the international arena. However, the Turkmens were also forced to migrate and experienced major traumas due to the Arabization policy of the Baath regime. It was seen that the Turkmens did not give up the culture of living together with other ethnic communities in the post-regime period. At this point, it is understood that there are political and economic intentions beyond the sufferings and migrations experienced in the background of the Kurds' policies for Kirkuk because the Kurds who have been struggling to found a state in northern Iraq for decades are aware of the contribution that Kirkuk will provide to them on the way to political and economic independence.

2. The Kurds' Insistence on Kirkuk

Kirkuk has been a politically and culturally significant city for the Northern Iraqi Kurds from past to present. It is seen that the Kurds claiming that Kirkuk is a Kurdish city try to use every opportunity they have to seize the control of this city, which is significant for them, especially since the post-Ottoman period. The Kurds effectively used the option of political struggle to achieve these goals until the early 1990s.

This is because the Kurds did not have the power to accomplish their demands for Kirkuk by weapon until this period. It is understood from this situation that the political importance of Kirkuk for the Kurds is closely related to the fact that they have become a strong actor in the country. Therefore, it is required to consider cyclical developments while seeking answers from where the political importance of Kirkuk originated for the Kurds. Only questioning in terms of the sufferings that the Iraqi State caused to the Kurds in Kirkuk may lead to an inadequate evaluation because the political meaning of Kirkuk for the Kurds arises from the fact that it is more a part of the goal of an independent state.

As it is known, the Kurds have been trying to establish a state in Northern Iraq for many years. Moreover, it is not possible to say that they made progress in terms of this goal until the 1970s. On the contrary, they experienced violent conflicts with the central government as well as they could not get a positive response from the Iraqi State to their autonomy demands. It became possible after the Iraqi government had taken the control of the Baath regime with the start to provide some privileges to the Kurds.

The Baathists trying to establish good relationships with the Kurds to sustain their government preferred to agree with them at the beginning. The autonomy agreement signed between the Iraqi state and the Kurdish leader Mullah Mustafa in 1970 was the first significant step. In this agreement, the Kurds were promised that they would gain a wide range of rights, such as both the official language and the language of education being Kurdish in places where the Kurds were the majority, stating in the constitution that Iraqi people consisted of the Arabian and Kurdish nations, the introduction of the Kurds to senior positions and



the consolidation of the regions where the Kurds were the majority to establish an autonomous unit (Schmidt, 1970).

Another problem that was solved in the agreement became the issue of Kirkuk. In this agreement, it was decided between the Central Government and the Kurds that whether Kirkuk would be included in the autonomous regional boundaries would be determined according to the results of the referendum to be held in the city, and thus, the Baathists who did not intend to leave Kirkuk to the Kurds continued to carry out Arabization activities in the city to turn the population density to their own favor. This situation caused the positive atmosphere between two parties to tense again soon after. The uncompromising attitude of both parties, especially in the issue of Kirkuk, jeopardized their relationships. The Autonomy Law which the Baath regime declared in 1974 to solve the problems among the Kurds was not enough for a political solution. The Kurds who thought that the Central Government increased their audit mandate over the autonomous region with this law stated that they did not adopt the law. It is possible to say that the main discomforts of the Kurds originated from the articles of the law related to the autonomous regional boundaries. This is because Kirkuk which the Kurds regarded as their red line was indicated out of the autonomous region in this law (Dalar, 2016: 95-96; Attar, 2004: 163).

The discussions about Kirkuk issue played a key role in the failure of the law. The Iraqi state that failed to solve the problem with the Kurds by this law chose to use force again. The Kurds were both deprived of the external support by the Baath regime and exposed to the intense military intervention between the years of 1975-1991. The heavy blow that the Kurds received as a result of the attacks of the Central Government caused them to delay their dreams of autonomy for almost 17 years. However, it is seen that they did not give up their demands for Kirkuk even during this process.

It was only after 1991 that it became possible for the Northern Iraqi Kurds to begin to express their demands for Kirkuk again and more strongly. The Kurds who took advantage of the economic and military weaknesses of the Iraqi State that was defeated in the Gulf War seized the control in Sulaymaniyah, Erbil, and Kirkuk in March 1991 (Cumhuriyet Gazetesi [Cumhuriyet Newspaper], March 1991: 11). However, this situation did not take long and the Central Government again took the control in Kirkuk and other cities a few days later (Cumhuriyet Gazetesi [Cumhuriyet Newspaper], April 1991: 11). The UN Security Council announced its resolution No. 688 to the whole world against the migration wave that began after this development and the use of the disproportionate force by the Central Government. Moreover, the deployment of the military force to protect the Northern Iraqi Kurds from the attacks of the Central Government was also provided with this resolution containing humanitarian aid issues. These developments provided a proper ground for the Kurds to establish the autonomous region that they demanded from the Baath regime in 1970. Thus, the Kurdish parties that gathered in 1991 reached an agreement to hold an election of the "Assembly of the Representatives" in which they would be represented in the proportion of the public support. Accordingly, in the parliamentary election held on May 17, 1992, each of the Kurdistan Democratic Party of Masoud Barzani and the Patriotic Union of Kurdistan of Jalal Talabani obtained 50 seats from 105 seats. After the parliamentary election, on July 7, the two parties formed the council of ministers in which their equal participation would be provided now. This move by the Kurds was regarded as an important step in the process of becoming a state in the world public opinion (Ari, 2004: 459-461).

Soon after, the local parliament approved the federal state status of which boundaries include Arbil, Sulaymaniyah, Dohuk and Kirkuk on October 5, 1992. Thus, an actual state was established in Northern Iraq, although it was not legal (Yılmaz, 2010: 1). However, this step did not mean that the Kurds achieved their goals considering the facts of the region then because the Kurds had very important problems to solve. The first of these problems were the conflicts and disagreements that arose between KDP and PUK not long after the declaration of the federal state. The second problem was the harsh reaction of the countries against the declaration of the federation and diplomatic enforcements that put the Kurds in a difficult situation. These two problems were considerably overcome a few years later with the effect of international and regional developments. The third important problem of the Kurds was how the declared federal state would get rid of being economically dependent on the central government. The last and maybe the most important problem of the Kurds was the uncertainty in the status of Kirkuk.

Kirkuk was indicated within the boundaries of the federal state declared by the local parliament although it was under the control of the Central Government. However, the Central Government had a significant military force in Kirkuk during that period. Moreover, the Arabization policy that the Central Government never paused for Kirkuk was continuing during the same period. (Cambaz, 2009: 15,27; Galletti, 2005: 48). Furthermore, the Turkmens were strongly disturbed by the fact that Kirkuk was indicated within



the boundaries of the Federal state declared. All of these indicated that the Kurds could not easily solve Kirkuk issue both in political and military terms. Nevertheless, why were the Kurds so insistent on Kirkuk issue under these circumstances? While one reason for this is that they consider Kirkuk to be one of the important cities in the history of civilization, another reason is that they see Kirkuk as a home which they were forced to leave by the Baath regime and which they want to reach. However, as mentioned at the beginning of this article, only these and similar reasons are insufficient to explain why the Kurds did not want to share the administration of Kirkuk with other ethnic groups.

There is a known fact that the Turkmens in Kirkuk care about this city at least as much as the Kurds, and they were also seriously damaged by the Arabization policies of the Baath regime. However, despite all the negative developments, the Turkmens have always regarded the city as a part of the Iraqi state and preferred to continue living together with other ethnic groups. In other words, the Turkmens did not try to dominate over other ethnic groups contrary to the Kurds.

Thus, despite many political and military obstacles, the efforts of the Kurds to indicate Kirkuk within the boundaries of the federal state must be based on more convincing grounds. At this point, the answer of what the Kurds needed most for the federal state declared in 1992 to turn into an independent Kurdish state is important. When this question is answered correctly, the reason for the insistence of the Kurds on Kirkuk will be considerably understood. It is possible to say that it has a quite simple answer. The Kurds must be saved from the economic dependency on the Central Government for the declared federal state to be able to continue its existence and to become independent when the conditions are suitable. This can be achieved by controlling oil reserves in Northern Iraq.

According to the data for 2015, Kirkuk is the second city with the most reserves in Iraq, ranked fifth in the world with 144 billion barrels of oil reserves. This characteristic of Kirkuk, which has rich oil reserves, makes it a critical city for the Kurds. Kirkuk, which started to be known as the "City of Black Gold" since the discovery of great oil wells, sustains its economic importance for the Kurds from that day on (Galletti, 2005: 22). Therefore, it will be more accurate to evaluate many developments experienced in Kirkuk since the post-Ottoman period until today with a viewpoint centering the oil in the city because, as it was in the past, the oil in the city has also become the main source of motivation for the demands and policies of the Kurds on Kirkuk issue nowadays.

3. Kirkuk Policy of the Kurds after the US Occupation of Iraq

Political stability is not provided in Kirkuk, where ethnic-based problems have never ceased since the early years of the Iraqi state. The main reason for political instability in Kirkuk is the ethnic-based policies sustained by the Arabians for many years and followed by the Kurds. As is known, Arabic practices of the Baath regime, in particular, caused the Turkmens and Kurds to experience many sufferings resulting from oppression, violence, and forced migration. It was only after the US invasion in Iraq in 2003 that it became possible for the two ethnic communities in Kirkuk to get rid of the pressure of the regime, which continued for decades. However, the lack of power that the "Operation Iraqi Liberation" of the US created in the country initiated a process in Kirkuk during which the Kurds increased their pressure on the Turkmens and Arabs. Democracy did not come to the city, only the role changed between the Arabs and the Kurds. In other words, the administration of the city passed from one ethnic group using oppression and violence to another.

The Kurds, supporting the US occupation of Iraq, stated their intentions in Kirkuk issue before the occupation was concluded. The Kurds, as they had done in 1991, wanted to take Kirkuk under control with a *fait accompli* policy. The Kurds who entered Kirkuk with the US forces on April 10, 2003, seemed to be closer to obtaining results this time because the US supported the Kurds both in military and political terms stronger than ever. Numerous Peshmerga entering Kirkuk began to act with the confidence provided by the US support as from the first moment. Firstly, Peshmerga plundered the official buildings in the city and significantly damaged the title, population and tax records (Cumhuriyet Gazetesi, [Cumhuriyet Newspaper], 11 Nisan 2003: 11).

The reactions to the Peshmerga's entering Kirkuk and plunder activities they performed were not late. So, on April 13, 2003, the leader of the KDP (Kurdistan Democratic Party) Massoud Barzani and the leader of the PUK (Patriotic Union of Kurdistan) Celal Talabani announced that their armed elements got out of the city. However, the reports obtained from the region did not completely confirm what the Kurds had said. This is because there were serious claims that the Peshmerga continued to have the control of the critical points in Kirkuk. The US administration announced that very few Peshmerga remained in Kirkuk to maintain the order and safety of the community. It was stated in the statement made that as the US units entered the city, the remaining Peshmerga would leave Kirkuk (Cumhuriyet Gazetesi [Cumhuriyet



Newspaper], 14 Nisan 2003: 11). Of course, the experiences after the entry into Kirkuk never coincided with the statements coming from both the Kurds and the US. Moreover, the developments were able to support the Kurds' claims that they continued their political and military presence in Kirkuk.

The Kurds, who continued to stay in Kirkuk with their armed elements, took effective steps to change the population density in the city in their favor and to provide control in less than a month. The Kurds, who were expelled from the city during the Saddam era, began to flock to Kirkuk in large groups. The Kurds, who began to buy the property in the hands of the Kirkuk Arabians, began a continuous migration towards the city to increase their chances in the local elections to be held by the USA. Furthermore, the Kurds, who provided superiority in the 24-member council created by the US for the Kirkuk local government, also provided superiority in the police department containing approximately 500 members. The Kurds, who made 400 former Peshmerga police officers, also took the only TV channel in Kirkuk under control (Hürriyet, 2003). Therefore, it was clear that the Kurds would not give up easily on Kirkuk when they had such an opportunity.

The Kurds, who provided the full control in every aspect of the federal state borders outside Kirkuk that they declared in 1992, sought to sustain their administrations by means of these activities in question. The Iraq's Transitional Administrative Law which was prepared under the leadership of the US approximately one year after the occupation provided considerable support for the Kurds to achieve their goal in Kirkuk not militarily but politically. The Kurds, who legally gained the right to the regional administration that they desired with the Iraq's Transitional Administrative Law, also succeeded to add the articles that would serve their purposes related to Kirkuk in the same document.

It was stated in Article 53 of the Iraq's Transitional Administrative Law on March 19, 2003, that the government governing the lands in Dahok, Erbil, Sulaymaniyah, Kirkuk, Diyala and Nineveh provinces was recognized as the Kurdistan Regional Government. Furthermore, in this article, the right to form territories on condition that they would not be more than three was accorded to the cities outside the region of Kurdistan except for Baghdad and Kirkuk. The provision was made in Article 58 that it was possible to wait until a fair and transparent census for the final settlement of Kirkuk and other controversial lands was carried out and the permanent constitution was ratified. In the article in question, it was also requested to quickly take some measures to eliminate the oppression caused by the previous administration practices of the temporary government and regarded as changing the population structure of certain regions including Kirkuk by means of displacing people from their settlements and sending them to exile, the settlement of foreigners in the region, depriving the people in the region of jobs, and correcting their tribal structure (Ceylan, 2004).

It was resolved in the permanent Iraqi constitution approved by the people in 2005 that the measures included in the transitional constitution in regard to Kirkuk and other controversial regions should be taken as soon as possible. In Article 140 of the permanent constitution, there was a decision to eliminate the ongoing uncertainties regarding the legal status of Kirkuk by December 31, 2007, at the latest. Accordingly, the executive branch was assigned with the task of conducting the census after achieving normalization in Kirkuk and other controversial regions with priority. At the final stage, people in controversial regions, especially in Kirkuk, were asked to use their right to determine their future with a referendum to be held.² Considering this article of the Permanent Constitution of Iraq, it is concluded that the people of Kirkuk will shape their future with free will and without being exposed to the oppression experienced in the past. At this point, it may come to mind why the Kurds, who have become an important force in the country after 2003 and who care enough not to leave Kirkuk issue up to chance, have this article added in the constitution. As mentioned at the beginning, the Kurds, who concentrated on the Kurdification activities in the city in a very short time after entering Kirkuk, were convinced that the result of the referendum would be in their favor. Therefore, it is possible to consider Article 140 as the article that sets the legal ground for the Kurdification policy, which is applied to add Kirkuk to the Regional Kurdish Government.

However, at the end of 2007, it was seen that the Kurds could not completely convince the Arabians and Turkmens for a referendum. Moreover, the population census, which was regarded as the second stage in Article 140, has not been carried out yet in Kirkuk which could not be normalized in any way and became even more complex with ethnic-based problems. The regional Kurdish government considered the Central Government to be responsible for not being able to progress in terms of Article 140. The KRG executives, who stressed that their expectations for the referendum were not met, clearly threatened the central government in their statements. Masoud Barzani, the head of the KRG, was expressing at every opportunity

² For Article 140 of the Iraqi Constitution, see http://www.wipo.int/wipolex/en/text.jsp?file_id=230001, 20.10.2017.



that Iraq would be dragged into a civil war if Article 140 providing the referendum for Kirkuk was not enforced. However, the Kurdish executives gave up their demands for the referendum to be held at the end of 2007 at the latest because of the increasing tension in Kirkuk. The KRG, seeing that the insistence would increase the security risk for both Kirkuk and Northern Iraq, announced that they postponed the referendum for 6 months. (Kurdistan Regional Government, 2007, Debusmann, 2007). Furthermore, the Kirkuk referendum, which was postponed to 2008, could not be held that year due to similar risks. For the next few years, the uncertainty issue in Kirkuk's legal status and the referendum demands of the Kurds continued to be ignored by the Central Government. The KRG had to wait for 2014 for the developments that would strengthen its hand in Kirkuk issue.

It was a historical opportunity for the KRG that after the ISIS (Islamic State of Iraq and Syria) terrorist organization had taken action to invade Kirkuk in June 2014, the Iraqi military forces abandoned the city and left the people there unprotected. The Peshmerga forces that evaluated this opportunity well prevented the ISIS from invading Kirkuk by entering the city which the Iraqi military forces left (BBC News, 2014). The KRG, with its highly strategic move in question, moved the controversial Kirkuk issue to a new dimension both in Iraq and in the international arena.

Peshmerga forces considered as invaders in the period when they entered the city with the US military forces in 2003 were not rejected by the Turkmens and Arabs. On the contrary, the Peshmerga were seen as the only savior of all the ethnic communities in the city that were desperate to face the ISIS threat. However, it was a fact that the KRG did not assume this role only for humanitarian reasons because the Kurds considered this environment, in which the Central Government considerably lost its power due to the ISIS terrorist organization, appropriate to put an end to the controversial state of Kirkuk and to include the city within the KRG boundaries for sure. After they had taken the control in Kirkuk, their first job was to bring up the Kirkuk referendum that was planned to be held in 2007 but could not be held anyhow to the agenda again.

Masoud Barzani, the leader of the KRG, announced in his speech he made at the accession of the United Nations Iraqi representative on June 29, 2014, that they would hold a transparent and open referendum in Kirkuk and other controversial regions in accordance with Article 140 of the Iraqi Constitution. Barzani, who stated that they wanted the United Nations to be involved in the process, repeated his claim that Kirkuk was Kurdistan land in his speech and said that Peshmerga would continue to stay in the city (Haber Türk, 2014). However, the developments pointed out that Barzani would not be contented with adding Kirkuk to the KRG boundaries because the Kurds began to talk about the issue of independence as well as the Kirkuk referendum issue since 2014. The leader of the KRG tried to announce to the world public that independence was the only option they had at every opportunity (Taylor, 2015).

KRG realized the first independence rehearsal in March 2017 by hanging the KRG flag next to the Iraqi flag on the official buildings in Kirkuk. It is possible to say that the primary purpose of the flag movement is put out feelers of the peripheral countries and the central government. The KRG, which is even more encouraged for independence due to its lack of reaction to this step, announced that it will hold the independence referendum a few months later. Massoud Barzani, the leader of KRG, announced that an independence referendum will be held in the disputed areas including Kirkuk, Sincar- the west of Musul- and Bashiqa- the east of Musul-, the provinces of Tuzhurmatu and Hanekin and the villages of Celavla, Mendeli and Karatepe along with Erbil, Sulaymaniyah and Duhok where his authority beyond the rhetoric now.

On the other hand, The Iraq's Central Government reacted harshly to referendum, which was planned to be held on September 25, 2017, and argued that the referendum could not be done because it was contrary to the constitution. Responding to the KRG's referendum decision from Iraq's neighbors, especially Turkey, was not delayed. These countries declared that the referendum was illegitimate because of the fact that it would damage the territorial integrity of Iraq. In this process, KRG, supported by the West tacitly, held a referendum on the date it had decided despite all the warnings and threats.

Well, did not KRG know that putting controversial regions such as Kirkuk, Sincar, and Hanekin in the independence referendum could make northern Iraq a more problematic place?. Of course, the KRG was aware that in every respect it was hard days waiting for it, and that the result of this referendum could at least be deprived of international legitimacy in the near future. Therefore, what the KRG intends to do with the referendum decision is to see how both the Iraqi Central Government and international public opinion will react to. At the same time, the Iraqi Central Government, which was fully supported by Iran and Turkey, shortly after the referendum, to put the military option in charge and take out the Peshmerga forces



from Kirkuk, was not a result the Kurds had ever expected. At this point it is foreseen that the Iraqi Central Government will only be involved in military intervention in the disputed regions.

Although it is positive that the central government has provided control in Kirkuk, it is also necessary to talk about the existence of a very important and new risk that this new situation will reveal. This new risk is the risk of a sectarian conflict emerged after the support of strengthening Hashd al-Shaabi militias in Iraqi army's Kirkuk operation. Then, the initiation of Hashd al-Shaabi's presence in Kirkuk under the pretext of this operation created an environment that allowed the Shiite-Sunni conflict in the city. If the Hashd al-Shaabi Organization, which has a sectarian understanding, engages in acts of violence against the Sunni Kurd in the city, a sectarian war's wick will be fired in perhaps to the whole region. Therefore, it can be said clearly, Kirkuk civilians will encounter more difficult days compared to the days when KRG is dominant.

Conclusion

When the steps taken by the northern Iraqi Kurds in their path towards independence are examined, it seems that Kirkuk has always played a key role. Kirkuk, the red line of autonomous bargaining between the Kurds and the central government in the past, has maintained this key role in the independence referendum. For this reason, it wouldn't be wrong to say that if the city is not included in the referendum, it will be easier for the KRG to become independent. It is clear that the most important reason for the Central Government to receive intensive support from Turkey before and after the independence referendum is Kirkuk. Because of the fact that, Turkey does not think that it will have positive results for the people, especially the Turkmen, to get disconnected from the center.

Although both the central government and the neighbors of Iraq, Turkey and Iran, have shown to the brutal response, it is unclear what the KRG has been trying to achieve by going to the independence referendum and putting Kirkuk to the vote. On the other hand, it can be said that Barzani's primary purpose of the independence referendum decision is to receive a result that supports independence and to increase the support of the people. In addition Barzani, if everything goes well after the referendum, aimed to ensure that some of the Kurdish tribes made their opposition to it become ineffective and low voice. Another important purpose of the referendum is to put out a feeler both the central government and the international public by adding some controversial regions, especially Kirkuk, to the voting of independence.

But the post-referendum developments have shown that Barzani's aims are far away, and have pointed out that Barzani faces the risk of losing the gains it has achieved so far and the territories it legally controls. At this point, the entrance of the central government, supported by Iran and Turkey, to the Kirkuk, together with the Hashd al-Shaabi forces, can be considered as the beginning of difficult days in terms of Barzani. Therefore, when the developments after the referendum are examined, things were not go as planned and the KRG lost the Kirkuk, which was dominated after 2003, with a wrong decision. In addition the possibility that Barzani lost political struggle against the opposition has also been strengthened because of the fact that Barzani could not foresee the developments after the referendum.

The KRG's referendum step, which ignores the Iraq constitution, is a critical step due to the fact that it makes Kirkuk and perhaps the whole of northern Iraq vulnerable to a new threat. This threat is the Hashd al-Shaabi organization which is no different from ISIS because of its sectarian understanding. This organization, which has supported the operations of the Iraqi army in Kirkuk and its controversial areas, has begun to exist in Kurdish-controlled regions during many years. Although the question of the extent to which Hashd al-Shaabi expands the sphere of influence in northern Iraq is an object of curiosity, the main question is whether this organization will resort to violent acts, especially against Sunni civilian Kurds. Contrary to KRG, which is waiting for get the better of the referendum, Hashd al-Shaabi became the main lucrative by starting to control Kirkuk, which was presented by Barzani at the gold crest. When taking into consideration the closeness of Hashd al-Shaabi to Iran, it would not be wrong to say that the real winner is Iran. When we look at the games which goings-on Kirkuk, it is being regretfully observed that the non-lucrative and the always losing side are civil Turkmen, Arab and Kurdish population living in Kirkuk.

REFERENCES

- "Irak Devleti Geçiş Dönemi Yönetim Kanunu (2004 Irak Geçiş Anayasası)", Translator: Ayhan Ceylan, *Hukuk, Ekonomi ve Siyasal Bilimler Aylık İnternet Dergisi*, Issue 28, <http://www.e-akademi.org/incele.asp?konu=2004%20IRAK%20GE%20C7%DD%DE%20ANAYASASI&kimlik=1086772176&url=makaleler/aceylan-5.htm>, 05.10.2017.
- "Kerkük'te Saddam Hâkim", *Cumhuriyet*, April 1, 1991, pp.11.
- "Kürtler Kerkük'e Girdi", *Cumhuriyet*, April 11, 2003, pp.11.
- "Muhalefet Saddam'ın Peşinde", *Cumhuriyet*, March 25, 1991, pp.11.
- "Peşmerge Kafa Karıştırıyor", *Cumhuriyet*, April 14, 2003, pp.11.
- AHMED, Kemal M. (2005). *Kerkük: Tarih, Politika ve Etnik Yapı*, İstanbul: Avesta Publisher.



- AL ANSARY, Khalid & WILKINS, Sam (2016). "Iraq Will Boost Oil Exports After Agreement on Kirkuk Fields", <https://www.bloomberg.com/news/articles/2016-08-21/iraq-will-boost-oil-exports-this-week-after-agreement-on-kirkuk,03.10.2017>.
- ARI, Tayyar (2004). *Irak, İran ve ABD*, İstanbul: Alfa Publisher.
- ATTAR, Ali Rıza Ş. (2004). *Kürtler & Bölgesel ve Bölge Dışı Güçler*, Translator: Alptekin Dursunoğlu, İstanbul: Anka Publisher.
- BBC News (2014). "Iraqi Kurds 'fully control Kirkuk' as army flees", <http://www.bbc.com/news/world-middle-east-27809051,24.09.2017>.
- BET- SHLIMON, Arbella (2012), "Group Identities, Oil, and the Local Political Domain in Kirkuk: A Historical Perspective", *Journal of Urban History*, Volume 38, Issue 5, pp. 914-931.
- CAMBAZ, Tarık (2009). *Kerkük'te Kürt ve Türkmen Soykarımı (Kimlik Değişirme)*, Diyarbakır: Deng Publisher.
- Commission Report of the League of Nations 1924 (1991), *Musul- Kerkük Sorunu ve Kürdistan'ın Paylaşımı (The Problem of Mosul and Kirkuk and Sharing Kurdistan)*, İstanbul: Med Publisher.
- DALAR, Mehmet (2016). *Tarihsel, Siyasal ve Hukuksal Perspektifiyle Irak Kürdistan Bölgesel Yönetimi*, Bursa: Alfa Aktüel Publisher.
- DEBUSMANN, Bernd (2007). "Kurds rule out referendum delay for disputed Kirkuk", <http://www.reuters.com/article/us-iraq-kirkuk/kurds-rule-out-referendum-delay-for-disputed-kirkuk-idUSL1885928120070718,19.09.2017>.
- GALLETTI, Mirella (2005). "Kirkuk: The Pivot of Balance in Iraq Past and Present", *Journal of Assyrian Academic Studies*, Volume 19, Issue 2, pp. 21-52.
- HaberTürk, "Kuzey Irak'ta Bağımsızlık Sinyali", July 1, 2014, <http://www.haberturk.com/dunya/haber/963546-kuzey-irakta-bagimsizlik-sinyali,11.10.2017>.
- HÜRMÜZLÜ, Erşat (2003). *Türkmenler ve Irak*, İstanbul: Kerkük Vakfı, <http://docplayer.biz.tr/2007276-Turkmenler-irak-ersat-hurmuzlu.html,20.10.2017>.
- Hürriyet (2003), "Kerkük Kürtlerde", <http://www.hurriyet.com.tr/kerkuk-kurtlerde-38464937,15.10.2017>.
- Iraq's Genesis and Current Status in Documents, <http://www.solami.com/a3a.htm#DECLARATION,15.10.2017>.
- Kurdistan Regional Government (2007). "Kirkuk referendum needed soon, says Iraqi Kurdish leader", <http://cabinet.gov.krd/a/d.aspx?s=010000&l=12&a=17784,20.10.2017>.
- NAKIP, Mahir (2007). *Kerkük'ün Kimliği*, Ankara: Bilgi Publisher.
- SCHMIDT D. Adams (1970), "Iraq Recognizes Kurdish Autonomy", http://www.nytimes.com/1970/03/12/archives/iraq-recognizes-kurdish-autonomy.html?_r=1,17.10.2017.
- T.C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü (1993), *Musul- Kerkük ile İlgili Arşiv Belgeleri (1525-1919) [Archive Documents related to Mosul-Kirkuk 1525-1919]*, Ankara.
- TAYLOR, Guy (2015). "Kurdish leader says his people will one day declare independence", <http://www.washingtontimes.com/news/2015/may/6/massud-barzani-independence-kurds-is-coming/,30.09.2017>.
- WIPO, Iraqi Constitution, http://www.wipo.int/wipolex/en/text.jsp?file_id=230001,20.10.2017.
- YALÇIN, Emruhan (2016). "Kerkük'ün Nüfus Yapısını Değiştirmeye Yönelik Çalışmalar", *Cumhuriyet Tarihi Araştırmaları Dergisi*, Volume 12, Issue 23, pp. 137-166.
- YILMAZ, Sait (2010). "Irak'ın Kuzeyi İçin Türk Dış Politikası" *21. Yüzyıl Dergisi*, Issue 20, pp. 15-22.