

Approaches to Kurdish Autonomy in the Middle East

Cengiz Gunes*

School of Social Sciences & Global Studies, The Open University, London, UK.

*Corresponding author. Email: c.gunes@open.ac.uk

Abstract

This article focuses on the approaches and challenges to Kurdish autonomy in Iraq, Syria, and Turkey. Accommodation of Kurdish rights via autonomy arrangements has a long history as an idea but negotiating actual autonomy agreements was often a fruitless task. However, the weakening of state power in Iraq since 1991 and in Syria since 2011 has created opportunities for Kurdish movements in these states to develop and consolidate their autonomous administrations. Consequently, in recent years, the debate on Kurdish autonomy in the Middle East has taken center stage in the regional political discourse. This article first discusses the literature on approaches to autonomy to set out the main models and assess their strengths and weaknesses. It then provides accounts of the models of autonomy that are either practiced or proposed by Kurdish actors or entities in Iraq, Turkey, and Syria. The final section assesses the ability and suitability of the proposed or practiced models for the accommodation of Kurdish rights and demands and develops insights into how the current difficulties preventing the accommodation of Kurdish rights in the Middle East may be overcome.

Keywords: Kurds; Kurdish autonomy; Iraq; Syria; Turkey

Introduction

The Kurds are one of the largest nations in the world who have not managed to establish their own state. Their historic homeland, Kurdistan, is currently divided between Iraq, Iran, Syria, and Turkey and they are one of the main minorities in each of these states, constituting roughly 10% of the populations of Iran and Syria and around 20% of the populations of Iraq and Turkey (Gurses 2018, 1). The Kurds' struggle for their national rights throughout the 20th century, particularly in Iraq during the 1960s and in Turkey during the 1980s and 1990s, posed significant challenges to state authority and managed to mobilize a significant section of the Kurdish population (Stansfield 2003; Gunes 2012). The Kurdish resurgence in the Middle East has continued in the 21st century in Iraq, Syria, and Turkey with their movements managing to establish themselves as significant political actors in the domestic politics of these states (Gunes 2019, 100).¹

The weakening of state power in Iraq since 1991 and in Syria since 2011, has created conditions for Kurdish actors in these states to strengthen their positions and take steps toward creating institutions to govern their own affairs. The emergence of Kurdish autonomy in Iraq dates to 1991 and the support the Kurds received from the US enabled its consolidation in the post-Saddam Hussein Iraq. While the Kurdistan Region of Iraq (KRI) remains the main example of accommodation of Kurdish rights within the existing states through territorial autonomy, in recent years another example based on a different model is emerging in Syria, where the Kurdish forces have been in control of much of the majority-Kurdish regions since July 2012. In this period, a Kurdish-led autonomous administration and representative bodies have been established in what is currently known as the Democratic Federation of Northern Syria (DFNS hereafter). In Turkey

too, the idea of Kurdish autonomy has been gaining support in recent years and autonomy proposals have been developed by the main Kurdish political parties as a framework for the accommodation of Kurdish rights.

The set-back the KRI experienced in its attempt to exercise self-determination following the independence referendum on September 25, 2017 shows that autonomy remains the most likely approach to accommodating Kurdish rights and demands in the Middle East. In fact, except for the Kurdistan Workers' Party (PKK) during the 1980s and 1990s, autonomy has been the main demand raised by the Kurdish political parties in Iraq, Iran, Syria, and Turkey. Autonomy and regional self-governance within the existing states can address the popular Kurdish political demands for the recognition of their identity and rights. However, Kurdish demands for autonomy or forms of decentralization of political power face strong opposition from the regional powers such as Iran and Turkey. Historically, the policies of the states with a Kurdish population have been shaped around repression and denial of Kurdish rights and such a framework still dominates the thinking of the policymakers, especially in Iran and Turkey (Gunes and Lowe 2015, 8, 11). Since the creation of the existing state system in the Middle East, Kurdish conflicts have been an important security concern in the region and resolving them through forms of autonomy and self-government within the existing states with a significant Kurdish population will enhance the political stability and strengthen democracy and pluralism (Romano and Gurses 2014, 7).

This article first discusses the main approaches to autonomy before assessing Kurdish experiences of and demands for autonomy in Iraq, Syria, and Turkey. Once the models of autonomy that are practiced or proposed by different Kurdish movements and entities are set out, the discussion then draws on the insights from the existing literature on approaches to autonomy to assess the suitability and prospects of Kurdish autonomy models and highlight how the existing difficulties and challenges to the accommodation of Kurdish rights in the Middle East can be overcome.

Approaches to Autonomy

Federal systems have been widely used across the world to accommodate ethnic and cultural diversity within nation states. In federal systems, inhabitants of autonomous regions or provinces enjoy self-rule and also share power at national level institutions (O'Leary 2005, 51; Kincaid 2011, xxii). Advocates argue that federal polities offer more avenues to citizens to participate in government, are more suitable for safeguarding and representing group rights and managing ethnic and national differences (Kincaid 2011, xxii; McGarry and O'Leary 2005). Federal systems decentralize political power and distribute it between the central and regional governments. Thus, they offer a suitable framework for managing the autonomy of a national minority. Depending on their specific designs, federal systems can promote integration or accommodation and can take national or pluri-national forms (McGarry, O'Leary, and Simeon 2008, 63–67).

There is a long list of cases in which autonomy arrangements have been used to accommodate the rights and demands of ethnic groups, national and religious minorities, and indigenous communities. In fact, states that are homogenous in ethno-cultural terms are quite rare and autonomy as a policy tool has been used to accommodate ethno-cultural diversity for over six centuries (Malloy 2015, 1). In some cases, most notably South Tyrol and the Åland Islands, autonomy has been very successful and led to satisfactory accommodation of the rights and demands of the minorities (Lapidoth 1997, 4). In other cases, such as Scotland in the UK and the Basque Country and Catalonia in Spain, autonomy arrangements have enjoyed a reasonable degree of success but have not fully satisfied the demands of the minority nations and consequently separatist nationalist mobilizations have continued. Devising new autonomy arrangements or reforming existing ones has proved to be a difficult task in general, as states fear that they lead to the break-up of their territory and stronger future challenges to their sovereignty. As a result, they object to autonomy in the hope of preventing separatism (Barter 2018, 300).

The common approach to the accommodation of national minorities is based on the model of territorial autonomy (TA), which involves recognition of national minorities and their representation through self-governance structures within the territory where they form a majority. Lapidoth (1997, 33) defines TA as “an arrangement aimed at granting to a group that differs from the majority of the population in the state, but that constitutes a majority in a specific region, a means by which it can express its distinct identity.” TA models are developed to offer protection to ethno-cultural groups who are concentrated in a specific region and who feel a strong attachment to that region. This approach effectively addresses the demands of ethno-cultural groups especially in cases where a high degree of ethnic homogeneity is present. In practice, TA arrangements involve a division of powers between the central state and the regional autonomous entity but the degree to which the autonomous entity is empowered varies from case to case as the nature of the autonomy practiced depends on the specific statutes and agreements that led to its establishment. There can be and often are variations between levels of autonomy enjoyed by different groups or regions within a state. For example, the autonomy arrangements in the Basque Country and Catalonia came into existence around the same time in 1979–1980; but owing to historical precedents, the Basque autonomy statute includes fiscal autonomy whereas such a competency is not included in the autonomy statute for Catalonia.

Even if a specific ethno-cultural group forms the majority of the population in a specific region, other groups are also present in these regions. Palermo (2015, 17) argues that in cases where a territory is mainly populated by a national minority, TA can offer an effective solution but often leads to the ethnicization of the territory and is transformed into “autonomy *for*” a national group. He calls for a new approach to the relationship between a territory and ethnic groups and proposes autonomy arrangements that are more inclusive, take the ethnic heterogeneity of the region into account, and address the rights of all groups in a territory, including the “minorities within minorities” and the “non-dominant titular people,” which may be majorities nationally but are a minority in the autonomous region (Palermo 2015, 19–21). Such an approach is offered as a barrier against secessionist tendencies, increases the potential for better representation of all groups and calls for a shift away from a group “owning” or dominating a territory to better governance through representation of all groups. An inclusive approach to territorial autonomy is also argued by Barter (2018, 306) who suggests decentralizing autonomy and devolving power to enable the “second-order minorities” to self-govern.

Despite its limitations, the TA model remains a very effective approach to reducing ethnic tensions and preventing recurrence of conflict. Also, the difficulties associated with secession of minority nations from existing states means that TA is likely to remain an attractive and effective approach to solving ethnic conflicts. Cederman et al. (2015) argue that territorial autonomy makes a positive contribution to the prevention of conflict in ethnically heterogeneous states and is also effective in preventing recurrence of conflict in cases where it is accompanied by a power-sharing agreement at the central state level: “while regional autonomy appears to reduce the risk of first time onsets, preventing recurrent conflict hinges on full inclusion through governmental power sharing” (364). However, without inclusion at the central state level, “regional autonomy is likely to be ‘too little, too late’” (368). McGarry and O’Leary (2009) also emphasize the importance of consociational government at the federal level as an important factor in the long-term success of plurinational federations: “National minorities excluded from the federal government will have a reduced stake in the federation and the federal government will be less inclined to promote their interests” (15). They also emphasize the need to have consociational practices at the regional level for ethnically mixed regions to safeguard the rights of all minorities (McGarry and O’Leary 2009, 17). In addition, Abushov (2015, 194) highlights the issue of identity and ethnic compatibility as an important factor in the success of autonomy arrangements.

Minority protection had been a key aspect of the League of Nation’s efforts during the 1920s and 1930s, but the post-World War II international order has prioritized the protection of human rights and individual rights (Welhengama 2017). However, the idea that autonomy needs to be used as a

tool to accommodate the minorities and thereby strengthen state stability and security has been gaining more traction in the international policy debates in recent decades. A number of international organizations, such as the Organization for Security and Cooperation in Europe (OSCE) and the Council of Europe propose an approach that combines the accommodation of national minorities with the promotion of better governance, strengthening democratic practices, and political participation through territorial self-government (Ghai 2005, 43; Packer 2005, 321). Hence, while the right to autonomy has not yet become part of international law, there is a tendency toward greater recognition of autonomy as a means for effectively protecting and accommodating the rights of minorities (Hannum 2005, 153; Skurbaty 2005, 565; Suksi 2015, 83) and a new normative framework of autonomy as a way of preventing conflict by addressing the root causes is emerging.

Another model that offers a degree of self-governance to ethno-cultural communities is the non-territorial autonomy (NTA) model historically used in East and Central European states. The *Millet* System used in the Ottoman Empire to accommodate the non-Muslim minorities is an earlier example of the NTA model (Barkey and Gavriliš 2016). NTA's origins date back to the early 20th century and are associated with the work of Otto Bauer and Karl Renner. NTA is also known as "personal autonomy" and in this framework "the state grants minorities the right to take the necessary steps through their own institutions in order to protect and implement their rights" (Lapidoth 1997, 38). NTA applies only to people who chose to identify themselves with a particular group, is especially suitable for ethno-cultural groups that are territorially dispersed, and is particularly useful for the accommodation of language rights. However, the proponents of NTA argue that the model itself contains features that will be useful for the territorially centered minority nations too and can therefore serve as an alternative model of accommodation (Nimni 2005, 1). Increasingly, scholars advocating a model based on NTA have linked the debate on autonomy to the recent theorization on demoi-cracy and propose it as a framework to transform the existing nation-states to pluri-national states in which different nations co-exist as equal partners (Nimni, 2015).² Contemporary applications of the NTA model in a number of the East and Central European states have demonstrated the model's ability to provide constitutionally guaranteed collective rights, wide cultural autonomy, and non-territorial self-determination to national minorities (Malloy, Osipov, and Vizi 2015; Malloy and Palermo 2015; Nimni, Smith, and Osipov 2013; Smith 2013).

As stressed by Lapidoth (1997, 39) and Kymlicka (2007, 385), NTA and TA are not mutually exclusive and can operate alongside one another. NTA is practiced in cases where the minority does not constitute a majority in part of the state and therefore is unlikely to pursue the demands of separation and is seen as a lesser threat to the integrity of the state than TA. Also, the population composition in a region can change over time and this creates problems if the autonomy arrangement is based on a territorial principle. Furthermore, in the NTA model, autonomy applies to all members of a group regardless of where they live and therefore is more able to accommodate the rights of members of a group whose population is dispersed across the state. Although the existing cases of personal autonomy are limited to the cultural sphere, its scope can change to include other areas (Lapidoth 1997, 39–40).

Kurdish Territorial Autonomy in Iraq

Following the Ottoman Empire's defeat in World War I, the Ottoman provinces of Baghdad, Basra, and Mosul came under the control of British forces and in 1920, the state of Iraq under a British Mandate was created. Turkey contested the sovereignty of the former Ottoman province of Mosul, where most Kurdish populated regions were located but on December 16, 1925, the League of Nations decided on the matter in Britain's favor and recognized Mosul province as part of the territory of the Iraqi state, with several promises for Kurdish autonomy being included in the legal framework that settled the issue (Vanly 1993, 148). However, adequate measures to satisfy Kurdish demands were not taken despite Kurdish dissent, which from the early 1960s onwards took a more

organized form under the leadership of Mullah Mustafa Barzani and the Kurdistan Democratic Party (KDP).

Territorial autonomy has been the key demand raised by the Kurdish movement in Iraq for much of the 20th century. In fact, an autonomy framework was agreed upon by the Kurdish movement and the government of Iraq in March 1970 as part of the negotiations to end the armed conflict that began in 1961 and continued intermittently throughout the 1960s (McDowall 2004, 328–335; Stansfield 2003, 75–77). The agreement offered extensive autonomy to the Kurds but the persistent disagreements over the inclusion of the Kirkuk governorate within the Kurdish autonomous region led to a deadlock. In March 1974, an alternative autonomy proposal with reduced terms and refusing to cede Kirkuk to the Kurds was made by the Iraqi government, which was refused by Barzani and led to the resumption of armed conflict in 1974 (McDowall 2004, 337; Romano 2010, 1346).

The current experiment of Kurdish self-rule in Iraq came into being in 1991 following the creation of a no-fly zone in Iraq's north and south under United Nations Security Council Resolution 688. One of the aims of this action was to facilitate humanitarian aid to the Kurdish civilians fleeing attacks by Saddam Hussein's dictatorial regime. In May 1992, elections were held for a parliament but due to the rivalry and conflict between the region's main political parties, the KDP and the Patriotic Union of Kurdistan (PUK), two separate Kurdish administrations came into being, with the KDP controlling the Dohuk and Erbil governorates and the PUK controlling the Sulaymaniyah governorate. A decision to merge the two administrations was reached on June 12, 2003, and Kurdish political parties took part in the elections in Iraq in 2005 as a joint list (Stansfield 2003, 153; Voller 2014, 101–102).

The invasion of Iraq by US and British military forces in 2003 heralded a new era of influence for the Kurds, with their *de facto* autonomy being recognized in Iraq's new constitution drafted in 2005 and accepted by a referendum in October of the same year (Comparative Constitutions Project 2017). Within the new Iraqi federal state, the areas under the Kurdish administration were recognized as the "region of Kurdistan" (article 117). The Kurdish language is constitutionally recognized as one of the two official languages of Iraq (article 4) and as citizens of Iraq, Kurds are represented in federal level institutions such as the Council of Representatives, with some of the key political positions in the Iraqi state, such as the presidency and foreign ministry, going to the Kurds in the past.

According to article 110 of the Iraqi constitution, the federal government has authority in areas of foreign policy, national security, and fiscal policy (Romano 2014, 194). The management of oil and gas resources was to be carried out jointly by the federal government and the governorates and the regional governments (article 112) and the policy in the areas of regulation of electric energy, customs, environment policy, development planning, public health, education, and management of internal water resources is jointly determined by the federal and regional governments (article 114) (Comparative Constitutions Project 2017). Article 121 of the Iraqi constitution stipulates that the "regional powers shall have the right to exercise executive, legislative, and judicial powers in accordance with this Constitution." The competencies of the Kurdistan Regional Government (KRG) include "allocating the Regional budget, policing and security, education and health policies, natural resources management and infrastructure development" (KRG 2018). It has complete control over and responsibility for its own internal security and the organization of its police and security forces, and its own military forces, known as the *peshmerga*, are outside the command of the Iraqi military forces.

It is important to note that only three provinces are currently under Kurdish control and the status of the disputed territories where the Kurds either did not constitute a majority or in which significant populations of other ethno-cultural groups resided were left out of the areas under the control of the KRI. These disputed territories are located in the Nineveh, Kirkuk, and Diyala governorates and include the oil rich city of Kirkuk. Article 140 of the current Iraqi constitution made provisions for a referendum on the final status of the disputed territories to be held by

December 31, 2007, but for various reasons it was not held. Much effort has gone into trying to decide the status of these disputed territories, with the control of Kirkuk becoming the focal point in the Iraqi-Kurdish conflict (Anderson and Stansfield 2009; Romano 2010; Wolff 2010). Additionally, the federal government's failure to pass a hydrocarbon law that addressed the demands of the Kurdistan region to explore and manage its oil and gas resources has created further tensions. Following the campaign to re-capture the territories that the Islamic State of Iraq and Syria (ISIS) captured in northern Iraq in August 2014, many of the disputed territories have come under the control of the Kurdish *peshmerga* forces. However, they had to withdraw from the disputed territories in October 2017 after the Iraqi army and the Shia militia advance.

Overall, addressing the final status of Kirkuk – as well as the other disputed territories – remains the main challenge for Kurdish autonomy in Iraq (Anderson 2013; Anderson and Stansfield 2009). In fact, Kirkuk has been the “most intractable problem” in relation to the accommodation of Kurds within a unified Iraq and its status “has thus become a major bone of contention between Kurds and Arabs in Iraq as a whole, and has become entangled in two other disputes, over a federal hydrocarbons law and over constitutional reform” (Wolff 2010, 1361). Saddam Hussein's Arabization policies resulted in the forced displacement of Kurds during the 1980s and the settlement of ethnic Arabs in the area. This policy was mainly reversed after the fall of Saddam's Baathist regime in 2003 with formerly displaced Kurds returning back to Kirkuk. Currently the Kurds constitute just over half of the population of Kirkuk (Wolff 2010, 1369) but the exact composition is unknown as there is not any recent census data available.

Kirkuk's status is further complicated by regional dynamics and Turkey's insistence that it should not fall under Kurdish control as it would significantly empower the Kurds as a regional actor (Wolff 2010, 1364). Determining the status of Kirkuk in favor of the Kurds is seen as a tool for Kurdish empowerment at the expense of the other communities that would lead to their marginalization (Wolff 2010, 1370). Although the Kurdish political parties have attempted to build a more inclusive “Kurdistani” identity by reaching out to the main minority groups in the KRI, such as the Assyrians and Turkmens, their efforts have not, by and large, been successful (Stansfield and Ahmadzadeh 2008, 141–145). Article 5 of the Draft Constitution of the KRI, which was approved by its parliament on June 24, 2009, affirms a commitment to the recognition of ethno-cultural pluralism, with Arabic and Kurdish recognized as its official languages and communities' rights to educate their children in their mother tongue, including in Assyrian, Armenian, and Turkmen, guaranteed under article 14 (KRI 2009). However, there are difficulties associated with the practical application of this right as it can be only exercised in areas where these minorities form the majority of the population (Barkey and Gavrilis 2016, 37). Hence, the accommodation of Kurdish rights has not yet propelled Iraq or the KRI to develop a regime of minority rights that effectively addresses the rights and needs of all minorities: “Despite the superstructure of a quasi-consociational federalism, Iraq's flawed territorial and majoritarian approach to minority rights leaves many minorities unprotected” (Barkey and Gavrilis 2016, 37).

Kurdish Movements' Democratic Autonomy Proposals in Turkey

Since the proclamation of the Republic in 1923, Kurdish nationalism and political activism have been a significant aspect of Turkish politics. In the past 50 years, Kurds' challenge has taken a more formidable and organized form. From the early 1980s onwards, the PKK has been the dominant political actor in Kurdish politics in Turkey. The PKK's initial political program was structured around the objective of unifying the Kurds in an independent and socialist republic but from the late 1990s onwards, it made the recognition of Kurdish identity and the accommodation of Kurdish rights within Turkey its main objective (Akkaya and Jongerden 2014; Gunes 2013). Currently, the PKK's solution to the Kurdish question is conceptualized around the interlinked proposals of “democratic confederalism” and “democratic autonomy.” These proposals have been developed by the PKK's jailed leader Abdullah Öcalan, who has been the main figure in the movement from its

early days and has been involved in setting its strategic vision and goals. These proposals went through a number of stages of development and seek to address a number of issues: internal self-determination, language rights/cultural autonomy for the Kurds as a group, and on a broader level the democratization of society and the state.

Initially Öcalan described his approach as the “democratic solution” to the Kurdish question and its first articulation took place during his trial in 1999 (Gunes 2012, 136). Öcalan expanded on his democratic solution proposals in subsequent years and from 2004 onwards, began to argue for a framework whereby the “people’s own democratic administration in Kurdistan’ will co-exist with the ‘state as the general public authority” (Öcalan 2004, 402–403). From March 2005 onwards, Öcalan began to describe his approach as democratic confederalism, which seeks to organize Kurdish communities across the Middle East and achieve a degree of unity without creating a Kurdish nation-state (Öcalan 2015). Although it has similarities to a number of existing autonomy proposals, such as cultural autonomy, it has aspects that differ significantly and as a result much effort has gone into providing clear descriptions of it in the PKK’s political discourse.

One of the earliest descriptions of democratic confederalism provided by the PKK conceived of it in terms of deepening democracy and described it as a system to spread democracy to the grassroots levels. Offered as a framework to unify different social and political organizations that represent the different segments of Kurdish society, it seeks to organize the Kurds as a nation and obtain their national rights within the existing states in the Middle East within a democratic confederal structure to bring together all the local and regional level Kurdish self-governing communities (PKK 2007a, 26). In 2005, the Union of Kurdistan Communities (KCK) was established with the specific objective of putting into practice Öcalan’s democratic confederalism proposal (KCK 2005). The envisioned Kurdish confederal entity would exist and operate across the states that have a Kurdish population but crucially remain within the established and internationally recognized borders.

In 2005, the concept of democratic autonomy also entered the lexicon of the Kurdish movement and it is a part of Öcalan’s overall democratic solution to the Kurdish question. When described in general terms, it refers to the autonomy of national and religious identities, their right to preserve their differences and originality and obtain their freedom (PKK 2005, 22). More specifically in the Kurdish context in Turkey, it concerns the nature of the relationship between the Kurds and the Turkish state and seeks to accommodate Kurdish rights and demands within a framework of Turkey’s territorial integrity: “Democratic autonomy is about the Turkish state and the Kurds agreeing a new contract for their unity. It is the establishment of a democratic political union instead of a union based on force and assimilation” (PKK 2007b, 57). It is seen as a way of limiting the power and authority of the central state and an important step in this direction involves the constitutional recognition of Kurdish identity and the removal of the obstacles in front of the realization of Kurdish language and cultural rights (PKK 2007b, 57). In addition, empowerment of local government is demanded as part of a general democratization and decentralization of state structures. It seeks to create Kurdish self-government via organizing Kurdish communities through a network of local and regional councils (Gunes and Güner 2018, 167). The state’s recognition of Kurdish rights should include freedom of assembly, to allow Kurds to freely express their collective identity and establish political parties.

As well as organizing Kurdish communities within decentralized administrative levels, the democratic autonomy proposals involve the establishment of Kurdish national representative bodies, which would have decision-making power on specific issues relevant to the Kurds but whose areas of influence are not confined to a particular region or territory: “Within the territorial integrity framework, many identities can establish their administrative structures and exercise self-governance” (PKK 2009, 94). It is described as a “form of multiple administrations in a single territory. On such a basis different national groups can have education in their mother tongue in all levels” (PKK 2009, 94). Under these proposals, Kurdish communities residing in western parts of Turkey can organize themselves in their own representative bodies and make the decisions relating to specific issues concerning their community, such as education in the Kurdish language. Hence, some

of the features of the democratic autonomy proposal bear a similarity to models of NTA, which is particularly relevant given the territorial dispersion of the Kurds in Turkey. In addition, the need for a Kurdish self-defense force to protect the autonomous communities has also been discussed as part of the PKK's autonomy proposals (PKK 2004).

A Kurdish representative organization, the Democratic Society Congress (DTK), has also taken part in the development of the democratic autonomy proposal. The DTK was formally established in October 2007 to politically organize Kurds and develop and implement the democratic autonomy proposals that Öcalan has been developing. It is an umbrella organization that brings together civil society groups, trade unions, political parties, and many local Kurdish political actors based in the Kurdish-majority regions. During 2010 and 2011, it held many meetings where Öcalan's ideas were discussed in detail and a more detailed democratic autonomy framework was developed (DTK 2012). The DTK's democratic autonomy framework embodies the principle of decentralization, grassroots democracy, and people organizing themselves in local councils and actively taking part in debating issues and decision-making at the local level, and electing delegates to represent the local council in higher representative bodies such as the district, province, and regional levels (Gürer 2015, 301).

Since 1990, Kurdish political demands have been articulated by several pro-Kurdish political parties and these parties have been demanding the accommodation of Kurdish rights within Turkey through democratization and decentralization of Turkey's political structure (Gunes 2017). They have, during the second half of the 2000s, begun using the idea of democratic autonomy in their articulation of Kurdish demands. This started with the Democratic Society Party (DTP) in 2007 when it proposed a decentralized political structure for Turkey and the accommodation of Kurdish rights within it. The Peace and Democracy Party (BDP), which was established in 2008 and became the main pro-Kurdish political party in Turkey following the closure of the DTP in December 2009, adopted democratic autonomy as the framework for the solution of the Kurdish question in Turkey. The BDP's party program listed the implementation of the recommendations of the Council of Europe's European Charter of Local Self-Government in Turkey among its key political objectives. It argued that such a framework will empower the local communities and administrations and thereby will be a major step toward deepening democracy in Turkey (BDP 2008). In May 2011, it began to describe its project for decentralizing Turkey's political and administrative structure as "Democratic Autonomy" and raised the demand to establish regional assemblies and local self-governments to strengthen democracy and national pluralism in Turkey (BDP 2011).

The main pro-Kurdish political party in the current period is the Peoples' Democratic Party (HDP). The HDP proposes a decentralized political system for Turkey, in order to break the domination of the center over the regions and develop models of local self-governance to meet the needs of different minority groups to protect and develop their culture and identity (HDP 2015; Gunes 2017). The HDP's democratic autonomy proposal seeks to decentralize power to autonomous and self-governing local and regional administrations and envisages the establishment of self-governing regions in Turkey. Such decentralization of the state in Turkey is proposed to empower local administrations, ensure citizens' direct participation in the decision-making processes at the local, regional, and national levels, and to develop socio-economic policies that address the needs of the whole of society in Turkey (Gunes 2018). The proposed autonomous regions will have their own assemblies, which would make decisions on matters such as education, culture, social services, agriculture, and environment (HDP 2015, 10).

The Practice of Democratic Autonomy in Syria

Syria emerged as a state in 1920 after the collapse of the Ottoman Empire and was under a French Mandate until 1946. The Kurdish movement in Syria has a long history and the first Kurdish political party was established in 1957, but throughout its existence it remained fragmented having experienced several internal divisions (Tejel 2009, 48). The majority of Kurdish political parties

drew their ideological inspiration from the main Iraqi Kurdish political parties and the demand for the recognition of Kurdish identity, ending the discrimination the Kurds faced and securing political, cultural, and social rights for the Kurds were their main demands (Allsopp 2015, 28). In 2003, the Syrian members of the PKK established the Democratic Union Party (PYD) and since the outbreak of the conflict in 2011, it has managed to establish itself as the dominant Kurdish political party in Syria and guide the main Kurdish political developments there (Leezenberg 2016, 681). The developments connected to the loss of state authority because of the ongoing conflict and civil war in Syria has shaped the Kurdish experience of autonomy but its blueprint originates from Abdullah Öcalan's democratic autonomy and democratic confederalism proposals (Knapp and Jongerden 2014).

On July 19, 2012, Syrian state forces withdrew from the Kurdish majority areas in the north of the country to leave the Kurds in control. This act proved to be a significant opportunity that propelled the development of an autonomous administration and in January 2014, the Cantons of Rojava were established to manage the Kurds' *de facto* autonomy. The term "*Rojava*" means "West" in the Kurdish language and refers to the Kurdish populated areas of Syria, which are popularly referred to as *Rojavayê Kurdistanê* (Western Kurdistan). Initially three cantons were established in Jazire, Kobani, and Afrin in the northeast, north, and northwest of Syria, respectively. On March 17, 2016, the Cantons of Rojava were brought together under the umbrella federal administration of the Democratic Federal System of Rojava–Northern Syria (Middle East Eye, 2016). On December 28, 2016, the term "Rojava" was removed from the federal administration's name and currently it is formally known as the Democratic Federation of Northern Syria (DFNS). This new framework for territorial organization became necessary as the areas under the control of the Kurdish-led administration increased, especially after the capture of territories historically populated by Arabs, such as Tell Abyad, Manbij, and Raqqa. Although the Kurds are the main force behind the DFNS, it aspires to be a multi-ethnic entity with decentralized administration and representative bodies to accommodate all of the ethno-cultural groups of northern Syria.

The majority-Kurdish areas in Syria's north do not constitute a contiguous enclave and areas populated by Arabs and other ethnic groups divide the Kurdish populated regions. Also, prior to the conflict, a significant number of Kurds resided in the ethnically mixed areas, such as Aleppo city and the surrounding region. Currently their population is estimated at two million and constitute roughly around 10% of Syria's pre-war population (Allsopp 2015, 18). In addition to the Kurdish and Arab population in northern Syria, there are other smaller ethnic groups such as the Armenian and Syriac Christians and Chechens and Turkmens. The population of the Syriac community is estimated to be 166,000 and that of the Armenian community to be 60,000 (Joshua Project 2017).

The DFNS is designed as a decentralized self-governing entity, which brings together several autonomous entities and seeks to remain part of a decentralized and federal Syrian state. The internal territorial decentralization of the DFNS is seen as necessary to provide representation to the region's diverse ethnic groups and promote coexistence between them. The DFNS is designed to be a higher level representative body and strengthen the position of the Democratic Autonomous Administrations (DAA) at the Syrian, regional, and international level. It embodies the principle of decentralization, grassroots democracy, and people organizing themselves in local councils and actively taking part in debating issues and decision-making at the local level and electing delegates to represent the local council in higher representative bodies. Councils comprising representatives from all communities are also involved in the governance at the city and district level. In August 2017, the constituent assembly of the DFNS passed an Administrative Regions Act that created a new structure for the federation, dividing the entire territory into three regions and six cantons (ANF News 2017a).

The DAAs were initially formed in January 2014 and have continued their evolution since then (Knapp et al. 2016, 114). The DAAs are the governing body of the cantons and each has a legislative council that elects an executive council headed by co-chairs with overall responsibility for overseeing the work of different ministries of the DAA. The lowest level administrative body is the

commune which is usually comprised of the residents of a village or a street in the urban context and comprised of around 50 households and currently it is estimated that there are around 3,700 communes in the DFNS (ANF News 2017b). The neighborhood council is the higher level representative body that offers representation to communes as well as to people representing different ethnic and political groups, followed by the district council. Each of the cantons has an assembly representing a cross-section of the population, where decisions on the matters concerning the cantons are made.

There are a number of other representative organizations such as the Syrian Democratic Council (MSD), which was established in December 2015 and comprised representatives of different ethnic and political groups (Knapp et al. 2016, 116). Tev-Dem (Democratic Society Movement) is a representative body that has been involved in the development of Kurdish-led self-government. It is made up of mainly the PYD and some other smaller political forces and community organizations in the region, including the representatives of other ethnic groups. Another umbrella organization is the People's Council of West Kurdistan (MGRK), which was founded in 2011 and is the umbrella body of the local and district councils. Currently, the DFNS's military forces are organized under the SDF, which is comprised of Kurdish and Arab volunteers and conscripts.

Rather than being an ethnic government for the Kurds, DFNS is designed as a multi-ethnic federation that recognizes and provides representation for all the different ethnic groups in the region and aspires to promote recognition of diversity and coexistence. In addition to the cultural communities, different occupational groups, associations are also represented in decision-making bodies. The commitment to ethnic pluralism and decentralization has been the basis of the administration's Social Contract (SC), which was initially ratified by the representatives of the Cantons of Rojava on January 29, 2014. On December 28, 2016, a new draft constitution for the DFNS was adopted, which extended recognition to all ethnic groups in the region, and the representation and participation of groups is not based on the numerical majority/minority relationship (DFNS 2016).

Every group is empowered with the right to establish its own representative bodies and exercise autonomy over its affairs as well as taking part in the making of common decisions. Article 33 of the SC states "Cultural, ethnic and religious groups and components shall have the right to name their self-administrations, preserve their cultures, and form their democratic organizations. No one or component shall have the right to impose their own beliefs on others by force" (DFNS 2016). Rather than being restricted to a particular region, the right to form self-administrations can be enjoyed throughout the territory of the DFNS. This shows that features of non-territorial autonomy are incorporated into territorial decentralization.

Overcoming the Barriers to Kurdish Autonomy

Despite the diversity of the population in many of the states of the Middle East, autonomy arrangements have not been popular in the region. It is difficult to provide a one-size-fits-all approach to Kurdish autonomy in the Middle East as the dynamics involved in Kurdish politics in each state are different and the approach to autonomy that different Kurdish actors take is shaped by the specific political conditions that they found themselves in. In Iraq, Kurdish autonomy has been consolidated but the outcome has not been totally satisfactory. In the case of Turkey, proposals for Kurdish autonomy have been developed but very little action has been taken to implement the proposals and the dominant political parties in Turkey remain opposed to Kurdish autonomy. In Syria, a Kurdish-led *de facto* autonomous region has been established but its long-term future and final status is connected to finding a durable solution to the Syrian conflict and currently regional powers, such as Turkey and Iran, remain strongly opposed to its consolidation. Hence, Kurdish autonomy in each case under discussion here is at a different level of development, which makes a systematic comparative analysis difficult and this section is to use insights from the existing literature to highlight the current difficulties associated with Kurdish autonomy and how these can be overcome.

In Iraq, the mechanism designed to settle the final status of the disputed territories has not functioned and territorial autonomy has not ended the Kurds' marginalization because the power-sharing mechanism at the federal level has been undermined by Nouri al-Maliki authoritarianism (O'Driscoll 2017). For the federal government and other dominant Arab actors, attempts to reform autonomy and resolve the final status of the disputed territories is seen as a concession to the Kurds that will strengthen them in their eventual attempt to secede. The marginalization Kurdish political actors experienced heightened their secessionist desires and they have been quite open about their desire to secede from Iraq. However, the strong opposition from regional powers as well as from the international community to the establishment of a separate Kurdish state following the independence referendum on September 25, 2017, secession through unilateral action does not seem like a realistic approach in the current political environment.

Another weakness associated with Kurdish autonomy in Iraq is that it has resulted in power-hoarding and the growing authoritarianism and centralization of power in Iraq, to some extent, is mirrored in the KRI. The tendencies that Palermo (2015) highlights about TA can be observed in the case of the KRI and the long-term success and viability of Kurdish autonomy in Iraq depends on strengthening democratic institutions and developing a genuine power-sharing mechanism at the central state level. Within such an overall framework, the KRI can introduce features that would strengthen coexistence and cooperation between the different ethno-cultural communities in its territory, which will enable Kurdish demands for autonomy and self-governance to gain greater recognition and support from other Iraqi actors and ethno-cultural groups. As also discussed by Barkey and Gavrilis (2016, 38), greater effort to address the rights of smaller minorities via forms of self-government based on NTA can be incorporated into the overall arrangements to offer greater representation and protection of all ethnic and religious groups within the KRI and Iraq, such as the Syriacs, Turkmens, and Yazidis.

An administrative framework based on decentralization and power-sharing suitable for Kirkuk's multi-ethnic character, as has been suggested by existing studies, would contribute to the development of a more positive debate and dialogue on Kurdish autonomy in Iraq (O'Driscoll 2018; Romano 2014; Wolff 2010; Anderson and Stansfield 2009). The inclusion of Kirkuk in the KRI faces significant opposition from Iraq and regional powers and whether Kirkuk becomes a part of the KRI or remains under the control of the federal government, granting the governorate extensive autonomy and a form of power-sharing to enable each group to participate in its governance can reduce inter-ethnic tensions (Anderson and Stansfield 2009, 192; Anderson 2013, 378). Focusing on a power-sharing arrangement rather than territorial control and competition over who will "own" Kirkuk can also eliminate the impasse and create possibilities for improving the KRI-Iraq relations (O'Driscoll 2018, 43). The idea of the KRI remaining part of Iraq but obtaining a greater degree of autonomy has also been floated in the debate recently, with a recent commentary by Falah Mustafa Bakir – the foreign minister of the KRI – arguing for institutional reform in Iraq toward a confederal political framework (Bakir 2018). Although currently there is little support for such a framework among the dominant Arab actors in Iraq, the idea will retain its relevance, as it can address the demands of the Kurds for greater representation and keep the unity of Iraq as a state intact.

In contrast with Iraq, the Kurdish population in Turkey and Syria has a higher degree of geographic dispersion, which creates difficulties for determining the exact boundaries of a Kurdish region. Furthermore, even if TA is granted to the Kurdish majority regions, many Kurds reside in Western Turkey and the majority of Turkish regions would not be able to benefit from rights provided by Kurdish autonomy. Only around half of Kurds reside in the majority Kurdish regions with the remainder of the population being based either in the cities of Western Turkey or in areas adjacent to the majority Kurdish regions where they constitute between 30% and 40% of the population. Hence, an element of NTA needs to be incorporated into an autonomy arrangement for the Kurds in Turkey to enable Kurds in western Turkey to develop their culture and identity "without endangering their status as 'citizens' and 'residents' of Turkey" (Gunes 2013, 81). An approach based on territorial decentralization of Turkey as a step toward greater democratization

that is demanded by the pro-Kurdish parties as opposed to territorial autonomy based on ethnicity would be seen less of a separatist step. Currently, the debate on Kurdish autonomy is being advanced as part of demands for democratization and decentralization of Turkey's political structure, but the militarized nature of the Kurdish conflict in Turkey and the acceleration it has experienced since the summer of 2015 makes arriving at a durable longer-term arrangement based on autonomy and accommodation of the rights of the Kurdish people within Turkey increasingly more difficult.

The territorial separation of Kurdish populated territories in Syria poses similar problems for the accommodation of Kurdish rights via TA. Although the Kurdish experience of self-rule in Syria is in its infancy, the model of autonomy is potentially able to represent the region's diverse population and the institutional framework that is developing there incorporates mechanisms that address the rights and demands of diverse ethno-cultural groups. The components that constitute the population of the DFNS are encouraged to take part in the collective decisions and retain the right to organize their community's self-government, which could be a suitable approach to preserving the region's multi-ethnic character. So far, the relative stability that the DFNS has created provided it with a platform to take steps toward further developing its institutional framework and increasing the participation of the communities it aspires to represent. Local council (communes) elections were held on September 22, 2017 and elections for the regional level administrative bodies were held on December 1, 2017. Elections for the federal region were initially scheduled for 2018 but have been subsequently postponed.

So far, success of the DFNS' military forces in dealing with the threat posed by ISIS and the US support it receives have also contributed to its increasing legitimacy. As a result, the DFNS has integrated into its structures the representatives of the region's minorities, but it remains to be seen whether this trend continues into the post-conflict era. Ethnic tensions have periodically surfaced in the areas that the DFNS control, particularly because of the refusal by Syrians and Arabs to follow the school curriculum that the autonomous administration developed (Davison 2017). Concerns about whether the DFSN will be committed to democratic pluralism and power-sharing at the regional level have also been raised on grounds that the PYD, the main political force behind it, is a highly hierarchical and centralized party. Furthermore, various principles the DFSN is built upon, such as promotion of gender equality, can also face strong opposition from the region's communities on cultural grounds.

As the review of the existing literature on autonomy highlights, a functional mechanism for shared-rule that ensures the participation of national minorities at the central state level is an essential component of a stable autonomy arrangement. Hence, the longer-term success of Kurdish autonomy in Syria depends on whether a durable power-sharing agreement at the central state level will be achieved or not. The power-sharing mechanism at the central state level is not clearly addressed or formulated in the case of democratic autonomy proposals in Turkey too. Kurdish participation in state level institutions and representing themselves within the state structures is demanded by both the PKK and the HDP but the form it will take is not clearly articulated. The proposals by the HDP suggests decisions on various matters, such as policing, will be made jointly by the central government and autonomous regions but beyond that it does not offer details or a clear plan for power-sharing at the central state level. Doubts also remain whether the Turkish state will be willing to consent to the establishment of Kurdish self-governing communities. Devising an appropriate framework to incorporate the PKK's demands for Kurdish self-defense forces remains another major hurdle for Kurdish autonomy in Turkey.

Conclusion

The failure to develop appropriate measures to address the rights and demands of the Kurdish people throughout the 20th century has meant that Kurdish conflicts in the Middle East have been continuing. The policy adopted by the nation-states in the region closely resembled one another and

sought to erase Kurdish identity and culture through forced assimilation and repression. The political conditions in each Kurdish-populated region determined the political course of Kurdish movements in each state and there are different approaches to the accommodation of Kurdish rights and demands in the region. The lack of precedents for Kurdish autonomy and the state's continuing opposition to Kurdish demands has meant that there remain serious challenges to their accommodation. However, the regional political developments have also created opportunities for Kurds to advance their cause of gaining recognition of their identity and rights through autonomy or regional self-governance within the existing states.

For the KRI, the disagreements with the central government on the budget and the determination of the final legal status of the disputed territories remain the major challenges to overcome. Turkey's and Iran's long-standing opposition to the creation of an independent Kurdish state and the creation of an autonomous Kurdish region in Syria continues. In the model of autonomy practiced in the DFNS, different cultures and communities are responsible for governing their own affairs and their autonomy is not confined to a particular territory, which is a feature highly useful for maintaining the multi-ethnic character of the region and protecting the rights of its smaller minorities. The current situation of Kurds in Turkey is precarious, and the positive developments of recent years have all been reversed in the space of a short period since the summer of 2015.

Kurds' efforts need to be supported by the international actors involved in the conflicts in Iraq and Syria and the transformation and peaceful resolution of Kurdish conflicts in the region through autonomy and self-governance mechanisms needs to be incorporated into the international community's efforts to build peace and stability in the wider region. Efforts to promote democracy in the region also need to address the rights and demands of the different Kurdish communities as well as the other smaller ethno-cultural groups in the region. Such an effort would help transform Kurdish conflicts in the direction of a peaceful resolution and make a positive contribution to building a new regional consensus on the accommodation of Kurdish rights and demands within existing state boundaries.

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Notes

- 1 Autonomy is demanded by the main Kurdish political parties representing the Kurds of Iran, but due to space limitation, this article will not cover the autonomy proposals developed by the Kurdish movement in Iran. This demand is rejected by the state and Kurdish attempts to force Iran to recognize their autonomy demands via armed resistance are yet to succeed.
- 2 Demoi-cracy refers to a democracy in which the demos is plural—a democracy of democracies (Cheneval and Schimmelfennig 2013).

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