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Partisan power-sharing and the outbreak of the 1994-1998 Civil War in Iraqi Kurdistan

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Introduction

In 1992, the semi-autonomous Kurdistan Region of Iraq (KRI) held its first elections. It seemed like a turning point in the decades-long Kurdish struggle for self-rule. The two main Iraqi Kurdish parties even managed to reach an agreement despite some last-minute electoral mishaps. When the vote was nearly tied and became engulfed in acrimony, the two parties agreed to a power-sharing agreement. But power-sharing collapsed within two years after infighting between the two intra-ethnic parties. Cooperation disintegrated into mutual reprisals and violent attacks, resulting in a breakdown of trust between the competing parties. At first glance, the violence appeared basically irrational. Jalal Talabani, head of the Patriotic Union of Kurdistan (PUK), recalls regarding the outset of fighting that "nobody there was governed by logic, intelligence, or good judgment."[1] The partisan fighting continued, on and off, for four years, and cost approximately 4,000 lives.[2] Thousands more were displaced from their homes for belonging to the wrong party, which was followed by infrastructure destruction and the KRI being split into two geographic zones of influence. Both sides are alleged to have executed prisoners.[3] Saddam Hussein took advantage of the situation, intervening on behalf of the Kurdistan Democratic Party (KDP) in exchange for the opportunity to destroy the base of the opposition Iraqi National Congress in Erbil.

Why did this happen? What drove two parties— both Kurdish, both sharing common nationalist aspirations of Kurdish statehood, both benefitting from the legitimacy their quasi-state

[1] Jalal Talabani and Salah Rashid, *Conversation of a Lifetime*, trans. Shirzad Sheikhani (Beirut: Arab Scientific Publishers Inc., 2018), 462.
[2] Dana Ali Salih and Hawre Hasan Hama, "The Kurdish Civil War and Peace Negotiations, 1994–1998," *Journal of Asian and African Studies*, December 13, 2021, https://journals.sagepub.com/doi/abs/10.1177/00219096211062470.
[3] Amnesty International, "Iraq: Amnesty International Calls On Kurdish Leadership To Put An End To Human Rights Abuses," June 1, 1994.

granted them, and both threatened by a ruler who had committed genocide against the Kurds only a few years before— to engage in such plainly destructive infighting? I will argue that the institutions established by the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP) failed to channel partisan conflicts over scarce resources into nonviolent political activity. The power-sharing system the parties established operated for a year or so but fell apart as asymmetries and demands for equitable redistribution of scarce resources, both material and political, grew. The Iraqi Kurdistan case thus calls into question the taken-for-granted nature of coethicity as a unifying force in power-sharing and draws attention to the specific conflicts over scarce resources, both physical and symbolic, that jeopardize power-sharing projects and the importance of institutional legitimacy in resolving those conflicts.

In this thesis, I will first contextualize the partisan rivalry inside the Kurdish ethnic group in Iraq in existing literature on post-war power sharing, state building, war-to-democracy transitions, and ethnic conflict. I will also examine the basic drivers of partisan behavior within the Iraqi Kurdish political system. I will then present the case study at the core of my argument, identifying patterns of partisan conflict over material and political resources under the Iraqi Kurdistan Front system in 1991-1992, during the 1992 elections, and in the period of "Fifty-Fifty" power sharing in 1992-1994. I will show how material and political power were inextricably interwoven in these periods, and how the design of elections in 1992 was taken as an opportunity for partisan consolidation by the two largest parties. I will also indicate how a drastic shift in the treatment of smaller parties was connected not with changes in material incentives, but by their exclusion from electoral legitimacy. Finally, I describe the collapse of the KRI's power-sharing system in mid-1994 and the descent into civil war. In conclusion, I argue that the behavior of armed nonstate actors which claim to represent ethnic groups should be taken to be driven by those

actors' partisan incentives, but that those partisan incentives are often interwoven with both material *and* ideational factors.

Contextualizing Intra-Ethnic Rivalry in the KRI within Existing Explanations

The Iraqi Kurdish movement in 1991 should have been able to coordinate a united government. Though the KDP and PUK did have a history of clashes, including violent ones, they had been functioning in a united Iraqi Kurdistan Front (IKF) since 1986. In their united front, the elites of the two parties had suffered together at the hands of Saddam Hussein and the Ba'ath Party. Mas'ud Barzani had suffered the loss of some eight thousand members of the Barzani tribe in the 1983 Barzan Massacre, while Jalal Talabani's PUK had suffered the particular horror of chemical bombardment in the March 1988 gassing of Halabja. The two parties were co-ethnic, and despite some regional differences both shared a general common goal of autonomy for Iraqi Kurdistan. The KDP was generally somewhat more right-wing while the PUK was more left-wing, but these ideological differences were shrinking over time; even once war broke out neither faction justified their actions based on socialist or conservative ideology. In 1991, after decades of struggle, they had a unique opportunity to establish a functioning Kurdish autonomy, with the defeat of Saddam Hussein in the Gulf War and the establishment of a no-fly zone over much of the Kurdish-populated areas of Northern Iraq. All the factors for an effective power-sharing government were in place. And yet, the parties went to war in 1994 and remain bitterly divided to this day.

There is an extensive literature on regime transformation and the creation of power-sharing institutions. However, much of this literature simply assumes that ethnicity is the primary salient division in society, then sets about advising on how to manage ethnic divides. Elsewhere, the literature suggests that co-ethnicity should at minimum make reaching a power-sharing agreement easier, as the parties involved have shared history and cultural background. In particular, shared

traumatic experiences should strengthen a group's cohesion. The Iraqi Kurdistan case, however, is anomalous. Despite all the key factors generally associated with successful power-sharing — shared traumas, co-ethnicity, a shared external threat, and a recent history of cooperation — the two main Iraqi Kurdish parties failed to establish long-term power-sharing **.**

An extensive body of literature exists exploring the interconnected issues of transitioning from an authoritarian to a democratic political system and transitioning from a state of internal war to a stable post-war settlement. Both bodies of literature speak to the Kurdistan Regional Government (KRG) case, and the KRG case in turn challenges both bodies of literature. The KRG was, at least in theory, meant to be a first step towards a new democratic political system in northern Iraq. This was its greatest source of legitimacy — not for nothing was the Kurdish enclave often called simply the "liberated areas" of Iraq. The KRG's effort to hold elections in 1992, which I will discuss below in greater detail, was deeply flawed but nonetheless a genuine step towards democratic governance. Both political parties declared their intent to build towards establishing a democratic political system in Iraq as a whole, but in the interim, they hoped to establish democracy in the North, as did foreign donors and supporters. They also had particular pressures towards doing so, as their unrecognized status made securing legitimacy through effective governance a priority.[4] At the same time, the KRG's establishment shares many characteristics with the difficult circumstances surrounding most post-civil war state building projects. All major political parties had thousands of armed men at their disposal, and the physical territory of the region was fragmented among these armed groups. The key issues to be resolved included return

[4] Yaniv Voller, "From Rebellion to de Facto Statehood: International and Transnational Sources of the Transformation of the Kurdish National Liberation Movement in Iraq into the Kurdistan Regional Government" (phd, London School of Economics and Political Science, 2012), 4, http://etheses.lse.ac.uk/474/.

of refugees and displaced people, demilitarization of politics, and restoring physical security to the populace, all typical post-conflict challenges.

The KRG is thus an example of an attempted "war-to-democracy" transition, a standard goal of international policymakers in conflict areas.[5] The KRG simultaneously had to create democratic institutions and establish post-war stability. It faced distinct trade-offs between, for example, the horizontal inclusivity of its political system and the efficiency of its operations, as well as between the closed elite bargaining necessary to resolve crises and the public participation needed to establish the new system's legitimacy. In facing these challenges, however, the KRG began with the deck stacked in its favor. Unlike a typical post-war statebuilding effort, the KRG parties had the advantage of several years of existing cooperation; their main competitor for power, Saddam Hussein, was excluded from the North by the Coalition's No-Fly Zone. The parties were also co-ethnic, all claiming to represent the Kurds, and had a shared experience of brutal oppression at the hands of the Iraqi government. The parties also benefited from a great degree of public confidence and internal legitimacy. And yet despite these factors, all of which should favor success according to the literature on war-democracy transitions and power-sharing, the KRG's power-sharing failed. Bridging the literature on war-democracy transition processes and rebel fragmentation reveals that zero-sum conflicts among rebel parties over access to scarce resources can lead to a breakdown of the institutions co-ethnic rebel groups establish to manage their policy disputes.

The central challenge for the KRG was power-sharing — creating a system to coordinate and manage relationships between political parties in the North. However, the majority of literature

[5] Anna Jarstad and Timothy Sisk, "Introduction," in *From War to Democracy*, ed. Anna Jarstad and Timothy Sisk (Cambridge University Press, 2008), https://ebookcentral.proquest.com/lib/bu/reader.action?docID=336127&ppg=125.

on post-conflict power-sharing focuses on a somewhat different question, the problem of managing inter-*ethnic* relationships through political institutions. Political parties in this literature are institutions through which ethnic competition may be filtered for better or worse. For example, Arendt Lijphart identifies the behavior of the "leaders" of rival political subcultures as the key actors in managing interethnic relations, ensuring that democracy can exist despite a fragmented political culture. These leaders are expected to form a "grand coalition" representing all political tendencies.[6] Jarstad notes that "the theory of consociationalism primarily addresses conflicts that are clearly ethnic" — it takes the ethnic cleavages expressed through the presence of strong political subcultures for granted, then works around them. In contrast, centripetal ethnic power-sharing, advocated by theorists including Horowitz, Sisk, and others, involves creating institutions which encourage the creation of political parties across ethnic divisions and incentivize more center-seeking behavior.[7] Here, ethnic cleavages are acknowledged, but institutional design is intended to mitigate the significance of ethnic identities. In both consociational and integrative models of power-sharing, ethnic cleavages are the foundational problem, and institutions are built to address these cleavages.

Horowitz, in a piece highly critical of existing approaches to understanding consociational and integrative power-sharing, still treats ethnic groups as the main level of analysis. He only takes into account cases of consociation or centripetalism in a pool of "78 countries [which] experienced one or more serious ethnic-conflict incidents between 1980 and 2010." In these cases, he finds only twenty power-sharing systems established; he asks how power-sharing has such difficulty

[6] Arendt Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (January 1969): 207–25.Arendt Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (January 1969): 207–25.

[7] Anna Jarstad, "Power Sharing: Former Enemies in Joint Government," in *From War to Democracy*, ed. Anna Jarstad and Timothy Sisk (Cambridge University Press, 2008), 105–33, https://ebookcentral.proquest.com/lib/bu/reader.action?docID=336127&ppg=125.

being established. When answering this question, he turns to incentives at the ethnic group level. He suggests that it may help to have the various ethnic groups making their consociational arrangement while both nervous about victimization at the hands of other ethnicities, and unsure which ethnic group will be victimized next, as in the case of the major ethnic groups of Nigeria following the Biafra war.[8] In short, he limits his investigation of power-sharing success and failure to cases of ethnic conflict.

These theoretical approaches are underpinned by findings that ethnic conflicts are uniquely intractable. Licklider, for example, finds that both ethnic and non-ethnic civil wars are equally likely to end in negotiated settlements — but negotiated settlements intended to end ethnic wars are far less likely to hold. The decisive military victory of one side of an ethnic war is far more effective at ensuring long-term stability than a negotiated settlement, but also has a higher chance of leading to post-civil-war genocide.[9] Chaim Kaufmann argues bluntly that "restoring civil politics in multi-ethnic states shattered by war is impossible" because of the radicalized ethnic identities produced by the trauma of wartime, and suggests that instead of trying to restore a multi-ethnic pre-war status quo, outside forces should encourage the physical separation of the two ethnic groups and possibly partition. Kaufmann claims that ethnic civil wars are uniquely problematic relative to ideological civil wars because while individual loyalties are "quite fluid" in ideological conflicts, they are "almost completely rigid" in ethnic conflicts. Because individual loyalties are essentially unchangeable in ethnic war, armed factions must physically destroy or expel members of the "wrong" group in order to establish power in a region.[10] Though not pessimistic to the degree

[8] Donald Horowitz, "Ethnic Power Sharing: Three Big Problems," *Journal of Democracy* 25, no. 2 (January 1, 2014): 5–20.
[9] Roy Licklider, "The Consequences of Negotiated Settlements in Civil Wars, 1945-1993," *The American Political Science Review* 89, no. 3 (1995): 681–90, https://doi.org/10.2307/2082982.
[10] Chaim Kaufmann, "Possible and Impossible Solutions to Ethnic Civil Wars," *International Security* 20, no. 4 (1996): 136–75, https://doi.org/10.2307/2539045.

of advocating physical separation of the competing sides, Denny and Walter similarly argue in a 2014 paper that the inelasticity of ethnic identity makes it difficult for an ethnic group's leadership to credibly commit to peace. In addition, conflict over the identity of a state is especially prone to divisibility problems, which make finding a compromise short of war difficult or impossible. As a consequence, ethnic civil wars last substantially longer on average.[11] The implication is thus that "merely" political civil wars — wars between political parties based on competing ideological approaches or ideals for how society should be structured — should be easier to solve, and that coethnicity should significantly mitigate civil war bargaining challenges. Beyond this, Elizabeth Nugent predicts that cooperation during a democratic transition should be easier among groups which suffered shared victimization at the hands of the regime, as this victimization defines a group's boundaries and creates a shared "opposition" identity.[12] Given the subjection of Kurds to unique victimization under Saddam Hussein, the opposition identity ought to have followed the lines of Kurdish identity; shared suffering should have produced "social glue." However, the Kurdistan Regional Government's experience directly contradicts this literature. Co-ethnicity did not mitigate conflicts among Iraqi Kurdistan's largest parties. On the contrary, competition among multiple parties for the loyalty and resources of a single ethnicity was central to the 1994-1998 war's outbreak. And brutal repression of the Kurds in 1980-1988 clearly did not prevent the KDP and PUK from competing in a zero-sum manner for political power almost as soon as they gained autonomy.

The Kurdish Civil War and the Question of Intra-Ethnic Fragmentation in Power-Sharing

[11] Elaine K Denny and Barbara F Walter, "Ethnicity and Civil War," *Journal of Peace Research* 51, no. 2 (2014): 199–212. Denny and Walter's argument on divisibility is built off of Fearon's 1995 article "Rationalist explanations for war."

[12] Elizabeth Nugent, *After Repression* (Princeton University Press, 2020), 45–47, https://press.princeton.edu/books/hardcover/9780691203065/after-repression.

Existing literature on power-sharing and ethnicity in post-conflict transitions thus entirely fails to explain how the KRG's power-sharing system proved so fragile among co-ethnic parties. What is concealed by the power-sharing and war-to-democracy literatures' communitarian, ethnicity-centric analysis is the partisan incentives which are created during a transition process. These partisan incentives are best addressed by the literature on fragmentation and competition among parties within rebel movements, not by the power-sharing literature. Political parties face pressing day-to-day needs which may differ from or conflict with the needs of the ethnic group. These partisan incentives are revealed particularly clearly in the KRG case, where inter-ethnic rivalries were not significant mobilizing factors. Some of the existing literature on power-sharing is still applicable to inter-party relations in an ethnically homogeneous political space. For instance, parties, like ethnic groups, may have distinctly different preferences surrounding voting systems depending on their power. Larger parties may be more likely to seek majoritarian electoral systems, while small parties may prefer proportional representation.[13] Some pathologies of different power-sharing systems may similarly be relevant in this case — for example, the destabilizing effect of shifts in the underlying balance of power on fixed power-sharing quotas.[14]

However, political parties are also more vulnerable to complete removal from politics than ethnic groups or other groups defined by ascriptive identities. A party whose supply of funds (and in some cases, supply of weapons) disappears will either be forced to make costly changes in strategy or simply wither into insignificance. This is especially important for groups in a post-war environment like Iraqi Kurdistan, where political parties will often carry weapons or need to supply partisan militias. Resource scarcity thus poses an existential threat to an armed group's survival, as armed groups must supply arms, salaries, and training to their fighters, as well as the normal

[13] Jarstad, "Power Sharing: Former Enemies in Joint Government."
[14] Horowitz, "Ethnic Power Sharing."

costs of political activities.[15] While Hazen (2013) emphasizes the importance of consistent resource supply lines to rebel groups fighting a central government, her findings apply with equal weight to rebel groups competing with one another, or to political parties with a need for heavy weapons and no legal way to get them.

Pischedda notes that within a single ethnic group, there are also substantial rewards to eliminating rival political parties, as the power base of the defeated group may be easily transferred to the victor.[16] In these circumstances, the inflexibility of loyalties identified by Kaufmann as a key factor making ethnic wars especially difficult to resolve also creates challenges for the competing factions within a single group. Pischedda draws out this logic in detail in his book on conflict among rebels. Two political parties divided by an ethnic boundary may each hate and fear the other, but neither must worry that their base will defect to the other's side. In contrast, rivals within the same ethnic group are competing for a relatively stable base which might ultimately accept any co-ethnic armed group as its representative. As such, Pischedda argues that forcefully eliminating co-ethnic rivals is rational — and achievable, when a party has the means to do so.[17] Research by Conrad et al. has similarly found that co-ethnic rebels are somewhat more likely to be rivalrous.[18]

However, contra Pischedda, but in keeping with the wide range of means Krause identifies whereby organizations in the same ethnic or national group compete,[19] violent conflict is not the sole means to eliminate co-ethnic rivals. Ultimately the goal is to secure a monopoly on legitimate

[15] See Jennifer M. Hazen, *What Rebels Want: Resources and Supply Networks in Wartime* (Cornell University Press, 2013).
[16] Costantino Pischedda, "Wars within Wars: Why Windows of Opportunity and Vulnerability Cause Inter-Rebel Fighting in Internal Conflicts," *International Security* 43, no. 1 (2018): 138–76.
[17] Costantino Pischedda, *Conflict Among Rebels: Why Insurgent Groups Fight Each Other*, *Conflict Among Rebels* (Columbia University Press, 2020), 22–26, https://doi.org/10.7312/pisc19866.
[18] Justin Conrad et al., "Competition from within: Ethnicity, Power, and Militant Group Rivalry," *Defence and Peace Economics* 32, no. 6 (2021): 757–72.
[19] Peter J. Krause, *Rebel Power* (Cornell University Press, 2017).

representation of the group, not a monopoly on the use of force. Competition may be expressed as armed violence, but as a monopoly on representing the group is the greatest prize, an election can also establish a single party as the true leader of a certain people. At minimum, a crushing electoral defeat can negate any claim by a party to represent their community. The behavior of rebel elites is thus governed not solely by the realist imperatives of military threat, but also by non-material factors such as legitimacy.

Aware of the risk of permanent exclusion, co-ethnic armed political parties must constantly compete to establish their legitimacy as leaders of their ethnic core. The rewards are substantial. Whichever party becomes the sole representative of the ethnic group may be able to establish itself as the single ruling party of a future liberated homeland. Krause describes nationalist independence movements as "like a game of musical chairs: groups want to be on top when the music stops."[20] If independence is not forthcoming, it may be able to negotiate in the name of the group but for its own interests with the central government, or become the face of the group to the international community, receiving exclusive access to flows of external support for the group's struggle.[21]

In the case of Iraqi Kurdistan, the salience of incentives at the level of each rebel group turned political party becomes clear, especially under conditions of intense competition for resources. This competition is not adequately explained by theories which emphasize the primarily political issues (distribution of seats in parliaments; election procedures) or identity-based cleavages (media promoting ethnic stereotypes; elections becoming purely "ethnic censuses") which may emerge or become salient in processes of war-democracy transition. While taking advantage of some of the insights of power-sharing literature in understanding the stakes of choices

[20] Krause, 23.
[21] This driver of inter-rebel competition is noted in Arthur Stein and Marc-Olivier Cantin, "Crowding out the Field: External Support to Insurgents and the Intensity of Inter-Rebel Fighting in Civil Wars," *International Interactions* 47, no. 4 (2021): 662–91.

made in institutional design, such as choices between proportional and single-member district plurality voting systems, I look to rebel fragmentation literature to explain areas where communitarian assumptions in existing power-sharing literature break down.

The KRG is not a strict case of rebel fragmentation either, as the rebel groups established some limited institutions to manage their relations, institutions which were weak but not epiphenomenal. This contrasts with Krause, who considers formal alliances between rebel groups inherently incredible unless those groups are dissolved into a single organization, and with Christia, who explicitly bases her model of rebel group conflicts on the anarchic assumption of realist IR theory. Pischedda's research similarly assumes that, given the opportunity and a favorable balance of power, rebels will act quickly to eliminate rivals. These assumptions are valid in the stressful circumstances of ongoing civil war, where rebels face immediate existential threat, but they may not apply in northern Iraq, where the Kurdistan parties had some breathing room provided by foreign intervention through the implementation of the no-fly zone by the U.S. and allied forces after the First Gulf War and international pressure towards avoiding disruptive infighting.

Thus, the case of the KRG bridges the war-to-democracy and rebel fragmentation literatures. Insights from the war-to-democracy literature draw attention to the key institutional choices and challenges involved in establishing a government in an area previously wracked by war, and especially to the varying approaches available to organize power-sharing. Insights from the rebel fragmentation and infighting literature draw attention to the incentives for violent conflict between armed political parties in general. The presence of these incentives challenges the assumed pacifying effects of co-ethnicity in the power-sharing literature. Both literatures are enriched by a careful consideration of the anomalous KRG case.

The Structural Dynamics of Intra-Rebel Rivalries in Iraqi Kurdistan

As I have discussed, partisan incentives are central to an understanding of the outbreak of the civil war. Therefore, before moving to discuss the case study itself, I will briefly describe the basic needs and motives of the parties within Iraqi Kurdistan's political system in their capacities as entities driven by both military needs and a quest for national legitimacy. In Iraqi Kurdistan, all significant political parties were also armed groups. Leezenberg et al, investigating the situation on the ground in Iraqi Kurdistan during the 1992 elections, noted that even on the very brink of expected democratization groups still tended to measure their relative political importance by the number of peshmerga fighters they could muster. Out of a population of approximately a million people eligible to vote, Leezenberg et al count approximately 275,000 peshmerga. Even allowing for some exaggeration, this is an enormous percentage of the working-age population.[22] Participation in a partisan militia was a key source of employment for many young men specifically because it guaranteed a meager but reliable salary and a place to sleep. For parties, recruiting peshmerga was a reliable way to build patronage networks and a voting base. However, resource constraints clearly pressed on the ability of parties to build power through their peshmerga forces; parties had to limit the number of recruits for lack of funding.[23]

In an environment in which politics is heavily militarized, being unarmed is existentially dangerous. Even before the outbreak of the civil war in 1994, weaker Kurdish factions like the Islamic Movement of Kurdistan, the Socialist Party, and the Toilers' Party discovered to their detriment that powerful armed factions were more than willing to deploy peshmerga to defend or

[22] Michiel Leezenberg, Ruud Hoff, and Pieter Muller, "Elections in Iraqi Kurdistan, May 19, 1992: An Experiment in Democracy" (Amsterdam: SNK/Pax Christi, August 1992), 21–22, https://www.academia.edu/21498647/Elections_in_Iraqi_Kurdistan_May_19_1992_An_Experiment_in_Democracy . About 100,000 served with the KDP and PUK each, with about 50,000 serving with the Kurdistan Socialist Party and 25,000 serving the Kurdistan Popular Democratic Party. These numbers are probably exaggerated to some degree but suggest an extremely militarized political environment.

[23] Leezenberg, Hoff, and Muller, 13.

expand their partisan turf. We could therefore expect that underlying clashes over resource extraction and allocation, as well as asymmetries in resource availability between political parties in Iraqi Kurdistan, would pose a serious threat to any power-sharing system established by the armed parties of Iraqi Kurdistan.

However, politics in Iraqi Kurdistan in the 1990s was more than just a gang turf war, as some might pejoratively describe it, nor was it simply a clash of semi-feudal tribes.[24] On the material level, parties relied on illegal smuggling in various ways to supply themselves, and certainly engaged in brutal and abusive behavior towards the civilian population, especially during the civil war. But the parties also sought legitimacy as representatives of "the Kurdish people" or more inclusively "the people of Kurdistan." Elections mattered; a crushing defeat in elections could cripple a party's political prospects and force it to merge with larger parties. This is what happened to several of the armed and hitherto-stable smaller parties of Iraqi Kurdistan after the 1992 elections. The Socialists, for instance, could field a force of approximately thirty to fifty thousand peshmerga, the third-most-powerful force in the North, but after winning less than three percent of the vote in the 1992 elections, they had to merge with the Patriotic Union. It cannot be said that politics in Iraqi Kurdistan was "democratic", but institutions were clearly not epiphenomenal; they were essential to the regional government's internal and external legitimacy.

Electoral institutions mattered in Iraqi Kurdistan, but their design and organization was poorly-suited to managing the resource competition inherent to Iraqi Kurdistan's politics. The 1992 elections functioned to edge weaker and smaller parties out of politics, possibly intentionally,

[24] Contra the highly cynical evaluation from Dr. Cordesman before the Senate in 1996: "I have watched the leaders of the Kurdish factions be some of the most self-destructive, divided, and selfish leaders in the developing world. What went on between 1991 and 1996 was a splitting of deeply corrupt factions, a reverting to tribalism, religious, and linguistic difference, and profiteering off their people." United States Congress Senate Committee on Armed Services, *The Situation in Iraq: Hearing Before the Committee on Armed Services, United States Senate, One Hundred Fourth Congress, Second Session, September 12, 1996* (U.S. Government Printing Office, 1997), 50.

leaving politics dominated by zero-sum competition between the KDP and PUK. These two parties, in turn, preferred to manage their conflict through an informal back-room bargain, the "fifty-fifty" system, which lacked legitimacy and was characterized by partisan deadlock. The parties conducted most "real" politics outside of parliamentary channels, even while fighting bitterly to control that same parliament. When violence erupted in 1994, the fragility of the institutions the parties had established became particularly clear, as the parliament, even when it took a united stance against the party infighting, failed to curb the descent into full-scale civil war.

The Iraqi Kurdistan case thus fits awkwardly into existing research on war to democracy transitions. It challenges the assumed salience of identity cleavages, especially ethnic cleavages, in these transitions and instead draws attention to the unique challenges associated with armed party politics, as parties simultaneously compete for legitimacy and resources. It emphasizes that informal institutional arrangements may be just as important, if not more so, in managing the course of these transitions, but draws attention to the vulnerability of these informal institutions when partisan incentives shift. The KRG's case also challenges the assumed relevance of co-ethnicity in explaining successful cooperation among parties; even parties which all claim to represent the same ethnicity may find themselves at odds over the existential issue of party resources. By combining war-to-democracy and power-sharing research with research on the incentives driving intra-rebel competition and violence, we can better explain the dynamics of civil war onset in Iraqi Kurdistan.

Precepts to the 1994-1998 Civil War

In Iraq, the Kurds had suffered serious human rights abuses at the hands of the central government for decades prior to the outbreak of the 1991 Gulf War, culminating in the Anfal genocide of 1988-1989. The Gulf War in 1991 was a major chance for Iraqi Kurds to rise again against Saddam

Hussein's regime. Believing that Saddam's army was badly damaged by the war, the Iraqi Kurds took their shot. In days, the Iraqi government's security forces in the Kurdish region were falling to pieces. However, after a few exhilarating weeks of Kurdish rebel success, the Iraqi army deployed into Kurdistan and began crushing the rebellion. Hundreds of thousands of Kurds fled towards the Iranian and Turkish borders, terrified that they would suffer another genocide at the hands of the vengeful Hussein regime. Grappling with its own Kurdish insurgency at the time, Turkey was not sympathetic to the plight of the Kurdish refugees in its own territory and kept them contained in mountainous border areas, where cold and starvation took a vicious toll in human lives.[25]

Finally, the US-led Coalition which had driven Iraq from Kuwait earlier that year responded to the crisis in Northern Iraq. In order to enable a Kurdish return to Iraq, the Coalition established a No-Fly Zone across large areas of northern Iraq. With the Iraqi air force largely neutralized, Kurdish *peshmerga* militias, under the umbrella leadership of the Iraqi Kurdistan Front retook control of the major cities of Erbil and Sulaymaniyah in July 1991 after a final round of negotiations with Saddam collapsed. The region thus became effectively self-governing.

In the early period of self-rule, from the uprising in 1991 to May 1992, the Iraqi Kurdistan Front (IKF) dominated politics. The Iraqi Kurdistan Front was a coalition of eight parties, but two parties dominated politics — the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). However, within this umbrella organization, smaller parties were able to protect their interests with a veto power. The IKF was largely unable to establish stable and effective governance, as the leadership system gave a veto to every party no matter its size, making decisive decision-making impossible. The IKF finally reached a complete deadlock over controversies

[25] David McDowall, *A Modern History of the Kurds*, Revised edition (I.B. Tauris, 2004), 372–75.

regarding whether to accept a proposed negotiated agreement with Saddam Hussein, and the parties decided to instead settle their differences through elections. In the first elections, held in 1992, the PUK and KDP between themselves gained the support of almost the entirety of the Kurdish electorate, but almost precisely split the vote, leading to an electoral crisis in which the parties established a new bilateral power-sharing system. This system, called "Fifty-Fifty", operated from May 1992 to approximately May 1994, but was nearing collapse by late 1993. Under Fifty-Fifty, the two leading parties established a political duopoly and absorbed weaker parties; when weaker parties did not agree to mergers, they were suppressed by force. However, the Fifty-Fifty system also failed to resolve Kurdish political deadlock, as it left both main parties with veto rights. Over two years, the main parties competed indirectly for political power and economic resources, expecting that another round of elections would deliver one of them ultimate victory. However, as relative power shifted away from the PUK, it was under intense pressure to act preemptively before elections delivered the KDP hegemony over the north. Once partisan violence was sparked by a clash over land in the town of Qala Diza, the war escalated quickly and became perceived as an existential struggle for both parties, destroying the unified institutions of the north and enabling intervention from the Iraqi regime in 1996.

Governing through The Iraqi Kurdistan Front: Partisan Resources, 1991-1992

In this case study, I will evaluate the distribution of two key partisan resources in 1991-1994, showing how tensions over each were managed to varying degrees of success through institutions created to facilitate intra-Kurdish collaboration at different stages. The first such institution was the Iraqi Kurdistan Front (IKF), an umbrella organization formed in 1986 to coordinate the operations of eight Iraqi Kurdish armed groups against Baghdad in the later years of the Iran-Iraq War. The IKF was a wartime expedient, with little in the way of complex administrative

machinery. All the parties were formally equal, and each had a veto on any decisions made by the organization, posing problems for decisive policymaking.[26] This was the case even though two parties, the KDP and PUK, were overwhelmingly more powerful than the others. Mas'ud Barzani of the KDP complained that the smaller parties often wielded their veto to prevent important decisions and reforms.[27] However, this system had survived several years by 1991, despite the severe repression to which the Kurds were subjected in the 1987-1988 Anfal genocide, reflecting its general acceptance by the political parties.[28] Once the Kurds successfully secured control of much of the north, the IKF faced new challenges in building a functional Kurdish administration, especially in light of the decentralization of power among the parties.

Resource Competition as Precept to Partisan Conflict

Iraqi Kurdistan was born under intense resource constraints. Existing literature on scarcity driving ethnic or communal violence emphasizes environmental scarcities — for instance, the desertification of farmland.[29] However, scarcity in Iraqi Kurdistan was largely manmade and unrelated to the actual natural resources available, a consequence of war and Iraqi Kurdistan's "double embargo." The compounding effects of economic scarcity in Iraqi Kurdistan drove intense partisan competition for control of external trade and simultaneously enabled the parties to reliably recruit massive armies, even for a plainly self-destructive and unpopular war.

The scarcity of resources in Iraqi Kurdistan originated in the "double embargo" on the region. Iraq as a whole was subject to harsh United Nations sanctions intended to coerce Saddam

[26] Chris Hedges, "Kurds' Dream of Freedom Slipping Away," *The New York Times*, February 6, 1992, sec. World, https://www.nytimes.com/1992/02/06/world/kurds-dream-of-freedom-slipping-away.html.
[27] Jonathan Randal, "Kurds Declare Election A Draw," *Washington Post*, May 23, 1992, https://www.washingtonpost.com/archive/politics/1992/05/23/kurds-declare-election-a-draw/a53e9f77-fb64-490a-a519-fca605663a99/.
[28] Theodore McLauchlin and Wendy Pearlman, "Out-Group Conflict, In-Group Unity? Exploring the Effect of Repression on Intramovement Cooperation," *The Journal of Conflict Resolution* 56, no. 1 (2012): 41–66.
[29] For instance, see: Colin H. Kahl, *States, Scarcity, and Civil Strife in the Developing World* (Princeton University Press, 2006).

Hussein into halting and dismantling his Weapons of Mass Destruction programs. Only limited resources, mostly humanitarian aid, could enter Iraq. At the same time, the Kurdish region had been severed from the broader Iraqi economy. Between late 1991 and late 1992, Hussein withdrew government administration from the area and ceased to pay government employees' salaries in the north — cutting off income to a large segment of the population. In July 1992, the regime also stopped providing food rations to the north. As Iraq as a whole suffered from intense scarcity, the Kurdish region found itself excluded even from the modicum of support the government could still provide. Furthermore, agreements between the UN and the government required NGOs in Iraq to work in coordination with the regime, limiting their ability to operate in the north.[30]

The most basic problem of scarcity in Iraqi Kurdistan was food supply. From the Kurdish revolt of the 1970s to the Anfal genocide of the 1980s, rural areas of Iraqi Kurdistan had been specially targeted for repression and state violence. This policy was intended to physically separate the rural support base for Kurdish insurgency from the insurgents in the mountains. Large parts of the rural population were transferred to *mujamma'at*, "compounds", newly-constructed towns easier for the regime to survey and control, as they were reliant economically on the state. Aside from this, the consequences of war included population displacement and extensive contamination of farmland with land mines, resulting in a near collapse of food production.[31] Iraqi Kurdistan, once Iraq's breadbasket because of its plentiful water and fertile soil, was a food importer by the time of the 1991 uprising. Prior to the uprising, food was imported from the rest of Iraq and, like the rest of Iraq, staple foods were provided at government-subsidized prices. After the uprising,

[30] Ronald Ofteringer and Ralf Bäcker, "A Republic of Statelessness: Three Years of Humanitarian Intervention in Iraqi Kurdistan," *Middle East Report*, no. 187/188 (1994): 40–45, https://doi.org/10.2307/3012594.
[31] Ewan Anderson and Gareth R.V. Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy* (Routledge, 2003), 46.

Iraqi Kurdistan mostly relied on food imports from Turkey despite some efforts to restart rural food production.[32] These food imports created intense demand for foreign exchange.[33]

The two parties' reliance on large partisan militias, the *peshmerga*, as well as the reliance of the Kurdish public on government salaries, further intensified partisan demand for financial resources. Partisan resource shortfalls could have dire effects on the lives of thousands of Kurdistanis, as enormous proportions of the population depended directly on party funds. The parties' finances determined the livelihoods of the third of the population which depended on government salaries. Government salaries were generally about 250 Iraqi dinars (ID) per month in 1994, a paltry sum relative to the estimated 2,000–3,000 ID a family needed for basic food items each month but essential nonetheless.[34] However, the most reliable salaries, as well as basic shelter and food rations, came from employment in the *peshmerga*, the armed militias which each party maintained.[35] The result was a seriously bloated security apparatus. In 1992, based on estimates from Michiel Leezenberg and others present in Iraqi Kurdistan to supervise elections, peshmerga forces across the four most powerful parties may have totaled between 150,000 and 270,000 soldiers — in a population of about a million people eligible to vote.[36] These forces were both a military tool able to fight the Iraqi state and other Kurdish parties, and a benchmark for political power. A party's influence and power was dependent on how many *peshmerga* it could muster. Aside from pure military power, *peshmerga* were a reliable political base for a party.[37] The

[32] Helena Cook, *The Safe Haven in Northern Iraq: International Responsibility for Iraqi Kurdistan* (Human Rights Centre, University of Essex, 1995), 52–53.
[33] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 13.
[34] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 46.
[35] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 13.
[36] Leezenberg, Hoff, and Muller, 21–22, 26. We can assume some exaggeration by Kurdish leaders, but the number of recruited *peshmerga* is most likely at least 100,000 and probably much more; 270,000 is the estimate based on official force numbers and 150,000 is an alternative estimate based on assuming massive exaggeration by the largest parties.
[37] Leezenberg, Hoff, and Muller, 12–14, 21.

availability of *peshmerga* forces and their intense economic dependence on the parties was a necessary precondition for the partisan violence. But at the same time, the availability of many unemployed potential recruits made funding the main limiting factor on building a party's power. Economic pressures thus provided parties the means to compete with one another by recruiting *peshmerga*, but they simultaneously created a need to do so. A party which failed to recruit left the field open to its rivals. A party which failed to find funding could not recruit.

Aside from competing for military resources, the parties had to fund their own political operations. The larger and wealthier parties thus had a huge advantage in the 1992 election campaigns, while smaller parties were left reliant on the largesse of major parties. Leezenberg et al noted massive asymmetries between parties in 1992, some of which (especially the KDP and PUK) operated their own radio stations, TV stations, and newspapers across the region while others were far more limited in their ability to conduct campaigns.[38] As such, competition for scarce financial resources was an existential issue for political parties in Iraqi Kurdistan. A party without steady funding was vulnerable militarily and politically, unable to field armed forces and unable to run an election campaign.

The food shortages discussed above produced an intense need for foreign exchange, leading to a massive outflow of capital to buy imported food and supplies.[39] Especially in the immediate aftermath of 1991, Iraqi Kurdistan's capital stock was dismantled and shipped across the border for hard currency. This included farm equipment and livestock, destroying Kurdistan's ability to produce food in the future.[40] This very short-term source of foreign exchange became

[38] Leezenberg, Hoff, and Muller, 19–21.
[39] Leezenberg, Hoff, and Muller, 13.
[40] United States Congress House Select Committee on Hunger International Task Force, *The Future of Humanitarian Assistance in Iraq: Hearing Before the International Task Force of the Select Committee on Hunger, House of Representatives, One Hundred Second Congress, Second Session, Hearing Held in Washington, DC, March 18, 1992* (U.S. Government Printing Office, 1992).

less prominent as time went on. Over time the lion's share of illegal exports took the form of oil smuggling across the Iraq-Turkey border through the Ibrahim Khalil border checkpoint near Duhok.[41] A second but less profitable export route ran through the Haj Omran border crossing between Iraq and Iran.[42] These streams of revenue were a vital lifeline to the ruling parties, and to Iraqi Kurdistan as a whole, but access was asymmetrical. The KDP had physical control over the more profitable trade route to Turkey, while the PUK had control over less profitable trade with Iran.[43]

Foreign aid was another major source of income, and it too was provided unequally between the two parties. The no-fly zone mostly secured the KDP-controlled zone, while large areas of the PUK-controlled area extended beneath the no-fly zone, including the city of Sulaymaniyah. NGOs refused to operate outside of the safety of the no-fly zone, and the imbalance in access to foreign aid exacerbated existing stresses. Foreign humanitarian aid workers reported: "While both parties try to mobilize resources for their areas, this imbalance in the allocation of funds and services has been one factor contributing to the conflict between the two main parties."[44] Control over aid provision enabled some local leaders, including leaders of militias which had collaborated with Saddam Hussein, to regain influence. Controlling aid supply was therefore a basis for political power.[45]

Power-sharing and Institution Building as Resource Distribution

Despite the intense demands for resources, institutional mechanisms able to govern resource distribution were lacking. Literature on power-sharing would identify the IKF as primarily an

[41] Salih and Hama, "The Kurdish Civil War and Peace Negotiations, 1994–1998."
[42] McDowall, *A Modern History of the Kurds*, 2004, 389.
[43] Karwan Salih Waisy, "The Roots of the Iraqi Kurdish Internal Rivalries, Conflicts and Peace Process 1964-2000," 2015, 13.
[44] Ofteringer and Bäcker, "A Republic of Statelessness."
[45] Ofteringer and Bäcker.

institution for military and executive power-sharing; it implicitly established a sort of ersatz territorial power-sharing by not establishing a central government in the first place. The IKF therefore theoretically would leave the parties relatively reassured that no party could wield the central government against them. The IKF also included provisions for resources to be shared "proportionally" between the parties. Hartzell and Hoddie note that the more separate spheres of power are specifically included in power-sharing, the more resilient power-sharing will be, since the state will be more constrained in its ability to threaten constituents with key instruments of state power (economic, political, and military).[46] In political and military terms, the IKF was certainly not a threat to the constituent parties. However, while the IKF did establish a "government" unable to threaten any of the constituent parties, it left the field open for the parties to threaten one another even without control of the central government, especially economically. The weakness of the central government did little to truly allay concerns which rose from partisan interests.

The IKF was essentially a military alliance, created to coordinate military operations against Iraq between multiple Kurdish factions. It was not a constitution or governing charter, and lacked provisions for governing territory beyond or above the parties' militias. Instead, the IKF functioned as a coordinating body in which eight significant Iraqi Kurdish parties were represented. Thus after 1991, parties, not the IKF, exercised direct control over territory and weapons. In the immediate aftermath of the uprising, day-to-day governance of each locality was controlled by a local committee which mostly consisted of whichever parties were most powerful in that area; afterwards, the Iraqi governorate system was adopted though the actual bureaucrats at

[46] Caroline A. Hartzell, "Explaining the Stability of Negotiated Settlements to Intrastate Wars," *Journal of Conflict Resolution* 43, no. 1 (February 1, 1999): 3–22, https://doi.org/10.1177/0022002799043001001.

the governorate level had mostly been withdrawn from the north.[47] Local party-directed committees were also the basis for administration of the 1992 elections.

Rather than establishing a unified army, each party was supposed to place a certain number of its own peshmerga at the IKF's disposal.[48] The high degree of partisan control was particularly important at the borders, where party militias were able to seize taxes from trucks crossing through the Ibrahim Khalil and Haj Omran checkpoints; accusations that funds were being seized and diverted at the source from Iraqi Kurdistan's central treasury to party treasuries were rife throughout the 1990s. Thus, local political power enabled the two main parties to capture funds for themselves, even though resources that reached the IKF treasury were theoretically to be distributed proportionally among the parties.[49] And with IKF funds to be distributed among the parties, the unit of reference for governance remained parties, not the IKF. Further, the IKF did not control the distribution of foreign aid, which did not reach all of the IKF's territory. Rather, as noted above, foreign NGOs' policies made it difficult for aid to reach PUK territory, much of which was south of the no-fly-zone line.[50] The IKF's ability to shape aid distribution was further limited by its lack of recognition. Aid distribution relied on agreements made between the UN and the Iraqi government without any IKF involvement, and the process of negotiating these agreements was always fraught. For example, no agreement was in place for six months between June 1992 and early 1993.[51] Ofteringer and Bäcker went so far as to describe the situation in the north as a "kind of double rule", with power divided between a "weak Kurdistan Regional Government" and a "collection of international relief agencies."[52] Thus, even as the IKF struggled

[47] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 123.
[48] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 13–14.
[49] Leezenberg, Hoff, and Muller, 13. specific proportion assigned is unclear.
[50] Ofteringer and Bäcker, "A Republic of Statelessness," 43.
[51] Cook, *The Safe Haven in Northern Iraq*, 58–60.
[52] Ofteringer and Bäcker, "A Republic of Statelessness," 41.

to establish order in the area under its control, its actual control was contested by both international and sub-regional actors.

The contestation over authority in the north called for new efforts to legitimize new political power structures. The Kurdish parties struggled to build both external and internal legitimacy. When I use the term legitimacy to describe a group or actor, I mean recognition as a valid participant in politics. In the case of the legitimacy of a system or set of rules, legitimacy refers to that system's recognition as a valid means to allocate power and authority. Externally, the Kurdish parties needed to convince foreign powers that they were more than a secessionist movement, not to mention more than just criminal gangs — that they were valid participants in international politics. This would enable them to exercise greater control over the aid supplies flowing into their territory and participate in the vital decisions being made by outside intervenors. In theory, the IKF was the main structure able to coordinate interactions with the outside, but in practice individuals like Jalal Talabani and Masud Barzani acted without consultation with the IKF. As foreign powers refused to recognize the IKF's authority as a governing body, party leadership was able to engage in international politics on the party level. For instance, Talabani attended a conference of the Socialist International in Ankara, which gave him a chance to both meet with Turkish officials on the margins of the conference and contact other socialist and left-wing figures from Europe, such as Willy Brandt of Germany.[53] Though the IKF had no official recognition by Turkey, both the KDP and PUK had offices in Ankara.[54] Party-level diplomacy allowed for some diplomatic contact with possible sympathizers abroad, but weakened the coherence of the IKF's diplomatic policy: For instance, Talabani went to Ankara despite

[53] Talabani and Rashid, *Conversation of a Lifetime*, 442–43.
[54] Sheri Laizer, *Martyrs, Traitors and Patriots: Kurdistan after the Gulf War* (Zed Books, 1996), 38.

complaints from other IKF members, especially Mas‘ud Barzani.[55] Thus, while Kurdish parties could achieve some success through party-level diplomacy, the IKF’s ability to direct this diplomacy was weak.

Internally, the Kurdish parties needed to establish among other Kurds their right to represent the Kurds in negotiating with Baghdad — both to Kurdish constituents and to Baghdad. The most immediate source of internal legitimacy for the Kurdish parties was the fact of their decades of armed resistance to Baghdad. All major Kurdish factions pointed to this history to legitimize themselves, and the possession of peshmerga forces was justified on this basis. Symbolic actions such as the repatriation to Iraq of the remains of famed rebel leader Mullah Mustafa Barzani further emphasized the links between the Kurdish parties and their heroic past.[56] However, as the Kurdish armed groups settled into a role as governing authorities, they found that the value of their heroic history declined gradually over time. In the context of armed resistance, possession of military power was the most prominent factor allowing a party a “seat at the table.” Prior to elections, parties measured their relative power by the number of peshmerga they could muster. After elections, as we will see, the two leading parties used the election results to consolidate their duopoly on power and to exclude smaller parties, even armed ones.

A party’s legitimacy could be measured ultimately by its inclusion in Iraqi Kurdistan’s institutions. Starting in 1988 and prior to the 1992 elections, the primary institution which represented “Kurdistan” as a whole to Baghdad was the Iraqi Kurdistan Front. This organization took the lead in setting negotiating positions with Baghdad and was the forum for inter-party negotiations to set terms for 1992 elections, indicating its role as the space for legitimate “Kurdish”

[55] Talabani and Rashid, *Conversation of a Lifetime*, 443.
[56] Jonathan C. Randal, *After Such Knowledge, What Forgiveness? : My Encounters with Kurdistan*, 1st ed.. (New York: New York : Farrar, Straus and Giroux, 1997), 180.

politics. The voice of the IKF, at least according to Jalal Talabani, was decisive in directing the start of negotiations, even over Talabani's better judgment. In fact, the IKF was able to direct Talabani to personally negotiate with Saddam despite some substantial risk to himself.[57] There is probably some bias in Talabani's memory towards viewing the IKF as a body able to legitimately direct him to enter negotiations with Baghdad, since it lessens his own responsibility for this particularly unpopular move. Elsewhere, he also blames the IKF for controversial decisions. However, this does suggest that the IKF's consensus was able to at least provide political cover to its members. It is also important to note that despite Talabani's misgivings, he did not cast the PUK's veto to block negotiations.

The success of the Front in preventing inter-party violence appears to have been significant. While prior to 1988, the KDP and PUK both had "umbrella" organizations including groups of smaller parties allied to them and routinely engaged in violent clashes, the Front managed to avoid these issues for some time. I have seen no reports of open internecine violence such as occurred in the early 1980s or late 1970s in the Front's period of operation from 1988 to 1992. The IKF also provided some real power to weaker members to pursue their interests and represent Kurdistan. The Kurdistan Socialist Party of Iraq (KSP-I), for example, used its veto to prevent the inclusion of the Kurdistan Toilers Party in the IKF, as the KTP had split from the KSP-I in 1985.[58] This delayed KTP inclusion in the Front for several years. Mahmoud Othman, a KSP-I leader, was able to gain a leading role in representing the KSP-I in negotiations with Baghdad via Yasser Arafat in 1989.[59]

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[57] Talabani and Rashid, *Conversation of a Lifetime*, 427–29.
[58] Ṣalāḥ Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-ʻIrāq: Qirāʼah Fī Milaffāt al-Ḥarakāt Wa-al-Aḥzāb al-Kurdīyah Fī al-ʻIrāq, 1946-2001*, al-Ṭabʻah 1 (Bayrūt: Muʼassasat al-Balāgh, 2001), 512.
[59] Khurasān, 524.

After the uprising of 1991 the IKF's role shifted somewhat from a role as representative of the Kurds to Baghdad and abroad and a forum for mediation among Kurdish factions to the sole body governing the Kurdistan region. The transition was a serious challenge for the Front, one it significantly failed to meet. Nowshirwan Mustafa, whose memoirs of the same period are quoted in a footnote in Talabani's book, has a negative view of the IKF's effectiveness after the 1991 uprising: "[T]he Front's leadership was unable to play their role as they should have, and especially in establishing unified leadership of the uprising and administrating and uniting the liberated areas; likewise every party hurried to establish a monopoly of authority in its own area."[60] This suggests that while the IKF was effective in establishing positions for negotiating with Baghdad, it was less effective in managing joint defense against Baghdad's inevitable counterattack. The IKF engaged in some service provision during the refugee crisis, such as coordinating some modest support payments to refugee families[61] and coordinating relief to refugees in Iran through the High Administrative Committee for Iraqi Kurdistan Refugees in Iran. The latter organization evidently provided figures on humanitarian needs to international NGOs such as Human Rights Watch.[62] Once the Iraqi administration withdrew from the north, the IKF took responsibility to pay government salaries, albeit sporadically.[63] However, the IKF failed to prevent the pillaging of Iraqi Kurdistan and the near collapse of public order in the region.

Fractured Power-Sharing and the Electoral Crisis of 1992

The resource crisis in Iraqi Kurdistan produced intense pressure on the government to create a new system. The pillaging of Kurdistan's industrial base and rampant brigandage and lawlessness

[60] Talabani and Rashid, *Conversation of a Lifetime*, 431. Translation to English by author.
[61] "Whatever Happened To The Iraqi Kurds? (Human Rights Watch Report, March 11, 1991)," accessed November 17, 2023, https://www.hrw.org/reports/1991/IRAQ913.htm#8.
[62] "Whatever Happened To The Iraqi Kurds? (Human Rights Watch Report, March 11, 1991)." Footnote 59.
[63] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 13.

required a firm policy response and the reimposition of public order, but the political structures of Iraqi Kurdistan made this difficult as the IKF's mutual veto made decisive decision making impossible. Even basic law and order was tricky, vacillating between harshness and deadlock. In 1992, the PUK executed seven people for pillaging in the town of Shaqlawa, prompting vehement KDP protests as the PUK had not consulted with the Front before issuing the punishments.[64] Elsewhere, summary execution was a common response to those who attacked tribal and party leaders.[65] This system was obviously inadequate, but constructing a new system of rule had its own problems. A key issue would be how and whether to share power among Iraqi Kurdish factions. Throughout the process, Kurdish factions treated the process of institutional design as a contest for ultimate authority in the North.

There were several constraints associated with the process of power-sharing design in northern Iraq. For one thing, constructing anything resembling an independent state apparatus or a constitution could spook Iraqi Kurdistan's neighbors by seeming to be a precursor to secession.[66] But even avoiding the formal trappings of statehood, creating a new governing structure in which the mutual veto system did not exist would mean excluding some parties from government. The new government would thus be a more centralized government, which could allow whoever claimed control of it to eliminate their political rivals. Beyond this, control of the government would mean control of negotiations between Baghdad and the Kurdistani parties. This was an issue on which KDP and PUK were sharply divided, and a victory by one party could enable it to impose its preferred policy towards Baghdad on all the Kurds of Iraq.[67]

[64] Hedges, "Kurds' Dream of Freedom Slipping Away."
[65] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 15.
[66] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 124.
[67] Waisy, "The Roots of the Iraqi Kurdish Internal Rivalries, Conflicts and Peace Process 1964-2000."

Academic literature suggests that the process of institutional design reflects calculations of relative power. Nomikos (2018) writes about incentives for power-sharing between ethnic groups, finding that more institutionalized forms of political power-sharing, especially with a mutual veto in the executive, are less likely to occur with a majority ethnic group present. The majority group's elites will prefer to maximize the power of winners of elections and thus their own power.[68] Though Nomikos — and most other scholars — focus on power-sharing between mobilized ethnic groups, his theory with some modification can be applied to the Iraqi Kurdish case in which the competing political groups were partisan bases. A key distinction, however, is that while the minority status of the Kurdish ethnicity in Iraq was well-known, the potential support available for a political party *within* the Kurdish ethnic group was not.[69] Every armed political party in Iraqi Kurdistan significantly overestimated its own support,[70] a possibility Nomikos does not consider in using group size as a factor in institutional design. While Nomikos looks at the negotiations which lead to power-sharing in a post-war context, Schneckener evaluates factors which produce successful power-sharing on two dimensions: the ability to reach a power-sharing agreement and the sustainability of the agreement reached. However, many of the factors he considers relevant to power-sharing between ethnic groups are not relevant to the Iraqi Kurdish power-sharing case. For instance, the seventh factor he lists is that elite dominance of politics favors power-sharing. His logic is that powerful elites can impose power-sharing despite grassroots ethnic hostilities.[71] This is irrelevant to conflict within an ethnic group among powerful elites, where elite dominance

[68] William Nomikos, "Why Do We Share? An Analysis of the Sources of Power-Sharing Agreements," SSRN Scholarly Paper (Rochester, NY, December 13, 2018), https://doi.org/10.2139/ssrn.3165785.
[69] This may explain why the Iraqi Kurdistan Front had a strong "institutional" power-sharing system with a veto for each participating group: in the absence of actual knowledge of relative power, the groups simply provided influence to everyone with sufficient weapons to help the cause.
[70] McDowall, *A Modern History of the Kurds*, 2004, 379–81.
[71] Ulrich Schneckener, "Making Power-Sharing Work: Lessons from Successes and Failures in Ethnic Conflict Regulation," *Journal of Peace Research* 39, no. 2 (March 1, 2002): 214–15, https://doi.org/10.1177/0022343302039002004.

enables them to wage war. However, Schneckener's metrics for defining power-sharing success are relevant to evaluating the outcomes of power-sharing in Iraqi Kurdistan; the power-sharing system in Iraqi Kurdistan in the 1990s proved to be initially easy for elites to reach but unsustainable in the medium term.

Despite the challenges centralization would pose, the sheer inefficiencies of the Kurdistan Front's governing structure, as well as the promise that elections could legitimize the Kurdish entity,[72] drove the major parties towards the fateful decision to hold elections in 1992. The process of election organization, however, made clear that the KDP and PUK viewed the coming elections as a zero-sum competition for partisan advantage. Jalal Talabani paraphrases a conversation in the Kurdistan Front on the 1992 elections in his memoir: "As long as things are going in this way, let's work on organizing the elections and save negotiations with the regime for after elections; *whichever party forms a majority is able to go to sign an agreement with the government,* and *if no party gets a majority, the issue will be given to the elected parliament* and it will decide whether to sign or reject an agreement."[73] In other words, the expectation was that a party with a majority in the elections could do what it wanted in negotiations with Baghdad without submitting the agreement to the approval of the population of Kurdistan a second time. This understanding posed enormous risks that a winning party could simply cut a deal with Baghdad that served its own interests, threatening the security of other parties. The elections thus became a partisan war by other means: Tahiri quotes one KDP official who declared that "the KDP and PUK would either fight or go into elections."[74] In keeping with this all-or-nothing mindset, no credible safeguards

[72] Voller, "From Rebellion to de Facto Statehood." Talabani recalls an explicit promise of recognition from an unnamed friend abroad, see Talabani and Rashid, 452.
[73] Talabani and Rashid, *Conversation of a Lifetime*, 452. Translation into English by author, emphasis added.
[74] Hussein Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State* (Mazda Publishers, 2007), 172.

were established for oversight or balancing of the government to be elected in 1992 or for protection of losing parties. This lack of safeguards was exacerbated by the inability of the Kurds to establish a constitution for fear of appearing to be seceding. Understandably, this approach to the elections would intensify fears of political marginalization as election day drew near.

The haggling over Iraqi Kurdistan's electoral system demonstrated that parties, especially the KDP and PUK, primarily intended to use elections to secure their own political power. The KDP initially demanded a single-member district plurality system (SMDP). SMDP systems tend to produce a political system dominated by two competing parties. Pressure from smaller parties did succeed in preventing this outcome, such that the elections for parliament were to be based on proportional representation (PR). This is normally a better system for ensuring that smaller parties have a chance to wield power. However, the KDP demanded a seven percent threshold for inclusion in the parliament, such that any party with less than seven percent of the nationwide vote would not gain even a single seat in parliament. According to Nowshirwan Mustafa, a PUK leader at the time, the KDP refused to accept a lower threshold.[75] The PUK was no less willing to exploit electoral design for its own political advantage. Talabani recalls that "there were parties calling for there to be a proportional-representation formula, and others calling for there to be multiple constituencies, and we, the Patriotic Union, preferred the latter, since we thought that this would get us a majority." Eventually, realizing that they might not succeed in gaining an outright majority, the PUK shifted its attention towards a PR system.[76]

The electoral system was not quite set up to fail, but it did place an immense amount of weight on a single all-or-nothing vote. Until the vote was actually held, either KDP or PUK could hope to achieve hegemony over the whole north. But once elections were held, the loser would

[75] Talabani and Rashid, *Conversation of a Lifetime*, 452–54.
[76] Talabani and Rashid, 452–54.

have a straightforward choice between the existential danger of allowing a rival to consolidate power over them — or initiating civil war. The small parties, meanwhile, hoped to at least earn seven percent of the vote and secure seats in parliament. Then election day came on May 19, 1992. It was a disaster. The problem began with haphazard administration, including the absence of an accurate census and a lack of voter rolls. To make matters worse, the indelible ink purchased for the elections proved only a few days beforehand to be completely delible; elections had to be delayed three days while university chemists mixed up a silver nitrate solution to stain voters' fingers and prevent double-voting. This could have worked, but the chaotic process harmed confidence in the elections, and the elections' legitimacy was the main constraint preventing the losing party from resorting to violence. The PUK, which would receive 49 seats in parliament to the KDP's 51, was infuriated and claimed that the final numbers were the results of massive double-voting.[77] The PUK threatened violence if a means to share power with it was not found. Meanwhile, foreign actors pressured the two parties to avoid violence and compromise.[78] After several days of tense negotiations, the two parties established an informal power-sharing agreement in which each party had a veto over any decision made by a government ministry.[79] To seal the deal in parliament, one KDP seat was transferred to the PUK, producing a fifty-fifty division of power in parliament and giving the colloquial name "50-50" to the power-sharing arrangement.

The precise circumstances of the transfer were complicated, giving rise to intense later controversy. Originally, it seems the plan was for the official 51-49 results to be announced, after

[77] Jim Muir, "Iraqi Kurdistan: They All Won the Election," *Middle East International*, May 27, 1992.
[78] Talabani and Rashid, *Conversation of a Lifetime*, 455. Talabani is not specific about which precise foreign actors were involved. He says: "…[O]ur friends abroad advised us to reach an agreement and solve the problem without turmoil, so I went to Mas'ud and conferred with him, and our friends had advised him too to come to some sort of agreement, and in the end we agreed to a joint leadership." Translation by author.
[79] Paul R. Pillar, "Principal Challenges in Post-Saddam Iraq" (National Intelligence Council, January 2003), https://www.cia.gov/readingroom/docs/DOC_0005674817.pdf.

which the KDP would announce that it was willingly giving the PUK one seat "to avoid partisan strife." But the election judge jumped the bullet just after the deal was struck, canceling results in one key polling station on account of reports of fraud and changing the "official" vote count such that 50-50 would be the proper allotment of seats.[80] From the first day of parliament's operation, the actual story of how 50-50 was devised remained unclear. Immediately after elections, KDP spokesperson Hoshyar Zebari put out a statement claiming that the KDP had "salvaged the elections by conceding one seat in the assembly to the PUK."[81] The PUK's vehement response was that the distribution of seats had been a choice by the proper judicial authorities, which the PUK had complied with. These competing narratives legitimized competing approaches to 50-50. The PUK claimed that 50-50 was simply a practical response to a perfectly tied election. The KDP however viewed it as an imposed structure based on the PUK's threats of violence.[82]

Governing through Fifty-Fifty: Partisan Resources, 1992-1994

Much as it had previously, the Kurdish authorities suffered significant shortages of material resources. In particular, food shortfalls had to be made up through imports. These needs intensified after May 1993, when Hussein demonetized the Iraqi 25-dinar note and prevented the inhabitants of the north from trading in their notes. Old Iraqi dinars were no longer valid legal tender outside KRI, though they remained in use in KRI for lack of a better option. The region's lack of monetary autonomy mitigated to some degree the hyperinflation which afflicted the rest of Iraq, which had resulted from Saddam Hussein's attempt to "run the printing press" to make up for budgetary shortfalls. However, prices in Iraqi Kurdistan still rose drastically from simple supply and demand: the "double embargo" made developing a functioning regional economy extremely difficult.

[80] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 31–32.
[81] Leezenberg, Hoff, and Muller, 31–32.
[82] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 271.

By 1992, the initial pillaging of Iraqi Kurdistan's capital stocks had run its course; parties primarily relied on smuggling through Hajj 'Omran and Ibrahim Khalil to collect the foreign exchange necessary for importing food. Oil was the most prominent illegal export, smuggled out to Turkey past the UN-imposed embargo, while the KDP and PUK also profited from taxing imports both legal and illegal which entered Iraq through these crossings. Their physical control of the crossings produced a situation ripe for exploitation and graft, and accusations of financial malfeasance were common, especially leveled against the KDP.[83] These sources of supply were highly dependent on conditions in neighboring countries, leaving the fates of the two parties subject to authorities in Iran and Turkey. Incidents like a PKK blockade of the Ibrahim Khalil crossing or a strike by Turkish truckers inflicted painful losses.[84,85] A choice by Iran to close the Iran-Iraq border to small-scale traders in April 1994 was also harmful.[86] Reliance on foreign supply forced the Iraqi Kurdish factions in 1992 into a fratricidal war with the PKK guerillas, as Turkey demanded cooperation against the PKK as a price of trade access.[87]

Once funds were extracted from the border crossings, they were theoretically to be sent to the Kurdistan Regional Government's treasury. At least some of these funds must have reached the regional government, as government salaries were still paid despite intense declines in their real value.[88] However, rumors and accusations of misuse of government funds were rife. As the

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[83] Tahiri, 277.
[84] Jonathan Randal, "Men Forage In Snow for Food, Wood: Strike by Turkish Truckers Worsens Desperate Situation," *Washington Post*, February 19, 1992, https://www.proquest.com/docview/140642199/13EB6567A0CC4DE0PQ/37?accountid=189667.
[85] Randal, *After Such Knowledge, What Forgiveness? : My Encounters with Kurdistan*, 240.
[86] Caryle Murphy, "Economy Tests Kurds' Self-Rule," *Washington Post*, May 10, 1994, https://www.washingtonpost.com/archive/politics/1994/05/10/economy-tests-kurds-self-rule/0d701c66-dbc0-4e92-937b-ccd2090f7827/.
[87] Randal, *After Such Knowledge, What Forgiveness? : My Encounters with Kurdistan*, 240.
[88] Jonathan C. Randal, "Desperate Kurds Consider Turning Once More to Saddam," *Washington Post*, June 23, 1993, https://www.washingtonpost.com/archive/politics/1993/06/23/desperate-kurds-consider-turning-once-more-to-saddam/ed18611d-4b92-4d95-b515-d94c21deae6f/.

PUK accused the KDP of extracting funds from the border checkpoint and diverting them from the treasury, the KDP accused the PUK of misusing its control of the Finance Ministry to direct funds from the central treasury into the hands of PUK-affiliated individuals. The KDP claimed that the PUK had then used its veto to block investigation into the incident.[89]

Institutional participation and legitimacy: The fate of the excluded parties

The establishment of a central Kurdish government excluded six of the eight parties within the Iraqi Kurdistan Front. Though smaller parties like the KPDP were still armed, they were excluded from effective exercise of power and access to resources, sending them into a state of crisis and internal conflict. These parties, left out of the 50-50 power-sharing system, became targets of near-open violent repression; those that avoided repression were co-opted. The KDP-PUK division created two competing sources of patronage in the Kurdistan region. As further elections were delayed, existing Kurdish elites had to choose one of the two parties as a source of support; rival groupings within existing parties took advantage of either KDP or PUK support to improve their positions. The tendency of all these splits and mergers was to produce a gradual consolidation of power within the duopoly. The KUP's consolidation into the KDP gave the KDP an edge in this struggle. Of the six former IKF parties excluded from government by the 1992 elections, three joined the KDP, one joined the PUK, and the Iraqi Communist Party splintered.[90] From the IKF, only the Assyrian Democratic Movement survived as a "third party", and comprised the only independent force in the legislature, occupying four of the five seats designated for the Christian minority in Iraqi Kurdistan.

[89] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 276–77.
[90] Amnesty International, "Iraq: Human Rights Abuses in Iraqi Kurdistan since 1991" (Amnesty International, February 28, 1995), https://www.amnesty.org/en/documents/mde14/001/1995/en/.

The path to consolidation of the duopoly after 1992 was contested and complex. Despite the Law on Parties for the Iraqi Kurdistan Region (No. 17 of 1993)'s promise that "the freedom to establish [political] parties is guaranteed, and each party may pursue its activities in complete freedom,"[91] third parties initially faced a stark choice: join the KDP, join the PUK, or remain in the political wilderness indefinitely. The KDP and PUK were now almost the sole sources of patronage in Iraqi Kurdistan, and a need for allies in government drove many small parties to merge with the two major parties. The Kurdistan Democratic Union, which had existed since it split from the KDP in 1978, rejoined the KDP in August 1993, as did the Movement of Islamic Feyli Kurds. A significant fragment of the Kurdistan Toilers' Party, the Alay Shoresh (Flag of Revolution) faction merged with the PUK.[92] Before accepting their marginalization, some small parties initially tried to adapt to the rules of the KRG's proportional representation system and 7% threshold by merging into larger parties while remaining outside the party duopoly. In a series of complex mergers, the KPDP, Kurdish Socialist Party, and Kurdistan Socialist Party formed the Kurdistan Unity Party in September 1992, realizing that to pass the 7% threshold for inclusion in the Parliament, they would need to merge their voting bases.[93] However, the KSP was divided between Doctor Mahmoud Othman and Rasul Mamand, and the Rasul Mamand faction refused to join the KUP, instead forming a "temporary leadership" of the KSP and then merging with the PUK.[94] Despite the new "unity" party's best efforts, the position of third parties was vulnerable. By the summer of 1993, the KUP disappeared from the political scene, merging with the KDP.[95]

[91] Amnesty International, 16.
[92] Amnesty International, 10.
[93] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 176.
[94] Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-ʻIrāq*, 501–2.
[95] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 151–52.

One small faction under Mohammad ("Hama") Haji Mahmoud, formerly of the Kurdistan Socialist Party of Iraq (KSP-I) left the KDP soon after the KUP merger and re-founded the KSP-I.[96]

Some third parties in Iraqi Kurdistan, including the Iraqi Workers Communist Party (IWCP) and Hama Haji Mahmoud's re-formed KSP-I were denied registration wholesale under the 1993 Law on Political Parties; the KSP-I claimed that Mas'ud Barzani had vetoed its inclusion.[97] If this is true, it may indicate Barzani's intent to punish the reestablished KSP-I for its refusal to join the KDP. This exclusion from Kurdish institutions was new for the KSP-I, which had previously been a member of the Iraqi Kurdistan Front with veto rights, and a sought-after coalition partner prior to the 1992 elections.[98] In contrast to its earlier treatment, the KSP-I's reestablishment was met with blatant repression. The KDP ordered the disarming of the 24th Brigade, the KSP-I's peshmerga unit. KSP-I peshmergas replied with an attack on a KDP base on December 10th, 1993, in which they seized KDP weapons, and the KDP–KSP-I fighting spread rapidly in the next several days with heavy losses on both sides. Fighting only ended on January 6th, 1993, with the KSP-I driven from most of Kurdistan's urban centers.[99] The Kurdistan Toilers' Party, a splinter from the KSP-I from years before, suffered a similar fate to its parent party. A large section of the KTP, the "Flag of Revolution" (Alay Shoresh) faction, joined the PUK after the elections in response to Jalal Talabani's active efforts to consolidate the Kurdistani left behind himself. Alay Shoresh's defection took with it most of the KTP's base in Erbil and Sulaymaniyah. The rump of the party in the KDP-dominated Badinan region faced aggressive repression including the assassination of a KTP leader, Qays Muhammad; the assassins were quickly caught and

[96] Amnesty International, "Iraq," 9.
[97] Amnesty International, 21.
[98] Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-'Irāq*, 501–2. Khurasan describes the KSP-I as the most important of the third parties in Kurdistan at the time.
[99] Khurasān, 502–3.

arrested, but not charged or punished by the Interior Minister, a KDP man named Younis Rozbiani. Afterwards, the KDP simply asserted that the KTP had agreed to join forces with the KDP.[100]

After years of cooperation during which the weaker KSP-I and KTP had participated in Kurdish governing structures and had survived despite their physical weakness, their bases and headquarters were now being openly seized and their members killed. These attacks on weaker parties were broadly enabled by the power-sharing systems the KDP and PUK had established in 1992. Traditional literature on power-sharing suggests that power-dividing and power-sharing institutions such as mutual vetoes prevent any one party from weaponizing the state against others.[101] Some even suggest that allowing some parties to maintain armed forces outside the state provides a guarantee against betrayal by the state.[102] This literature focuses excessively on the state as the source of threats; it neglects the many threats political parties can pose to one another without the state. In the case of Qays Muhammad's assassination, for example, all the "state" needed to do was step aside and allow the killers to escape. Partisan armies, not regional security forces, were the primary threat to small parties in Iraqi Kurdistan. Amnesty International, in its report on human rights abuses in Iraqi Kurdistan from 1991 to 1995, noted that the crisis for human rights was the result not of open state repression but of impunity for low-level officers of each party who exploited their positions for both personal and political gain.[103] This pattern of impunity echoes similar problems asserted by both KDP and PUK officials related to financial mismanagement, where state deadlock could be exploited to prevent accountability.[104]

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[100] Khurasān, 514–15.
[101] Caroline Hartzell and Matthew Hoddie, "Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management," *American Journal of Political Science* 47, no. 2 (2003): 318–32, https://doi.org/10.1111/1540-5907.00022.
[102] Hartzell 1999 describes this as a form of "security sharing". See Hartzell, "Explaining the Stability of Negotiated Settlements to Intrastate Wars."
[103] Amnesty International, "Iraq," 21–22.
[104] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 276–77.

The exception to the consolidation of patronage and territorial power behind the KDP and PUK was the Islamic Movement of Iraqi Kurdistan (IMIK, sometimes also IMK). The IMIK was (and is) a Sunni Islamist group, whose cadres included former members of the Union of Religious Scholars, a group active in Iraq until 1975 and revived after the 1991 uprising, as well as veterans of the insurgency in Afghanistan.[105] The IMIK successfully established its own patronage network separate from that of the KDP or PUK, based mostly on funding from Iran.[106] The IMIK's power base was mostly in the Halabja area, where IMIK built its own system of courts, hospitals, and service provision. The IMIK's challenge to the two-party system was based almost solely on its access to a "sizable military force", with which it protected its independence.[107] Even this was insufficient, as around 20 December 1993, the PUK launched a direct attack on the IMIK. This attack was likely prompted by the general sense in the PUK that the IMIK was challenging its turf in Halabja. In a quick campaign from 24 December to 27 December, the PUK defeated the IMIK decisively and captured its leader, Sheikh Othman Abdul-Aziz.[108] Barzani issued orders to try and deescalate the situation (and, one suspects, preserve a potential ally in the PUK's rear areas), but Jabar Firman, the PUK-aligned Minister for Peshmerga Affairs, was also the PUK's commander in the campaign against the IMIK and ignored the directions.[109] Once the shooting stopped, the KDP negotiated a transfer of Sheikh Othman to its custody, with the PUK reluctantly accepting mediation.[110] The IMIK would remain an actor during the 1994-1998 civil war, largely siding with the KDP.

The Collapse of Power-sharing and the limits of the intra-elite bargain, 1993-1994

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[105] Amnesty International, *"*Iraq,*"* 10.
[106] Laizer, *Martyrs, Traitors and Patriots*, 117–18.
[107] Amnesty International, *"*Iraq,*"* 19–20. The IMIK's independence is not to say that it was a "democratic alternative" to the KDP or PUK in any sense.
[108] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 97.
[109] Michael M. Gunter, *"*The KDP-PUK Conflict in Northern Iraq,*"* *Middle East Journal* 50, no. 2 (1996): 224–41.
[110] David McDowall, *A Modern History of the Kurds*, 4th ed. (I.B. Tauris, 2021), 381.

The KDP-PUK 50-50 power-sharing system was a temporary system. It was meant to last only five months, from May 1992 until a planned second round of elections.[111] Instead, it lasted from the elections in May 1992 until its informal disintegration in March to June 1994, almost two years. By January 1994, when the KDP began to press for new elections, the 50-50 system was already fourteen months past its "sell-by" date. It might be wise, therefore, to consider how a supposedly temporary system lasted so long.

Both parties feared that an electoral defeat would mean their elimination from politics. This was not an irrational fear, given the fates of the KSP-I, KTP, and other small parties marginalized or eliminated after the 1992 elections. As such, the KDP and PUK each wanted above all to ensure their own organizational survival. The best way to do so was to maintain the broadly ineffective fifty-fifty system. This system gave each party the freedom to attack its opponents with little interference — witness the fate of Qays Mohammad of the KTP and the KSP-I's elimination from urban centers. A rough balance of power between the two parties ensured that the coercive forces unleashed against small parties could not be used against the other party, and the weakness of the government meant that the KRG itself did not threaten partisan power bases. At the same time, the results of the 1992 election remained theoretically intact, able to legitimize the KRG as a democratic force in the Middle East. Or as Representative Mel Levine of California put it, these elections showed a commitment to "an enlightened form of government that is the exception, not the rule, in the Middle East."[112] This sort of governmental hypocrisy carried risks. Chelsea Johnson has found that temporary power-sharing systems are especially vulnerable to preemptive defection. Constitutional power-sharing systems which provide long-term guarantees and security for parties

[111] Leezenberg, Hoff, and Muller, "Elections in Iraqi Kurdistan, May 19, 1992," 31–32.
[112] Included in: Lokman I. Meho, *The Kurdish Question in U.S. Foreign Policy: A Documentary Sourcebook* (Praeger, 2004), 219.

even if they lose elections via written constitutional provisions are far more stable.[113] However, it is doubtful that a constitution could be written which could demonstrate the KRG's commitment to democracy abroad[114] while also protecting the power of the elites in the KDP and PUK from that same democracy. Keeping the 50-50 system "temporary" avoided a direct conflict with the official norms of democracy, thus enabling the parties to gain legitimacy as participants in diplomacy and politics while also securing their power. The power-sharing system thus amounted to an informal "elite cartel."[115]

This is not to say that the 1992 election was epiphenomenal or merely a facade. In fact, the importance of elections as a source of legitimacy and the uncertainty of their results is evident from the fact that neither the KDP and PUK felt safe holding a second election for many months. Even the KDP, which was probably favored in the elections after its incorporation of the KUP in August 1993,[116] waited another four months before calling for elections in January 1994. The precise timing appears to have been a response to the opportunity presented by the IMIK–PUK battle, which created public disgust with the PUK and IMIK. The KDP thus called for early elections alongside its call for an end to PUK–IMIK fighting. The PUK countered with a request that elections occur according to their "original schedule," in May 1995.[117] The competing claims by the KDP and PUK in 1994 reflected the efforts to make use of the 1992 elections to legitimize policies. The PUK's offer of elections "on schedule" in May 1995 only makes sense if one assumes that the 1992 election results as published — a nearly perfect fifty-fifty split — were valid results, not a temporary five-month expedient. This follows the broader PUK narrative — that the fifty-

[113] Chelsea Johnson, "Power-Sharing, Conflict Resolution, and the Logic of Pre-Emptive Defection," *Journal of Peace Research* 58, no. 4 (2021): 734–48.
[114] Voller, "From Rebellion to de Facto Statehood," 142.
[115] See: Lijphart, "Consociational Democracy."
[116] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 152.
[117] Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-ʻIrāq*, 541–42.

fifty system was simply the intuitive consequence of a tied parliament. Fuad Masum of the PUK, for instance, asserted to Hussein Tahiri that "From the very beginning, the PUK had equal votes with the KDP. They shared power on the basis of fifty-fifty because each party won fifty per cent of the votes".[118] The KDP demand, in turn, makes sense in the context of a long-standing KDP belief that the fifty-fifty system had been forced upon them. As Jahwar Namiq of the KDP central committee put it: "After the elections, the PUK forces were preparing an assault on the KDP… Mas'ud Barzani gave up one of his seats to the PUK to avoid bloodshed".[119] What the KDP had given under duress — the fifty-fifty compromise — it could by rights end when convenient.

Beyond the debate over fifty-fifty's origins, which undermined the legitimacy of the system overall, the same impunity which enabled the two parties to consolidate their power also weakened the ability of the supposed resource-sharing provisions of fifty-fifty to operate. The PUK accused the KDP of skimming resources from the border crossing it controlled, while the KDP accused the PUK of misusing its control over the finance ministry for graft, then blocking an investigation as "Minister of Finance, the bank manager, and even the bank guards were from the PUK".[120] Rather than ensuring that neither side exploited state power, the KRG system enabled each side to exploit whatever parts of state finances fell into their hands. The KDP, however, had by far the stronger position in this competition for financial resources, and was gradually building a significant financial edge over the PUK through control over border crossings. The IMIK had similarly been able to gain a foothold in the PUK's turf by competing to provide services to locals, supported by Iranian funds. This decline in the PUK's relative power intensified with the decision by the Iranian government in early 1994 to close the Iran-Iraq border to small-scale traders, cutting a major source

[118] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 271.
[119] Tahiri, 271.
[120] Tahiri, 276–77.

of revenue for the PUK.[121] The survival of a political party was tied directly to its ability to muster financial resources; finances fueled patronage and enabled parties to employ large partisan armies. The financial weakening of the PUK thus suggested that the Union faced an existential crisis. The PUK leadership's discourse linked the KDP's financial maneuvers to its broader intentions for Kurdish politics. Chato Rauf Havezi of the PUK's foreign relations bureau told Hussein Tahiri that "The PUK proposed to the KDP to hand over the income of the Ibrahim Khalil customs post to its allies – not to the PUK – but the KDP did not accept. The KDP regards itself as the national Kurdish political party and does not recognize any other party. The KDP does not believe in democracy and a multiparty system."[122] Here we see the basic logic of the zero-sum partisan rivalry: a failure to share finances implies an intent to seize power.

With the PUK under pressure for new elections, its incentives shifted towards defecting from the power-sharing system before being excluded from legitimacy. It faced a sharp decline in relative power, a condition widely recognized as a risk factor for civil war. Then, with both Talabani and Barzani abroad on a tour of Europe, fighting broke out over a plot of land in the town of Qala Diza on May Day, 1994 — on one side were PUK partisans, on the other was Ali Hasso Mirkhan, a member of Barzani's bodyguard. Fighting escalated quickly, beginning with reciprocal seizures of local party offices: the KDP lost its offices in Sulaymaniyah and Ranya, while the PUK lost its offices in KDP turf, especially in Shaqlawa and Zakho.[123] Talabani claims that it was at this point that Nechirvan Barzani, Mas'ud Barzani's nephew, seized some million dollars and million Iraqi dinars of customs revenue at the Ibrahim Khalil border post. Tit for tat escalation continued until the PUK seized the city of Erbil, capital of the KRG.[124]

[121] Murphy, "Economy Tests Kurds' Self-Rule."
[122] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 277.
[123] Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-ʿIrāq*, 542–43.
[124] Talabani and Rashid, *Conversation of a Lifetime*, 461–64.

The precise timing of the outbreak of war is somewhat puzzling. It appears unlikely that the initial clash at Qala Diza was planned by the leadership of the Union, since Talabani was clearly unprepared for the fighting. He had to call off his tour of Europe and almost had to return through KDP lines, something the KDP initially tried to exploit to gain concessions.[125] However, with fighting already underway, the PUK's seizure of Erbil suggested an intent to reformulate the terms of the KRG's governance. Nowshirwan Mustafa recalls that the main issues on the agenda in the first round of talks were: "Demilitarizing Erbil, returning the tariff revenues to the government treasury, holding the parliament, and forming a new government."[126] However, the initial negotiations failed under Turkish pressure[127] and new issues, such as the presence of the PKK in Northern Iraq, arose to complicate the process as the war ground on. Thus, once war occurred, the issues which had originally produced the war took a back seat.

The war also took on an intense emotional tone. The propaganda of each party framed the conflict in existential terms, with individuals considered to bear the blame for the actions of their parties. A KDP radio broadcast late in the war (October 15, 1997) exemplifies how drastically the outbreak of war itself changed the terms of politics in Iraqi Kurdistan:

> The *Jalalis'* war this time more than any time is against the Kurdish people and their interests. The PUK and Jalal Talabani have established a culture of *Jashati* [treason, from the word *jash*] in Kurdish history. The PUK's attack [its October 1997 campaign, "Storm of Vengeance"] is a careful plan in co-ordination with the enemies of the Kurds [Iran] to destroy the Kurdish Regional Government in Iraqi Kurdistan. Whoever follows the PUK in this war and as a result was killed, lost their assets, or became homeless, they deserve it.[128]

While this was not the first partisan war in Iraqi Kurdish history, it was the most public one, dragging in all of society, as the KDP's reference to individuals who "follow the KDP" becoming

[125] Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-ʻIrāq*, 544–45.
[126] Talabani and Rashid, *Conversation of a Lifetime*, 466. Footnote 1.
[127] Khurasān, *Al-Tayyārāt al-Siyāsīyah Fī Kurdistān al-ʻIrāq*, 545. The issue was apparently that the proposed peace deal was too similar to a constitution.
[128] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*, 282.

homeless suggests. By the end, tens of thousands were displaced in acts of "partisan cleansing."[129] The mutual expulsions and seizures of headquarters created two homogeneous partisan territories, providing each party with a safe political space which the other party's patronage networks could only penetrate with difficulty. The establishment of one government per region, rather than two patronage networks competing across the whole of KRI, provided a certain amount of breathing room for the two parties and amounted to an alternative pathway to guaranteeing partisan survival, at the expense of representative institutions and efficient governance. Despite efforts at reunification since 2003, the KRI remains divided to this day.

Discussion and Conclusion

The Kurdish Civil War of the 1990s poses challenges to our understanding of power-sharing and state-building at the sub-national level where co-ethnicity structures power relations among contending ethnic political parties. An ethnic group bound together by a shared traumatic history and broad agreement on aims nonetheless split into two warring camps vying for control over the community. A promising democratic opening dissipated into fratricidal killing. Therefore, the first finding of this thesis must be that the assumed pacifying power of co-ethnicity does not operate at all levels of analysis. While between individuals in an ethnic group, ethnicity may bind, it may also demarcate a field for partisan competition. Under certain circumstances, this intra-ethnic partisan competition can be intense and zero-sum. the puzzle for future research should move away from explaining the *existence* of intra-ethnic competition and towards the *form* that competition takes. With competition for control of an ethnic group held constant, why does this competition

[129] Anderson and Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, 100.

sometimes take the form of fratricide, sometimes outbidding, and sometimes electoral competition?[130]

In this thesis, I have presented some findings which might contribute to resolving this question. An examination of the 1994-1998 case indicates that, rather than being driven by Kurdistan's tribal system, as Hussein Tahiri suggests,[131] or a political "reversion" to primordial tribal ties, as Dr. Cordesman suggested before the Senate Committee on Armed Services in 1996,[132] we should understand the outbreak of violence in 1994-1998 as driven by the constraints of the Iraqi Kurdish political system: the structures of the Kurdistan Front and the Fifty-Fifty system, as well as the material scarcity produced by the "double embargo" on Iraq. The organizational choices made by Kurdish elites mattered; they structured the efforts of each party to gain legitimacy and power.

In some ways, my argument is similar to that made by Costantino Pischedda. Pischedda's explanation of the Kurdish Civil War emphasizes the effort by the PUK to avert a decline in its material power relative to the KDP.[133] I broadly agree with his approach but find his emphasis on material power lacking in nuance. This attribution of inter-rebel violence to purely "realist" hard power concerns leaves the significant shifts in government structure between 1991 and 1994 unanalyzed. The consolidation of the Kurdistan Unity Party into the KDP is mentioned, but it appears to function as an exogenous shift in the balance of power within Iraqi Kurdistan; he explains the inter-rebel peace from the late 1980s to 1991 as a consequence of the devastation of Iraqi Kurdistan in the Anfal and the reduction of Iraqi Kurdish forces to only a few hundred

[130] Krause appears to move towards this puzzle in concluding his book on nationalist infighting, in which all three patterns of competition appear at different points. See Peter J. Krause, *Rebel Power* (Cornell University Press, 2017).
[131] Tahiri, *The Structure of Kurdish Society and the Struggle for the Kurdish State*.
[132] United States Congress Senate Committee on Armed Services, *The Situation in Iraq*, 50.
[133] Pischedda, *Conflict Among Rebels*, 67–68.

peshmerga per group. However, the distribution of hard power in the Iraqi Kurdish political system was partially *endogenous* to the political structures created by the Iraqi Kurdish leadership. Pischedda's explanation of the peace from the 1980s to 1991 suggests it was primarily a consequence of the weakness of Kurdish groups; what he fails to note, however, is that even at their weakest, the Kurdish parties in the 1970s and earlier 1980s still took opportunities to exploit one another when those opportunities arose.

The actual source of stability in this period was the establishment of the broadly-accepted Iraqi Kurdistan Front, a military alliance which nonetheless served the political aim of maintaining Kurdish unity. Similarly, the forceful consolidation of smaller parties into larger parties in 1992-1993 was not achieved until after the elections in 1992, even though based on Pischedda's model a window of opportunity for that consolidation, with a stable front line between the Kurdish parties and Iraq, had existed since late in 1991. While Pischedda identifies the outbreak of war with the PUK's *material* vulnerability, the most immediate spark of conflict was increased KDP pressure for elections, not a KDP seizure of funds. In fact, the KDP's complete obstruction of funds from the Ibrahim Khalil checkpoint did not occur until *after* the war broke out.[134] The PUK's initial target in the war was the seizure of Erbil, a political center rather than a source of economic power, and much of the fighting, including the 1996 Iraqi intervention, centered around control of the parliament in Erbil rather than the material resources clustered along Iraq's borders. Thus, the space for intra-ethnic violence is shaped critically by the institutions established by those groups, even though the establishment of those institutions may itself occur under normative and ideational constraints.

[134] Talabani and Rashid, *Conversation of a Lifetime*, 463–64.

This argument also nuances that made by Peter Krause, who argues that alliances among nationalist groups short of a complete merger are fundamentally not credible and fail to prevent costly intra-rebel competition.[135] While alliances and other intra-rebel institutions do not fully prevent competition, they do channel it into certain forms while normatively or institutionally discouraging other forms. The Iraqi Kurdistan Front was an extremely inefficient government, but it did manage to keep competition among the Kurdish parties within certain bounds. The elections of 1992 and the Fifty-Fifty system similarly legitimized the inclusion of certain co-ethnic rebels, the winners of the elections, while leaving the losing parties vulnerable to coercion. Different intra-ethnic governing systems have different effects on intra-rebel competition, and while partisan interests are a constant, they are channeled through normative and institutional frameworks.

The establishment and maintenance of power-sharing institutions also occurs within the process of intra-ethnic competition, and under certain material and normative constraints. This is especially evident in the discussion of the 1992 elections. Materially, the resource crisis in KRI produced intense pressure to develop a more efficient government, especially for the purpose of credibly imposing law and order throughout the north, ending massive pillaging of Kurdistan's resources, and effectively managing aid distribution. At the same time, the disastrous mistakes of election administration, such as the failure to secure indelible ink, were expressions of the limits on the technical assistance available to the unrecognized Kurdish government. Normatively, key actors in the United States at the time viewed with favor the development of democratic institutions as "an enlightened form of government," as Representative Mel Levine of California put it.[136] However, while elections were normatively favored as a sign of order and commitment to human

[135] Krause, *Rebel Power*.
[136] Meho, *The Kurdish Question in U.S. Foreign Policy: A Documentary Sourcebook*, 219.

rights, the design of elections was intensely contested. The parties having decided to channel inter-party competition into elections, the election itself became a zero-sum partisan battlefield.

The eventual collapse of the power-sharing system in Iraqi Kurdistan, in turn, indicates that the creation of institutions may have serious unintended consequences. The consolidation of power behind two competing parties, with all others forcefully excluded from politics, increasingly produced zero-sum incentives for partisan violence. With the distribution of resources and access to weapons still overwhelmingly controlled at the level of the political parties, the centralization of power in the north and the move towards a more efficient elected government intensified partisan divisions. Finally, the eventual outbreak of war was driven by the PUK's expectation of a relative decline in both material *and* institutional power. Neither material nor ideational explanations alone are sufficient.

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