

# Policy Paper

## Reforming the Civil-Military Relationship in Kurdistan (Peshmerga)

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## Introduction

“Peshmerga” is the Kurdistan Regional Government’s (KRG) Armed Forces. This policy paper attempts to evaluate Peshmerga and assess its features from a democratic civil-military perspective. Furthermore, the paper presents a number of key recommendations.

Based on article 117 of the Iraqi Constitution, regions in the country are allowed to establish their own security services. Accordingly, Peshmerga is recognized as a regional security force. Its legitimacy is primarily based on the Kurdish de-facto (independent) status within Iraq. Internationally the emergence of the American ‘no boots on the ground’ mantra has made Peshmerga relevant. Technological advances, ‘enormous capabilities of aerospace and sea power in waging war’ (Jarkowsky, 2002), high cost and failure of missions, led to different but interrelated outcomes. The United States is no longer willing to commit its soldiers to fight on the ground and Peshmerga has become the local partner of the western military powers. In this context Peshmerga has emerged as an important force in Iraqi and wider regional and global politics.

Besides, this policy paper highlights the significance of reforming Peshmerga, identifies the obstacles facing the modernization the force, and makes a number of recommendations on how to achieve a democratic civil-military relationship in Iraqi Kurdistan. Peshmerga may be studied at three levels: domestically (Kurdistan), nationally (Iraq) and internationally. and yet, it focuses on the first level and argues that the emergence of a democratic civil-military relationship can only be possible within a reformed domestic politics. That is being said, however, the national and international actors can help reform Peshmerga through supporting professionalization, enhancing efficacy, democratization, and (national) security.

Historically, Peshmerga is a collection of Kurdistan guerrilla groups who opposed Iraqi central government throughout the modern history of Iraq. Interestingly, civil-military relationship in Iraq has a particular history. Peshmerga, in spite of being a counter force to the Iraqi army, shares many similarities with the latter, especially since the emergence of the autonomous KRG.

Peshmerga as a concept belongs to a different era both in Kurdistan history and the wider region’s history. There is an urgent need to review it and assess its compatibility with the current domestic socio-political situation in Kurdistan and the wider region.

When it comes to identity and belonging Peshmerga is a political party’s armed forces, a regional government’s armed forces, and also an ethnic group’s armed forces.

It is also a part of the whole puzzle of what is branded as ‘a local hybrid security forces’ (Gasaton, et al 2016) in Iraq. Furthermore, and perhaps more importantly, Peshmerga is an effective international partner against terrorists in an unstable area. This begs the following question: How do all these party, regional, national and international dimensions interplay with each other?

## Military in Iraq

The relationship between the army, political elites, and the wider society went through number of stages throughout the modern history of the country. Iraq was ‘invented’ (Dodge, 2003) by the British in 1920s. The military was one of the first institutions created in the country. It even ‘preceded the state by half a year’ in creation (الجيش والسياسة في مرحلة التحول الديمقراطي في الوطن العربي ٢٠١٦). Throughout the existence of Iraq ‘all governments had sought to use the military as a means to buttress their own legitimacy’ (Al-Marashi and Salama 2008:2). There emerged a symbiotic relationship between the Iraqi government and the military. They both used each other and needed each other. Hence, the dominant feature of Iraq’s political process has been the military’s attempts to control the fate and identity of the nation. While the military is one of country’s oldest institutions, it has hardly contributed to its stability. It has often interfered in politics and on a number of occasions, the army dictated the formation of the government and in some cases it brought down the government (Al-Marashi and Salama 2008:2). This background has resulted in the emergence of a specter of ‘coup risk’ Belkin & Schofer (2002) and ‘coup-proof’ (Quinlivan, 2000) policies which occupy the political elite’s mindsets.

Regionally, the army’s intervention in politics has limited “the ability of Iraq to play a role in regional politics and to emerge as a major military power (Hashim, 2003). Contrary to a conventional army (due to its structure and the country’s instability), the Iraqi army has served as an institution of domestic security and helped the state secure legitimacy through the barrel of a gun; “in this capacity, the military became a central institution in domestic politics and instrument of repression” (Al-Marashi and Salama 2008:2). Accordingly, the Iraqi military was both a security provider and a security threat to the regimes in the country.

According to Kadhim (2006), Iraqi civil-military relationship was beset with three problems:

- First, the dominance of Iraq’s Sunni minority through the group’s almost exclusive access to membership of the officer corps.
- Second, the continuous military involvement in politics.

- Third, the encroachment of sectarian wrangling among civilian politicians on the identity and affiliation of the military.

But, political parties developed militia in a Maoist formula 'believing that power grows out of the barrel of the gun'. Hence, the 'principle is that the party commands the gun and the gun shall never be allowed to command the party' (Mao, 1938:224). If the gun refers to the military then the latter is subordinated to the party. One can argue that while the militia commenced with the Iraqi Communist Party (ICP), it became effective with the Ba'th in the form of Haras al qawmi الحرس القومي or national guards.(فايز الخفاجي 2016). In spite of its clear prohibition constitutionally (article 9); post-Saddam Iraq became the place of pro-government and anti-government sub-state forces i.e. militias. However the situation has changed after the enactment of the Popular Mobilisation Forces (PMF) الحشد الشعبي law in Nov. 2016.

Against this background Peshmerga has emerged to signify a particular civil-military arrangement that reflects a specific trajectory of political, social and economic factors. In spite of the KRG having a Ministry of Peshmerga, the latter's 's loyalty is primarily to the political parties; namely Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK). Therefore, the relationship between the political parties determines the nature and the structure of the Peshmerga.

Studying Peshmerga is challenging. On the one hand, the concept and the structure escape any existing civil-military models. On the other hand, the position and the identity of the Kurdistan Regional Government – as a sub-state regional government within Iraq – is puzzling, especially when viewed from a national security perspective.

This reality poses a genuine challenge in dealing with Peshmerga as a concept, a structure, and as an anomaly that represents a form of armed group that is not well explained by existing civil military models. This state of anomalousness also calls us to normalise it.

By and large, Peshmerga is a cultural concept with romantic roots that are closely associated with a form of (Kurdish) nationalism in the region. In the wider Middle East region, where national boundaries seldom coincide with those of existing states, nationalism becomes a movement, not so much to protect the individuals against the injustices of an authoritarian state, but rather an attempt to redraw political boundaries to fit the contours of ethnic bodies. As it crystallizes, through the concept of Peshmerga, this form of nationalism adheres to the idea that the individual can fulfil himself or herself only to the degree that he or she is true to the national whole, of which he or she is merely a part. Hence, Peshmerga, the willingness to die for the nation or the land is the highest embodiment of patriotism. This patriot feeling of allegiance can impede the emergence of any form of liberal society, system and

governing. It is worth mentioning this particular view of nationalism has been challenged in the last decade in Kurdistan.

## **Analysis**

### **The Concept and the Mindset**

Peshmerga is a combined word, coined and politicised in a certain time (Republic of Mahabad-Iran 1945) and developed throughout history to have variety of meanings. Analysing the name, and the associated images, is the first necessary step in understanding the peculiar civil-military relationship, or lack of it, in Iraqi Kurdistan.

Throughout history the normal usage of the name has changed and become a sort of a political guerrilla concept. Events and ruptures contributed both positively and negatively in the making of the concept. It is laden with memories, meanings, images and distinguishing characteristics. This history is not a straight continuous line; it is rather a linear one.

Peshmerga in Kurdish signifies a soldier, military and the entire defence system. While a soldier is trained to fight, the military has many other tasks. Today in the Kurdistan Regional Government (KRG) there is a Ministry of Peshmerga while the fighters are also called Peshmerga. Peshmerga is a mind-set, a symbol and a form of affiliation with pre-government era in Kurdish history.

### **The Background: a Soft Civil War**

Civil war is the political condition that has characterized Kurdistan's politics since the early Cold War and continued in post-Cold War era. We distinguish between the two eras based on the argument that the "new civil war" or post-Cold War civil wars are more economic rather than ideological (Kalyvas, 2001: 100). The Kurdistan civil war can be also categorised as hard civil war and soft civil war. While the former lasted from 1994 to 1998, the latter has continued to the present day. The soft civil war is driven primarily by how to appropriate your personal and group position with your political positions and economic gains. The war relationship within the civil sphere indicates the inability to come together and build commonality as a base for the emergence of public, whether; public good, public sphere or social.

### **Politicisation**

Peshmerga is a politicized armed group (Hawar Hasan Hama, 2017). This implies, in addition to the existence of political links between political parties and Peshmerga armed forces, the use of the Peshmerga for political and economic gains. Taken together, this reality reflects in addition to weak institutions, the high level of distrust among political elites and political parties in the region. The trust was totally

breached during the civil war in the nineties and continues to overshadow the present.

The trust deficit among the political elites has spread down to the community as a whole. Seen in this way, the mistrust among the political elites and the community could not be more obvious. This massive deterioration in political trust that has occurred since the 1990s explains the close symbiotic links between political elites and their respected armed forces. As literature shows the “nation’s well-being, as well as its ability to compete, is conditioned by a single pervasive cultural characteristic: the level of trust inherent in the society” (Fukuyama, 1995:7). Peshmerga can become the security and trust builder within the elites and the society.

### **Civilian Control**

In any given democratic society, civilians have to control the military. This indicates the existence of a gap between civilian and military. The civilian control defines how the army function and shows how the army, as the ultimate organized force, should not threaten the society. And yet, the issue in Kurdistan revolves around the identity of the civilian: Who are the civilian, the government, the parliament, the political parties or the political elites?

Against this peculiar identity problem in the Kurdistan Regional Government (KRG), I argue, according to the last two decades and half of experience, that the governing apparatuses of the KRG are lacking the power to decide. Accordingly, the ultimate power holders are the political parties and their top echelons.

Simultaneously, the parties and their elites are holding the Peshmerga command, as a result of the particular history and structure of Kurdistan politics. Thus, the Kurdistan civil-military relation has its own particularity. On the one hand, it can be argued there is no gap between civilian and military. On the other hand, there is neither civilian nor military, but a hybrid of both.

But during the last decade, this has changed primarily as a result of the aging of the old generation couple with other economic factors. The aging of the ruling elites, together with their wealth accumulation, has resulted in the emergence of a different mode of politicization. Explicit in the latter is how to secure the political positions and the accumulated wealth, and more importantly, how to transfer it to the next generation. However, this mode of thinking is not without opposition. Countering that is a growing force within society demanding more power for institutions like parliament, and the professionalization of the Peshmerga.

## Party Factionalism and Peshmerga Fractions in Iraqi Kurdistan

If anything, Kurdistan party politics is in transition from guerrilla to civilian group. One of the clear features of the emerging civilian structure is dynastic. Indeed, one can assume in the coming decades that Kurdistan party politics will be a dynastic affair due to the absence (or weak) of party organization, absence of independent civil society associations, and natural resources i.e. centralized income. This is a recipe for an unrepresentative political system.

While a dynastic rule might give the impression of coherence and centralization, the fact remains that the Kurdish political parties are but a unitary unit. The divisions are more visible and the disagreements are bigger and have political, economic and administration aspects. Each political party is dealing with the phenomenon of factionalism differently. Factional division differs from one party to another. In some, it has reached the 'degenerative' (Boucek, 2009) stage and it is all public as in the case of the patriotic Union of Kurdistan (PUK), while within other political parties factional competition remains within the party realm. The multiple centres within the parties have a direct impact on the nature and the structure of Peshmerga. It is an open secret in Kurdistan society that party factionalism is directly linked to Peshmerga's internal fractions. Hence, not only are there divisions within Peshmerga, based on party loyalties, but also divisions based on party factional divisions. This has resulted in the emergence of multilayer divisions within Peshmerga.

## No Gap

There are variety of gaps between civilian and military; some are productive and necessary and others less so. The democratic civil-military relationship presumes that there is an autonomous civil sphere and autonomous military sphere and they interact in a clear relationship format.

As recent history shows there is no gap between the political elites and the Peshmerga but there is gap between the military and society. On a day-to-day basis, the Peshmerga protects the ruling elites, not society in general. Having said that, when an external threat arises, the Peshmerga indiscriminately defends the entire society.

When it comes to the societal civil-military relationships there are number of variables to address. The cultural and demographic background of the Peshmerga, for instance, plays a vital role in defining how the Peshmerga and the rest of society relate. In the absence of conscription, the armed forces seem less able to mirror the demographic composition of civilian society. Peshmerga draws on a narrow segment of society, especially rural and poorly educated urban. Thus, the urban elites are dubious about Peshmerga.

## Institutional Role

If the real power holders in Kurdistan are beyond the governing elites, then obviously the role of institutions is confined to conducting daily activities. In addition the Kurdistan Region is yet to have a constitution to guide and empower the institutions. This has affected not only legislative and executive branches but also hampered civil societies in playing their expected role. A parliament empowered by a constitution can play an imperative role in the emergence of a democratic civil-military relationship. It is worth mentioning that the absence of a gap in the civil-military relationship has an impact on the weakness of the institutions, especially parliament. This has made parliament a battleground between the people and the elites. There are vertical pressures (voters, stakeholders and the civil society) to further strengthen the institution. This sort of pressure is also balanced by a horizontal one (executives, ruling elites and political party politburos) to weaken the institution.

## Recommendations

Reforming the civil-military relationship in Kurdistan entails establishing a modern democratic civil-military relationship from scratch. It is also recommended to think negatively in a philosophical way; i.e. how to locate the obstacles and overcome them. Below are a number of recommended steps to establish a positive ground for further development.

- **First;** an Imperative Paradigm Shift

In many ways, we are in a pre-science stage of Peshmerga study. Peshmerga is seen as a symbol that is heavily politicized. The Peshmerga concept should be liberated from symbolism and politicization to prepare the ground for the emergence of a 'normal science' (Kuhn, 1970:35). In a practical way, this means shifting from a cultural way of thinking to scientific thinking in order to move toward a clear purpose: hence, making Peshmerga an object of knowledge.

- **Second,** It's the Civilian, Kaka!

To date, all attempts have been on how to reorganise the Peshmerga as a main step toward reform. This is crystallised in the concept of unification i.e. unifying KDP and PUK Peshmerga. This method has proved to be futile. At the heart of this approach lies an understanding that Peshmerga is separate from the political or there is a gap. However, as this policy paper shows, there is no gap. Hence, the place to commence any reform has to start with the civilian or political. Against this backdrop, the political party is the problem. In other words, in sequencing reform toward the

emergence of democratic civil military relations, the civil part of the formula is where to commence.

- **Third, Building Institutions**

One of the most common mind-sets among the Kurdistan people in approaching their political crisis is the belief in casting aside their differences. This clearly has a root in romantic nationalism, of seeing the whole community as an indivisible unit. This approach has proved to be unrealistic. Differences among groups will remain intact. One can even argue that with the emergence of a capitalist economy and urbanisation, difference will only exacerbate further.

The way to deal with differences is through institutions and democracy. Therefore, only through functioning and efficient institutions, differences could be accommodated and army professionalization can materialize. Indeed, buttressing institutions can help pave the way for lasting reconciliation among the political parties. This applies equally to internal political factionalism. The more institutionalised the party is the clearer the rules of the game and the less zero sum factionalism.

- **Four, Drafting a Constitution**

For a variety of reasons, the region has no clear path of a political and legal framework. The lack of a constitution is the main deficiency. Having a written constitution indicates having a set of values to guide society and polity, including the military. It also sets a clear framework for further enhancement. This normative framework is an integral part of democratic civil-military relations.

- **Five, Conscription**

Introducing conscription is recommended as a conduit to tightly link the army to the society and to setup a mechanism for army renewal and enhance national allegiance at the expense of party allegiance. It also helps in developing collective minded citizens, necessary for developing democracy and public sphere.

- **Six, National Security**

For a variety of reasons, there is neither Kurdish nor Kurdistan national security. Kurdistan political elites lack a shared view on the concept of nation, national, people, and space. This situation continues through the soft and hard civil war condition. The continuation of war through politics has to cease. Civil war politics continues through democracy and especially when disenchantment among the population has reached a high level thus threatening the party's survival. Thus, a

multilayer fear feeds the current status of the Peshmerga, fear from within and from without. For a soldier and an army to emerge in Kurdistan, there has to be a break from the civil war frames, mindsets, structure, geography, and economy.

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