Religious Minorities in Republican Iraq Between Granting Rights and Discrimination: A socio-political and historical study

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To the Yazidi people of Iraq, who became victims and slaves of terrorism after 3rd of August 2014
Abstract

The religious minorities have been part of Modern Iraq since it was founded in 1921 and they can be distinguished from the majority by their customs, traditions, beliefs and histories. Moreover, historically, Iraq (and Iraqi Kurdistan) has been the cradle of most of the religious minorities in the region.

Iraqi religious minorities such as Jews, Christian, Yazidis, Sabean-Mandaean, and Kākāʾi are considered the oldest communities of Iraq history. They are considered to be, in some ways, the indigenous groups of Iraq. Republican Iraq underwent a period of immense socio-political change which impacted significantly on religious minorities in particular. Over time they, and the newer religious minorities like the Bahaʾi, began to face severe discrimination, which led to their being considered inferior to the majority. This, in turn, led to occasional extreme persecution and forced displacement campaigns often undertaken by the successive Iraqi governments and subsequently by the (Muslim) majority. This study focuses on social, political and historical factors pertaining to the lives of Iraqi religious minorities, and attempts to uncover the sequence of events that led to the current phenomenon of religious minorities fleeing their home countries in order to preserve their traditions.

This study is based on an analytical and descriptive method and should be considered a historical research of events in the light of available archival documents, legal sources and press articles. This dissertation is divided into ten chapters. In first and second chapters the methodological and theoretical framework applied is discussed, as well as an overview of the concept of “minority” as well as definitions of religious minorities in Iraq. Chapter three and four deal with the contextualization of the historical and socio-political frameworks that inform the background of this dissertation which relates religious minorities with their backgrounds in the period of Monarchical Iraq (1920-1958). Chapter five discusses the religious minorities during the first republic of Iraq 1958-1963. This era is significant in that it was a time of unprecedented change, one which formed the interim between the Monarchical Era and the era of the nationalists. Furthermore, the first republic is significant because it constitutes a kind of ‘golden age’ for all Iraqi minorities. Chapters six, seven and eight are the main focus of this dissertation. They are primarily concerned with the second republican era, which is the period of the two ‘Ārifs (1963-1968). This particular era was one of conflict which saw the emergence of subsidiary identities. Chapter six examines the rise of sectarianism and confessionalism in Iraq. Chapter seven engages with the scattered religious minorities (SRM), under the republican eras after 1963 up to the present time. This chapter introduces the situation of three scattered religious minorities throughout Iraq: the Jews, Bahaʾi, and Sabean-Mandaeans. In chapter eight, the focus shifts to the geographically-concentrated religious minorities (GCRM). This chapter deals with three religious minorities: the Kākāʾi, Christians and Yazidis, all of whom dwell in the so-called Disputed Territories, a region which is disputed by the two parties involved in the conflict in Iraq: The Central
Government of Iraq (CGI) and the Kurdish Movement. Chapter nine and ten discuss the prospective dimensions of political developments in Iraq in relation to religious minorities after 1968. In chapter nine, the impact of change in the legislation pertaining to the rights of religious minorities is examined, as well as judicial rights in the Iraqi courts, with a focus on the Law of Civil Status No.65/1972 in particular. The final chapter traces socio-political developments within the religious minorities, beginning with the last Farhūd of the Jews. This period saw re-forging the case of the Iraqi Christians, the renewed controversy over Yazidi Identity among disparate Kurdish political and religious movements, and ongoing demographic change brought about by forced Islamisation in Yazidi areas. The Sabean-Mandaean minority also experienced a period of transition; their status weakened, their welfare deteriorating from that of an organized minority to one whose existence and religious identity were threatened. In the case of the Kākāʾis, this period shows their situation is in the transmission from domestic conflict to distinctive religious identity. whereas pressure on the Bahai (whose religion had been previously banned) was relaxed somewhat, allowing them a cautious sense of new-found freedom. In the conclusion, the hypotheses of this thesis are revisited to investigate what implications the research findings may have beyond the immediate historical and socio-political context of Iraqi religious minorities.

Religious minorities have endured much persecution in Monarchical Iraq and thus, it is from Monarchical Iraq that this research begins before proceeding to explore the case of the minorities in Republican Iraq. The policies of discrimination in Iraq assumed many forms such as enactments and laws or governmental or administrative acts that led to division and discrimination. Although these policies of discrimination affected all segments of Iraqi society, it was particularly detrimental to religious minorities that were already suffering at the hands of the majorities. They faced an unequalled degree of religious stigmatization and discrimination. This has created a form of shared collective memory which consists of a prevailing sense of alienation, social inequality and detrimental stereotypes that is shared by all non-Muslim minorities in Iraq.

It is noteworthy that, although there was discrimination of religious minorities in Iraq, the nature of such discrimination was highly dependent on the political situation. This is because various Iraqi governments viewed the religious minorities differently and also dealt with them as such. Importantly, as this study illustrates, the religious minorities were not only affected by political currents but also by social and religious currents within Iraq. No radical change occurred in the thought and inclinations of the dominating powers, nor did such change occur within national movements which were in the position to influence both the ruling system and the state institutions. Besides, religious and sectarian belonging became a means upon which these powers relied to consolidate their power. No current or influential political party in Iraq to date has succeeded in establishing a nation state, nor has it succeeded in integrating the Iraqi communities to achieve equality in a manner which maintains the ethnic, religious and cultural variety within the country. Rather, policies of sectarianism have kept the religious
minorities away from actual political participation in state institutions and in government. Such marginalization and political dysfunction could have been avoided if representation had been assured by virtue of population (i.e. the quota system) and not by political affiliation. However, as the historical eras show, the deep-rooted nature of such divisions and the lack of mutual trust between the different communities have led to the current long-endured conflict, which in turn has virtually fragmented all communities within Iraq.

Against this historical backdrop of division and inequality, the sectarian and confessional issue quickly emerged in post Ba’thist Iraq. Indeed, all the unprecedented developments currently taking place in Iraq are tentativeness the result of the actions or the inaction of past regimes in Iraq. The various religious minorities in Iraq suffered systematic acts of oppression and extermination in different periods as follows. The ongoing oppression of the Jews ended with their exile from Iraq after two bouts of violent dispossession and killing referred to as the First Farhūd (1941-1952) and the Second Farhūd (1968-1973). Similarly, Christians were subjected to ongoing oppression and persecution. This began with a massacre which took place in 1933 and it continued until a second persecution after the coup of 1963. Their situation was not to improve in all of this time, 2003 when they were harshly targeted and eliminated from Iraq. The Yazidi also suffered, between 1935 and 1946 in particular and again after 1963. Their regions were divided between the province of Kurdistan and the central government of Iraq from 1991-2003. They were systematically targeted by Islamic groups, the most recent example of which is ISIS’ invasion of Sinjar and the Plain of Nineveh and the act of genocide which they carried out against the Yazidi. Other minorities such as the Sabean-Mandaean, Baha’i, Kākā’i and others have suffered a similar fate and are currently fleeing Iraq.
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11.1 Conclusions

11.2 Recommendations

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ADM Assyrian Democratic Movement.
AH After Hijrah. This the reference used in the Islamic calendar.
AUA Assyrian Universal Alliance.
CE Abbreviation for the “Common Era,” CE. is an alternative to AD. (anno Domini) and refers to the year of Christ’s birth, year 1 in the Gregorian Calendar.
Cf Abbreviation of Latin cōnfer meaning compare, imperative of compare.
CGI Central Government of Iraq.
CIA Central Intelligence Agency.
CKS The Center for Kurdish Studies, Research and Documents Preserving [Beşikçı Center for Humanity Research (BCHR)- UoD].
Dd Date of death.
DIS Danish Immigration Service.
Doc Document.
DRC Danish Refugee Council.
Et al Abbreviation for the Latin Et alii, meaning and others English: et alii and its forms and derivatives.
FJF General Secretariat of Directorate for Frozen of Jews’ Funds
GCRM Geographically-Concentrated Religious Minorities.
HRW Human Right Watch.
Ibid Abbreviation for the Latin Ibidem, meaning the same. Refers to the same author and source in the immediately preceding reference.
ICD  Iraqi Chamber of Deputies.
ICP  Iraqi Communist Party.
IJA  Iraqi Jews Archive.
IKP  Iraqi Kurdistan Parliament.
INLA  Iraq National Library and Archives.
ISS  Iraqi Intelligence Service.
KDP  Kurdistan Democratic Party.
KRCC  Kurdish Revolutionary Command Council.
KRG  Kurdistan Regional Government.
KRI  Kurdistan Region of Iraq.
LSA  Local Spiritual Assemblies for the Baha’i in Iraq.
MCD  Member of the Chamber of Deputies.
NCRC  National Council of the Revolutionary Command.
No  Number.
NSA  National Spiritual Assemblies for the Baha’i in Iraq.
Op. Cit.  Abbreviation for the Latin *Opus Citatum*, meaning the work cited. Refers to the reference listed earlier by the same author or source and previous reference.
PKK  *Partiya Karkerên Kurdistanê* (in Kurdish), the Kurdistan Workers' Party.
PNI  Publisher not identified.
PPNI  Place of publisher is not identified or without place of publication.
Pt  Part.
PUK  Patriotic Union of Kurdistan.
RCBK  Regional Council of the Baha’i in the Kurdistan Region of Iraq.
RCC  Revolution Command Council.
SCZK Supreme Council of Zoroastrians in Kurdistan Region of Iraq.

MSMPDJ General Secretary of the Directorate for Monitoring, Supervision and Management of the Properties of Denationalized Jews.

SRM Scattered Religious Minorities.

Tr Translator or Translated.

UAR United Arab Republic.

UD Undated or without date of publication

UN United Nations.

UNHCR High Commissioner for Refugees.

USDOS U.S. Department of State.

Vol Volume.

List of Transcription

The transliteration style of the International Journal of Middle East Studies (IJMES) system from Arabic to English is followed in this study. In the case of Kurdish consonants, some characters are not found in the Arabic alphabet, such as ꞇ (p), ꞉ (ch), ꞌ (zh), Ꞌ (g). In reference to words that require such consonants, Persian characters are used. This also applies to some vowels in Kurdish such as ꞇ (o) whereby the Latin alphabet is applied specifically for Yazidi names like Ḥammo, Sharo. Place names within Iraqi territory are generally written using their Official Iraqi Arabic spelling (hence Sinjar instead of Shingāl or Shingār). Finally, some Arabic and Kurdish terms are transcribed and put in italics, unless they are listed entries in the Merriam-Webster English dictionary, in which case they are spelled according to the latter hence ṭāʾīfa which does not appear in the aforementioned dictionary is written in italics, whereas sharia, which is listed therein, is written in normal typeface.

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1 IJMES transliteration system for Arabic, Persian, and Turkish, retrieved on 16 December 2016 from https://ijmes.chass.ncsu.edu/docs/TransChart.pdf.

* Persian characters of IJMES system.

** Kurmanji Kurdish latin.
Introduction

“The Iraqis are brothers:
The Mullah: there is no difference between us O brethren!
The Priest: Since when has there been any difference? Have we not lived side by side for centuries?
The Rabbi: may the eye of him explode who says that any difference exists between Iraqis. Are we not sons of one country, and as such should we not live together like brothers?
Habazbuz: Such is what loyal sons of the country are expected to feel like. May God bless you to whatever creed or sect you belong”.

Iraq is a country which has been home to an unusually broad range of ethnic, religious and doctrinal groups throughout its history. The three largest of these groups, the Shiʿi Arabs, Sunni Arabs and Kurds, represent the two main ethno-nationalities:3 the Arab ethno-nationality and the Kurdish one. These groups known collectively in Iraq as major components4 are referred to here as the majorities when describing interactions between minorities and majorities. The Islamic minorities, such Faylīs, Shabak and Turkmen, are ethno-doctrinal communities that follow either Sunni or Shiʿi doctrine. The religious minorities make up other groups which include: the Jews, Christians, Yazidis,5 Sabean-Mandaeans, Bahaʿis, Kākāʾi is as well as others. Importantly, each of these communities has its own origins, social structure and history, both within the Iraqi State and preceding its formation.

Since it was founded, modern Iraq has seen only brief periods of political stability. The country has suffered from a complex political geography and the competing loyalties of its various ethnic, doctrinal and religious identities. Moreover, the state, having been established on colonial dimensions after the First World War, failed to offer its diverse citizenry a shared

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3 In Arabic, several terms and concepts similar to that of ‘nation’ in English exist. They differ somewhat to the latter in meaning, however, and cannot be translated directly. Two such terms are al-Waṭaniyya, and al-Qawmiyya for example, both of which imply different political concepts. The term al-Waṭaniyya implies patriotism, whereas the term al-Qawmiyya denotes groups and races, the closest possible translation into English of which, is a combination of the two terms ‘ethno’ and ‘national’ in English, thus ethno-national. The Arabic term, al-Qawmiyya (‘ethno-national’) is commonly used by the political movements in Iraq to express ethnic identity. For more information on this linguistic matter, see: Ofra Bengio: Saddam’s Word: Political Discourse in Iraq. Oxford: Oxford University Press 2002, p. 89.


5 Sometimes the spelling ‘Yezidi’ is used in English. Similarly, ‘Ézidi’, which is based on Yazidi Kurmānjī is also common. Herein, the term ‘Yazidi’ is used, in deference to the IJMES system of transcription from Arabic to English, not least since this spelling is closer to the Arabic pronunciation and also corresponds to English. See: Section 2.3, pp. 41-46, of this dissertation.
Therefore, the disputes that have taken place since the establishment of the Iraqi State are a result of the country’s different groups’ vying for different degrees of self-determination at the same time. Thus, the Iraqi military found itself suppressing many disturbances, rebellions and revolts, such as the Assyrian-Christian and Yazidi rebellions, during both the monarchical and republican eras.

While Iraq became a scene of confessional conflicts among the ethnicities, religious, doctrinal and political beliefs and characterized by chronic destabilization and renewed conflicts, there were a number of internal and external reasons behind these conflicts. The external reasons are beyond the scope of this research, which seeks to examine the ethno-national and religious dimensions of the political and intellectual currents in Iraq. It is these currents that laid the foundation for these conflicts. None of these currents that came to power found a solution for the problems of Iraq, nor did they address the issues of the country’s minorities, who could not be easily assimilated into the State.

The parties and political currents that ruled Iraq had ideological agendas that maintained negative stereotypes of their fellow Iraqis. Based on their own ideological interpretations they classified these communities as not belonging to the titular nation of Iraq, without taking into consideration the idiosyncrasies of the different constituents of Iraqi society. Furthermore, they adopted demagogical means as a way to distract the Iraqi communities and to sway public opinion.

All of this contributed to sectarian segregation, which had severe repercussions, especially within the religious minorities. This sectarian segregation thwarted the process of nation-building. Therefore, the potential challenges to statehood posed by various religious

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7 The primarily purpose of this dissertation is to examine the internal developments in Iraq and their effects on the religious minorities. It does not aim to study the role of the external and/or colonial power or the nationalist movements in the Middle East, nor does it aim to study the ethno-national and unionist projects, nor the reasons of the emergence of these movements of ethno-national currents.

8 For example, the manner in which the Iraqi Baʾth Party depicted religious minorities such as the Christians and the Yazidis on the one hand, and how and the differently it treated them in reality, led many religious minorities in Iraq to change their identity and declare themselves Arabs. Cf: Amal Muḥammad ʿAlī: Mawqif ḥizb al-baʾth al-ʿArabī al-ʾishtirākī min al-ʿaqaliyyāt fī al-ḥadīth (the Arab Socialist Baʾth Party attitude of minorities in the Arab world). Baghdad: MA thesis. Higher Institute of Nationalism and Socialism Studies 1980, pp. 297-325. The disparity between the Baʾth party’s statements on minorities and its actual treatment of them is addressed in chapters 5, 6, and 7.

9 The concept of nation for the purpose of this study is the bringing together of peoples with the state within a national framework in which minority and majority are not distinguished from one another and the boundaries that separate them are actively minimized over time. Regarding the various interpretations and ideas regarding concept of nations, see Max Weber: Economy and Society, An Outline of Interpretive Sociology. Edited by Guenther Roth and Claus Wittich. Berkeley, Los Angeles and London: University of California press 1978. Vol. 1, pp. 395-398, Vol. 2, pp. 922-925; On the relationship between sectarianism and nation-building, cf. e.g Hanna Ziadeh: Sectarianism and Inter-Communal Nation Building in Lebanon. Hurst & Company 2006; Harris
minorities does not absolve or exonerate the ruling regimes in Iraq from the responsibility of addressing minority issues within the constitutional and legal framework of the country.

This study seeks to follow the religious minorities through modern Iraqi history in an attempt to ascertain their place within it and to explore how the ethno-national and sectarian conflicts, affected them. Therefore, special attention is paid to the post-coup developments of 1958 and the rise of the armed Kurdish movement, as both cases had a profound effect upon the minorities, not least because the parties of the conflict pressured the minorities involved into choosing a side. Moreover, both of these periods saw harsh discrimination visited upon the minorities. Their rights were steadily taken from them, until some were actually stripped of their ethnic or religious identities. Collectively, they were perceived as interest groups who were to be manipulated to fulfill the agenda of the majorities. Naturally, such abuse on the part of the majorities was detrimental to the minorities and sometimes led to the fragmentation of the minority communities, which, at times, was the intention of the majorities.

In an attempt to address the issues of legal and constitutional rights in relation to policies of discrimination, this thesis will also explore the political, social and cultural nature of the religious minority issues, within the legal and historical contexts of the modern Iraqi State, and in regard to Republican Iraq in particular. Since 1963, consecutive Central Government of Iraq (CGI) left little room for pluralism. Indeed, many non-Arab and non-Muslim minorities found themselves targeted by the central authority which was dominated by nationalist and pan-Arab currents that often pursued policies of assimilation or fragmentation against minorities.10

Lastly, this study attempts to redress the absence of religious minorities from political and academic discussions, despite their shared suffering alongside the other ethno-national and sectarian groups. At the empirical level, this study also considers the conflicts and the process of ethno-national identity formation. The aforementioned constitutes the central conceptual framework of this study.

Why This Study
Numerous academic studies have considered the issues of ethno-nationalities and the interactions of the majority11 groups such as the Shiʿi, Sunni and Kurds in Iraq, yet the religious minorities’ issues in the Republic Era have rarely been addressed in independent

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10 It may be mentioned here that non-Sunni Muslim population groups were affected by these policies as well. Cf. e.g. Joyce Wiley: The Islamic Movement of Iraqi Shiʿas. Boulder 1992.

11 The terms "majority and majorities" are used in this dissertation to refer to the three main groups in Iraq (Shiʿis, Sunni Arabs, and Sunni Kurds), from two perspectives, firstly, in terms of religious identity as jointly, they constitute an Islamic majority, whereby most laws, legislation, and constitutions (throughout Iraqi history) in Iraq have been issued in their favor. The second aspect is in terms of their political and social agency and roles.
scientific research to date, with the exception of a German dissertation thesis on the rights of the religious minorities in the Iraqi constitution by Qoulo Khodida Qoulo. It rather focuses, however, on the legal process after the American invasion of 2003. As for the Monarchical Era, there are two dissertations such as Karim Abdul Attar and 'Adnān Zayān Farḥān that cover aspects of the history of the religious minorities in specific periods in the Monarchical Era. These have provided the author with a means of understanding several aspects of the historical picture and background of the religious minorities in Monarchical Iraq. There are also special studies that independently examined some minorities during a specific time period, such as that of Nelida Fuccaro which focuses on the Yazidi of Sinjar during the British Mandate Era and is based on British documents. In addition, Eszter Spät has also researched the Yazidi minority from a doctrinal and religious perspective.

Research in Jewish and Iraqi Studies has been done on the Jewish case within Iraq, such as by Ari Alexander who concentrated on the suffering of the Jews in Iraq and Sa’d Salmān ‘Abd-ullah al-Mashhadānī who focused on accusing the Jews and the Zionist Movement of prompting the migrations. Although these studies are generally regarded being at the forefront of studies on the subject of Jews from 1921 to 1952, they remained a mere historical background for this dissertation, as they chose to omit the remnant Jews in Iraq during the Republican Era in the scope of their work.

Some special studies applied during research independently examined some minorities during a specific time period, thus providing a historical picture of those minorities in specific periods, especially during the Monarchical era. The sources of study that relate to the Christians are by the following: Sargon George Donabed; R. S. Stafford and Jurjis Fath.

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Allāh. These studies examined the Christian case in Iraq, focusing on the events of the 1930s.

As for the researchers who dealt with the Jewish cases, a number of the studies by Jewish writers such as, Abbas Shiblak; Hayyim J. Cohen, are regarded as the forefront of the studies that dealt with the Jews during 1921-1952 as well as other secondary studies that can be found in the list of sources. While most of them concentrated on the Zionist Movement and the suffering of the Jews in Iraq, Iraqi studies such as the work of Ṣādiq Ḥasan al-Sūdānī, by contrast, accuse the Jews and the Zionist Movement of prompting the migrations. In light of these conflicting standpoints, an attempt has been made in this thesis to strike a balance by analyzing the Jewish case from a neutral perspective and by using the studies merely as historical background sources, not least as none of them considered the remaining Jews in Iraq during the republic era. Other works also touched upon the rest of the religious minorities in Iraq from anthropological, social and religious viewpoints, namely the work of Nūrī Yāsīn al-Harzānī, C. J. Edmonds and E. S. Drower, along with other studies listed toward the end of this dissertation, most of which examined each religious minority from doctrinal and religious perspectives. General works and sources by Hanna Batatu, Rashīd al-Khayyūn and Sa’ad Salloum (ed.), have enriched this study with specific pieces of information that covered some aspects of the study. The research, essays, gazettes and newspapers were of vital importance to the thesis in their different languages. The importance of these essays and studies also springs from the fact that they covered important aspects and that they reflect new and different attitudes.

29 Al-Adyān wa al-Madhāḥib bi-l-ʿIrāq (Religions and Doctrines in Iraq; its Past and Present), Dubai: al-Mesbar studies and research center 2016, Vol. 1, 3.
31 The first of these studies was written by Hayyim J. Cohen: “The anti-Jewish Farhūd in Baghdad”, in: Journal Middle Eastern Studies; The Scribe Journal of Babylonian Jewry http://www.thescribe.info/; See also some other websites such as http://wiki.dorar-aliraq.net/ and, http://elaph.com/, among others.
In conclusion, it is hoped that this dissertation has achieved its aim in providing a clear picture of its subject. It does not claim to be perfect; rather, it is merely a humble attempt to examine the religious minorities in the Republican Era of modern Iraq. Most of all, the author hopes that this study may inspire future researchers investigate the field further.

Research on minority issues remains a delicate matter for the official authorities in the Iraqi State, and it has not received much attention from researchers and academics in Iraq to date. Although there are some studies and memoirs that shed some light on the destiny of the minorities within Iraq, most of them have remained far from impartial and sincere.

In an effort to provide a balanced view, this thesis aims to explore issues pertinent to some of the religious minorities within the legal and historical contexts of the modern Iraqi State in the Republican Era. To offer a comprehensive picture of the political, social and cultural issues, that had, and in some cases still continue to have an effect on the religious minorities within the legal and historical contexts of the modern Iraqi State in the Republican Era, a substantial number of published and hitherto unpublished security documents have been analyzed within the course of this research.

Religious minorities are both locally and universally significant. At local level, they are influential as social, cultural and historical entities within their own contexts; on a universal level, they form the counterpart to majorities, in that they live in special situations which distinguish them from the majorities. This is clearly evident in Iraq, which, unlike other countries in the Middle East, is home to a large number of minorities, religious, sectarian and ethno-national. It is useful to remember here that some minorities were forced to leave Iraq, such as the Jews. Other minorities continue to emigrate from Iraq to the West, such as Christians, Yazidis, Sabean-Mandaeans, Kākāʾis and Bahaʾis. Based on historical data and in light of current developments, it is very likely that Iraq will become completely devoid of religious minorities in the coming years.

This study focuses on the First and second Republican Era (1958-1968) because of its importance in the history of modern Iraq and because of the recent availability of newly-discovered material pertaining to the period. In addition, the period constitutes an essential basis around which most chapters of the thesis revolve, since previously unpublished documents relating to the Yazidi minority in particular during that period, as well as other

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33 The author obtained photocopies of the Yazidi’s issue (1963-1966) files along with other previously unpublished documents from Mosul, which were kept in the Mosul Archive Center of Mosul University, in April 2014, a few months before the occupation of “Islamic State of Iraq and the Levant” (ISIL, ISIS or “Dāʾsh”) in
documents from the Jewish archive could be taken into account. Moreover, the importance of this historical period lies in the fact that some religious minorities became salient for the first time. This period saw them involved in relatively prominent domestic disputes, which, in some cases, related to identity politics. Some disputes also caused them to add new features to their identity, an example of this being the emergence of the Yazidi Umayyad Movement in 1964 which split the Yazidis, and saw some Yazidis siding with the central authority and others with the Kurdish Movement. This also affected the Christians who were divided in their loyalties to those parties. An intensification of discrimination policies in this period led to the expulsion of the remaining Iraqi Jews and new measures against the Baha’i, whose religion was no longer recognized before being legally banned. The year 1968 marked the end of the second Republic and the beginning of the third Republic or the “Ba’th Era”. Despite the regime change, many of the policies towards the minorities that were enacted by the Ba’th and the subsequent responses of the minorities to those policies had roots in developments and events which took place during the second Republic.

Religious minorities in the Republican Era are worth studying and analyzing for a number of reasons, such as discovering the historical cause of growing sectarianism and sectarian violence in Iraq as well as the current mass immigration from that country. It could be argued that much of the discourse on Iraq to date and on religious minorities in particular is at least in part, the result of a legacy of confessionalist thought, of political differences and transitions, of marginalization and exclusion which began in the Republican period. Newly released official state documents, hitherto published and unpublished, provide a further impetus to examining the period more thoroughly. In this respect, the study of minorities in Iraq, ethnic or religious, is relatively new. This thesis aims to complement previous scientific studies regarding religious minorities in Iraq and its neighbouring countries.

Historical accounts of religious minorities in Iraq remain vague to date, not least because of the strict policies of Iraqi governments pertaining to what is considered state-sensitive material. However, newly released official sources offer us the opportunity to analyse such history more thoroughly. This, in turn offers us a new perspective on present events in the region, and the organized discrimination and oppression of the religious minorities in particular which, although previously in existence, became exacerbated after the American

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34 The Iraqi Jewish Archive, which was housed in the basement of the Iraqi Intelligence Service IIS in Baghdad, was moved to the United States in 2003. Many important documents related to the Jewish case in Iraq were acquired by the author. In addition, documents are being used for the first time in this dissertation with the kind permission of the archive. Retrieved from https://ija.archives.gov/.

35 The formation of religious minorities and their identities within various Middle East countries has been addressed in a number of studies. For example, see: Eliz Sanasarian: Religious Minorities in Iran. University of Southern California, Cambridge University Press 2000; Benjamin Thomas White: The Emergence of Minorities in the Middle East, The Politics of Community in French Mandate Syria, Edinburgh University Press, 2012.
occupation of Iraq in 2003 and the increase of sectarianism and the emergence of extremist Islamic groups connected with Al-Qaida and ISIS in Iraq and Syria thereafter.

Religious minorities in the Muslim world in general, and in particular in the Middle East, face enormous pressure to conform. These pressures come from both the government and the social majority. The rise of political Islam and the expansion of radical fundamentalist attitudes have intensified this pressure and have forced critical change in the region. Religious minorities are particularly vulnerable, as they pose a threat to the radical Islamic right which cannot accommodate differences in thought or religious beliefs, therefore, Minorities are now at the forefront of global issues and have become the focus of international organizations and decision-making centres in the United States and the European Union. The reason behind the sudden interest in these religious minorities is that political Islam and fundamentalist tendencies are considered no longer a threat to these minorities exclusively; rather, they are now seen as a threat to global security. Evidence of this threat is seen in the current influx of refugees to neighbouring countries in the Middle East and Europe. The flight of minorities is due to the direct threat they face from armed organizations; it is also encouraged by the social majority, which urges them to leave their homes and seek safety elsewhere. Religious minorities seek not only to save themselves but to preserve their values and traditions, which is why fleeing their homeland is generally considered a safer and more practical solution than staying in their respective war-stricken countries.

The Key Questions of this Study

The period of Iraqi history from the foundation of the modern State in 1921 until the American occupation in 2003, although fluctuating periodically, was one of constant instability and volatility for religious minorities. Beyond this, policies of discrimination sometimes led to forced migrations, as has been seen in the case of the Iraqi Jews referred to earlier. It can be argued that religious minorities in Iraq as a whole now face a similar situation.

The questions and hypotheses of this dissertation, which contemplates interior developments and their repercussions on the religious minorities (and consequently on Iraqi society as a whole), shape the sort of subjects to be considered in detail in order to form a clearer picture about these equivocal issues, which, undeniably, have historical roots. By giving pre-eminence to these questions and hypotheses, this study aims to touch upon the reality of minorities and their existence in Iraq, of the problems they face, the origins of these problems and the consequences of them, both in the present and in the foreseeable future. It cannot be denied that political developments that took place in Iraq before, during and after ethno-national conflicts and the conflicts themselves had direct repercussions for Iraqi society and for religious minorities in particular. The Arab-Kurdish conflict greatly affected the
geographically-concentrated religious minorities and drew them into the country’s internal struggles, more or less compelling them to take sides. The development of these conflicts raises very fundamental questions essential to the study of this crucial historical period, when considering post-coup consequences and political changes. These questions are as follows:

1. Who are the religious minorities?
2. How did the central government respond to them in different periods?
3. What were the political circumstances under which decisions, decrees and laws relating to religious minority rights were made?
4. Did religious affiliation constitute a motive for discrimination against and persecution of religious minorities?
5. What was the nature of the socio-political and religious-ideological developments which forced non-Muslim religious minorities into exile or concealment in order to survive?
6. How did internal political developments influence the religious minorities? What policies were enacted regarding the minorities and how did these policies impact their futures?
7. What led some of the religious minorities’ to affiliate with a particular ethno-national identity? What repercussions did their choices have within their communities?

In order to answer these questions from a historical perspective, Iraq’s domestic political development must be considered. Similarly, to understand the consequences of the various conflicts, the division of the religious communities into factions, and the emergence of ethno-national identities, it is necessary to consider the political choices of the religious minorities at the time. It is these very choices that led to the formation of ethno-religious identities. Generally speaking, this thesis focuses on the formation of religious minority’s identity with respect to inclusion and exclusion processes in Iraq. The study will also explore how religious minorities became involved in domestic developments in their homelands. It also traces the formation of new identities among the majority groups in Iraq and aspects of the dynamic between them.

Problems and Difficulties

In addition to the technical challenges and difficulties relating to this thesis, its preparation was marred by other difficulties, such as the scarcity of original sources pertaining to the subject and the lack of in-depth studies beyond the realm of Arabic or Kurdish discourse. Many sources, reports in particular, dealt with the subject superficially. If they broached the subject of minorities in the period post-2003, they only touched on it briefly.

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36 See Chapter 7 and 8, which deals with scattered and geographically-concentrated religious minorities in detail.
Moreover, the chronological framework of the subject did not allow for dividing and tackling specific aspects of the topic and disregarding others. Thus, it was necessary to investigate the core period examined (1958-1968) along with its historical background and future repercussions to give a comprehensive picture of the subject. Therefore, the dissertation became enlarged to its present size.

Documents of the interior ministries and the Iraqi security departments of the period are especially pertinent to the dissertation. Acquiring unpublished documents is generally difficult if not impossible. The acquisition of such documents is hampered in no small part by the turbulent nature of Iraq’s history, its internal conflict, wars, and coups and not least the current domination of ISIS over most Sunni regions, all of which has resulted in various degrees of destruction to the State’s archives. The loss of the material held by the Ministry of the Interior, an important source, was also a detrimental loss to this study. The archive was devoted to all domestic affairs and it contained much information pertaining to religious and ethno-national minorities and their various activities. However, after many attempts, a limited number of files and documents was made available to the author.

The security situation that coincided with the author’s period of study prevented travelling to Iraq and carrying out research there. Nevertheless, valuable documents were made available that enriched this dissertation. These documents complement hitherto published and unpublished British documents on Iraq’s religious minorities.

**Method of Research and Methodology**

The methodology applied in this dissertation requires an analysis and a thorough and comprehensive examination of the events and developments that relate to religious minorities. It is based on qualitative research. This dissertation attempts to recognize and define the issues that have faced religious minorities. It also attempts to analyze the minorities within their historical context and to offer an understanding of critical minority issues.

Due to the existence of many religious minorities in Iraq, each of which has its own idiosyncrasies, this study aims to consider each minority independently, in attempting to shed light on relatively unknown historical facts. Despite the difficulty in uncovering historical fact and in forming a complete picture, we can take a lead from what has been done in previous historical research, which approaches the cases of the minorities by dividing the issue into two themes. Previously, this has served to clarify such matters.

The first theme deals with the rights on the one hand, and structural inequality on the other, pertaining to religious minorities in Iraq as reflected in the constitution, the laws and policies of the Iraqi State. The repercussions of such rights and inequalities on the religious minorities that include but are not limited to the recognition of their existence and rights are also examined. This is a central recurring theme within most chapters of the dissertation.
The second theme considers the problems that have emerged in Iraq since its establishment as well as the socio-political issues surrounding religious minorities. Many minority communities demanded independent rights or refused to comply with some aspects of State law. This, in turn, led the government to adopt hard-line oppressive policies towards minorities, similar to the previous governmental response to Christians who requested self-rule or secure enclave under the protection of the victorious countries in the First World War. The Yazidis refused to submit to the laws of the compulsory military law of Central Government of Iraq (CGI), and engaged in resistance to the settlement of Arab and Kurdish Muslim clans in their regions. As for the Jews, they gained prominence through their foreign trade and their domination over the economic processes in Iraq. During the Mandate Era (1920-1932), there were no strong social or political movements in Iraq; however, after Iraq obtained its independence 1932, a multitude of different movements appeared. These movements swiftly became oppressed, a situation which has continued to varying degrees into the 20th century. Increases in this oppression can, in some cases, be partially attributed to the increase and spread of Arab Nationalism comparable to developments in Palestine. Given the continuity of this oppression, this theme is also associated with most chapters of the dissertation. Accordingly, the dissertation is structured as follows.

The Organization and Structure of the Dissertation

This dissertation is divided into five parts, each of which consists of two chapters. The first chapter consists of an overview of the concept of minority and its application to Iraqi Communities and is divided into two sections. The first section begins with a discussion of the author’s understanding of concepts and determinants of the term ‘minority’. In addition, the Iraqi communities are classified into three categories: large communities, ethno-communities and religious minorities. In the second section which aims to research ethno-national and religious identity further, the nature of religious minorities, their identities and the various idiosyncrasies peculiar to them is examined.

The second chapter considers the historical composition and demographic structure of the religious minorities in Iraq. Therein, six religious minorities, Jews, Christians, Yazidis, Sabean-Mandaeans, the Kākāʾi and the Bahaʾi, are introduced and information regarding their background, history, geographic location, beliefs, population size and way of life is provided.

Within the scope of this study, the term ‘idiosyncrasies’ is used to denote characteristics and behaviours unique to a given group, community, or minority which also serve to distinguish it from other groups, culturally, socially and historically. These idiosyncrasies form a set of characteristics and peculiarities which are related to the internal social system of the minority and set it apart from other groups in its social environment. Structurally, idiosyncrasies are also instrumental in how a given minority has evolved and how it is maintained. Shared idiosyncrasies can be said to perform a social function in that they engender the feeling of belonging between members of the group. Although some Iraqi religious minorities might share some commonalities with the surrounding communities and ethnicities such as shared ethnicity and language, it is their idiosyncrasies (or a set of same) which are peculiar to them that forge their identity.
The third chapter deals with the contextualization of the historical and socio-political frameworks that inform the background of this dissertation, as well as the history of the religious minorities in the period of Monarchical Iraq (1920-1958), in particular. The situation in which religious minorities found themselves during the mandate and the independence eras is also discussed. This chapter consists of two sections: in the first section, minority rights in the Iraqi Basic Law of 1925 (constitution) are discussed. The second section examines the rights of religious minorities in the Iraqi Chamber of Deputies ICD (parliament) 1925-1958, and the establishment of the private courts for religious minorities who are Ahl al-Kitāb “People-of-the-Book”38 such as the Christians and the Jews whereby it should be remembered that some other religious minorities are considered non-Ahl al-kitāb39 such as the Yazidis, Sabean-Mandaeans, Baha’is and Kākāʾis.

The fourth chapter is entitled with term adversity of religious minorities in Monarchical Iraq. Here, the policies of discrimination and massacres that occurred in Post-Independence Iraq (1932-1958) are discussed. The position taken by Christian and Yazidi movements and the revolts against the CGI are also examined, along with the reasons behind these revolts and the suppression and repercussions that resulted from them. Additionally, the history of the Jews is examined, from their moments of prosperity within the Iraqi State to their oppression and eventual displacement.

Chapter five deals with religious minorities during the first Republic of Iraq (1958-1963). This chapter also engages with the historical approach used in the dissertation, mainly the coup of 1958, which is considered post-colonial. Here, a new era which was an interim stage between the Monarchical Era and the era of the nationalists is investigated. This era is significant not least because it constitutes a kind of Golden Age for all minorities within Iraq, especially in relation to the granting and regaining of rights for the remaining Jews. Other religious minorities which were considered non-revealed religions “non-Ahl al-kitāb,” were recognized

38 In Islam, non-Muslim minorities have commonly been divided into two main categories. The first category is called Dhimmi. The Dhimmis are non-Muslims who were mentioned in the Quran, namely, Jews, Christians and Sabean-Mandaeans. The second category pertains to all other non-Muslims. In the Quran, the term ahl al-kitāb (the people-of-the-book) is primarily used in reference to Jews and Christians, and sometimes in reference to Sabians and Magīs (also referred to as ‘Fire worshippers’ or Zoroastrians not in the Quran). There is only one instance in which the Sabians and the Magi are mentioned in the same context (meaning verses of the Quran) as the Jews and Christians. This occurs in Sura 22: 17: “Indeed, those who have believed and those who were Jews and the Sabians and the Christians and the Magians and those who associated with Allah - Allah will judge them on the Day of Resurrection. Indeed, Allah is over all things, Witness”. In addition, the Sabians were mentioned twice in Sura 2: 62, and Sura 5: 69. Although some Islamic scholars consider Sabians and Zoroastrians People-of-the-Book, in general, this remains controversial among the various scholars of Islamic schools of thought, irrespective of the references to the former in the Quran. It should be noted that the Iraqi legislature did not treat Sabean-Mandaeans as Ahl al-kitāb (People-of-the-Book), arguing that they do not have written religious texts such as the Quran or the Bible and therefore cannot be defined as such. Therefore, in terms of their rights, they were treated as non-Ahl al-kitāb. For more information on Ahl al-kitāb. Cf. Moshe Sharon: “People of the Book.” In: Jane Dammen McAuliffe (ed.), Encyclopaedia of the Qur’an. Leiden (The Netherlands): E. J. Brill 2004, Vol. 4, pp. 36-43.

39 It includes all other religions, meaning those who (from an Islamic perspective) do not adhere to a revealed religion.
by the State, an important historical precedent. In deference to same, the rights and the laws affecting minorities it afforded them are examined.

From this standpoint, it is then explored how political developments of the time came to involve the minorities. Chapter five is divided into two sections, the first deals with the rights of the minorities as reflected in laws and in the constitution, especially *the Personal Status Law No.88/1959*. The chapter goes on to include an analysis of its articles. These articles are related to the religious minorities and they include laws and other resolutions which granted official recognition to their religious holidays and the religious ceremonies. The second section of the chapter highlights the involvement of religious minorities’ involvement in important domestic developments such as the Rebellion of Mosul in 1959 and the Kurdish Armed Movement in 1961. In the Rebellion of Mosul, tension in the relationship between the Christians and the Muslims reached an all-time high. Growing animosity between the two parties would lead to many deaths on both sides and caused a social chasm in the city.

Chapters six, seven and eight are the main focus of this dissertation. They constitute the core chapters of this thesis and are primarily concerned with the second Republican Era, which is the period of the two ʿĀrifīs (1963-1968), an era of conflict which saw the emergence of subsidiary identities. These chapters comprise the majority of the dissertation for several reasons. Although many studies and essays have been published about the regime change of 1958, the post-coup and Baʿth Party periods and that of Saddam Hussein, few of them focus on how circumstances affected religious minorities during those periods. This could be due to the scarcity of material on minorities as Iraq inclined toward the one-party system. In addition, publishing such material could have compromised the Iraqi government in the period between 1963 and 2003. These chapters attempt to bridge the gap, so-to-speak.

The assumptions made in this part of the research focuses on two issues: (1) on the status of the government and local forces during the second Republican period from 1963-1968; the systematic plans and their application by following the policies of changing the religious and ethno-national identity for some religious minorities in Iraq; (2) on the involvement of these minorities in interior events and developments.

More specifically, chapter six consists of two sections: the first examines the rise of sectarianism and confessionalism in Iraq. Here, both official and non-official statistics for the population of Iraq regarding the ethnic, religious and doctrinal groups are provided in an attempt to give some insight into the numbers of each group and the reasons for the constant decrease in the minorities’ populations in comparison with Muslims. It is worth noting that State authority in Iraq was in the sole hands of Sunni Arabs, although they were not the majority. Furthermore, participation in the affairs of State by non-Sunni was nonexistent. The second section of this chapter sheds light on the abolishment of previous laws and the making

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40 Article No. 17 of the Personal Status Law 188/1959, as amended by No. 65 of 1972 and the provisions of Articles 20.21 affecting non-Muslim minorities' converting to Islam.
of new ones in addition to the introduction and integration of Islamic pieces of legislation, especially with the Law of Recording Civil Status No. 189/1964. This law treated the life of the minorities prejudicially, especially in matters such as marriage and embracing another religion or converting to one. Most of its articles placed Muslims at a clear advantage over their fellow citizens of other religions minorities who still suffer under these laws in present day in Iraq.

Chapter seven examines the Scattered Religious Minorities (SRM)\textsuperscript{41} under the second Republican era. This chapter describes three scattered religious minorities throughout Iraq: the Jews, Baha’i, and Sabean-Mandaeans. These eras collectively ended the “golden age” which minorities had enjoyed under ’Abd al-Karim Qasim. Thereafter, minorities witnessed the advent of special policies with religious dimensions that negatively affected them. In some cases, such policies led to some of the minorities gradually losing their identity and their existence in Iraq.

Chapter seven also provides examples of the government’s attempts to confiscate Jewish property, either by pressuring the owners or via legislation. The repercussions of the Arab-Israeli war led to discrimination and violence towards Iraqi Jews, who were forced to endure policies of discrimination that ultimately culminated in the so-called “Second Farhūd.” This persecution prompted many Jews to exile from Iraq forever.

As for the Baha’i, despite the previous government’s recognition of them, in the new era attempts were made to strip them of their rights and eventually deny them their existence. This cycle of oppression occurred in segments. Their institutions and office circles were shut down in the new era and in the subsequent era, official recognition of their religion was withdrawn before being prohibited which forced them to practice their religious rites secretly.

Regarding the Sabean-Mandaeans, recognition of their religious holidays and the right to be absent from work on such religious holidays had been withdrawn in the new era. However, unlike the Baha’i, they enjoyed a good of stability and acquired some rights during the Ba’th Era, which included the recognition of their religious holidays and the establishment of spiritual councils.

In chapter eight, the focus shifts to the Geographically-Concentrated Religious Minorities (GCRM).\textsuperscript{42} This chapter deals with three religious minorities: the Kākāʾi, Christians and Yazidis who dwell in a region known as the disputed areas\textsuperscript{43} between the two parties of the

\begin{footnotes}
\footnote{SRM means dispersed or scattered religious minorities who are living among Muslim communities in big cities in Iraq.}
\footnote{GCRM means religious minorities who have their own villages, towns etc. and who generally live in homogenous communities which are located in the so-called disputed areas.}
\footnote{This area is called “The disputed territories” due to the dispute between the CGI and the KRI due to article 140 of the Iraqi permanent constitution in 2005. It was not called the “disputed territories” in Iraq from 1921 until 2003. See these areas in Map of Iraq in: Figure 1.5.}
\end{footnotes}
conflict in Iraq, namely the CGI and the Kurdish Movement. Their geographical location caused these minorities to be drawn into the conflict, willingly or unwillingly. In addition, it polarized attitudes toward the fighting parties within the minorities. The origin of the polarization of attitudes and the consequences of same are analyzed whereby special focus is placed on domestic policies and developments which have led to policies of discrimination against the religious minorities. This, in turn, marked the beginning of minorities’ involvement in nationalists’ identity conflicts between Arab and Kurdish nationalist currents.

In chapter nine and ten, political developments affecting religious minorities in Iraq after 1968 are investigated such as amendments to legislation, namely the Law of Civil Status No.65/1972, along with legal reform pertaining to the rights of minorities in the Iraqi courts. Beginning with the second Farhūd of the Jews, chapter ten examine the case of the Iraqi Christians during this period, and the renewed controversy over Yazidi Identity among various Kurdish political and religious circles as well as forced Islamisation in Yazidi territories. The Sabean-Mandaean minority also experienced a period of transition after 1968. Once a strong, well-organized minority, their position weakened considerably, to where their religious identity and their long-term survival came under threat. In the case of the Kākāʾis, this period shows their situation is in the transmission from domestic conflict to distinctive religious identity whereas the Bahai (having been forced into secrecy in the past) experienced a somewhat improved situation, allowing them a newly found - if cautious - sense of freedom.

Finally, the hypotheses of this thesis are reexamined to explore what implications the research findings may have beyond the boundaries of the subject matter.

As the author claimed in the introduction that Iraq will probably become completely devoid of religious minorities in the coming years, some suggestions are made as to how minorities who still remain in the country might be encouraged to stay there, despite the adverse circumstances in which they find themselves.

To substantiate all of the above, legal and constitutional articles, official rulings and various other documents such as original documents and official government documents (published and unpublished) will be investigated. In addition, the practices of the executive authorities will be examined to establish the extent to which their discrimination and persecution led to the fragmentation of minority’s communities and their ultimate flight from the country. In turn, counterarguments which claim that comprehensive rights for religious minorities are in place and that discrimination against them does not exist shall be refuted.

The Primary and Documentary Sources

Source material regarding religious minorities during this crucial historical period is limited. The existing material includes a number of published and unpublished documents, official governmental sources, newspapers and other studies. These sources and documents have been
taken into account; their contents have been analyzed and applied, while attempting to prove the dissertation’s hypotheses regarding the socio-political and historical developments in relation to religious minorities. Among these important documents are government reports such as Al-qadiyya al-Yazidiyya fī 1963-1966 (The Yazidi issue in 1963-1966), for example. These documents are being used for the first time in academic research. They are official documents on the investigations carried out by governmental institutions, especially the documents from the period of the second republic. The function of these documents is to reflect the involvement of the GCRM minorities in the internal struggles and political developments in Iraq. These documents, which are archived at the Mosul Documents Centre (M.D.C.) at Mosul University, are mostly applied in the section relating to the Yazidi in the chapter eight.

In addition to the aforementioned documentation, it was possible to gain access to many crucial documents specific to the Jewish case in Iraq, especially in the republic era. These documents are used also for the first time in this research. In them, the methods applied by the government, in their attempts to take over Jewish properties, come to light. These documents provide much of the basis for the section on the Jewish case in chapter seven. Most of these documents are titled under the Iraqi Jewish Archive (IJA), which was previously kept in the basement of the Directorate of the Iraqi General Intelligence Service in Baghdad, before being transferred to the United States of America in 2003. This archive is categorized and preserved in the U.S. National Archives and Records Administration, and part of it is now available for researchers for study at: https://ija.archives.gov/.

Published and unpublished British documents, especially the documents entitled Records of Iraq 1914-1966 have also been applied. They are particularly important, especially the telegraphs from Foreign Office F. O., most of which are reports and correspondences between the British Embassy in Baghdad and the Ministry of Foreign Affairs. They provide indispensable information which enriched this research by filling some of the gaps in most of the chapters of this thesis.

In addition, this thesis has made use of various official governmental publications, the most important of them being Al-Waqāʾiʿ Al-ʿIrāqiyya (the official gazette of Iraq). It is an official gazette for documenting governmental decisions and laws which spans the period from the establishment of Iraq 1921 until today. As it is an important source, it has been referred to in many chapters of this study and in particular when discussing and analyzing the case of the religious minorities in relation to Iraqi laws and to the constitution.

Government resolutions and decrees relating to religious minorities in the Iraqi parliament in the Monarchical Era have also been applied. These were sourced from the Iraqi National Library and Archive (INLA), a central archive in Baghdad which kept most resolutions and

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decrees during the Monarchical Era in addition to most sessions of the parliament in the same era. This has formed the basis for the section relating to religious minority rights in the Iraqi parliament in chapter four.

Considered the most important official document that expresses the official government point of view, the Da’il al-Jumhūriyya al-‘Irāqiyya l-Sanat 1960 (The Directory of the Republican Iraq in 1960) contains much detail on the social composition of Iraq and its communities, their religions and beliefs. It is also comprised of sections on scientific, historical, geographical, social, industrial, agricultural, and commercial information. One of the significant aspects of this publication is that it recognizes all religious minorities in Iraq for the first time.

Several secret studies and restricted access intelligence studies were conducted to serve the authority. For that purpose, the General Military Intelligence Service, Psychological Intelligence Section was given the task of studying the psychology of Iraqi communities. It conducted a special study on the “Yazidi Personality” al-Shakhṣiyā al-Yazidīyya and a special study on Kurdish Clans in Iraq. These studies sought to discover characteristic traits governing Yazidi behaviour and thinking in order to learn whether or not it was possible to manipulate them. A further aim was to infiltrate the Kurdish Army Movement through its Yazidi members, by weakening the organization from the inside with accusations of disobedience, and by raising claims that the Kurdish Army Movement was made up of internal and external enemies.

In general, these primary sources clarified important and essential aspects in the thesis. In addition, they enriched the thesis with the necessary information which many studies to date have lacked. The scarcity of published sources about this topic reinforced the importance of the unpublished documents used in this study.

It should be noted that the personal memoirs and interviews, especially those connected with minorities, are considered important historical sources, and are therefore worthy of scrutiny and comparative study. The memoirs of the Iraqi Jews, for example, remain some of the most valuable sources regarding the Jews of the period. In addition, most sources that can be used for academic research on the Jews ceased after their mass exodus in 1952; however, around 6000 Jews remained in Iraq, despite oppression, until another surge of emigration from Iraq began. Although most studies about the Jews stop in 1952, many Jews from the first and second generations wrote their memoirs and studies in the latter period, and have made use of some electronic newspapers to publish their work, such as the website of elaph gazette,

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45 It was released under the auspices of al-‘Irshād Ministry, which was approved by the Ministerial Council on 17 December, 1960. Edited by: Mahmūd Fāhmy Darwīsh, Muṣṭafā Jawād, Ahmad Sūsā.
46 The Secretariat of the Presidency (Iraq): General Military Intelligence Service, Psychological Intelligence Section. The Yazidi Personality. Military Print Directorate, undated, (secret and limitedly circulated study).
http://elaph.com, an electronic gazette, published in London since May 21 2001, and the website of Akhbar.org gazette, http://www.akhbaar.org/home/for-the-author/?auid=1993, an Iraqi independent online newspaper, in publication since April 2013. As an insight into interior developments about the Jews in the republic era, memoirs such as those published by Dr. Khudir Salim al-Basun who published his memoir in parts,48 were of great benefit to the research in chapters six and seven. This also applies to other memoirs which were published by the Association for Jewish Academics from Iraq in Jerusalem in Arabic and Hebrew such as Shimul Il Murih (Sami)49 and Mir Bashrī.50 They provided much detail into the lives of Iraqi Jews during the eras discussed as the authors had in fact lived through them. The authors were not accused by the Iraqi State of belonging to the Zionist Movement, therefore, their work, alongside the official sources brought the research close to the historical truth regarding the case of the Jews.

In order to provide a description of the political and religious roles being studied, research participants were chosen who were capable of giving a first-hand description of internal developments. The descriptions provided by these respondents (interviewees) are witness accounts of historical events and as such, are an invaluable aid in understanding the political turn of events thereafter.51 A range of case sampling was applied to ascertain all ranges of age, political role and beliefs of possible participants. Over half of these people in the cities of Kurdistan Region of Iraq (KRI)52 were between the ages of 30 to over 90. Flexibility, situational sensitivity, and open-ended responses are the features that define this interview type.53

In the endeavour to achieve a comprehensive understanding of the political events and developments in Iraq, this dissertation also made use of some secondary studies. Although most of these relate not to the Republican Era but to the Monarchical period, and although both periods differ, these secondary studies provided some valuable orientation in the initial stages of this study.

52 It was not called the “KRI” in the 1960s as no recognised autonomous Kurdish region existed then. Kurdistan became an autonomous region in 1970. The term KRI is applicable after 1992.
Part I - Iraqi Religious Minorities

Chapter 1: An overview of the Concept of Minority and its application to Iraqi Communities

1.1 Concepts and Determinants of the term Minority

An analysis and a thorough and comprehensive examination of the events and developments pertaining to minorities require that the term ‘minority’, its concepts and determinants be examined. Thereafter, the term minority may be applied in relation to specific samples, so that a sound basis may be reached upon which to address the overall topic.

Before dealing with the hypothesis itself, certain other terms must also be defined. The application of such terms, the concepts which they represent and the manner in which they might be applied to the reality of Iraq also warrant due consideration, in so far as they can be deemed compatible with the hypothesis of the dissertation and its scientific goals.

1.1.1 The term and concept of minority

Scholars and specialists express different opinions on both the term and the concept of minority, and definitions vary according to different methodologies. Consequently, the term and the concept of minority remain open to interpretation. Equally, the political and cultural properties of the samples studied also influence the definitions that have been reached. To date, a single definition of the term minority has not been agreed upon. Furthermore, the concepts of inclusion are comprehensive, which is attributable to several criteria that have been adopted by researchers and scholars.

According to some authors, minorities are subordinate segments of complex state societies, who have special physical or cultural traits. They are generally held in low esteem by the

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54 There are many definitions of minority which have been proposed by political scientists, sociologists and others. An authoritative definition of minorities which would mean those entitled to minority protection under international law, despite valiant attempts at formulating one, has not yet been accomplished. This hints at the difficulties and complexities involved in the task and the complexity of the concept of minority in general. Indeed, the conceptual and practical utility of having an agreed definition of minorities has been questioned. Therefore, in order to define and apply the concept and term minority, the author has adopted the United Nations definition of same herein. See: Francesco Capotorti: Study on the Rights of Persons belonging to Ethnic, Religious and Linguistic Minorities, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. New York: United Nations 1979; George Eaton Simpson and J. Milton Yinger: Racial and Cultural Minorities: An Analysis of Prejudice and Discrimination. New York and London: Plenum Press 1985; Henry Tajfel: Human Groups and Social Categories. Studies in Social Psychology. Cambridge, London, New York, New Rochelle, Melbourne and Sydney: Cambridge University Press 2010.

dominant segments of society. Minorities are self-conscious units bound together by the special traits which their members share and by the associated hindrances and obstacles which these bring membership of a given minority is transmitted by a rule of descent which is capable of affiliating succeeding generations even in the absence of readily apparent special cultural or physical traits. Minority peoples, by choice or necessity, tend to marry within the group. The definition of a minority is a people who, because of their physical or cultural characteristics, are singled out from the society in which they live for differential and unequal treatment, and who, therefore, regard themselves as objects of collective discrimination. The existence of a minority in a society implies the existence of a corresponding dominant group with higher social status and greater privileges. Minority status carries with it the exclusion from full participation in the life of the society.\textsuperscript{56}

Based on this, an attempt shall be made to define the term minority as it can be applied to the reality of Iraq, its historical, political and social uniqueness and complexity, and its demographic composition. It may be that the concept of the term minority has special connotations which are borne out of how it is applied in various scientific methodologies and in Western societies in general.\textsuperscript{57} Furthermore, the concept of the term minority may have other hitherto lesser known connotations in the Iraqi context. In general, the term ‘minority’ may be applied differently in various studies, depending on how the social, political, economic, and legal status of the minorities themselves has developed within the societies which are being researched. Therefore, the different concepts of minority have arisen from differences in the criteria which have been applied by researchers to their sample. This can be illustrated against the backdrop of the reality of Iraq, and can be divided into the following criteria:

1.1.1.1 The numerical criterion

Here, a minority is defined by its proportion of the population. This implies that the group differs inherently from the majority in ethnic, religious and linguistic terms, or in some other way. According to this criterion, the minority can usually be defined geographically as living in a certain area within a state. It is a numerical minority when compared to the majority of the population,\textsuperscript{58} when the group constitutes less than half of the population of the State,\textsuperscript{59} such as

\textsuperscript{57} Research methodology concerning minorities in Western societies often depends on certain properties, such as ethnicity, the difference in skin color such as in Afro-American discourse in the United States, or cultural differences such as language differences in the Basque Region in Spain, or sectarian differences, such as those between the Catholic and Protestant minorities in Northern Ireland. See: Milton M. Gordon, “Models of Pluralism: The new American Dilemma,” in: Fred L. Pincus and Howard J. Ehrlich (eds.): \textit{Race and Ethnic Conflict - Contending Views on Prejudice and Violence}. Boulder-San Francisco-Oxford: Westview press 1994, pp. 186-193; James H. Johnson, Jr. and Melvin L. Oliver: “Interethnic Minority Conflict in Urban America: The Effects of Economic and Social Dislocations”, in: Fred L. Pincus and Howard J. Ehrlich (eds.): \textit{Ibid}, pp. 194-202.
\textsuperscript{58} See: G rard Cornu: \textit{Mu ja\textsuperscript{\textdagger} al-mussttal\textsuperscript{\textdagger}h\textsuperscript{\textdagger}t al-qa\textsuperscript{\textdagger}n\textsuperscript{\textdagger}niya} (Glossary of legal terms). Tr. by: \textsuperscript{\textdagger}Man\textsuperscript{\textdagger}ş\textsuperscript{\textdagger}ur al-Q\textsuperscript{\textdagger}d\textsuperscript{\textdagger}i. Beirut: University Corporation for Studies and Publishing and Distribution, 1998, Vol. 2, p. 1283.
\textsuperscript{59} Shi‘i Arabs may be the only majoritarian group.
is the case in how the Kurdish population relates to the Arab majority in Iraq.\(^6^0\) However, this numerical concept of minority can be regarded as insufficient, as it cannot be applied to other Iraqi groups and communities such as Yazidi and Kākāʾi, as these are considered ethnic Kurds or Arabs, but are also separate minorities in terms of their religious and cultural identity. The term minority or majority in Iraq today is used almost exclusively to refer to the largest groups, the Shiʿi, Sunni and Kurds who, after reaching a political consensus in 2003, divided the authority of State among themselves\(^6^1\) to the exclusion of others. While less populous peoples such as Turkmen, Shabak and Faylī differ in terms of ethnicity and religion, each of the aforementioned is also internally divided in terms of its political loyalty to the three majorities (Sunni, Shiʿi and Kurd), both in a sectarianism and nationalism sense.\(^6^2\) The remainder of minorities in Iraq are religious minorities. These are the Jewish, Christian, Yazidi, Sabean-Mandaean, Kākāʾi and Bahāʾi communities.

According to the numeric criterion, Shiʿi Arabs, Sunni Arabs and Kurds are the largest groups in Iraq, of which Sunni and Kurdish are minorities. However, the ethnic, political and religious complexity of Iraqi society as outlined above clearly exceeds the scope of the numerical concept of the term minority and its usual connotations.

1.1.1.2. The criterion of the social prestige and the importance of group

This criterion focuses on the political, social and economic situation of the group. This concept of minority characterizes the minority group as separate from the dominant group,\(^6^3\) devoid of any control or authority, and exposed to persecution and marginalization in various aspects of life. As a result, such a group may feel marginalized and without control, and may lack representation in institutions of authority, which means the minority has fewer rights than dominant groups in society. This engenders a feeling of isolation in the minority group and makes it subject to discriminatory treatment by the majority. Thus, members of minorities are excluded from privileges which are available to citizens of the privileged class (majority).


\(^{61}\) Quotas and political consensus have ensured that high government offices are divided among the three majorities (Shiʿi, Sunni and Kurdish) along agreed lines. Since 2003, as the Shiʿi are the largest group, the Prime Minister of the CGI has always been Shiʿi, whereas the presidency goes to a Kurd and a Sunni Arab is appointed to the Chair of Parliament. For information on this practice and on the developments associated with it in Iraq after 2003, see chapter seven of: Gareth Stansfield: Iraq. People, History, Politics. Cambridge: Polity Press 2007.

\(^{62}\) Some Turkmen follow the Shiʿi doctrine whereas others are Sunni. Similarly, The Faylī are Shiʿi but are neither Arab nor Persian; they are Kurdish.

\(^{63}\) It is useful to note that there are privileged minorities or leading minorities such as the ‘Alawī in pre-war Syria or the Sunni during the Saddam Hussein Era in Iraq, for example. They form a Muslim sect minority, which seems to be a criterion for their marginalization. A majority, of course, may also be marginalized. For details on the role of the ‘Alawī minority in Syria, see: Mordechai Nisan: Minorities in the Middle East-A History of Struggle and Self-Expression. North Carolina: McFarland & Company Inc. Publishers Jefferson 2002, pp. 114-130.

This may cause them to resort to more in-group solidarity whereby members cling to their identity as a minority, as is the case of the Iraqi Shi’i, who constitute the numerical majority of the population, but were marginalized by the Sunni minority in Iraq, which controlled the reins of power since the formation of the State.

Not all numerical minorities are necessarily oppressed, and not necessarily all majorities are unfair towards minorities, however. According to the substantive criterion of minority, however, if a group in society enjoys economic, social and political success, it cannot be considered a minority, even if its members are few in number compared to the rest of the population of the State. Moreover, the reverse would also be true, that is, a numerical majority would be considered a minority if was deprived of the most basic necessities of life. Furthermore, each ethnic group is deemed a minority under this criterion if it has no political participation and is oppressed and subjected to economical and social exploitation. This can be applied to one of the three numerical majorities in Iraq, namely the Kurds, who were confronted with various forms of discrimination, which in turn engendered strong national sentiment among them, along with a sense of solidarity based on ethnicity.

It is worth mentioning here that this criterion takes no account of the numeric criterion, in other words, it ignores population sizes and relies solely on the issues of oppression and slavery to define the concept of minority and determining to which populations and peoples it may be applied.

1.1.1.3. The combined standard - Marginalized numeric minorities

This criterion depends on the group that is the least in number and has the minimum prestige in status in the social and political structure of the State. This combines the former criteria, namely the population size and the prestige of a group in relation to its political, social and economic status within the State. This may also be referred to as the standard of the common identity of the group, as applied by the author hereafter, in which members share a sense of belonging to the internal common identity of the group, based on “religious, ethnic origin or

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66 Whereas Iraq was controlled by the Sunni minority between 1921 and 2003, the balance of power shifted thereafter and the Shi’i gained control of the state. They continue to maintain power to date.
71 This categorizes all Iraqi religious minorities in terms of race, identity and national origin.
language”. This can be applied to most of Iraq’s religious minorities in particular, as they differ from the social and demographic majorities in unique idiosyncrasies of religion, culture, identity, race, language, (or through a combination of same) and through a sense of belonging to the respective group, or ‘minority’.

The concept of minority when applied to the Muslim world is characterised by a strong sense of belonging to the minority group. This sense is heightened in times of crisis or conflict, when the interests of the group are threatened or when its people are endangered. Identifying with one’s ethnic and/or religious group creates internal solidarity. It also creates an awareness of “the other”, those that live outside the group. This criterion is comparatively closer to the concept of minority as it can be applied to religious minorities in Iraq than the numerator and the substantive criteria.

It is worth mentioning here that social identity theory can be applied to such communities, as it is one of the modern theories which aim to understand the psycho-social relations and the interplay between social groups, the nature of coexistence, the dynamics of power-sharing and the consequences for a particular minority when attempts are made to diminish its cultural identity by the domineering majority.

Within this study, the term minority is used “to mean a group in a non-dominant position who are numerically inferior to the rest of the population of a state and whose members - being nationals of the state - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion, or language”. This definition would be completely sufficient as a base for this study.

Terms which imply minority have been used in the public domain in a variety of ways throughout Iraqi history. Throughout the monarchy and the republic, the term al-āʾif (singular), awā’if (plural) meaning communities or non-Muslim groups (rather than minority) was used in the Iraqi constitutions and in state legislations since 1921 until 2003. Similarly, the new Iraqi constitution of 2005 also avoided the use of the term ‘minority’; the

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term ‘Mukauwwināt’ (components)\textsuperscript{76} was utilized instead, in an attempt to overcome the tensions which arose in association with the term minority.

The term minority is not only useful as a means of definition; more importantly, it is necessary, if the rights of minority peoples are to be acknowledged, secured and upheld by state institutions and by society, in accordance with the concept of minority which is rooted in international laws and norms which can be a base for defining “minority”.

1.1.2 Classification of Iraqi Groups and Communities

The Iraqi people form a diverse mosaic of peoples with various ethnic, religious and doctrinal differences. Some can be considered majorities and others, minorities.\textsuperscript{77} Each individual community, whether majority or minority, can be differentiated from the others based on their origins, their unique social structure and their history as a group which includes both historical events, the course of social change and their political social and religious attitudes.

1.1.2.1 Major groups

There are three major groups in Iraq: Shi‘i Arabs, Sunni Arabs, and Kurds. From an ethnonational perspective, they can be divided into two main ethnonationalities, the Arab ethno-nationality, and the Kurdish. The Arabs make up the majority of Iraq’s population and are located in central and southern Iraq, whereas the Kurds make up the second largest ethnonationality in terms of population, and are concentrated mainly in northern Iraq (Kurdistan Region).\textsuperscript{78}

From a religious perspective, the vast majority of Iraqis are either Shi‘i or Sunni Muslims. Shi‘i Arabs live primarily in the Middle Euphrates region and southern Iraq, whereas Sunni Arabs are mainly concentrated in central Iraq. The Sunni Kurds reside in northern Iraq in the Kurdistan Region.

1.1.2.2 Ethnic minorities

Several distinct ethnonational minorities can be identified in Iraq in terms of language, race, ethnicity, culture and their demographic presence. They are as follows: Turkmen, Chaldeans, Assyrians and Armenians. The Turkmen are the largest ethnic minority and reside mainly in the disputed area between Kirkuk and the town of Talla‘far. There, they are located between the Arabs to the south and the Kurdish to the north. The smallest minorities in Iraq vary in terms of ethnicity, ethnonational identity and religious affiliation, such as the Assyrians,

\textsuperscript{76} The Iraqi Constitution of 2005. Chapter Four, Article 125: “This Constitution shall guarantee the administrative, political, cultural, and educational rights of the various nationalities, such as Turkmen, Chaldeans, Assyrians, and all other components [of Iraqi society], and this shall be regulated by law”.

\textsuperscript{77} See Distribution of Religious and Ethnic Groups in: Appendices, Figure 1.1.

\textsuperscript{78} Kirmanj: Op. Cit., pp. 5-7.
Chaldeans, Armenians, and Faylīs and are distributed throughout the whole of Iraq. Faylīs are Shiʿi in their belief and are considered Kurds, ethnically-speaking. However, they are closer to Shiʿi than Kurds in their affiliations and loyalties in general, because of their shared doctrine. The Kurdish nationalist movement did not succeed in bringing them closer. They are similar to the Alevi in Turkey in several ways. Despite the fact that they worship Imam Ali and the eleven Imams, they have their own rites and practices and do not practice all the religious duties or beliefs of Islam. Kurdish speaking Alawites feel closer to their ‘Alawīs peers who speak Turkish than to Sunni Kurds because of the Sunni social austerity of the Kurds which is characteristic of Kurdish political currents and movements. It is noteworthy that the Faylīs were exposed to ethnic cleansing in Iraq during the Baʿth era. As well as the Shabak live in several villages in Disputed Areas in northern Iraq. They differ religiously and ethnically from the rest of the inhabitants of Iraq. The majority of the Shabak are Shiʿi who believe in the religious authority and infallibility of twelve Imamas. Their identity and origin is not certain, however Kurdish Nationalists claim that they are ethnically Kurdish. However, some writers maintain that the Shabak are Turkmen tribes who adhere to the Safavid Shiʿism of Persia, and that they have a strong relationship with the Islamic mystic Bektashis and Kızılbash movements. A small minority of the Shabak are Sunni. Today, some of Shabak see themselves as an independent ethno-national minority.

1.1.2.3 Religious minorities

Just as the Iraqi people are ethnically diverse, they also belong to several different religions, groups, and denominations. There are several non-Muslim religious minorities, namely the Jewish, Christian, Yazidi, Sabean-Mandaean, Kākāʾi and Bahaʾi faiths.

Jews have lived in most parts of Iraq for more than 2,500 years. Iraqi Jewry can be divided into two groups: (1) Central and Southern Iraqi Jews (the Jews of Baghdad, Baṣrah, ʿAmāra, Babylon, etc.), and (2) the Jews of Northern Iraq (Jews of Kurdistan). The Jews of Mosul may be regarded as a mixture of both. These two groups differ from each other in origin, language, complexion, mentality and in other economical and cultural aspects. Similarly, Christians who belong to over ten Christian denominations are distributed throughout the whole of Iraq. They reside mainly in the Kurdistan region and in the disputed areas (Nineveh Plain) in northern Iraq and are located geographically between Arab and Kurdish areas.

The Yazidis are concentrated both in the disputed areas, and in Iraqi Kurdistan, and in two main areas in particular, in Sinjar (Shingāl) and in Shaykhān, in the Nineveh Plain. The Kākāʾi reside mainly in the disputed area, and in Kirkuk and Dāqūq, in particular.

Other religious minorities are located throughout southern Iraq such as the Sabean-Mandaeans, whereas the location of the Bahaʾi - a minority which came out of hiding only after 2003, having been forced underground in 1970 - remains uncertain to date.

1.2. Identities and Idiosyncrasies of Iraqi Religious Minorities

The concept of distinguishing and defining the identity and idiosyncrasies of any nation or society is linked with a multiplicity of political, anthropological, economic and social doctrines that are based on historical and linguistic factors, religious beliefs, and on cultural and ethnic elements. However, the pluralism which is necessary in constructively negotiating and managing such difference, has lacked in the past hundred years in Arab and Islamic societies in general and in Iraq in particular. In fact, the opposite of pluralism has characterised such societies, during colonialism and thereafter, evidence of which can be seen in the multitude of ethnonational and religious currents which have emerged during the period.

Some find that shared history and (the Arabic) language provide the best basis when attempting to define people’s identity, as the nationalist currents in Iraq have done. Others find Islam (as a religion) the basis of identity, as is the case with Islamic currents which call for one religious Umma (nation) and for the establishment of an Islamic Caliphate. In doing so, they overlook the doctrine, ethnicity, social status or nationality of others and impose their ethnonational or religious identity upon them by all means available, through authorities of state, political parties and currents, and religious institutions.

Many people of various ethnicities and religions throughout history have sought to establish and crystallize their own identity and, at times, they have tried to impose it on others. Still,

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81 See: Ethnographical map of the contested territory, in: Appendices, Figure 1. 2; Figure 1. 3.
82 See: Map showing the Kākāʾi areas as a Kurdish tribe, herein: Appendices, Figure 1. 4.
84 Most Arab and Nationalist parties, especially the Arab Socialist Baʿth Party, operated under the guise of Arab Nationalism. The primary identity markers of Arab identity were deemed ethnicity, history and language, in this context. On the Baʿth party ideology, see: Rakiah Dawud-al-Kayssi: Iraq Under Saddam Husayn and the Baʿath Party. Glasgow: PhD. Thesis, Faculty of Arts, University of Glasgow 1998, pp. 49-67.
86 There were multiple Kurdish armed movements that formed in Iraq, Iran and Turkey as the Kurds living in those countries took up arms against their governments. Most Kurdish currents emphasise their devotion to their national identity in their literary and/or political works.
others have emphasized their differences compared to broader society without seeking to expand in number or dominate their environment. Both forms of promoting and maintaining a group’s identity necessitates that attention be paid to heritage, clothes, music, writing, literature, economy.\(^87\) Equally, both may use military forces against those that do not share their identity.

Multiple concepts of identity exist, which involve catalogues of religious, linguistic, cultural and ethnonational characteristics and idiosyncrasies. However, a certain emphasis on viewing individuals in terms of their religious affiliation has become apparent in cultural analysis in recent years.\(^89\) Similarly, Iraqi minorities have also come to define their identities along religious lines. As a result, the religious identity of the various minorities in Iraq shall provide the main focus herein, whereas less attention shall be paid to the ethnic determinants of individual groups.

Most religious minorities in Iraq share a mutually-agreed independent religious identity within their minority which is based on intellectual and ideological bonds that provide social cohesion. These bonds form the basis for many practical laws and norms that govern and shape a community in the establishment phase.\(^92\) In addition, members of a growing minority confirm their identity both inwards and outwards, highlighting their differences to others around them.\(^93\) All minorities in Iraq have made their rites and practices a focal point around which they assert their religious identity. As a result, from a sociological perspective, there is no homogeneous community in Iraq to speak of; rather, it is home to multiple communities, each of which has its own identity.

Religious characteristics and classifications factor into discrimination. Such discrimination generally takes no account of the denomination of a particular individual or group, rather, it classifies the latter based on religious affiliation, ethnicity, and nationality. It has been the basis of much discrimination on the part of the Muslim majorities in particular.

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\(^{88}\) Several Kurdish armed movements took up arms against the central governments ruling them, such as in Iraq, Iran and Turkey. Most Kurdish currents emphasise their national identity in their political and literary works.

\(^{89}\) See: Op. Cit., p. 60.

\(^{90}\) It has been noted that all Iraqi communities retain strong affiliation to their religious identity. This is particularly apparent among the religious minorities. A great number of members of minorities have sought refuge outside Iraq and stayed abroad for decades. When members of their community inside Iraq are oppressed or persecuted, they react with outrage and indignation. This reflects their profound feelings of identity and their strong sense of fellowship with their own specific minority.


\(^{92}\) Religious identity here does not refer to the denominational or the ideological dimension

As for the Iraqi Jews, despite some claims to the contrary, their identity dates back 2,500 years to Mesopotamia and has nothing to do with the emergence of the Zionist Movement. Nor does the religious identity of the Iraqi Jews have any relation to either Pan-Arab nationalism or Islamist thought. The long history of the Jews has seen them evolve idiosyncrasies, such as religious rituals, religious holidays, ceremonies, and marriage customs that clearly identify them among themselves and to others as Jewish. Similarly, they also retain first names which are unique to them and are rooted in their religious scripture, such as Shilūmū, Ḥasqīl, Mūshī, for example.

Despite the large number of Iraqi Christians and the multiplicity of their doctrines, in Iraq, they are seen through the prism of their Christian identity almost exclusively. Thus, they are referred to as the Iraqi Christians herein. However, this identity is less strict than the religious identities of other minorities, due to the variety of religious doctrines and to the emergence of ethnonational currents among the broader Christian community, such as the Assyrian and Chaldean movements, for example. However, this does not seek to negate the unique traits of the various Christian denominations. The term ‘Assyrians’ herein is used mostly to refer to the identity of Christians, but it does not encompass the Iraqi Christians in their entirety.

It is worth mentioning that the religious identity of the Iraqi Christians has historical roots that date back over two thousand years, and their rites, clothes, and names have religious and historical roots such as Puṭruṣ (Peter), George, Shlīmūn, John that clearly distinguish them from non-Christians in the Iraqi social milieu. In addition, the identity of Iraqi Christians can be categorized on a religious basis via denominational terms such as Catholics, Protestants, Orthodox or Sabathians, for example. Equally, they can be identified using terms that relate to ethnicity, such as Assyrian, Chaldean, Armenian or Syriac, for example.

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95 Officially, there were 14 Christian ṭaʾīfa (groups or churches) in Iraq in 1981 according to the law of religious dominations No.32 / 1981. Al-Waqaʾiʾ al-ʿIrāqiyya, Vol. 2876, dated 18th January, 1982.
98 As an eyewitness in Iraq, the author asserts that when Iraqi Christians introduce themselves to others, they say that they are Christians and make no reference to their ethno-national identity (such as Assyrian or Chaldean). The rest of Iraqi society calls them Christians.
As for the Yazidis, although many studies underline their Kurdish ethnicity, this does not invalidate their independent religious identity in the framework of what is termed as idiosyncrasies herein. Nor can claims on the Kurdish origin of the Yazidi neutralize their religious identity, irrespective of the non-proselytising, closed nature of their religion. Equally, the Yazidi’s distinct historical background (which has been marked by persecution and tragedy during various Islamic periods) which has made them self-conceal rather than assert their identity outside of their community, cannot be used to negate their identity. The Yazidi, similar to other religious minorities in Iraq, such as the Sabean-Mandaeans and Kākāʾi (excluding the Bahaʾi, whose religious identity is not tied to an ethnic or nationalist background) retain their own peculiarities and rites that define their distinct identity within their social and religious setting.

Some non-Muslim individuals have assimilated in some ways into the Muslim mainstream of Iraqi society, not least in response to the human rights abuses and atrocities they have endured individually and collectively. However, by far the most common response to oppression has been a kind of retreat to the primary (meaning to the minority) identity, which is characterized by a strengthening of practices and rites that distinguishes the victims as ‘other’ from the mainstream. In short, minorities in Iraq have self-secluded whenever they have been exposed to state and/or mainstream oppression and discrimination, not least due to the non-existence of recourse to justice, protection, and a clear legal and constitutional acknowledgment of their civil rights.

The massacres of various minorities during the Mandate period, the Monarchical Era and Republican Iraq have become engraved upon the collective memory of generations of ethnonational and religious minorities alike. The resultant sense of abandonment and isolation felt by these minorities has led to their migration and displacement within Iraq, and to their ultimate exile, whether as individuals or en masse.

In this hostile and unstable environment, the practice of invalidating the other has taken root in Iraq society and has caused huge rifts in all walks of life. The outcome for Iraqi society as a whole has been deep division and viable social and political unity within the State has remained underdeveloped, if not impossible.

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101 For more information on the use of the term idiosyncrasies herein, p. 6, footnote no. 22, in this dissertation.
102 There is a rich heritage of Yazidi epic songs and music. It displays tragedy as part of the collective memory and the identity of the Yazidi minority. For examples, see some Yazidi stories and songs of battle in The Yezidi Oral Tradition in Iraqi Kurdistan by Christina Allison: Curzon Press 2001, pp. 215-258.
103 What occurred to the Christian, Jewish and Yazidi in Monarchical Iraq became the cornerstone upon which their peoples were (partially or entirely) removed from the demographic landscape of Iraq, either through massacres or forced migration. The severity of such persecution is ingrained in the collective memory of these minorities and has become part of their identity.
Constituents of linguistic and cultural identity in any society can be seen as being formed from historical and daily interaction; therefore, a shared linguistic identity, or a common cultural identity, meaning one which has formed out of common traditions, could, in theory, provide a basis upon which Iraqi national identity could be formed. However, this is problematic for Iraqi minorities and majorities alike, due to the nature in which modern Iraq has emerged, its demographics, the various ideologies and intellectual movements and the seemingly irreconcilable differences in the divergent religious and ethno-national perspectives of its majorities and minorities.

Discrimination and marginalization of various degrees have been features of various nationalist currents in the history of Modern Iraq, such as Arab nationalism, Kurdish nationalism and Zionism, or it has resulted indirectly from such movements. Before and after the proclamation of the Israeli State in 1948, for instance, the Arab Nationalist Movement attacked Jews for being members of the Zionist Movement. Here, Zionist affiliation, which in many cases was fabricated by the accusers, was used as a means of declaring Iraqi Jews as unpatriotic and disloyal to Iraq. Meanwhile, some scholars have accused the Arab Nationalist Movement of fomenting the marginalization of minorities.

It can be said that Arab nationalism in general and the promoters of a United Arab Nation in particular did not take account of, nor make much mention of religious and ethnic minorities of Iraq. Nationalist speech denied the right of existence of some minority communities completely in their policies and political programmes. Concerning the rights of minorities, successive governments and Islamic jurisprudence cultivated a legislative void, that made minorities vulnerable to victimisation by those in power in Iraq, as well as by those who wished to seize it. The situation of the Iraqi Jews and their eventual expulsion from their homeland is such an example.

Nationalist thinking within the minorities themselves was a more inclusive affair, by and large, and was reflected in the quantity and range of minority membership in the Iraqi communist movement. Indeed, the minorities made up a significant proportion of the Communist leadership in their regions. Yūsif Salmān Yūsif, known as Fahad, who founded the Iraqi Communist Party (ICP), was a Christian, for example. He would later become one of four communist party leaders who were executed in the 1940s. Two Jews, Salmān Saddīq, and

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105 Most Armenians in Iraq, for example, do not know how to speak Armenian, rather, those native to Kurdistan speak the Kurdish language. Similarly, those native to Arab areas speak Arabic.
109 The nationalist currents, with their emphasis on the Arab Nation, were distinguishable from the leftist and communist currents that called for a collective identity for all citizens in a national framework, irrespective of differences in religion, ethnicity or language. See: Davis: *Op. Cit.*, pp. 83-89.
Ṣāsūn Shīlūmū, died alongside him. The ICP and the leftist currents offered refuge to the Jewish youth and other minorities from racial and religious discrimination. Although minorities affiliated with leftist currents, theirs was not a profound understanding of socialist theory. Rather, within the leftist movement which ascribed to the principle of no class discrimination, they sought shelter from oppression. Furthermore, communism offered minorities a means by which to act together politically and to see themselves as equals bound together by their Iraqi national identity.

It can be said that visions of national identity purported by communities and minorities in Iraq to date have not been based on multiplicity. Every political current or party which has aimed to promote nationhood in Iraq to date has concentrated on the importance of a single identity from its own national, denominational and/or intellectual perspective. By definition, the significance of other identities has been played down to the point of complete denial, which has incited individuals who are the objects of such denial to dynamically proclaim their loyalty to their community whether ethnic, religious or denominational. At given times this has caused division, unrest, and civil war on Iraqi soil.

A viable sense of national identity in Iraq and resultant stability remains untenable, until such time as the acknowledgment of all identities is anchored in the constitution, and until laws are made and enforced that safeguard all citizens, irrespective of their identity.

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Chapter 2: The Historical Composition and Demographic Structure of the Religious Minorities in Iraq

Much research has been done on the history and beliefs of the Iraqi religions, the bulk of which differs in qualitative terms and in scientific methodology. Most of the studies that deal with Christianity and Judaism in Iraq have avoided going into detail with respect to ideological and social aspects, by virtue of these religions being ‘heavenly-monotheistic religions,’ revealed religions or so-called People-of-the-Book. Although historians have examined other religions and belief systems in Iraq, such as those of the Yazidis, Sabean-Mandaeans, Baha’is, and Kākā’i, much of their research has reframed or rewritten history from the subjective viewpoint of their own religious backgrounds and personal views. This has led to a broad range of disparaging information on religious minorities in the field and much confusion and misinformation about them in the public domain in general.

Most Arab and Muslim authors who have studied the religions of Iraqi non-Muslims, (other than Christianity and Judaism) depended on the narratives of Iraqi governments or were influenced by the intellectual or religious ideologies of ethnonationalist currents. Such work, therefore, cannot be considered reliable historical information. There is a strong case for carrying out extensive in-depth anthropological and ethnological study, before the reality and the origins of the many (sometimes ancient) religions in Iraq can be truly understood.

2.1 Jews

The Jews, who practice one of the oldest religions of the ancient world, have survived great adversity and have maintained cohesion within their society for as long as they have existed in Iraq. The history of Jews and Judaism in Iraq goes back more than 2,500 years. They withstood a series of wars waged by ruling dynasties in Iraq against the Jewish kingdoms in Israel. Some of them were also brought to Iraq by force during the Islamic eras. The periods in which the Jews were captured and taken into Iraq can be broadly outlined as follows:

The first stage occurred when the Assyrians, under the reign of the Assyrian King Tiglath Pileser III (745- 727 BC.) captured and imprisoned the Jews and took them to the kingdom of Assyria in the late 8th century BC, after the king had subjugated the kingdom of Israel. His successor, the Assyrian King Sargon II (722- 705 BC.), took 27,290 Jewish captive. He deported them to the kingdom of Assyria and distributed them in the northern regions (Kurdistan), which, in time, became the first stable Jewish settlement in Iraq.111

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In the early 6th century BC, the second wave of Jewish capture occurred, when the Chaldeans took Jewish prisoners to Babylon, during the reign of the Babylonian king Nebuchadnezzar (605-562 BC.) One of the major campaigns against the Jews was implemented in 597 BC, the so-called ‘First Babylonian captivity’. The second campaign was in 586 BC and is referred to as the second Babylonian captivity. The number of Jewish captives taken to Babylon in these campaigns is said to have been between 40,000 to 60,000 persons.

The third wave occurred in the early Islamic period, the most significant of which was initiated by Caliph ʿUmar ibn al-Khaṭāb in the 17th century. After the advent of Islam to Iraq and Syria, Arab Jewish tribes were displaced from the Arabian Peninsula and forced to leave it indefinitely.

Present-day Jews in Iraq are the descendants of those who survived captivity and deportation to Mesopotamia, along with the subsequent periods of adversity under the Islamic Caliphate, starting from the Umayyad Caliphate, through the Abbasid Caliphate to the Ottoman Caliphate, until the founding of the new Iraqi State in 1921 and beyond. These descendants of Mesopotamia settled and formed a homogeneous social identity, integrated with the social realities of their environment, and managed to maintain their religious identity, culture, and traditions throughout the centuries, ultimately becoming an important part of the history of modern and contemporary Iraq.

Since the beginning of their history in Iraq, the Jews organized their social and religious life, according to the foundations of biblical and Talmudic rituals and in time, they acquired land, and built synagogues and schools of their own. In both the Ottoman period and the Monarchical period, they enjoyed a degree of religious freedom. Responsibility for social order among the Jews rested with the Chief Rabbi, who oversaw the affairs of the community, the educational system of society, the religious court, and other social and religious rituals.

Iraqi Jews can be said to have integrated into the political situation and to have contributed to the economic and social development in Iraq. They benefited from the reforms that took place after the coup of the Committee of Union and Progress of the Ottoman Empire of 1908, in

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which they participated politically and contributed to the establishment of the new constitution. The latter was the first of its kind to grant the Jewish community any kind of freedom with the advent of the Young Turks (who were also members of the Committee of Union and Progress), political representation was introduced. Four council envoys from Iraq were Jewish; two were from Baghdad, and the other two were from Baṣra and Mosul. Members of the Jewish community also became political secretaries to the governor (Valis in Turkish, Wali in Arabic), such as Sāsūn Ḥākhām Ḥasqīl in Baghdad and Maʿīr ʿAbd al-Nabī in Baṣrah. These political secretaries enjoyed positions of the highest importance and influence.118 The reforms granted several rights to the Jews of Iraq which contributed to the development of their community and increased their civic and political participation in Iraq in general.

During this phase in history, the economic influence of the Jews in Iraq grew significantly. They enjoyed a monopoly of sorts on the buying and selling of English goods. They imported English woollens and textiles and re-exported them to Persia, at significant profit.119 As a result, some well-known merchant families rose to a position of great economic status and social standing, such as the Sassoon family, the Zalkhā family, Murad Noah’s family, as well as other well-known merchants, such as, ʿEzra Alyāḥū Kubī, and Alyāḥū Abrahām. The Iraqi Jews also dominated the financial markets and banking operations and had exclusive influence on the office of the Chairman of Banks, Ṣarrāf Bāshī. Parallel to their trading and banking activities, they also bought and sold property. A new class of Jewish landlords emerged, whose main properties were orchards and agricultural lands in various cities of Iraq.120 Gradually, the Iraqi Jews managed to consolidate their economic power and became the main driving force in the economic sector. As such, they became vital to the Iraqi economy during the monarchy.

From a sociological perspective, the Jews of Iraq integrated with the various strata of Iraqi society and participated in many social customs and traditions. They adopted Arabic as their vernacular, which they also used in their religious rituals in central and southern Iraq, as well in northern Iraq (Kurdistan region). In short, it can be said that the Jewish community in Iraq integrated itself into the social, political and economic reality121 in which it found itself.

It should be noted that the distribution of wealth within the Jewish community was uneven. This can be seen in statistics taken from 1910, in which the vast majority, that is 60-65%,

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were poor; the middle class made up only 30% of the Jewish population, while the wealthy constituted a mere 5%.122

In an attempt to address poverty within the Jewish community, many of the Jewish charitable institutions took it upon themselves to introduce services for the poor, such as schools and hospitals. These institutions were established and supported by rich donors. The Jewish community in Iraq considered education vital, opening several schools, such as the “Alliance school.” They opened the first school for girls in Baghdad 1893, along with several other schools for boys and girls, in Basra in 1903, and in Mosul and Hilla in 1907, and in Amāra in 1910.123 In addition to Jewish children, Christian and Muslim children were also educated there.124 The establishment and prevalence of Jewish-funded schools advanced childhood education in Iraq significantly. This, in turn, contributed to the growing prosperity of the community at large, and to the broader dissemination of culture and education within Iraqi society.

According to British data from 1917, the Jewish population of Iraq was approximately 60,000;125 the majority of whom resided in Baghdad. According to a range of sources their estimated number in Mosul State (Erbil, Kirkuk, Mosul and Sulaymaniyya) in the ten-year period beginning in 1921 ranged between 11,850 and 14,164 people.126 According to an estimate made in 1934, the entire Jewish population of Iraq totalled about 120,000 persons, 15,000 to 17,000 of whom lived in Kurdistan. So far, no definitive population figures have been discovered. However, considering various factors, the aforementioned figures seem quite moderate.127

2.2 The Christians

The Iraqi Christians are purportedly one of the oldest continuously existing communities in Iraq. The history of their presence in Iraq dates back to the spread of Christianity. In Iraq, Christianity spread from the city of Edessa (modern-day Urfa, in Turkey) to Mesopotamia128

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in Parthian Empire in the 1st century CE of Christianity. Very little is known about the early Christians in Iraq, as written history did not record them until the Middle Ages.

The first Eastern Church and the first council were established in 410 in Ctesiphon, the capital of the Sassanid Empire, 35 kilometres from Baghdad. In addition, Christian converts adopted the language of Jesus (Aramaic or Syriac), which became a sacred religious language. In time, the term Syriac became a synonym for Christian.

Christianity, from its initial spread until the beginning of the 20th century, especially after the downfall of the Ottoman State in 1918, went through many historical stages and became divided into a number of groups and doctrines throughout the centuries. Probably the most significant was the Nestorian church which split from the Syriac Orthodox Church in the mid-15th century. A second split occurred, and the Nestorian church branched out again after many of its followers became Catholics and a new church known as the Chaldean Catholic Church was established.

The majority of the cultural and political elites of Iraqi Christians claim descent from the ancient Chaldean and Assyrian empires of Mesopotamia. Nevertheless, the ethnic or ethno-national origin of the Christians in Iraq remains controversial, to some extent. The hitherto unanswered question of whether the modern Assyrians are related the ancient Assyrians requires further scientific investigation, especially as there is a long historical period between the downfall of Nineveh, the capital of the Assyrian empire, and its end in 612 BC, and between the emergence of the nationalism when the region was exposed to many demographic changes because of wars and invasions. Irrespective of whether the Iraqi Christian ṭāʾifas share a common ethno-national or ethnic origin and despite the various names that distinguish them according to denominational divisions and ecclesiastical splits that occurred throughout church history, they remain a clearly defined minority within Iraq with an unmistakeable religious identity. For the purposes of this research, they are viewed and discussed collectively as a religious minority. Although most modern Christian political movements such as the Chaldean, Assyrian, and Syriac are also political, it is the religious dimension that has played (and continues to play) the primary role in social and political life, whether during the

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129 Initial sources indicate that the first Christian missionary in Iraq was Mar-Addai or Aday, also known as Thaddaeus of Edessa. He was one of Jesus’ seventy-two Disciples, whom Jesus sent in pairs by to preach in urban centres. He preached the Christian message from Arbāʾīla (modern-day Erbil, KRI), the capital of the Kingdom of Ḥidyāb-Adiabene. From there, Christianity spread throughout the rest of Iraq and gained additional momentum as a result of the Byzantine-Persian conflict. Will and Ariel Durant: *Kulturgeschichte Der Menschheit, Weltreiche Des Glaubens*. (Frankfurt, M-Berlin, Wien: Ullstein-Buch 1981, Volume 5, p. 131.


132 Nestorian Church had a different opinion and formed a separate church.

Ottoman State or in modern and contemporary Iraq. Furthermore, despite their varying names such as Assyrian, Chaldean, Syriac or Armenian, they are considered first and foremost Christians by the Muslim majority.

The social environment in Iraq treats Christians as one single group, and discriminates against them politically along the lines of this categorization, in the same way as it treats every minority in Iraq. Therefore, the term Christian minority shall be used here for all Christian ṭāʾifas in Iraq. From a historical perspective, it should be noted that the various names of Christian groups in Iraq - whether given to them by the Vatican, by scholars or missionaries, or by the groups themselves - came about at a time when national borders or concepts of nationhood along did not yet exist, as the European nation state per se was yet to emerge. Indeed, such names as Chaldean, Assyrian etc. were to stick, long after the growth of nationalism in Europe. as Retaining their religious identity until the late nineteenth and early 20th century, the various Christian minorities then came under the influence of nationalist ideology and missionary movements (similar to the other peoples of the Ottoman State), which lent their identity markers such as ‘Chaldean’ and ‘Assyrian’ a new-found political dimension. It should be noted that most Christian political movements in Iraq, (especially those which emerged anew in the 1970’s) base their arguments on political theories that conform to the nationalist dogma of their particular denomination. Current disputes between the Chaldean and Assyrian political movements are founded on historical divisions between the ancient Chaldean and Assyrian empire. It can be said that such debates are based on fruitless argumentation, similar to the disputes between Sunni and Shiʿī about the caliphate. However, from a different perspective, they distinguish them more as a minority among the conflicts between the religious and national groups in Iraq.

Through the millennia, by the time the borders of modern Iraq were drawn in 1926, a large and diverse Christian community had developed. These communities can be subdivided into the original inhabitants of Nineveh Plain and the northern regions and those (Assyrians) who fled to Iraq during and after the First World War. The Assyrians were the most influential force in politics for a period of time and sought self-rule and the establishment of an independent Christian state. Additionally, the Christian community is further divided by doctrine. Generally speaking, the main churches can be divided as follows:

2.2.1 Nestorians Orthodox (Assyrians)

Some have ascribed ancient Assyrian origins to them. Others consider them Kurdish Christians, namely Nestorian Tīyārī tribes. Still, others believe them to be a mixture of

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134 Many Kurdish historians such as Muhammad Amīn Zakī and Ḥusayn Ḥuznī Mūkiriyyanī and others have claimed that the Tīyārī Christians are originally Kurds who converted to Christianity and took the Syriac language as an alternative to their Kurdish original language. See: Anwar al-Māʾī: al-Akrād fī-Bahdīnān (the Kurds in Bahdīnān). Duhok: Hāwār Printing 2011, pp. 305-306.
Kurds, Semites, and Persians that joined the Eastern Nestorian Church and began speaking the Syriac language.135 Yet others assert that it was the British that first called them Assyrians in order to make use of them in executing their colonizing projects in Iraq after they began their missionary expeditions to the country in the mid-19th century. While the British archaeologist, Henry Layard Austen,137 felt they were remnants of the Assyrian Empire, the Assyrian Christians for their part see themselves as the descendants of the ancient Assyrians who have retained the clothing, outside appearance and ethnicity of their ancestors. The Assyrian elite, which promulgates this view, support it by referring to Henry Field’s anthropological study in which he showed that the Assyrian Christians differ in their outside appearance from others in Iraq.138 From a historical and anthropological perspective, the controversy over the affiliation and ethnic origin of the Assyrians continues.139 No definitive resolution can be made on the matter to date, as extensive anthropological research remains to be done, which is not the objective of this study. Nevertheless, it can be said that the Assyrians are descendants of the Eastern Nestorians who converted to Nestorian doctrine before it became the official doctrine in the region of the imperial capital of Seleucia-Ctesiphon, in the late 15th century.

In terms of geographical distribution, the Assyrians reside in the northern regions of Iraq in ʿAmmādiyya, Barwārī Bālā, Nirwa and Rikān, as far as the Iranian border to the east. They are divided into several tribes, including the Tiyarī, Gīūliū, Takhūma, and Bāz.140 The religious leader of the Assyrian Church of the East is referred to as Mar Shimʿūn after the Church’s first Patriarch. The Mar Shimʿūn presides over all religious affairs, social issues and political matters.141

2.2.2 Catholics (Chaldeans)

The Chaldeans split from the Nestorian Church and embraced Catholicism in the 16th century after the former decided to restrict the post of patriarch Mar IV Bāsīdī Shimʿun (1437-1476)
to his family. The dissenting bishops met in Erbil and elected Shimʿun VIII Yohannan Sūlāqā as patriarch. He went to Rome to gain legitimacy from the Pope after vowing to join the Catholic Church. Pope Julius III (1550-1555), granted him the ecclesiastical title of patriarch and the name of the Chaldean Catholic Church in 1553. Thereafter, membership of the Chaldean Church increased steadily, especially after the intensification of its missionary activity in the seventeenth and eighteenth centuries.

In 1830, Pope Pius VIII made Yohannan VIII Hormizd (1830-1838) patriarch of the Chaldean Catholic Church, located in Mosul. Twelve patriarchs have succeeded him, the current patriarch being Louis Rāphāʾīl I Sākū who took up holy office on January 31, 2013.

The name Chaldean was adopted to distinguish this Catholic Church from other Christian churches, such as the Catholic Syriac Church which was originally Orthodox Syriac. The name Chaldean therefore, is merely a means of distinguishing between two doctrinally distinct groups and as such, it bears no ethnic or national connotations.

Geographically, the Chaldean community is centred primarily to the north of Mosul, in the Nineveh Plain in villages and towns such as Alqūsh, Talkif, Talasqūf, Baʿṣīlah, Baʿshīqa and Qaraqūsh, and in the city of ‛Ammādiyya northeast of Duhok and in the town of ‛Aīn-Kāwa in Erbil. They also reside in other cities in Iraq such as Baghdad, Kirkuk, Sulaymaniyya, Baṣrah, ‛Amārah, and Duhok.

2.2.3 The Syriac Church

Originally located in Syria, members of the Syriac Church were previously called Arameans but were later called Syriac after they converted to Christianity. They use the Syriac language and are divided into two churches, namely the Orthodox Syriac Church and the Catholic Syriac Church:

2.2.3.1 The Syriac Orthodox Church

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They are known as Jacobites after the Bishop of Edessa, Jacob Baradaeus (541-578 CE), who established the Syriac Orthodox Church on the basis of new doctrine which considered “Christ as one nature, meaning full humanity and full divinity.” This contrasted with the doctrine of other Christian churches at the time which taught that Christ had two natures, both full humanity and full divinity.

2.2.3.2 The Syriac Catholic Church

Originally, this Church was Syriac Orthodox, but it embraced Catholicism as taught by the Italian Dominican preachers and missionaries in Mosul, who succeeded in bringing a number of Orthodox Jacobites to Catholicism. Thereafter, they were called Catholic Syriacs. The Syriac Catholic Church is in communion with the Holy See of Rome. Generally, Catholic Syriacs are centred in Baghdad, in Mosul and in the nearby towns such as Qaraqūsh and Bāshīqā.

2.2.4 Armenians Churches

Armenian Christians are found within the Orthodox and Catholic Christian Churches since Armenian Christians have been part of the Orthodox and Catholic Christian Churches since ancient times and have lived in Iraq for many centuries. The first large wave of Armenian migration to the region occurred during the 16th and 17th centuries, when thousands fled Safavid Iran to escape persecution there. They settled primarily in Baṣra and in Baghdad in the south of Iraq. In time, some of these Armenians migrated north along the Tigris River, eventually settling in Mosul, Kirkuk and the surrounding areas. The greatest single influx of Armenians to Iraq occurred in the early 20th century, when thousands fled the genocide of the Armenians which was committed during the fall of the Ottoman Empire. More Armenians also migrated to Iraq thereafter. Armenian churches can be found in cities throughout Iraq. Estimates of their number range broadly, from as low as 4,000 to around 15,000, in 1960, for
example. While relations with their neighbours are generally good, they resist assimilation. They form a large part of Iraq’s professional and artisan classes, and many of them work in the mechanical and engineering sector in Iraqi oil fields.

2.2.5 The other small and western churches

These churches such as Protestants, Roman Orthodox, Rome Catholic, Latin, Melkite and the Orthodox Coptic Church belong to this category. The numbers of Christians in the Ottonan Iraq was estimated at 8,366 in 1907. British data estimated their number at 60,000 in 1917, whereas other data estimated their number at 62,225 in Mosul Province alone, in 1921. After the establishment of Modern Iraq and according to the first official statistics which date back to 1927 (which are conjectural in nature), their number was estimated to be 87,898 of the population of Iraq, which was 1,968,054 at the time. In the statistics of 1934, they were 97,000 persons whereas the total Iraqi population was estimated at 3,380,533 persons.

2.3 Yazidis

The Yazidi religion has attracted the attention of researchers more than any other religion in Iraq. For the most part, they disagree on the origin of the name, on the religion and on the core and essential beliefs of the Yazidi. As a result, questions regarding the origin and history of the Yazidi, their beliefs and rituals remain unanswered to date due to (1) a lack of archaeological investigation carried out in areas in which they live or locations to which they have been forced to migrate, and to (2) the lack of tolerance towards them as a distinct cultural and theological community on the part of their surrounding communities, and (3) the tradition of discrediting them, and refusing to accept their presence, with the periodical objective of eliminating them.

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In response to their antagonistic environment, the Yazidi minority has resorted to not revealing their religious and social rites and norms, for fear of repression and religious persecution. This, in turn has led to a proliferation of hypotheses and theories about their origin and religion, which makes forming a categorical opinion in relation to many aspects of this religion almost impossible.

Researchers who have investigated the Yazidi religion are able to identify and divide the history of the Yazidis into three basic phases as follows:

The first phase: This is the stage prior to the reign of Shaykh ʿĀdī or ʿAdī ibn Musāfir (505 AH/ 1111 CE), in which the Yazidi religion existed and was based primarily on rituals, mythology, customs, and traditions, partly oral and partly written, and during which time the Yazidis were known as Dāsinī. It must be noted here, that the name of the Yazidi religion and nation has changed over the course of history. Therefore, sources which make reference to the Dāsinī actually refer to the Yazidi prior to the reign of Shaykh ʿĀdī. A Yazidi Princedom of the same name, the centre of which was in Duhok, is also known. The mountain which looks out on Duhok was called Dāsin Mountain; many Yazidi princes were referred to as Dāsinī until the middle of the 19th century, such as Mīr Husayn Bag Dāsinī, Mīr ʿAlī Bag Dāsinī. In this context, Sharaf-Khān Batlīsī, the Muslim Emir of Bitlīs and author of the earliest chronicle of Kurdish history, identified six important tribes as Yazidi in the 16th century: Dāsinīs (Hakkarī-Turkey), Mahmūdīs (Lake Urumiya-Iran), Dūnbilīs (Khūshāb-northeast Iran), Khālitīs (around Batman-Turkey), Biciyānis (Slivān-western Duhok/KRI) and Bakhtīs. The three most important Yazidi tribes in the fifteenth and sixteenth centuries mentioned by Sharaf-Khān were the Dāsinīs, Mahmūdīs and Dūnbilīs. The Dāsinīs, who were originally from the region of Shaykhān, occupied the region northeast of Mosul and southwest of ʿAmidiyya in northern Iraq and Kurdistan Region. The Dāsinī tribe and name have remained Yazidi to date. The Christians of Iraq, with their Syriac and new Aramaic

158 I use the name of ʿAdī in this form Ādī as Yazidis are pronounce it in their own language.
160 The Dāsinīyāns held the fortress of Duhok for some time in the early 16th century and were allied with the Ottoman Sultan Suleiman, the Magnificent. At the same time, the territories of Erbil and Kirkuk were governed by Shiʿi Kurds allied to Shāh Ismāʿīl Safavi. After capturing Baghdad, Sultan Suleiman executed the Shiʿi emir of Erbil and Kirkuk and appointed in his place a Yazidi prince, Mīr Husayn Bag Dāsinī, to govern Sūrānī fieldom (today Soran is a district of the Erbil governorate). See: Birgül Açikyıldız: The Yezidis, the History of a Community, Culture and Religion. London, New York: I.B. Tauris & Co. Ltd, 2014, p. 49.
161 Most of this tribe converted to Islam.
languages, call the Yazidis Dasināyā. In addition to the name Dāsinaya, they were also called the Yazidi, which in time, superseded the former term. According to Yazidi religious texts, the name derives from Yazdān, meaning “God” worshipper. In the Hymn of Shaykh-Fakhri diyā for example, Izī, a ‘God incarnate’ is mentioned and it is said that this is God’s greatest name:

The original text in Kurmānjī:

Sultān Izī bi khū padshāya.
Hazār w-Ik nāv li khūdānāya.
Nāvi mazin har khūdāya.
Sulatān Iyī di-zāna li-baḥrā chand kashkūl āvā.
Awī Hawā krābūk w-Adam kra zāvā.164

The translation of the text:

Izī (Yazi) is the Sultan himself as God.
He has a thousand and one names.
His greatest name is God.
Sultan Izī (Yazi) knows how much water the sea contains.
The world is only one step for Him.
He crosses it in one hour.
It is He who made Adam and Eve bride and groom.

According to the Yazidi clerics (Qawāls) the Yazidi or Yazi in this text means God, Yazdāi means the Creator, and the name of Izdāi is derived from Ezdam, meaning who created me or “I, created by God” in Kurmānjī Kurdish. The term Yazidi is also very close to the Zoroastrian word Yazdān, meaning God in Persian, and Yazata, meaning divine or angelic being. Therefore, a Izidī or Yazidi means worshipper of the Creator.

In Iranian ancient religions, many names and terms referring to the gods are very similar to the terms of Dāsin and Yazda, such Maz-Daisna, Mazdaism. The Achaemenid Era saw religious change which aimed to replace the pagan gods that personified the forces of nature and human passions with a universal system based on the unending conflict between good and evil. This was the faith preached by Zarathustra, modern Zoroaster, who was born during the Median Period and probably lived in the 6th century BC. This faith became the state religion of Darius, Xerxes, and Arta-xerxes I. The new doctrine recognized Ahūra Mazda (after whom the religion is often called Mazdaism) as the God of good, associated also with truth and light, and taught the immortality of the soul and the final judgment of humanity.166

The word Yazdān has ancient roots dating back to the Sassanid Era. The Magi also venerated a number of minor benevolent supernatural beings such as the six Amashaspend (Angels) who

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164 An interview with Yazidi Cleric, Marwān Bābīrī in Oldenburg on 8 March, 2015.
165 Ibid; an interview with Shaykh ʿAlū Khalaf in Duhok on 25 December, 2016.
assisted Ohrmazd (God); Srūsh and Rashn (who judged the dead, together with Mihr (Mithrā),167 Vay, and Hūm. The latter are personifications of the material world such as the sky, earth, water, sun, and moon, and are also abstractions of the divine Dānāk/Wisdom and Dīn/Religion. These were “beings worthy of worship” (Avesta: Yazatān). In the Sassanid period, the Middle Persian word Yazdān was used to refer to these deities collectively, as well as to Ohrmazd (God). The motto “reliance on Mihr” correlates with the motto “reliance on Yazdān” found on several 4th-century seals. The Yazdān provided the divine element for the theophoric names of the Magi and of the Manichaeans. Names such as Yazdān, Yazit, Izad, (New Persian) and their derivatives became increasingly popular towards the end of the Sassanid Era, one example of notoriety being Yazdāndadh, a son of Khusrav Anushirvan and Yazdanbakhsh, an official of Hurmizd IV, or Yazdagerd III,168 the last king of the Sassanid Empire.

As for the name al-ʿAdawīyya, which is also used to refer to the Yazidis, it is an unknown name in the Yazidi community. It may be the result of attempts made by Muslim writers and historians, especially the Kurds169 to connect the Yazidi with the Islamic religion. The name al-ʿAdawīyya, however, refers to those who follow Shaykh Ādī mysticism ṣaʿīqa or “spiritual path”,170 similar to the followers of Qādirīyya ṣaʿīqa which is ascribed to Shaykh ʿAbd al-Qādir al-Gaylānī.

These are names used by Muslims to refer to the Yazidi and are neither used nor recognized by the Yazidi themselves. Rather, the Yazidi refer to themselves as Millat-i-İzidi171 to express themselves as a people and a religious community. This is a name that distinguishes them from others.172 The name Izidîyâtî (meaning ‘Yazidiness’) is also used by the Yazidi in referring to themselves as a nation with their own heritage, music, traditions, and values which

167 Mithrā or Mithra is the revived Proto-Indo-Iranian name of an Indo-Iranian deity, which lends its name to this group. Mithrā (or Mithras) has represented different characteristics or roles throughout the history of Mithraism. Celebrated as the victor over darkness and is equated with the sun-god, Sol, Mithrā also became the symbol of fellowship. Archaeological and iconographic evidence suggests that Mithraism differed in the three locations in which it was practiced, namely Iran, India and Rome. See: Sālūma Rūstampūr: Mahrparistī dar Irān, Hind w-Rūm (Mithraiism in Iran, India and Rome). Tehran: Khūrshīd Afārīn (1382), p. 177.


171 Millat or Miliet means a religious nation; it is an Islamic term.

172 See the petition of the Yazidi leaders to Ottoman, “We, religious nation of the Dāsiniyyāns, cannot, in accordance with our religion, enter the military service. We prefer to give money instead of man, as the Assyrians and Jews do...”, Giuseppe Furlani: The religion of the Yezidis, Religious text of the Yezidis: Translation, Introduction and Notes. Translated from Italian to English by Jamshedji Manekji Unvala, Bombay 1940, pp. 61.
are peculiar to them. It is similar to the name Kurdiyātī (meaning ‘Kurdishness’) which is used by the Kurds to refer to Kurdish nationalism\textsuperscript{173} and includes their values and nationhood heritage.

The second stage: The second stage began in the 12\textsuperscript{th} century CE with the advent of Shaykh Ādī and his arrival at the Lalish Temple, in Iraqi Kurdistan region, a highly significant centre of worship to the Yazidi people. Shaykh Ādī is considered the great reformer of the Yazidi religion. The caste system was redefined during this period.

The third phase: It is a new phase which started in the second half of the 20\textsuperscript{th} century, with the emergence of the first generation of Yazidi to be educated in public schools. Some of them researched the Yazidi religion both academically and scientifically, in response to the myriad of distortions and erroneous stereotypes made by previous writers. It should be noted here, that such distortions in respected academic work went so far as to refer to the Yazidi as “devil-worshippers”. That the distortion of the facts reached such a degree can be explained not least by the absence of writers and intellectuals of Yazidi origin, for reasons of adverse historical circumstances, the phenomenon of otherization,\textsuperscript{174} and the ongoing persecutions that made it impossible for an intellectual and academic elite to emerge within Yazidi community.

Yazidi community is divided into three social-religious castes, the Pīr,\textsuperscript{175} Shaykh (Shīkh)\textsuperscript{176} and Murīd (Mirīd).\textsuperscript{177} The head of the Yazidis is the Mīr (Prince position), who is considered as the religious and secular (worldly) head of all Yazidis, both in Iraq and throughout the world. His position is hereditary. He resides in the town of Baʿadra in Shaykhān territory. The spiritual leader of the Yazidis in the world is known as Bāba-Shaykh (Babe-sh-i-kh)\textsuperscript{178} and he resides in the city of ʿAyn-Sīfīn also in Shaykhān territory.

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\textsuperscript{174} Simplistic characterizations of the Self and the community have also led to stereotype representations of the Self and the Other (a reference to people who are historically excluded and marginalized). ‘Otherization’ is a crudely reductive process that ascribes an imagined superior identity to the Self and imagined inferior identity to the Other, a concept which was first introduced in Edward Said’s writings on Orientalism. The phenomenon of Othering denotes a general tendency among individuals and communities to portray themselves as desirable and progressive, while presenting the identity of people who are racially, ethnically, or linguistically different as undesirable and backward. Most often, a significant power differential is involved in the process of otherization. B. Kumaravadivelu: \textit{Cultural Globalization and Language Education}. New Haven and London: Yale University Press 2008, p. 16.

\textsuperscript{175} In Kurmānjī and Persian literature, the term Pīr denotes a venerable old man. Moreover, it is a mystic term which corresponds to the Arabic term Shaykh, which means spiritual chief and nobleman.

\textsuperscript{176} The third Yazidi caste was established after Shaykh Ādī; it is a religious caste.

\textsuperscript{177} In Yazidi, Murīd indicates a person who belongs to the caste of ordinary people, and does not belong to a sacerdotal (priestly) caste.

\textsuperscript{178} Bāba-Shaykh denotes the highest religious position in Yazidi community. It literally means “reference in matters of religion” and denotes a kind of papacy. The Bāba-Shaykh is also referred to as the Ikhtīyārī Margahi, meaning the one who is chosen by the Yazidi Princedom. Shaykh Ismāʿīl Ḥajī held this position from 1919 until 1923, Ḥajī Shaykhkī from 1923 until 1954, and Ḥajī Ismāʿīl from Sept. 19, 1954 until Oct. 14, 1977. Similarly,
Yazidis constitute the third largest religious minority in Iraq after the Christians and Jews. Small Yazidi communities also exist in Turkey, Syria, the former Soviet Union and a large Yazidi diaspora lives in Western countries, especially in Germany. In terms of geographical distribution, northern Iraq (disputed areas) is widely acknowledged as the historic homeland of the Yazidis. Perhaps the most prominent part of the Yazidi populations in the disputed areas is located in the Shaykhān area. Shaykhān is a religious and political centre for the Yazidi community, although they are also found in such places as Ba’adra, Bahzānī and Ba’shīqah, and other villages in the Nineveh Plain. Sinjar is the second most important Yazidi centre in Iraq. It is an impregnable mountainous area, and as such, it proved an important stronghold to which Yazidis resorted to in times of persecution from the period of the first Islamic invasions in 637 CE until the end of the Ottoman Empire in 1918.

The majority of Yazidis speak Kūrmānjī (the main Kurdish dialect). Although some scholars widely consider the Yazidi religion as primarily oral in tradition, many of the doctrinal elements of Yazidi are linked to religions based on scripture, such as Islam, Christianity, and Zoroastrianism.

There are no accurate population estimates on the number of the Yazidis during and within the territory of the Ottoman Empire. However, according to a range of estimates, their presumed number in Iraq in the days of the British occupation (1914-1921), ranged between 18,000 and 21,000 people. By contrast, according to the last census of the Iraqi government of 1922-1924, their number had reached 26,257.

The main economic activities of the Yazidi community in Iraq are agricultural, with the cultivation of olives, figs, wheat, barley, and livestock, especially sheep.

2.4 Sabean-Mandaeans

Sabean-Mandaeans are one of the oldest religions and communities in Iraq, and researchers disagree on their origins and beliefs. Neighbouring peoples referred to them as Sābi’a or Suba,
which means baptism in Aramaic, after one of their most important religious rites, immersion in flowing water.

“Sabeans” is derived from the Aramaic verb Sābiʾa that means tinctured or baptized in the Aramaic Mandaean language. The word Mandaeans is attributed to the Aramaic verb “yada-ada” which means to know, thus, Sabean-Mandaeans means the tinctured, baptized people who know about God and monotheism. Many researchers support this view, including the Sabean-Mandaeans researcher Ghaḍbān al-Rūmī, who attributed it to the fact that baptism represents “the transfer of a person from the colour of disbelief to the colour of baptism by using the Saba substance or a certain dye ordinance during obligatory baptism”.

In former times, Sabean-Mandaeans preferred to be called Mandaeans, as the term Sabean, in Iraqi Arab dialects - Iraqi communities call them Ṣubba - is derogatory, meaning those who worship the planets and stars, or those who have abandoned their religion to do so. The term Mandaeans was not without its problems, however. Meanwhile, the minority has reverted to the full name of ‘Sabean-Mandaean’. The term ‘Mandaean’ can be traced back to the Aramaic word Mada, which means knowing, knowledge or monotheistic; it may also mean Menda-hi, second life, meaning that which is created by God among the angels. Its origin could also be derived from the word Menda life which also means “the Messenger of life”.

While the economic activity of the Sabean-Mandaeans is mainly in trade, agriculture and blacksmithing, they are internationally famous for their craftsmanship in silver and gold.

Sabean-Mandaeans have a social system and legislation of their own. They live in semi-isolation and are an endogamous community. They have five castes, the uppermost of which is non-human, meaning of the spiritual realm. The lowest caste is the Halālī, which is followed by Tarmūdha or pupil. The next highest is the Kanzūrah, who are liturgists of the

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190 Ibid, p. 44.
sacred book of Kanzza Rabba. The second highest cast is Rīsh-Dāma or Rīsh-Shama, meaning secular head of the community. The highest caste is the Rabbānī. According to Sabean-Mandaean belief, no human has reached the Rabbānī caste, except for the Prophet Yaḥyā. The clergy has many functions relating to aspects of the social and religious life of this minority.

The second highest cast is Rīsh-Dāma or Rīsh-Shama, meaning secular head of the community. The highest caste is the Rab bānī. According to Sabean-Mandaean belief, no human has reached the Rab bānī caste, except for the Prophet Yaḥyā. The clergy has many functions relating to aspects of the social and religious life of this minority.

The Sabean-Mandaeans live in several cities, particularly in southern Iraq, mainly in 'Amārah, Nāṣirīya, Baṣrah, Sūq al-Shīyūkh, Qalʿat Šālah, Kūt, Diwaniyya, and Baghdad, and in the north in Mosul, Kirkuk, and Pishtguwwa and Mandalī province on the Iraqi border with Iran. According to the census of April 1932, the number of Sabean-Mandaeans in Iraq was 4,805. The census of June 1953 claims their number to be 5,432 persons.

2.5 Kākāʾi

The Kākāʾi are considered by many scholars to be one of the oldest Kurdish syncretic religions in existence. However, the majority of the Kākāʾi consider their religion a direct descendant of Mithraism and Zoroastrianism they practice their religious rituals in secret as they have found themselves at risk from either the State or the surrounding communities throughout their history. Much mystery and ambiguity surrounds the Kākāʾi and a clear doctrine is difficult to establish, as their religious teachings have never been published comprehensively. Still, some authors claim they are an Islamic group that recognizes the divinity or godhead of Imam Ali, a viewpoint which has led the Kākāʾi to be considered Ghulāt meaning dissidents by Shiʿi Islam. The term Ghulāt literally means “exaggerators,” and is used to refer to those who (from a Shiʿi perspective) overestimate the status of the

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193 Their holy book called Kanzah-Rabah, was printed in the late 1990s in Iraq under the supervision of a special committee. In it, their holy texts were written in Aramaic alphabet. Some of these texts can be seen in: Salīm Birinjī: al-Ṣabīʿa al-Mandāʾiyyūn (The Sabean-Mandaeans), Tr. from Persian to Arabic by: Jābir Aḥmad, Beirut: Dār al-Kunūz al-Adabīya for publications 1997, pp. 34-48, 85-177.


196 The Iraqi census of April 1932 specifies the following figures: Mosul, 15; Kirkuk, 7; Baghdad, 244; Kūt, 51; Diwaniah, 39; Ramādiyyah, 8; Baṣrah, 738; 'Amārah, 1,972; Muntafiq, 1,731. The census of June 1935 specifies the following figures: Baṣrah, 783; Baghdad 125, Ramādiyya 5, Diyāla 13, Diwwaniyya 31, 'Amārah 3,014, Kirkuk, 26, kūt, 84, Muntafiq 1,329, Mosul 22. E. S. Drower: Op. Cit., pp. 16, 19.

197 The esoteric beliefs or the ceremonies of the Kākāʾi are not the subject of this dissertation, rather their history, geographical distribution, and the implications of certain political developments in the KRI and Disputed Areas on the Kākāʾi is the main focus herein. It should be noted however, that the classification of the Kākāʾi as a syncretic religion is not universally agreed. The majority of the Kākāʾi believe that their religion is a direct descendant of Mithraism and Zoroastrianism.


199 On the concept of Ḡolāt, see http://www.iranicaonline.org/articles/golat, retrieved on 28 April, 2014.
Imams by attributing divine qualities to them.\textsuperscript{200} The majority of the Kākāʾi in Iraq and the Yārisān in Iran reject this perspective. They believe in reincarnation, meaning the Imam Ali to whom the Shiʿi refer, is not the same Ali in whom they believe.\textsuperscript{201}

The Kākāʾi are scattered throughout Iraqi Kurdistan and the Disputed Areas and throughout various regions in Iran, in the Gūrān region and Azerbaijan region in particular. Estimates as to their number vary from several tens of thousands to over two million, the majority of whom live in Iran. Recently, many members of this community have migrated to western European countries.

Whereas they are usually referred to as Kākāʾi in Iraq, they are called the Yārisān or Ahl-i Haqq "The People of the Truth"\textsuperscript{202} in Iran.\textsuperscript{203} Although the Kākāʾi are commonly referred to as 'Ali-ʾIllāhī, meaning “those who deify Imam Ali” by other religions and communities and by Muslims in particular, they themselves consider the term ‘Ali-ʾIllāhī derogative. The majority of them refer to themselves as the “Dīn-i Yāri,” meaning the religion of Yar, or the friends of God, the Yārisān (the people of Yār, meaning God) in Iran.\textsuperscript{204}

The Kākāʾi in Iraq refer to themselves as the ʿāʾifa, meaning ‘religion’, whereas under Iraqi law, they are referred to as a ʿāʾifa, meaning ‘sect’. Although the Kākāʾi in Iraq differ in some ways from the Yārisān in Iran, the name Kākāʾi could be another name for Yārisān. Within academic circles, opinions on the Kākāʾi vary, and official documents on them are few. One British intelligence report describes the Kākāʾi as a mystical people in terms of their social organization and historical origin and claims their religion has ancient roots.

Sultān Isḥāq Isi Barzinjī,\textsuperscript{205} is considered the founder of the modern Kākāʾi and is believed by his followers to have been a reincarnation of Bābākhūshīn, the true founder of the faith.\textsuperscript{206}

\textsuperscript{200} For example, see: ʿAbbās al-ʿAzzāwī: al-Kākāʾīyya fi-l-tārīkh (The Kākāʾi in History). Baghdad: Trade Printing Co., Ltd. 1949, pp. 106-108.

\textsuperscript{201} From an interview with Hāshim Kākāʾi in Kirkuk-Iraq, on 25\textsuperscript{th} December, 2016. A prolific Kākāʾi writer, since the 1970s, Hāshim Kākāʾi has published dozens of articles and essays about the Kākāʾi in various journals and newspapers. He considers himself a representative of the Kākāʾi community in the Ministry of Endowments of the KRI.


\textsuperscript{205} He is known as Ishāk or Souhak. He was born in 671 AH/ 1272-1273 CE, in the village of Barzinja in the Halabja area in Iraqi Kurdistan. He studied wisdom, philosophy, and literature at Baghdad and Damascus, and returned to Shahrazūr and Hawrāmān, and renewed the Kākāʾi religion. For more information on this topic, see: Karīm Najim Khudhr al-Shwānī: al-Kākāʾīyya: ʿUṣūsluhā wa-ʿAqāʾīduhā (Kakaʾism: Its origins and beliefs). Baghdad: MA thesis, College of Islamic Sharia, University of Baghdad 1989, pp. 53-54.
The Kākāʾi believe in what is termed as Dūn-a-Dūn in Kurdish Gūrānī, and Tanāsukh or Ḥulūl in Arabic, which broadly means transmigration and reincarnation, in which God shares a kind of universal soul and reincarnates it. They believe that God shared his spirit with Sultān Isḥāq, the founder of their religion. The Kākāʾi believe after ‘thousands’ of transmigrations of the soul not just within the Kākāʾi but across 72 different religions, that the spirit returns to the everlasting abode of peace, something similar to heaven. They believe that all essence or existence is God. They believe in seven archangels called Hafttan. They pray to Sun. Every month they try to attend in what is called a Jam ceremony. In general, it can be said that the Kākāʾi belief system is a kind of the anthropomorphic variation of the Creator.

A certain similarity between the Kākāʾi faith and Christianity in terms of doctrine and ritual has been drawn by Anastās Mārī al-Karmalī, who interprets the term Kākāʾi as a Kurdish word of Persian origin, meaning brother, and also links it to the Aramaic term Kākāʾi’s, which means brother-in-doctrine. By contrast, the Iraqi historian ʿAbbās al-ʿAzzāwī linked the Kākāʾi to a brotherhood established during the reign of the Abbasid Caliph al-Nāṣir li-Dīn allah (Dd 622 AH/ 1225 CE). On rather tenuous grounds, he claimed that a link existed between the Kākāʾi and Islam, stating that the Kākāʾi’s stemmed from the Muslim Sufi orders of Suhrawardiyaa, Isḥaqiyaa and Baktaşıiyaa. Another perspective on the origin of the Kākāʾi from the Russian orientalist Vladimir Minorsky links the Kākāʾi’s in Iraq to the Ahl-i-haqq in Iran, claiming that this religion is exclusive to ethnic Kurds. Minorsky also published some of the Sarʾanjām, the sacred and holy book of the Ahl-i-haqq in 1911. The texts, such as the Kalām-i Sarʾanjām, (the discourse conclusion) is written in Kurdish (in Sorānī and Gūrānī dialects). However, his study is incomplete in certain aspects and leaves many questions unanswered, not least since it overlooks the existence of ethnic Turkish Kākāʾi.

Similar to other religious minorities in Iraq, written sources on the Kākāʾi are based more on secondary accounts than first hand information or observation. Due to widespread conjecture in the field, much of what has been written about the Kākāʾi, their origins and religious rituals is mere speculation. Al-ʿAzzāwī’s treatise on the Kākāʾi, for instance, disregards the fact that the community has religious and social idiosyncracies which are unrelated to the Abbasids or to any Sunni sect in any way. In truth, Imam Ali has a symbolic role in Kākāʾi doctrine.

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207 From an interview with Hāshim Kākāʾi in Kirkuk-Iraq, on 25th December, 2016.
through the reincarnation process, which is central to their faith. It is worth mentioning that lack of clarity on the Kākāʾi in the field is compounded by the existence of competing and mutually incompatible cosmological views within the Kākāʾi community itself and that primary sources from within Kākāʾi community are very few. Nevertheless, information can be gleaned from the Kākāʾi themselves, especially in regard to the term Kākāʾi. The meaning of Kākāʾi theologically and linguistically means brotherhood and mutual respect and its origins can be found in Kākāʾi oral history.

According to Kākāʾi oral history, “Sayyid”212 Isi’s old oratory needed repair. When a new main beam for the roof was hoisted onto the walls, it proved too short to span the space between them. When Ishāq saw his father, Isi’s distress, he immediately climbed onto the wall, seized one end of the beam and called to his father, or to his elder brother “Kākā, bikēshe!” (Brother, pull!). So, they pulled the beam that was too short, made it longer, and placed it in position”.213 It is from this miracle that the Kākāʾi have taken their name. Therefore, it is most likely that word Kākāʾi means “elder brother” and it is in this sense that it is used in the Kākāʾi religion, as a means of ensuring respect among members of the faith and of expressing a bond within the community.

The term Kākā has also been used frequently in many poems and religious scriptures such as “The Kākāʾi Hymns”, some of which are said to date to the Sultan Ishāq era.214 Significantly, the term Kākā is mentioned in scriptures relating to Shāh Ibrāhīm Iwat (born 752- … AH/ 1351 CE), one of which is written in the Kurdish Gūrānī Dialect. In this scripture, the Shāh Ibrāhīm Iwat’s soul is incarnated from the prophet Ibrāhīm al-Khalīl, and Kākā Yādgār215 is incarnated from the soul of Ismāʿīl the son of Ibrāhīm:

The original text in Gūrānī:

<table>
<thead>
<tr>
<th>Ibrāhīm na sar</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baqāy dawri dīn yārīm kaft na sar</td>
</tr>
<tr>
<td>Ibrāhīm bīyānim farzand azar</td>
</tr>
<tr>
<td>Btm shkast dā bīm wa bīghambar</td>
</tr>
<tr>
<td>Kākām Yādigār Ismāʿīl bīyānī</td>
</tr>
</tbody>
</table>

The translation and description of the text:

I have been incarnated from Ibrahim,

From the very beginning into the prophet Ibrahīm,

Who demolished all idols in the era of the beginning of faith, of religion, of the belief in one God.

I tell you again, Kākā Yādgār has been incarnated from Ismaʿīl.

212 The word Sayyid means Master. Usually the Sayyid according to Kākāʾi belief are religious leaders whose knowledge of religion is said to be in-depth. They keep this knowledge secret from others, not least out of fear of Muslims and Muslim authority.
215 Kākā Yādgār, (Kākā meaning brother) and Bāba Yādgār (Bāba meaning father), are two key figures in the Kākāʾi belief system and in their heritage.
Sarish bi wa rāy ḥaq wa qūrbānī.\textsuperscript{216} who willingly accepted to be slaughtered and sacrificed when his father, Ibrahim, the prophet, was ordered by God to slaughter his son Ismail.

It is most likely that word Kākāʾi means “the elder brother”, a term which is often used to recall all other members of the Kākāʾi religion to insure the high respect and joint affiliation among members of the Kākāʾi and to express fellowship between the members of the group. The roots of the Kākāʾi are attributed to the era of Sulṭān Isḥāq, according to some Kākāʾi scriptures. This is also reflected in Kākāʾi oral mythology.

The structure of Kākāʾi community employs a caste system of a social and religious nature, which is divided into six spiritual and social castes. Marriage in Kākāʾi community is endogamous and is also limited to marriage within the same class or religious sphere. The community has a hereditary group of religious specialists. The various strata within the social hierarchy of the Kākāʾi are as follows: Pīr (old men or Noblemen); Bāwa (Pope); Mām (Mentors or Guides); Darwīsh, Kalāmkhwan who sing poems and carry out religious rites; and Mūrid (Disciple/ Aspirant) or member of the public.\textsuperscript{217} Expertise in religious doctrine lies with the Kalāmkhwans, who may come from any of these classes.\textsuperscript{218}

The Kākāʾi in Iraq are located primarily in a group of villages and towns in the northern provinces, especially around Dāqūq, southeast of Kirkuk, in Tubzāwa and in seven other villages in the vicinity of Kirkuk; in Sāfīda and Maṭrād in Erbil; in Kuparlū, Tūlabūn, Wardak, Zangal, Kūlbūr and other villages in the Nineveh Plain; and in Hāwār in Sulaymaniyya. In Dīyāla province, they are found in the towns of Khānaqīn, Mandalī, and Qasir-Shirīn towns.\textsuperscript{219} In general, the Kākāʾi reside within the following boundaries: In the southern plains that stretch north of Ḥamrīn Mount and Qara-Alīdāgh, east of the main road between Tāza and Tūzkhūrmātū and as a far as Ḥījā Town in the west. Most of the Kākāʾi in Iraq reside in the town of Tāwūk in the province of Kirkuk, and the area between the Khānaqīn and Qasir-Shirīn on the Iraqi-Iranian border.\textsuperscript{220} To date, no proper census of the Kākāʾi population in Iran has been carried out, as they are considered Kurdish clans and Muslims by the Iraqi authorities, and not a separate religion or minority per se. However, the Kākāʾi population was estimated at about 20,000 inhabitants in 1920.\textsuperscript{221}

The main economic activity of the Kākāʾi is agriculture and animal husbandry, along with cottage industries and handicrafts\textsuperscript{222} as their community is predominantly rural. Most of

\textsuperscript{216} This text depicts Ismail, the son of Ibrahim, as closely related to God through the process of incarnation. Būrrakay (Safī Zādah): \textit{Op. Cit.}, text No. 1, pp. 179-180.

\textsuperscript{217} For more information on this topic, see: Harzānī: \textit{Op. Cit.}, pp. 55-69.


\textsuperscript{221} Khayyūn: \textit{Al-Adīyān wa al-Madhāhib...,} Vol. 3, p. 115.

\textsuperscript{222} Harzānī: \textit{Op. Cit.}, pp. 138-161.
Kākāʾi men can be easily recognized by their dense moustaches, which sets them visually apart from Muslim men, as Islamic traditions recommend a moustache be trimmed.

2.6 Bahaʾi

The Bahaʾi are a small religious minority in Iraq, and it could be said that Iraq played a significant role in the establishment of this religion. It is a relatively new religion and was founded in the 19th century. Its followers are spread throughout the world. This study does not focus on the Bahaʾi faith, rather, it seeks to establish the history of the Bahaʾi as a religious minority in Iraq from a political perspective.

The origins of Bābīsm and the Bahaʾi faith is Shaykhīsm, named after Shaykh Aḥmad Aḥsāʾī, who studied in Karbala, Najaf, Baghdad and Kāẓimiyya in Iraq in the first half of the 19th century.

After the Bāb (Bāb, meaning gate or guide in Persian) proclaimed his religious calling in Iran in 1844, numerous Shiʿi Ulamaʾ (scholars) and students in Iraq became his followers. Another central figure in the Bahaʾi religion in Iraq was Ṭāhira Qurrat al-ʿAyn, a prominent female figure among the Bābīs. She was described by the Iraqi sociologist, ʿAlī al-Wardī as follows: “I think in any case, that Qurrat al ʿAyn was a kind of genius. She was at least 100 years ahead of her time. If she had existed in our current age [20th century], then she would have been significantly more appreciated [than she was in her lifetime]. Perhaps she would


224 Shaykhīyya takes its name from Shaykh Ahmad Aḥsāʾī (1753-1823/1826), who studied in Karbalaʾ (the Shiʿi School) in Iraq, and travelled in Iran. In his books, he predicted the coming of the Hidden Imam Mahdī. He was succeeded by his student al-Sayyid Kāẓim al-Rashī (1795-1843), during whose leadership the Shaykhī movement was known as Kashfīyya (ʿirfān/ Gnostic). After al-Rashī died in 1843, the group split into three groups, one of which was led by Mulla Husayn Bushrūʾī who claimed that the promised one was the Bāb that is Sayyid ʿAlī Muḥammad Shīrāzī. For more information on the history of this case, see: Muḥammad ʿAbd al-Hamīd Ḥamad: al-Bahāʾiyya: wilādat dīn jadīd (Bahaʾism: the birth of a new religion). Damascus: Dār al-Ṭalīʿa al-Jadīd for publishing 2006, pp. 220-226; ʿAlī al-Wardī: Lamahāt ḫūṭā ḫiyā yīyā min-Tārīkh al-ʿIrāq al-Hadīth 1831-1872 (Social Aspects of Iraqi Modern History). Baghdad: al-ʿIrshād printing 1971, Vol. 2, pp. 130-137; For more details on the biography of advisors to these groups, see: ʿAmir al-Najjār: al-Bahāʾiyya wa-judhūruhā al-Bābīyya (Bahaʾism and its roots in Bābīsm). Egypt: al-ʿAīn for Socio-Humanity Research and Studies 1996, pp. 9-20.

225 She was born in the Caspian region of Iran in 1814, and travelled to Iraq to seek knowledge when she was fourteen-years old, where she stayed in Karbala until 1841. Karbala was a spiritual capital of the Shiʿi, similar to Najaf in Iraq today. After the execution of the Bāb, she was also persecuted and killed by the authorities under mysterious circumstances in Iran in 1852. For more details, see: Martha L. Root: Tahirih: The Pure, Iran's Greatest Woman. Martha L. Root, 1938. Retrieved on 26 April, 2015 from http://www.paintdrawer.co.uk/david/folders/Research/Bahai/Tahirih/Life%20of%20Tahirih%20(Martha%20Root)%5B5B64%5D.pdf; ʿAlī al-Wardī: Hākadhā Qatalā Qūrrat al-ʿAīn (They killed Qurrat al-ʿAin like that). Köln: al-Jamal publications 1997, pp. 5-69.
even have been declared the greatest woman of the 20th century!”. Ţāhira Qurrat al-ʿAyn can also be considered revolutionary, in that she was the first woman who called for Islamic Law to be revised, meaning that it be laid open to new interpretation, or Naskh al-Sharīʿa. As a “hagiography”, like all those who went before him, she proclaimed that Bāb was entitled to review the verdicts of Islamic Law and bring about a renewal in the faith and dogma of the old Islamic religion. She was also the first woman on record who removed the veil (Ḥijāb, or headscarf) in a public setting, in the presence of (predominantly male) followers of Bāb.

Bābīsm paved the way for the emergence of the Bahaʾi religion. Its beginnings date back to 1844 and Bābīsm was already considered a new religion by 1848, after the Bāb's followers held the Badasht conference in Iran.

The founder of Bābīsm Sayyid ʿAlī Muḥammad Shīrāzī was accused of apostasy by Muslim jurists, arrested in 1847 and imprisoned in Maku (and thereafter in Chihriq) by the Iranian government and executed in Tabriz on 9 July 1850. In 1853, the Iranian government deported the Bāb’s followers to Baghdad. Among them was Mirzā Ḥusayn ʿAlī Nūrī al-Māzindarānī (1817-1892), known under the honorific title of “Baha’u’llah,” in the company of his brother Yahyā who was known as “Ṣubḥ al-Azal”. The “Baha’u’llah,” Mirzā Husayn ʿAlī al-Mázindarānī, claimed that the Bāb had named him as his successor. After his deportation to Baghdad, he claimed to be a messianic figure, the awaited Imam. Later he went on to claim that the Bāb was just his forerunner. This was met with semi-consensus among his followers. He settled in the locality of Shaykh Bashār in al-Karakh in Baghdad. The house in which he stayed there has become a place of pilgrimage for the Bahaʾi. This house was destroyed after the foundation of the modern Iraq State and turned into the Husayniyya, a Shiʿi mosque.

Baha’u’llah, the founder of the Bahaʾi religion, spent ten years in Iraq, where he announced his religious call in 1863 (he later dated his first revelation as having occurred in 1853 but he first spoke of it in 1863). This occurred in the Najīb Pāshā-Riḍwān garden in Baghdad, which is on the banks of the Tigris River in what is currently the Baghdad “Medical Zone”. The yearly feast of the Bahaʾi known as the Raḍwān is celebrated every year from April 21 until May 2 in commemoration of Bahaʾu’llah’s religious call.

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228 What happened in this conference is considered a declaration of a separate form of Islam, see: Momen: Op. Cit., pp. 16-19.
233 Tārīkh al-Amīr fī al-ʿIrāq (The History of the ‘Bahaʾi’ cause in Iraq: a document about the history of the Bahaʾi is in Iraq), (Unpublished), p.5; Saʿad Salūm: “al-Bahāʾīyyūn wa-ad-dawwla al-ʻIrāqīya” (the Bahaʾi is and

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In Baghdad, a dispute between the Baha’i and Shi’i Muslims emerged because of the Baha’i call. This led to the deportation of Baha’u’llah, his family and many of his followers to Edirne in Turkey on April 21, 1863. There, a dispute also occurred between Baha’u’llah and his brother Yahya “Subh al-Azal”, both of whom considered themselves Bab’s successor, which led to a split within the Babis into two groups, the followers of Baha’u’llah and Azalis, and the followers of Subh al-Azal. In 1868, the Ottoman government deported Baha’u’llah and his followers to the city of Acre in present-day Israel and deported Subh al-Azal to Cyprus. Baha’u’llah, who became the ultimate leader of the Baha’i died in Acre, on 28 May 1892.234

The Baha’i have unique customs and traditions, feasts and religious rituals. The holy scriptures of the Baha’i, such as the book al-Baiyân were written by the Bab. Other sacred writings are also attributed to Baha’u’llah, such as Kitab al-’Iqan/ The Book of Certitude, and al-Kitab al-Aqdas/ The Holiest Book.235 From its inception, the Baha’i have endured relentless pressure and persecution in the Middle East in general. Much propaganda has been written to incite hatred against the Baha’i, demonizing them in a similar fashion as other minorities, via accusations of atheism and pornography, accusations that have been used to justify violence against them. The history of the Iraqi Baha’i has been primarily recorded by outside actors that are motivated by ideology or wish to distort Baha’i teachings for their own gains.236 This has included complete fabrications that led to the political and social isolation and persecution of the Baha’i community in Republican Iraq. However, Baha’ism was still recognized as an independent religion and spread throughout Iraq’s cities, towns and villages during this period. This would change in the 1970s when the Baha’i were stripped of their official status as a religion by the State and their institutions legally delegitimized. For this reason, as well as due to the fear that the Iraqi Baha’i have of the government and of society (a fear that causes them to self-conceal), no Iraqi census has included them to date. Current statistics on the Baha’i in Iraq are difficult to establish, as they live dispersed rather than in groups. However, several thousand Baha’i are estimated to live in Iraq and they are believed to be distributed among the different regions.


Part II - The Religious Minorities in Monarchical Iraq Throughout the two Periods of the Mandate and the Independence (1920-1958)

Chapter 3: The Rights of the Religious Minorities in the Constitution and Parliament

Iraqi history, from its creation as a British Mandate in 1921 to the American Occupation that began in 2003, has been one of almost continuous fluctuation and Iraq’s religious minorities has remained in a state of constant volatility.

3.1 Political developments

Religious minorities have been targeted since the British Occupation, which created futuristic political dimensions during Monarchical Iraq. The impacts of this First Occupation became further apparent after the beginning of the Second Occupation in 2003. As a corollary consequence, these political dimensions emerged as the primary cause for the ultimate demise of the remaining religious minorities within Iraq. Subsequently, the country has become an “Unilateral Religious State” a mono-religious nation, divided between three large Muslim communities. In order to understand how religious minorities were exposed to discrimination and persecution (both formal or governmental and informal or societal) in Modern Iraq and in subsequent periods, two main sources of discrimination should be examined: official State policies and the majority communities’ stance on religious minorities. In doing so, it is necessary to examine how the rights and status of religious minorities came into being within the emerging State. This chapter focuses on the historical dimensions surrounding the religious minorities’ case during the two separate periods of Monarchical Iraq: (1) British Mandate and (2) post-independence until the beginning of Republican Iraq

Modern Iraq was carved out of the three former provinces of the Ottoman Empire, Baghdad, Baṣra, and Mosul. As the Ottoman Empire had become one of the participants in the World War I in 1914 on the side of the Central Powers, the Russian Empire was the first to declare war on November 3rd, 1914 and on November 5th, 1914 both Britain and France followed suit. British troops landed in the port of Al-Faw on November 6th, 1914 before taking Baṣra on November 22nd, 1914. Baghdad would fall on March 11th, 1917 and Mosul on November 7th, 1918 and by the end of 1918 British troops would control the territory currently known as Iraqi Kurdistan.237

As a former territory of the Ottoman Empire in accordance with the San Remo Conference held at Villa Devachan in San Remo, Italy on April 26th, 1920, and under Article 22 of the Covenant of the League of Nations, Iraq was entrusted to Britain and was placed under its mandate.238

During the 1921 Cairo Conference, held on March 12 and chaired by the Minister of Colonies, Winston Churchill, Britain nominated Fayṣal ibn al-Ḥusayn al-Ḥāshimī to become Iraq's first King. In August 23rd, 1921 he ascended to the throne as King of the Kingdom of Iraq. The Iraqi government thereafter can be referred to as the Anglo-Iraqi government, which ruled Iraq throughout the Mandate period until independence in 1932. Religious minorities in general, and Christians (Chaldean, Assyrians, Syrians and Armenians),240 Yazidis241 and Jews, in particular, were promised recognition and status by the British during their occupation of Iraq.

Eagerly longing for the promises made by the British occupancy to provide them with special positions of power within society, with the right to build entities of their own, once Allied Powers won the war, many of the religious minorities sided with the Allies in the war against the Ottomans.242 However, their fate was inextricably linked to subsequent political developments in Iraq, which will be discussed later.

The willingness of the religious minorities in Iraq to revolt against Ottoman rule, and their subsequent uneasiness towards the newly established State was also directly related to the historical background in the regions that were now the Kingdom of Iraq. In the past, some of these minorities had been afforded certain privileges under the “Millet” System243 of the Ottoman Empire. Despite the privileges enjoyed by Abrahamic religious minorities, namely by Christians and Jews, such rights did not include them in matters of State, nor were they able to participate in military or religious institutions which had a judiciary (State) function.

241 Ismāʿīl Bag Chol: al-Yazīdīyya Qadīman wa-Hadīthan (the Yazidis past and present), edited by Costi K. Zurayk. Beirut: Publication of the Faculty of Arts and Sciences, American University of Beirut, 1934, pp. 55-56.
243 The word millet means a religious nation; it is an Islamic term. It comes from the Arabic word millah and literally means nation or people. However, millet is also a term which was used to refer to ethno-religious communities in the Ottoman Empire. It refers to the separate legal courts in which religious minorities ruled on the civil cases of minority citizens.
Therefore, while the Millet System allowed religious minorities to retain their independent identities, it also ensured that their position would remain precarious.244

Throughout the Ottoman period, religious minorities were denied recourse to even the mere tenuous protection of religious law and feudal custom. The extreme social disadvantage and constant threats endured by them gave rise to a perpetual malaise which resulted in a continuous process in which individuals converted to Islam to avoid persecution.245 Although the Tanzimât (Reforms) may have eased some of the pressure on minorities in the Ottoman Empire of the nineteenth and twentieth centuries, the grave disparity between Muslims and non-Muslims remained.

The period of British Occupation was considered strategically significant by religious minorities. Their primary motivation was to avoid the persecution they had previously endured. Meanwhile, they were painfully aware of the majoritarian nationalist movement which emerged in the post-war period and which is still being played out in the country. It is worth noting that Iraqi nationality per se does not represent a single homogeneous ethnicity. Undoubtedly, some attempts were made by Iraqi statesmen, particularly King Faysal I,246 to provide the conditions for the development of a distinct Iraqi nation which, he had hoped, would bring together the different element of the population in the country in a single national entity. Such attempts, however, were limited in their capacity to unify all peoples under one nation, not least because they emphasized the Arab movement in the Middle East, ignoring all others. It is hardly surprising therefore, that minority groups in Iraq remained uninspired by an Arab nationalism, which saw Iraq as one of a number of Arab States. Consequently, the minorities themselves felt somewhat justified in pursuing their own individual nationalism in Iraq.247

On this basis, the British Occupation had a direct bearing on the fate of minorities, not least due to certain policies which the British applied in dealing with them.248 It is relevant, therefore to examine the interaction between Britain and the Anglo-Iraqi government on the one hand, and between these governing powers and religious minorities on the other.

244 In a State where everything depended on the caprice of the ruler and no one’s life or property was safe, religious minorities were especially vulnerable.

245 Islam is not only a personal faith but also a way of life which calls for the establishment of an organized Islamic community to the extent that Islam ultimately becomes a form of state as well as a religion. When not converting to Islam, the minorities were required to assume certain responsibilities vis-a-vis the Islamic state, but were not granted equality with other Muslims, nor were they accorded full citizenship rights. See: A. H. Hourani: *Minorities in the Arab World*. London: Oxford University Press 1947, pp. 20-22.


248 The British colonial agenda within Iraq and the Middle East region on the one hand, and the aims of religious minorities in Iraq on the other (in which they sought to secure their interests and better their fate in the aftermath of the oppression they endured under Ottoman rule) led to a tenuous collaboration between both parties. This collaboration brought with it a range of outcomes for both sides.
3.2 The Rights of Religious Minorities in the Constitution and Parliament of Monarchical Iraq

3.2.1 The Legal and Constitutional Rights:

3.2.1.1 The Statement of Courts No.6/1917

Lieutenant General William Rein Marshal, the leader of the British Army in Baghdad issued the statement of court No.6/1917 and its implementation in conformity with paragraph No.1 in Iraq, which became the source for the Iraqi Basic Law. This statement did not grant any rights to non-Muslim religious minorities, although it granted rights to the majorities and established two courts, a civil court and an Islamic Sharia court. Item No. 10 pertained to the renewal of Sharia (Islamic Law) courts and in item No.11 legal powers between the civil courts and Sharia courts overlap.

Accordingly, it grants judicial powers to Islamic religious scholars, similar to the Ottoman courts and systems, especially for issuing decisions for basic civil matters. Items No.15, 16 and 17 specialized in transferring some civil cases to the Islamic court and religious scholars to make decisions according to the Sharia.

3.2.1.2 Iraqi Basic Law March 21, 1925

The statement of courts No.6/1917, became a source for Iraqi basic law, which was issued in 1925, regarding civil cases and courts in Iraq which introduced issues related to Sharia and religion to personal law. In other words, some of its items were based on past Ottoman laws. Therefore, because of some religious minorities in Iraq, legislators of the basic law in Iraq included constitutional matters that related to the non-Muslim religious groups (tāʾifas) in Iraq. Thereby special laws and jurisprudence were enacted for these groups. Consequently, the Iraqi Basic Law 1925 and the decree-law of tāʾifas No.24/1930 was passed; it called for the enactment of special laws for minorities of a revealed religion or People-of-the-Book (Jews and Christians). Once passed, it would abolish all the Ottoman legislation with respect to Christians and Jews in Iraq.

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250 Rubayʿī: ibid, p. 305.
251 Item 15, section A and B. This gives broad powers to the spiritual court in judicial decisions on civil matters. Items No.16 and 17 indicate that the civil court should turn civil cases and lawsuits over to the spiritual court when necessary. See: Rubayʿī: ibid, pp. 306-307.
With respect to the rights of religious minorities as defined in Iraq's Basic Law,254 which was ratified and came into force on March 21, 1925, the provisions of the same shall be discussed from the problematic perspectives of theory and practice. Aiming to integrate all minorities within the entire kingdom, the constitution afforded general rights to minorities. According to Article 13:

“Islam is the official State religion, and the freedom to perform familiar rites according to the different doctrines in Iraq shall be upheld without prejudice, furthermore it is ensured that all residents of the country shall enjoy complete freedom of belief, and the freedom to perform the rituals of worship according to their customs, excluding such rituals of worship that breach security and order, and are incompatible with public morals”.255

This stipulated Islam as the official religion of the Iraqi State and promised equality before the law for all Iraqi citizens irrespective of language, race or creed.256 This meant that discrimination on the basis of ethnicity, religion, national considerations, was considered an infringement of rights for all Iraqis and was therefore prohibited. It also granted the various communities the right to establish and maintain schools, where students could be instructed in their own language, provided that such instruction conformed to general educational programmes as prescribed by law. In virtue of judicature and the courts, Jewish and Christian communities were entitled to their own Spiritual Councils with powers of jurisdiction in matters of personal status.

The (first) Iraqi Constitution ensures equal citizenship for non-Muslim minorities and recognizes their right to enjoy a full share in the public affairs of the State.257 An analysis of Article 13 of this constitution makes it apparent that there is no separation between religion and the state. Although the State’s bias toward Islam was rooted in law, Article 13 ensured that all of the country's residents have complete freedom of belief, and freedom to perform the rituals of worship according to their customs. However, how Article 13 was eventually applied by the State in practice, with regard to minorities, raises the following question:

How have religious minorities been treated by the State and the majority of Muslim communities under this Constitution, which implicitly states that religious freedom is guaranteed, provided that such forms of worship do not conflict with the maintenance of order and discipline or public morality? In effect, the government, (whose official religion is Islam)

254 It contains 123 items which comprise an introduction and ten chapters.
257 See: Article 18 of the Iraqi Basic Law: “The Iraqi people have full equality in terms of their political and religious rights, duties and obligations. There shall be no difference between them, based on ethnicity, origin, language or religion...”: ibid, p. 11.
258 Cf: Kāẓim Ḥabīb: al-Izādiyya diyāna qadīma tuqāwim ..., pp. 97-98.
and its officials, are entitled to intervene in the affairs of other religions and have the power to prevent them from performing their religious rituals under the pretext of violating public security and order, or in the event that they can be considered to conflict with public morality. The maltreatment of minorities by the Iraqi State under the provisions of Article 13 extends far beyond mere interference in religious practice and the limitation thereof.

Although it is undeniable that the successive Iraqi governments within the monarchy practiced non-discrimination as public policy, paradoxically, they enshrined systematic discrimination towards minorities as State policy by denying the right to employment within government organizations and public positions. Similarly, admission to military college, the foreign affairs service and the Ministry of the Interior was also denied to religious minorities. Successive Iraqi governments, without exception, adopted this discriminatory approach. In conclusion, while granting minorities their rights in theory, they actively denied them access to exercise such rights in practice.

In the light of the decree-law of 1917 and the Iraq's Basic Law of 1925, proposals for laws and special regulatory systems relating to minorities were put forward. These included the establishment of commissions, administrative institutions and special courts for minorities in Iraq. The following institutions were established: heads for communities, spiritual councils, lay (corporeal) councils, and general councils.

Due to the significance of such laws, rights were given to the Iraqi People-of-the-Book (meaning Jews and Christians) and the State of Iraq recognized some non-Muslim religious groups constitutionally. This subject will be dealt with when speaking about the rights of religious minorities.

260 Al-Majlis al-Rāḥānī (The Spiritual Council) is a religious institution that regulates a religious community. Its aims are to preserve the beliefs of the community, to educate clerics and to find solutions to religious issues.
261 Al-majlis al-Jsmānī (the Lay ‘Corporeal or Physical or Wordly’ Council) is an administrative institution that manages the non-religious matters of the community such as schools and hospitals.
262 Majlis al-ʿUmūm (The House of Commons or The General Council) is a kind of general parliament for the community. It includes the president of the ṭāʾifa and a number of members of the corporeal and spiritual councils. Membership in this council was for a term of up to four years, according to the law of the ṭāʾifa in question. The most significant function of the council was electing a head to the community, electing religious leaders and checking and certifying the budgets, imports and expenses, presented by the community’s institutions. For more information on these religious minorities’ councils, see: Dalīl al-Mamlaka al-ʿIrāqiyya li-sana 1935-1936 (The official directory of the Iraqi Kingdom, 1935-1936). Baghdad: al-Amīn printing 1935, pp. 417-419.
3.2.2 Rights Given to the People-of-the-Book

3.2.2.1 Jews: Law and Jewish Jurisprudence in Iraq:

3.2.2.1.1 The Law of the Israeli [Jewish] Ṭāʾīfa No. 77 in 1931

By the consent of the king of Iraq, the houses of the notables and parliamentarians, the Law of the Israeli Ṭāʾīfa No.77 was passed in 1931. It contained 20 articles that provided for the establishment of spiritual, lay (corporeal) and general Jewish councils in Iraq and appointing Rabbis as presidents for the three Iraqi provinces of Bāṣra, Baghdad and Mosul under specific conditions and legal items. It is also worth noting that the enforcement of the Law of the Israeli Ṭāʾīfa No.77 organized the Jewish minority in Iraq in a manner that resembled a semi-independent entity. This law would include organizing institutions, councils, and elections to allow Jewish representatives to be elected to the aforementioned councils. All of these procedures were under the control of the Iraqi Ministry of Justice. The main purpose of the new law was to manage Jewish affairs, to establish a religious court that pertained to the Jews, and to regulate their personal status matters at home and abroad. The first, second and third chapters of the Ṭāʾīfa’s Law include the mechanisms for appointing a head to the community and a senior Rabbi in Iraq. In addition, the law included the establishment of a spiritual council in Baghdad. The fourth item stipulated that the appointment and dismissal of the community’s president was pursuant to royal will.

New legislation was needed that would make it possible for the Ṭāʾīfa’s Law to be implemented in practice along the aforementioned lines. Thus, the Legislation of the Israeli Ṭāʾīfa No. 36 was passed in 1931.

3.2.2.1.2 The Legislation of the Israeli Ṭāʾīfa No. 36/ 1931

This legislation was issued on the grounds of article 16 of the Community’s Law. It includes 34 legal points that were signed by the king and the Iraqi council of ministers on December 6th in 1931.

The new legislation was significant in that it allowed previous legislation to be used for the establishment of commissions and committees for regulating the religious and the non-religious administrative affairs of the Jewish community in Iraq. These commissions and committees were to be established through the holding of general elections in every

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264 For more information on the articles of that law and the mechanisms of regulating the community, and of choosing presidents and holding elections, see: Iraq: Ministry of Justice: The System of the Israeli Ṭāʾīfa No. 36, 1931. Baghdad: 1932, pp. 2-12.
province\textsuperscript{266} in which the leaders of the community were elected. These elected representatives were then appointed to the Jewish Lay Council in every state in addition to the spiritual council which was located in Baghdad. Here, a semi-autonomous administrative and representative framework was formed to govern the Jewish minority which, at least in theory, gave them some social and religious rights under the rule of law.

3.2.2.2 Christians

3.2.2.2.1 The Law of the Orthodox Armenians Ṭāʾifa No. 70/ 1931\textsuperscript{267}

Since there is more than one Christian church in Iraq, the law and system that are peculiar to the Armenian ṭāʾifa shall be mentioned as an example that may be similar to other Christian ṭāʾifas.

This law includes 22 legal articles that are mechanisms for regulating the matters of the community of Orthodox Armenians in Iraq, similar to that of the Jews. However, its articles were made according to the nature of the Christian ecclesial hierarchy of the church. Thus, via elections, a president was appointed and spiritual, lay and general councils were established.

3.2.2.2.2 System of the Orthodox Armenians Ṭāʾifa No.9/ 1932\textsuperscript{268}

This law and its items were published according to article 17 of the ṭāʾifa’s Law. It demands that the government has to issue the system of communities to effectuate this law. This law is comprised of 28 items with a clarification and amendment appendix for some of its items, all of which grant Christians some sectional rights as People-of-the-Book, similar to the Jewish community in Iraq.

3.2.2.3 The law of Regulating the Religious Court of the Christian and “Mosaic” [Jewish] Ṭāʾifas No.32 / 1947\textsuperscript{269}

In 1947, the house of notables and the Iraqi parliament agreed to legislate for religious courts for Christians and Jews, based on the amended article 23 of the Iraqi Basic Law, which allows the establishment of special religious courts for the minorities that are adherents of a revealed religion. This law included 19 articles and legal provisions. It is divided into two sections, the first is dedicated to the general provisions and the second is peculiar to special and temporary provisions. It includes 3 legal chapters.

\textsuperscript{266} In accordance with the first term of the new legislation, the general council in Başra was composed of a president and thirteen members. In Mosul it had a president and twenty members. The corporeal council in Başra was comprised of a president and six members; in Mosul it had one president and four members.

\textsuperscript{267} Published in: \textit{al-Waqāʾ i’ al-ʿIrāqiyya}, Vol. 984, dated 23 May, 1931.

\textsuperscript{268} This legislation was published in The Official Gazette of Iraq-\textit{al-Waqāʾ i’ al-ʿIrāqiyya}, Vol. 1093, dated February 25, 1932.

\textsuperscript{269} \textit{Al-Waqāʾ i’ al-ʿIrāqiyya}, Vol. 2509, dated 6th August, 1947. See translation of this law in Appendices, figure 2. 1.
In 1950, and on the grounds of the law of ṭāʾīfās passed in 1947, instructions of law and juristic rules of the ṭāʾīfa of Syriac Orthodox were passed to under 48 legal articles. All of which had been put according to the religious doctrines of the ṭāʾīfa.270

The law of procedure (No.10/ 1950)271 pertaining to Christian and Jewish communities was the most important piece of legislation altogether drawn up during the monarchy. It includes 157 articles, which are divided into four sections. It provides specific details about the mechanisms for filing lawsuits and holding courts, similar to the rules and systems of the Iraqi courts and administration of justice. Its importance lies in the details of the legal procedures as they relate to these two minorities.

It should be noted that the first ecclesiastical court was established in Iraq in 1947. Its mission was to preside over the lawsuits of People-of-the-Book. The Catholic churches resisted the establishment of a court particular to themselves, however, as it went against the Catholic ecclesiastical system which forwards appeals to the Vatican. The Syriac Orthodox church, by contrast, accepted the establishment of the courts which were created under the Monarchy. This court was one of the first to contain three Christian judges as well as a consulting lawyer. They were counted as civil servants and were given a salary by the State. In addition, the court of appeals was established and headed by the president of the Syriac Orthodox community and two other members of the community.272

3.2.3 The Rights of the Other Minorities (Non-Ahl al-kitāb)

Remarkably, all of the laws passed and the legal provisions made during the monarchy pertaining to minorities relate only to “People-of-the-Book”, meaning Christians and Jews. Other minorities, referred to as Non-Ahl al-kitāb were deprived completely of such rights, legal provisions and institutions. This grave disparity in the legal system remains unchanged until now. The severe lack of rights and the lack of recourse to legal action within an equitable legal framework are still endured by a significant proportion of Iraq’s non-Muslims citizens. Cases involving them are still heard in Iraqi courts according to Islamic law.

Although the Iraqi basic law provided for the establishment of spiritual councils for the minorities who do not adhere to a revealed religion, this has not been implemented to date.

270 For more details on this legislation, see Wathāʾiq tārīkhīya Kaldānīya (Historical Chaldean documents), the archive of Chaldean Patriarch No.2, in the archive of the Bureau of Christian Endowments and other Religions in Baghdad. Baghdad: 2010. Report and publishing: Puṭruṣ Ḥadād.
3.2.3.1 Yazidis

Although the Yazidi minority had a spiritual system before the establishment of Iraq, this did not grow to become united into an expanded spiritual council. This was due, not least, to lack of unity within the leadership of the Yazidis in Iraq and the world, which was marred by disputes between Ismāʿīl Bag Chol who lived in Sinjar and Saʿīd Bag and his mother, Mayān Khāṭūn, who lived in Shaykhān. A British report in 1917 considered Ḥammo Sharo and Dāwūd-e Dāwūd the worldly heads of the Yazidi in Sinjar and saw Shaykh ṬAlī as the spiritual head of the Yazidi in Shaykhān, whereas Ismāʿīl Bag Chol was considered the prince of the Yazidi denomination. As such, the report depicts the presence of a hierarchical organization of the Yazidi before the beginning of modern Iraq. In the interests of regulating Yazidi internal affairs and of reaching some kind of resolution, in 1928, the Yazidi leaders requested an expanded spiritual council for managing the affairs of the Yazidi princedom to be established based on the Basic Law of Iraq.

The Yazidis’ leaders requested on multiple occasions a Yazidi spiritual council or a council of religious affairs to be established 1928. That, in turn, caused Britain to announce its support for a Yazidi spiritual religious council, similar to the spiritual councils of other minorities, provided that it would include representatives from Sinjar and Shaykhān in 1930. Through this council, the Yazidis would have the ability to choose their leaders and manage their interior affairs. Britain ordered the Iraqi government to consider the Yazidi’s requests and establish a special committee to enact laws in harmony with their habits, rites and social nature.

The Yazidi requests and that of the British government went unheeded. Although a Yazidi enlarged spiritual council had been re-established, the Iraqi government failed to make laws pertaining to the Yazidi on rights and personal status, similar to those which it had afforded

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273 Ismāʿīl Bag Chol was one of the princes who had a position of great importance among the Yazidi in Sinjar. He assumed a political role in Yazidi history after the coming of the British. He died in 1933. Ṣadrīq al-Damalūjī: al-Yaẓidiyya (Yazidis). Mosul: al-ʾIthāḥ Printing 1949 p. 26.
274 This dispute is addressed in detail in chapter 4, section 4.2.3 and chapter 8, sections 8.3.1, 8.3.1.1 herein.
275 Self-determination in Iraq: Reproductions of original declarations by the people of Iraq regarding the future of their country. Declaration by the Yazidis of the Mosul Division, No.14, (9-Musul), 1919.
276 Ḥammo Sharo is one of the most important Yazidi leaders in the history of Sinjar. He was born in 1850 in Zivki village in the middle of Mount Sinjar. He played a significant political role during the British period. He had 7 children and died in 1933. For more details on Ḥammo Sharo, see: Ṣáo Khudidā Shingālī: Ḥammo Sharo wa-dawrīḥī al-ṣiyāsī (Ḥammo Sharo and his political role). Erbil: Arabic Gülân Magazine, Vol. 50, 21 July 2000, p. 113.
277 He is the Mihrkān Yazidi clan leader in Sinjar. His political role in the monarchy will be discussed in detail.
279 Fuccaro: The Other Kurds..., pp. 141-142.
citizens of the minorities of a revealed religion. As a result, cases involving the Yazidi have been dealt with to date according to the Islamic Sharia.

3.2.3.2 Sabean-Mandaean

The Sabean-Mandaean religion was not officially registered during the Ottoman era. During the formation of the Iraqi State and thereafter, they were to walk in the footsteps of the other minorities in an attempt to gain rights. Thus, a number of the Sabean-Mandaean scholars and tribal leaders advanced an official request to the presidency of the council of ministers on February 1, 1932, demanding the official recognition of their religion and their existence. In addition, they asked that Sabean-Mandaean would be recognized as an independent religious community with rights similar to other communities. The request included other important demands regarding the group’s religious holidays and exemption from military service for the spiritual presidents of the community, as their religion demands non-violence.

Sabean-Mandaean did not have any hierarchical or an official spiritual council until the 1990’s, when three councils regulating this minority were established. Prior to this development, their requests for a council went unheeded by the government and as a result, they chose to manage their social and religious affairs as much as possible themselves.

3.2.3.3 Kākāʾi

The Kākāʾi are considered Kurdish Muslim clans or tribes by the Iraqi state, both ethnically and religiously. For this reason, and due to the fact that their community had not yet developed an intellectual elite that was capable of representing them in such matters, they did not seek to be considered otherwise, from a political or a legal perspective, until after the American invasion in 2003.

3.2.3.4 Bahaʾi

When the Associations and Unions Law of 1922 and the Iraqi Basic Law of 1925 were passed, the Bahaʾi became an acknowledged religion in Monarchical Iraq. The Iraqi Basic Law recognized the freedom of religions and beliefs, which gave the Bahaʾi an opportunity to form their spiritual councils (the National Spiritual Assemblies and Local Spiritual Assemblies). They established an official head office in Ḥaydar Khāna in Baghdad for the

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281 This specifies four official holidays which are as follows; two days for the Greater Bairam, two days for the Lesser Bairam, five days for the Caliphate (Panjah) and one day for the birthday of Prophet Yahya (Wahba Yamana).


283 This topic is examined in more detail in chapter 8, section 8.1 herein.

284 For more information on the Associations and Unions Law in Iraq which was passed on July 2, 1922, see: ʿAbd al-Razzāq al-Ḥasanī: Tārīkh al-Wazārāt al-ʿIrāqiyya (The history of Iraqi ministries). Şaydā-Beirut: al-ʿIrāf for Printing 1953, Vol. 1, p. 80.

285 This organizations was a kind of national board for the Iraqi Bahaʾi.
practice of their religious rituals and for social activities. The Baha’i called this office *Ha ṭrat al-Quḍ* (the name of an institution and building). This office became the first Iraqi Baha’i spiritual assembly which was established in 1927 and became the sixth spiritual assembly to be founded in the world, headed then by Maḥmūd Qaṣājbī. After the laws and jurisprudence of the Jews and Christians were passed in 1931, the Baha’i community throughout Iraq held a general meeting in Baghdad on April 21/23rd in 1931, and the attendees brought forward a document entitled “The Constitution of the Baha’i League in Iraq”. At that meeting, they formed the National Spiritual Assemblies for the Baha’i in Iraq (NSA) to manage and organize their spiritual affairs throughout Iraq and on behalf of the Baha’i community in Iraq. The NSA for the Baha’i in Iraq submitted the document to the Ministry of the Interior. As of that date, the rights, duties, and responsibilities of the *ṭā‘ifa* became part of the NSA’s mandate upon which the organization was invited to manage and organize the spiritual affairs of the community. This caused the NSA for the Baha’i in Iraq to give its social and administrative functions a clear legal form. Consequently, the Baha’i achieved official recognition of their existence in Iraq. Their doctrine had also been recorded in the census forms in 1934, 1947, and 1957. Their name had been recorded in the official documents such as the identity cards and the Iraqi nationality during the monarchy, especially in the census of 1957. Thus, the NSA for the Baha’i in Iraq became a legal institution that openly carried out its activities, held periodical meetings and annual elections to choose presidents and members of the circle. In 1952, the Baha’i were granted permission to open an independent graveyard for their dead in Baghdad after the spiritual circle gained official approval.

One of the most important cases regarding the Baha’i that occurred in Monarchical Iraq related to the property of the house where Baha’u’llah, the founder of the Baha’i order, had once lived in the district of Karkh, the locality of Shaykh Bashshār in Baghdad. The Shi’i seized the building and the Baha’i went to court to resolve the matter. This proved fruitless, however, as the Iraqi judicature ruled in favour of the Muslims who were granted permission to take possession of the house, on the grounds that it was not officially registered to the Baha’i. Subsequently, the Baha’i petitioned the League of Nations on September 11th, 1928, demanding their right to retrieve the house. The case went to the Committee of Independence in the League of Nations, and was deferred to the Committee of Mandates for consideration.

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Although the Court of Mandates criticised the Iraqi judiciary for its handling of the case, it ruled that the case had been settled in Iraq according to Iraqi laws. With that, the house which was sacred to the Baha’i became a possession of Muslims.

In 2008, the NSA for the Baha’i in Iraq asked the Council of Ministers and the Iraqi Ministry of Culture to take measures to halt the destruction of the house by the Shi’i Waqf as it was considered one of the vestiges of the Baha’i that must be protected, and since it belonged to them. The Ministry of Culture intervened in an effort to halt the destruction of the house; however, the Shi’i Waqf demolished it and built a Husaynīya mosque in its place. The case remains open in Iraq to date.

3.3 The Rights of Religious Minorities in the Iraqi Chamber of Deputies ICD 1925-1958

In 1922, the Iraqi Government established an electoral system of the Constituent Assembly (Iraqi Foundation Board) to regulate the parliamentary participation and the rights of religious minorities in the Iraqi Chamber of Deputies ICD (Iraq’s parliament). The Constituent Assembly was elected on February 25, 1924. Subsequently, the Council of the Iraq Constituent Assembly was established by Royal Irāda (Royal Decree) on 27 March 1924. A total of one hundred candidates were elected to parliament, 4 members of which were Jews and 4 were Christians. No members of the other religious minorities were elected.

According to the election law of the ICD, which was passed on October 22, 1924, representation was granted to non-Muslim religious minorities (Jews and Christians) They were given four seats, the allocation of which is illustrated in the tables that follow herein.

Article No.36 of the Iraqi Basic Law states: “The Iraqi Chamber of Deputies is comprised of one elected member of the Iraqi Chamber of Deputies to every twenty thousand males”. Restrictions governing representation included Article No.37, which states that: “It must be

296 In accordance with the Islamic Sharia, the ICD gives Jews and Christians special consideration as a People-of-the-Book. See: A Compilation of Iraqi Constitutions..., the second amendment to the Iraqi Basic Law, Article.19, p. 46.
297 The tables numbered 1.1. to 1.4 on the following pages herein have been drawn up by the author, based on an analysis of all of the ICD election cycles between 1925 and 1958. See INLA: Kingdom of Iraq, The Minutes of the Iraqi Chamber of Deputies (ICD); Najī: Op. Cit.
non-Muslim minorities who represent themselves in the Iraqi Chamber of Deputies.”

In response to Article 37, the audit committee for election law met and decided to allocate both Jews and Christians each three seats according to the statistics which estimated that both communities numbered approximately 87,000 persons.

Some Members of the Chamber of Deputies MCDs objected to this decision. A representative from Mosul, Amjad al-ʿUmmārī presented a report on the matter and demanded that Christians and Jews would be granted ten seats in accordance to their population density.

A number of MCDs supported al-ʿUmmārī’s demands. After much discussion, both groups were given four seats. Hence, Jews and Christians deputies were actively involved in the legislature. Jewish deputies were to remain on the ICD for a period of twenty seven years, from the first election cycle (beginning in July 1925) through to the twelfth election cycle, which ended on June 30, 1952. Due to the issuance of the law that revoked their citizenship, they were excluded from participation thereafter. Having gained access to the ICP at the same time as their Jewish counterparts, the Christian deputies remained on the ICD until it was abolished June 9, 1958 with the establishment of the Republic.

Table 1.1 Shows the members of ICD from Iraqi religious minorities (‘People-of-the-Book’) from 1925-1946

<table>
<thead>
<tr>
<th>Iraqi states</th>
<th>Jews</th>
<th>Christians</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baṣra</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Baghdad</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Mosul</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

As for other religious minorities such as Yazidis, Sabean-Mandaeans, Baha’i and Kākāʾi, they remained unrepresented on the ICD, excluding the Yazidi. The Yazidi minority was represented on the ICD for a period of six cycles beginning in the eleventh election cycle on

298 A debate was held in the ICD regarding the designation of non-Muslim minorities and it was proposed that the term minority should be replaced with the term denomination. See: INLA: Kingdom of Iraq, The Minutes of the Iraqi Chamber of Deputies (ICD), thirtieth session, the meeting of June 25, 1924, p. 646.

299 Articles No. 36 and 37 in: A compilation of Iraqi constitutions..., p. 15.

300 INLA: Kingdom of Iraq, thirtieth session, pp. 1246-1248.


302 For details on reports and discussions in the ICD, see: INLA: Kingdom of Iraq, forty-eight session, the meeting of July 31, 1924, pp. 1247-1278.
March 17, 1947- February 22, 1948, when Maṭṭo Khalaf took office. The second seat (during the twelfth election cycle on June 21, 1948 - June 30, 1952) was held by Barakāt Nāṣir. Khidr khudidā Ḥammo won the thirteenth election to the sixteenth (and last) election that took place in 1958.

**Table 1.2** Shows the members of ICD from religious minorities in the year 1947

<table>
<thead>
<tr>
<th>Iraqi states</th>
<th>Jews</th>
<th>Christians</th>
<th>Yazidis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baṣra</td>
<td>1</td>
<td>1</td>
<td>-*</td>
</tr>
<tr>
<td>Baghdad</td>
<td>3</td>
<td>1</td>
<td>-*</td>
</tr>
<tr>
<td>Mosul</td>
<td>1</td>
<td>4</td>
<td>1</td>
</tr>
</tbody>
</table>

* got no seat in ICD because there was no population of that particular group in those regions

**Table 1.3** Shows the members of ICD from religious minorities in the years 1948-1952

<table>
<thead>
<tr>
<th>Iraqi states</th>
<th>Jews</th>
<th>Christians</th>
<th>Yazidis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baṣra</td>
<td>-*</td>
<td>-*</td>
<td>-*</td>
</tr>
<tr>
<td>Baghdad</td>
<td>2</td>
<td>3</td>
<td>-*</td>
</tr>
<tr>
<td>Mosul</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>

* no seat in ICD

** Table 1.4** Shows the members of ICD from religious minorities in the years 1952-1958

<table>
<thead>
<tr>
<th>Iraqi states</th>
<th>Jews</th>
<th>Christians</th>
<th>Yazidis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baṣra</td>
<td>-*</td>
<td>-*</td>
<td>-***</td>
</tr>
<tr>
<td>Baghdad</td>
<td>-*</td>
<td>2</td>
<td>-***</td>
</tr>
<tr>
<td>Mosul</td>
<td>-*</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

* no seat in ICD

** Table 3.5** Shows the members of ICD from religious minorities in the years 1952-1958

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303 See: INLA: Kingdom of Iraq, eleventh election cycle, the third unusual meeting on March 26, 1947, p. 9-15, 250, 354-359, 671-676, 713-715.
304 INLA: *Ibid*, twelfth election cycle, the third unusual meeting on June 28, 1948, pp. 30-33, 70-72, 85-88, 142-145.
It should be remembered that the deputies disagreed over the minorities’ parliamentary seats despite the existence of Article No. 36. Amjad al-ʿUmmārī had demanded that the Yazidi and Sabean-Mandaeans should be included in the government and should, therefore, be represented in the ICD. He proposed that one Yazidi should be elected from the Mosul Province to represent the Yazidis and one Sabean-Mandean be elected from ‘Amāra city and Muntafik township.\textsuperscript{306} This was rejected by some members of the ICD, including Zāmil al-Manāʿ, the Deputy of Muntafik municipality who claimed that the Sabean-Mandaeans had no rights of representation.\textsuperscript{307} Opposition was also voiced by the deputy of Mosul, Dāwūd al-Chalabī, who claimed that neither group was large enough to be entitled to representation and that the Yazidi should be considered Muslims, in any case.\textsuperscript{308} The outcome was that neither these, nor the other smaller minorities were represented on the ICD from the first election cycle which began on July 16, 1925, to the tenth election cycle - which ended on May 31, 1946.

Despite the granting of certain seats to the “People-of-the-Book” and the demands made by some members of the ICD that both the Yazidi and Sabean-Mandaeans should be represented, whole sections of Iraqi society were excluded from participation in the Iraqi legislature for over thirty years. Upon careful consideration of the minorities’ rights as relates to the Constitution and legal framework, in theory, and in practice, it becomes evident that (1) the political elites lacked concern for the welfare of religious minorities, in general, either because of their Islamic or Nationalist background; and (2) they discriminated against them classifying the minorities into “People-of-the-Book” who would be represented on the ICD and those others who would not be.

As for the argument that neither the Yazidi nor the Sabean-Mandaeans had the required numbers to be considered for representation under Article No. 36, no official statistics either existed or were being conducted at that time. Moreover, any statistics that were in existence during the period were deeply flawed documents that often differed greatly from one another. However, statistics conducted by British political officers estimated the Yazidi population at 30,000 inhabitants in 1921,\textsuperscript{309} which suggests that the Yazidi population was well above the 20,000 threshold required for representation on the ICD.

In general, the lack of official statistics on the minorities meant that they could not be represented in government. The general lack of reliable population statistics was an argument

\textsuperscript{306} For details of the reports and discussions in the ICD, see: INLA: Kingdom of Iraq. The Minutes of the Iraqi Chamber of Deputies, forty-eighth session, the meeting of July 31, 1924, pp. 1250-1251.
\textsuperscript{307} Ibid, p. 1270.
\textsuperscript{308} Ibid, p. 1266.
\textsuperscript{309} League of Nations: Question of the Frontier between Turkey and Iraq. Report submitted to the Council by the Commission instituted by the Council Resolution of September 30th, 1924. Geneva: August 20th, 1925, Doc. C.400. M 147. 1925. VII. ERRATA, p. 31. For a comparison between these statistics and another source, see: chapter 2, section 2.3, p. 46.
which was used to exclude the religious minorities from participating in politics and the legislature, and was therefore, a means of withholding their rights.

It is noteworthy that, although there is a constitutional article in the Iraqi Basic Law of 1925 that allows the minorities to become members of parliament, the only nominees before 1947 were People-of-the-Book (Jews and Christians). The three exceptions to same, namely, the three Yazidi MP’s who held office between 1947 and 1958 were admitted to office due to their social standing, in other words, their wealth and connections to the government and political parties and not because of their political legitimacy. Therefore, their nominations should be seen as a consequence of their political connections and the desire of those in power to further their own interests. The fact that they were not representatives of their communities becomes most apparent when their arguments and interpositions during parliamentary proceedings are considered; none of them ever campaigned for rights to be granted to their communities. Rather, in their interpositions, they upheld the general government trends.
Chapter 4: Socio-political History: Adversity of Religious Minorities Policies of discrimination and the Massacres in Post-Independence Iraq

Despite the establishment of the constitution and the making of laws that guaranteed rights to religious minorities, the end of the British Mandate and the early period of Iraqi independence, such as it was, was a time of persecution and adversity for the county’s three largest minority communities (for Christians, Yazidi, and Jews,) as discrimination and oppression became tools of the new state.

4.1 The Christians: from Dreams of Independence to Genocide and Disappearance

4.1.1 Pro-Colonization Background of the Christian Case

The political aspirations of the Iraqi Christians date back to the beginnings of the western missionary movement in the Ottoman state, especially after some of the religious minorities became the political instruments of powerful enemies of the Ottoman Empire. France adopted the guise of protecting Catholics, and Russia claimed to protect the Orthodox community, which caused Britain to claim it sought to protect some of the Iraqi Christians. The British were also interested in other religious minorities, especially the Jews, the Yazidi, and Sabean-Mandaean, interests which constituted some of their post-World War I strategy. Despite attempts by the Ottoman State to prevent the interference of the Western countries in its affairs, the last decades of Ottoman rule saw tense competition between the missionary movements. This, in turn, led to intensified efforts on the parts of the British, who sought to safeguard and promote Protestantism among the Iraqi Christians to the detriment of the French, who had claimed a mandate for themselves as “protectors of the Catholics”. In time, this competition consolidated the notion of independence, of establishing an independent entity under the official protection of Britain or France, in the minds of the Christian leaders in the region, especially the leaders of the Nestorian church. This became evident when Mar Shim‘un XVII Abraham (1820-1860), the spiritual leader for the Nestorian Christians in the Ottoman State asked the English church in the early 1842 to send deputies to educate the Christians.

Overall, such outside influence brought ideas of independence and nationality to the leaders of the various Christian churches and to their followers, concepts which also came to influence other religious minorities.

The relationship between Britain and the Christians led to Kurdish acrimony towards the Christian minority, and to disputes between the Christians and the Kurds, which culminated in a war between the two parties. A massacres of Christians in the years 1843 and 1846 by the Kurdish Botān Emirate prince, Mīr Badrkhān Bag would follow. This naturally caused a deep chasm between the people of both communities, who dwell in the same geographical area, and was to sour any prospective relations between them for generations to come.

As the majority of the Christian communities were small minorities surrounded and often oppressed by both the Muslim majority and disadvantaged by the political and social developments of the time, their independence movements were coupled with an awareness of their vulnerability in the region. These movements called therefore, for the establishment of a special entity to grant them western protection before the outbreak of the First World War.

The idea of independence for the Christians, similar to that of other minorities, crystallized out of many factors, the most important of which was the colonial dimension, the international conflicts, the policies of the Ottoman State and general oppression. Not least due to the outcomes of World War I, these factors consolidated into the spread of nationalism among all of the Iraqi peoples, prompting each group to begin to agitate public opinion towards the establishment of their own respective independent state.

4.1.2 The Christians during the British Mandate

The Christians sided with Britain and its allies against the Ottoman state, especially after Britain promised to aid their establishment of an independent Assyria or establish a common entity (independent autonomy) with the Armenians and Kurds. Regarding establishing a common entity with the other nationalities, especially with the Kurds, that project was to change, never to be realized, for many reasons. The assassination of the Christian leader, Mar Shimʿun Benyamin XXI (1887-1918) in March 1918, by Simkū Agha

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315 For more information on the oppression and persecution of Christians by the Kurdish Prince Mīr Badrkhān, see: Austen Henry Layard: Ninevah and its Remains: A Narrative of an Expedition to Assyria during the years 1845, 1846 and 1847. London: 1867, pp. 129-130; Frederick A. Aprim: Assyrians: From Bedr Khan to Saddam Hussein - Driving into extinction the last Aramaic Speakers, second edition, third printing. Xlibris Publication 2015, pp. 26-33.
317 Colonial Office C.O.: 730/54466/ No. P. 2134 January, 19, letter from sd. H. Goldsmith, Political Officer, Sulaimani to the 33rd High commissioner, (Including a letter from Ismail Agha Simko to Baber Agha Qaimaqaq of Qala Diza), Baghdad, dated 25 September, 1921.
(1895-1930), the leader of the Shikkāk Kurdish clan, in order to limit his political aspirations towards establishing the Assyrian State in the regions which Simkū Shikkāk considered Kurdish, was to put an end to ideas of the establishment of a common entity. 318

Meanwhile, France, which had promised the Christians (Assyrians) self-rule, especially in Mosul would gain possession of that city under the clandestine Sykes-Picot Agreement. 320 This was confirmed by the British-French declaration of November 7, 1918, which asserted that the Assyrians would be granted “self-determination” 321 similar to the other peoples of the Ottoman state.

As a result of the developments and the compromises reached during the post-war period and the 1919 Paris Peace Conference, two projects to establish a special entity for the Christians in the region came to light. These projects were spearheaded by the Christian leadership, which was divided between prominent religious figures and clan leaders. The Christian leadership, 322 headed by Mar Shimʿun XXII Paulos and his regent, Surma Khānum, 324 demanded the support of Britain. 325 Relatively speaking, their agenda can be considered modest, as it did not include the establishment of an independent Assyria to which many Christians aspired.

The tribal leadership was headed by Aghā Puṭruṣ Elīyā (1880-1932), 326 which was more complex in that it represented both Catholics and Nestorians (the Chaldeans and the Assyrians). Aghā Puṭruṣ demanded an independent state for all the religious minorities and for all Christians (the Assyrians, Armenians, and Chaldeans) in the northern regions of Iraq. It

323 Mar Shimʿun XXII Paulos succeeded his brother, Mar Shimʿun Benyamin after the latter was assassinated in 1918. He died in 1920 after a period of illness at the Baʿqūba camp, northeast of Baghdad.
324 Surma Khānum was his sister. She was his regent until his death in 1920, then she became the regent of his 11-year-old nephew, Mar Shamʿun Eshai. For more information about Surma Khānum, see: Kīr Wībil Yaʿqūb: Surma Khānum (1883-1975): fi Qalb al-ʿiṣār al-ladāḥī ajīṭāḥa Bilād ma-bayna al-Nahrayn (Surma Khānum (1883-1975): in the heart of the hurricane that is Mesopotamia). Tr. From French by: Nāfiʿ Tūsā: Baghdad: Atlas Company Printing 2011.
326 Aghā Puṭruṣ Elīyā (1880-1932) was born in the Hakkārī region in southern Turkey and was a member of the Chaldean Church. He worked in the Ottoman consulate of Urmia and become consul in 1909. From 1919 to 1923 he worked ceaselessly for the Christian cause until he was exiled by the British authorities to France at the end of World War I. Christoph Baumer: The Church of the East: An Illustrated History of Assyrian Christianity. London, New York: IB Tauris and Ltd 2006, p. 261.
was to extend to the mountains of Armenia, and was to be placed under the protection of one of the major countries. Most probably, he envisaged France as the source of protection, because the latter had previously promised to begin “establishing a Chaldean-Assyrian country” under French protection. This new independent Christian state was to include the whole of Mosul and other vast regions that currently belong to Turkey and Syria.

In an effort to contain the increasing French presence in Mosul, Britain tried to sway Aghā Puṭruṣ and the Christians to its side once more, by claiming that it, too, supported the establishment of an independent state. To make this dream a reality, Aghā Puṭruṣ devoted himself to unifying all the Christian jāʾīfās and Yazidi in Mosul under his auspices. He asked the Yazidi to support his project, especially those in the mountains of Sinjar. In an attempt to show its support for this project, Britain established The Assyrian Repatriation Camp at Mindān, which was located at Khāzir, thirty miles north-east of Mosul in May 1920, to contain the Christians who had fled Turkish oppression. However, the execution of the project was delayed and the resolve of the Assyrian case was weakened, due to the Iraqi revolt against the British on March 30, 1920. This took place in the south of Iraq, along with a series of upheavals by armed Kurdish movements in the Kurdish areas of the Mosul region. Subsequently, Britain began establishing local fighting forces from among the religious minorities, and from the Christians in particular, who were considered the best fighters in those local fighting forces which were actually established. These local conscripted forces came to be known as Levy forces, and were trained for military purposes.

Considering the political developments that followed, it is evident that the aspirations of the minorities were not included in the projects of the colonial forces. Rather, they divided the regions among themselves according to their own interests in agreements and conventions. Britain abandoned Aghā Puṭruṣ and his dream of statehood and subsequently challenged such aspirations by attempting to incite Surmā Khānum against him, an influential and charismatic character and the regent of the new religious leader, Mar Shimʿun Eshai XXIII (1920-1975). This became clear after the conference of Cairo on the colonies on March 12-13, 1921, which was attended by an Iraqi delegation. That conference assigned Fayṣal as the king of Iraq, and Britain decided to establish the local Levy forces who would maintain law and order.

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327 F. O. 371/4177/111181, the demands made by the Assyrians in a preparatory meeting before the Paris Peace Conference in summer, 1919; Fuccaro: The Other Kurds..., p. 159.
330 Fuccaro: The Other Kurds..., pp. 157-158.
333 Levy is local forces, for more information about the Iraqi Levies, See: Browne: Op. Cit.
alongside its own forces in Iraq. Sceptical of British motives, Aghā Puṭruṣ (along with a number of Christian leaders) refused to be a member of the Levy forces. He then called on France to support his project; however, by order of the British High Commissioner to Iraq, Sir Percy Cox, Britain arrested Aghā Puṭruṣ and exiled him to France in August 1921.335

It is noteworthy that the British helped to settle thousands of the Armenian and Assyrian Christians who escaped the oppression of the Ottomans and modern Turkey, near the city of Baʿqūba in the northeast of Iraq. Those refugees, along with the other Christians,336 took part in the first Levy units on 1 April 1921, headed by Major Dāwūd, the father of Mar Shimʿun Eshai. The British plan was to exploit them militarily,337 using them against Turkish forces which tried to preserve or regain Mosul Wilāyat (province), and also against the Kurdish Movement which began338 agitating against the British in northern Mosul.

The lack of concern or regard the British felt for their Christian allies soon became apparent after Britain was able to fully claim Mosul for itself in 1925. Thereafter, the British abandoned any effort to aid the Christian Movement, which had sought to gain Mosul as an independent Christian enclave. The reasoning for this betrayal related to the diffuse geographical nature of the Christian communities, which, the British argued, would make statehood or autonomy impossible. In an attempt to mollify and control the Christians, Britain tried to co-opt Mar Shimʿun Eshai and Surnā Khānum. It also prompted the Anglo-Iraqi government to recognize Mar Shimʿun as Assyrian patriarch and saw that a monthly salary was allotted to him. The Christians abandoned their project for independence and opted to campaign for the resettlement of its displaced persons. They requested that the government should be responsible for implementing this.339

After the relative stability of 1928-1929,340 Britain gradually dismantled the Levy forces and phased in the Iraqi Army. At the same time, Britain moved to grant Iraq its independence and make it a member of The League of Nations, the way for which had been paved by the Iraqi-British Convention of 1930. The convention did not contain any legal protections for the minorities, placing them in a potentially precarious position in the new Iraqi state.

335 F. O. 371/9006/E10068, Memorandum on the Assyro-Chaldean situation by Fr. Rodd, dated 11th October, 1923.
337 F. O. 406/75.223, Annex II. The Assyrians as Soldiers, p. 213.
Consequently, some sympathizing British subjects sided with the religious minorities and worked to guarantee the Iraqi Christians some protection before the mandate expired, such as the archbishop of Canterbury, and some other British notables such as Captain Antony Hurmzd Rassam, and the British naval officer, Mathew Cup among others. To this end, they established “a Committee for the Rescue of the Iraqi Minorities” in London on July 11, 1930, headed by Antony Hurmzd Rassam. The committee aimed to convince both the British government and the League of Nations to guarantee the safety of the minorities in Iraq, especially the Christians, and to take some measures to improve their circumstances such as by providing an enclave for the minorities before the Iraqi Kingdom would gain full independence. It was feared that, thereafter, foreign intervention in the defence of the minorities in Iraq would be extremely difficult.

That committee made great efforts to guarantee the rights of the minorities and to save their religious and national entities, their languages, peculiarities, and traditions. Led by Antony Hurmzd Rassam, it advanced petitions to the League of Nations and the Permanent Mandate Committee in the name of the Christians, the Jews and the Yazidis whom it also claimed to represent.

In Iraq, Christian leaders held the Mosul Conference of October 1931, which was attended by Mar Shimʿun. There, the activities of the Iraqi Minorities’ Rescue Committee were discussed, along with the necessity of gaining either guaranteed protections or of organizing a mass exodus to Syria, or to some other country deemed safe. They asserted that life in Iraq after the mandate would quickly become impossible. Mar Shimʿun Eshai presented these demands in a petition to the League of Nations on October 20th, 1931, thus highlighting Christian fears of religious oppression. Yet, despite the actions of both the Iraqi Minorities’ Rescue Committee - an organization made up of esteemed members of British society - and the Christian leaders in Iraq, High Commissioner to Iraq, Sir Francis Humphrys (appointed in 1929) asserted that neither the Assyrians nor any of the minorities would suffer the slightest discrimination and rejected the petitions as out of hand. The British justified their rejection of the petition by

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claiming they would assume responsibility for the Iraqi minorities in the post-Mandate period.347

In response to the Committee, the Iraqi Christians themselves and the arguments of Sir Francis Humphrys, the Permanent Mandates Commission submitted a special report to the Council of the League Council regarding the termination of the mandate. It quoted verbatim the declaration made by Sir Francis Humphrys, “the great importance of which the Council will have appreciated” It recommended that:

“In the case of Iraq the Commission is of opinion that the protection of racial, linguistic, and religious minorities should be ensured by means of a series of provisions inserted in a declaration to be made by the Iraqi Government to give the Council of the League of Nations, and by the acceptance of the rules and procedure laid down by the Council in regard to petitions concerning minorities, according to which, in particular, minorities themselves, as well as any person, associating or interested State, have the right to submit petitions to the League of Nations”.348

The Council of the League of Nations agreed upon the recommendations of the Permanent Mandates Commission and in accordance with same, Iraq promised to guarantee the safety of its minorities. In addition, Iraq was accepted as a member of the League of Nations and became an independent sovereign state on October 3, 1932.349 The League of Nations’ decision to uphold the concerns raised by the Permanent Mandates Commission and to demand that the Iraqi government pledge to protect its minorities by law is clear evidence of the level of consensus of the perceived risk to minorities at the hands of the Iraqi independent government; subsequent events would prove that those fears were more than justified.

4.1.3 Christians in Post-Independence Iraq

Meanwhile, at the moment at which Iraq became an independent Member of the Council of League of Nations, certain petitions from the Assyrians requesting either that they be transferred to the protection of another country, or that they be settled within Iraqi territory in an enclave with local autonomy were subedit. Realizing the difficulties, but anxious to make every effort to find the most satisfactory permanent arrangement possible (in the interests of Iraq itself and those of the Assyrians) the Council, in December 1932, requested five of its members to study the petitions carefully. On the basis of that study, the Council adopted the view of the Permanent Mandates Commission that the demand of the Assyrians for

348 Stafford: The Tragedy of the Assyrian..., p. 90.
administrative autonomy within Iraq could not be met. After this decision, relations between the Iraqi government and the Assyrians deteriorated. When the King was abroad in the summer of 1933, tensions reached a high point in Iraq. However, it was not the Assyrian case which caused the government major concern during the Monarch’s absence, rather it was the Shi‘i in the south, who were on the verge of staging a rebellion against the government. To maintain control, Prime Minister Rashīd ʿĀlī al-Gaylānī sought a diversion that would serve to unite the Muslim majority and reinforce governmental superiority. To that end, al-Gaylānī and his government decided to launch an assault on the Assyrians and strike them hard.

In the post-independence period, the Iraqi government failed to deliver on the guarantees they had made to the League of Nations to protect its country’s minorities. In response to that failure, the Assyrian Levy soldiers began an insurgence and resigned from their units. In Ammādiyya, 77 km. north of Duhok, the Christians held a conference from March 15-16 1932 to examine the Christian (Assyrian) case and the British attitude in the independent Iraqi state. The outcome of the conference was the Assyrian National Pact which highlighted a number of demands, the most significant being the return of the ancient Assyrian homes in Hakkārī (south Turkey) to the Assyrians, or failing this, that the Assyrians would be settled in an enclave in Iraq in the districts of ʿAmmādiyya, Duhok, and Zākhū. It was also demanded that this area be considered a semi-independent Millet or Millat (nation) with an Arab Governor and a British adviser.

The Assyrian National Pact also contained other demands: 1. The temporal and ecclesiastical leadership of the Mar Shimʿun should be officially recognized by the Iraqi Government, and Mar Shimʿun should be granted a senior position in the Iraqi Government; 2. An Assyrian deputy in Parliament should be appointed by the Assyrian community; 3. Schools should be opened in which Assyrian, as well as Arabic, should be taught; 4. Waqfs (endowments), hitherto exclusive to Muslim religious leaders, should be established for the

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351 Rashīd ʿĀlī al-Gaylānī (1892-1965) was a pan-Arab nationalist who opposed British Rule in Iraq and publicly supported the Axis during World War II. He first entered government in 1924 as Minister for Justice. Although his periods of tenure as Prime Minister were brief, much sectarian bloodshed took place during his reign, such as the massacres against the Assyrians in 1933, against the Yazidi in 1935 and the Farhūd against the Jews in 1941. After his failed coup attempt to overthrow the pro-British regime of Regent ʿAbd al-Ilah and his Prime Minister Nuri al-Said in 1941, al-Gaylānī fled to Germany. He was received in Berlin by Hitler and remained there until the end of World War II. Upon the defeat of the Axis, he fled Europe to Saudi Arabia. In 1958, he returned to Iraq and attempted to overthrow Qasim. After his failed coup against the latter, he was sentenced to execution, but pardoned thereafter. He died in Lebanon in 1965. Walid M. S. Hamdi: Rashid Ali al-Gailani: The Nationalist Movement in Iraq 1939-1941: A Political and Military Study of the British Campaign in Iraq and the National Revolution of May 1941. London: Darf Publications 1987.
353 Mar Shamʿun Eshai was elected by the Assyrian leaders at this meeting as their representative; he acted as sole negotiator in the matter of the Levy mutiny and the negotiation of the Assyrian National Pact on their behalf. See: Stafford: The Tragedy of the Assyrian..., pp. 97-98.
remuneration of the Assyrian religious leaders; 5. A civil hospital should be opened at Duhok, with dispensaries in the villages; 6. Assyrian rifles should not be confiscated. If these demands were accepted, the resignations of the Assyrian ‘Levy’ forces would be withdrawn.

The list ended with a declaration of loyalty to King Fayṣal and the Iraqi Government, and an offer to provide a) air defence for the British R.A.F aerodromes and b) one battalion for the Iraqi Army.354

These demands were clearly unacceptable to the Iraqi Government.355 When Humphrys, the British High Commissioner to Iraq reported the demands of the Assyrians to London in 1932, he correctly pointed out to his government that some of these demands “if granted, would be followed by similar claims from other communities in Iraq, such as the Kurds, Yazidi, Shiʿi, and even the people of Başrah. It is the consensus in Baghdad that to grant such demands would result in the final extinction of the authority of the Central Government of Iraq”.356

These demands were not in harmony with British policies and strategies in Iraq and were therefore rejected by the British. The Iraqi Government also rejected them. The demands were said to undermine Iraqi unity at a time when its leaders claimed they were trying to establish a harmonious and united state.

As a result, the Christians’ demands were not met. They then submitted a petition to the League of Nations on December 15, 1932. However, the council of the League of Nations did not accept their petition, especially on the issue of self-rule. Instead, the League of Nations requested the Iraqi government to settle the dispute.357 Despite the Christians’ insistence, Iraq and Britain insisted upon settling them in specific regions of northern Iraq. Britain sent a special committee for resettlement in the region for this purpose.358 When that committee held a meeting in Baghdad on February 25, 1933, Mar Shimʿun attended to discuss Assyrian demands. The participating parties did not reach a specific agreement, and Mar Shimʿun rejected the alternative project for resettling the Assyrians.359 Mar Shimʿun went to Baghdad

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again on May 22, 1933 to consider the Christian demands, showing flexibility in his attitude to the proposal of settlement, which he accepted. However, he insisted on the recognition of his temporal authority and leadership by the government. The government turned down these demands, though it granted him the power of spiritual head for the community. Soon after, the Iraqi Minister of the Interior, Ḥikmat Sulaymān decided to detain Mar Shimʿun in Baghdad for an unspecific period, which angered the Christians. Therefore, Yākū Malik Ismāʿīl, together with other Christian leaders declared an insurgency. They took hold of a section of the north of Iraq and closed the road between Ἃμμαδιγγα and Duhok.

Concerning the tense relations between the government and the Christians, it is worth mentioning that clandestine information was passed from the Ministry of Defence to the Ministry of the Interior, stating that an Assyrian assault was being carried out on officers in the army. This was according to two clandestine reports, one of them from the presidency of the army staff to the Ministry of Defence and the other from the Ministry of Defence to the Ministry of the Interior.

The “Assyrian rioters” (as they were contemptuously labelled by the Iraqi government) assaulted some army officers and Levy soldiers visiting Mar Shimʿun regularly in Mosul. Consequently, Mar Shimʿun was accused of creating a disturbance, especially the throwing of the stones at the houses of the army officers in Mosul. Accordingly, the two reports request investigations and punishments. It is notable that this report was greatly concerned with the investigations and measures. Bakr Ṣidqī (1890-1937), who was a commander for the northern region for the Iraqi Army, oversaw the investigations. He concluded that the stone throwing was arranged by Assyrian Levy soldiers and British officers collaborating with them.

The issue was considered an offense to the Iraqi Army caused by a grudge that Mar Shimʿun held against the government. These incidents, along with other developments, are regarded as having influenced the relations between the Christians and the Iraqi government.

As tensions increased between May and June 1933, the government planned an assault on the Assyrians and urged people to donate funds for military supplies that would be used to quell the Assyrian unrest. On June 24, the Iraqi government decided to send a military force to the region to put an end to the forces of Yākū Malik Ismāʿīl. Before the clash took place, Britain interfered between the two parties and negotiations started in which Yākū agreed to terminate

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364 These two reports were found in the Jewish archive which the American Army transferred to the United States after the occupation of 2003. The first was document No. 11208 which was sent by senior army staff to the Minister of Defense (clandestine), dated May 24, 1933). The second is document No. 778 which was sent by the Ministry of Defense in Baghdad, dated, May 28, 1933 (clandestine and immediate) to the Ministry of the Interior. Subject: The Assault of the Assyrians against the Officers in Mosul. See: IJA # 2100: Ministry of Defense to Ministry of the Interior; Report regarding the attack by Assyrians on Officers in Mar Shamʿun, in 1933.
365 Bakr Ṣidqī was of Kurdish origin. He carried out the first Middle Eastern military coup in 1936.
the insurgence if his forces were allowed to keep their weapons. It can be assumed that, behind his insistence that his men remain armed, lay his distrust of the Iraqi government and, potentially, his plan to leave Iraq, despite having vowed to attend the meeting of Baghdad to resolve the dispute.

Iraqi deputies made speeches in parliament on June 29, 1933, inciting hatred toward the Assyrians, which were disseminated and published in the *al-Istiqlāl* newspaper among others, after which a series of serious incidents took place in July and August, the most significant of which was the unexpected departure of some Assyrian leaders, headed by Yākū, along with nine hundred heavily armed fighters to Syria on July 21, 1933, after making an appeal to the French authorities.

Yākū then demanded that the other Christians leave Iraq, which many did, crossing the river Tigris to Syria. When tensions escalated, meetings were held between the French and the British. Accordingly, France requested the Assyrians to disarm and leave Syria.

### 4.1.4 The Massacre of 1933

After the French reversal, the Christians re-entered Iraq with their armed forces on August 1933. They battled Iraqi forces near Zākhū town and then withdrew towards Syria. As a result, 34 State soldiers were killed and 41 were injured, whereas 10 Assyrians were killed and 13 were injured. The clash turned public opinion against the Assyrians, since it was the first assault to be made on the new State and its army.

The ministries then began a propaganda campaign against the Christians and incited Muslim hatred towards the Christians under the slogan “Uniting Muslims against Non-Muslims in Iraq”. This call appealed to fundamentalist religious convictions and attempted to bridge the gap between Kurdish and Arab Muslims by uniting them as part of the government’s effort to eliminate the Assyrians in Iraq. The military campaign against the Christians involved the units which were then based in Mosul and was headed by Major General Bakir Şidqī. From the Kurdish clans, he recruited a number of the Arab clans and conscripted militia as a joint

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367 *Al-Istiqlāl* (The Independence) *Newspaper* was a nationalist newspaper in Iraq. It started its campaign against the Assyrians on 11 September, 1923, in: Vol. 231, and regularly published anti-Christian propaganda thereafter.
368 Stafford: *The Tragedy of the Assyrians...*, p. 121.
369 U. S. National Archives, 890 G. 4016 Assyrians/50, Letter from P. Knabenshue to the Secretary of State, Subject: Abortive Assyrian Attempt to Migrate to Syria, No. 149, Baghdad, July 30, 1933.
370 Stafford: *The Tragedy of Assyrians...*, pp. 151-152.
371 F. O. 371/16889, /E5178, Tel. from S. F. Humphrys to the Foreign Office, Baghdad, dated 4 September, 1933.
374 Air. 23/656/MX4583, reports received by Air Force Headquarters about using Kurdish Tribes and Shammar Tribes against the Assyrians in July and August 1933; F. O. 371/20015, 08996, a letter from C. J Edmonds to G. O Forbes, dated 24th August, 1933.
armed force against the Christians. These forces and the Muslim clans supporting them destroyed Christian villages in Duhok, Zākhū, and Shaykhān. Moreover, most captives were killed, and over one hundred peasants, including priests on three occasions, were taken out of their houses by the Iraqi Army and “shot in batches”.

These military operations continued until August 11. The tribal groups said to have participated in the actions were the Sindī, Gülī, and Slivānī Kurds; Jubūr, Shammar, and Ḥadīdiya Arabs. According to an eyewitness account, “My friends and I saw a plane fly into Simele [Summayl town] and start firing on us. Assyrians gathered in houses. [Since the men were being slaughtered] the women began making the young boys look like girls so they would not be killed. The third day after the killing began, they (some wearing Iraqi uniforms some not) rounded up some Assyrians and said, either become Muslim or we will kill you”.

The massacre at Simele town on August 11th, 1933 was the first of its kind in Iraq. There, about 315 Christians were killed, 305 of them were men, four were women and six were children. The death toll in other Christian areas was similar, where the number of casualties was estimated to be around 600. Approximately 138 Christians of the Bāz tribe lost their lives during the massacres. In just one incident, eighty-one men of the Bāz tribe who had surrendered were slaughtered in a single house. Nine-year-old Assyrian girls were raped and burnt alive. It has been recorded that at least "sixty-four Assyrian villages were looted and destroyed by Kurdish irregulars and by Arab tribesmen" during the mayhem. Stafford mentions sixty "looted" villages in Duhok and Shaykhān and other four in 'Ammādiyya.

After the massacres, the government adopted various procedures against the Christian leaders such as accusing Mar Shimʿun of treason and then deporting him from Iraq. This resolution took place after the king of Iraq, Fayṣal I, threatened the British that he would leave the throne if Britain did not exile Mar Shimʿun. The patriarch was exiled to Cyprus on August 18, 1933.

In the session of the Council of Ministers, held on August 16, 1933, the resolution of denationalization against Mar Shimʿun Eshai, Dāwūd Mar Shimʿun, Tiyūdür Mar Shimʿun

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375 F. O. 371/16889, /E5331, from Humphrys to the Foreign Office, Baghdad, 11 September 1933; Air. 23/6561 MX4583. Report from S.S.O., Mosul to Air Staff Intelligence, No. 140, dated August 14th, 1933.
380 Stafford: The Tragedy of the Assyrians..., p. 168.
and Surmā Khātūn was adopted by special Royal Irāda (decree). As for Yākū, he was also denationalized and became a political refugee in Syria where he sought French protection. He also sought refuge in the United States. The exile of these men created a dangerous precedent in Iraq and it had major repercussions for the subsequent periods. The Iraqi constitution completely prevents exiling or denationalizing Iraqis from the Iraqi Kingdom. Therefore, the government passed a special decree that gave it the right to denationalize every Iraqi that is considered a threat to general peace and security. This law was used against the leaders of the coup of March 1941 and also became the basis for the denationalizing of the Jews in 1951-1952.

After the massacres, shops were closed and a holiday ensued amid cheers, while women showered the “victorious” troops with flowers and rosewater. One section of the Iraqi army returning from the front quartered at Mosul, and another section arrived in Baghdad. Mosul gave an enthusiastic welcome to its regiment. People everywhere were chanting, “Long live Bakir Sidqi, Kamal Ataturk and the prince Ghāzi.” Triumphal arches were erected, decorated with watermelons shaped as [Christians] skulls into which daggers with red streamers, intended, it is assumed, to represent blood, were thrust.

This attitude increased social divisions and religious hatred between Christians and Muslims, especially in Mosul.

The League of Nations and Britain delayed in carrying out any investigation into the atrocities committed on the Christians. However, Britain suggested that the League of Nations assign a special committee to find a new settlement for Iraqi Christians outside of Iraq. Thus, a mass exodus ensued and many Christians fled to Brazil in 1934. However, Brazilian public opinion balked at the notion of hundreds of thousands of people, entire communities, being spontaneously relocated to their country. There were other suggestions to move them to the British colonies. However, none were carried out.

Given Britain’s easy dismissal of the Iraqi Christians desires before the Mandate came to an end, their inaction during and after the 1933 massacres, and their laxity in the League of Nations, it can be firmly stated that the Christians, along with other minorities, were pawns in, and victims of British strategy and policy, pawns that were to be betrayed and virtually discarded after Britain gained control of Mosul. As for its claim to the League that the minorities need not fear for Britain would act as their protector, it watched passively as the

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385 Air. 23/656/MX4583. Reports from S.S.O., Mosul to Air Staff Intelligence, No. 144, dated August 19th, 1933.
Christians, Yazidis and Jews in turn, all faced massacres and when it did interfere, it sided with the CGI.

Iraqi Christians, for the most part, would fade into the background after the massacre. Yet their loyalty to Britain would involve the Levy forces in a second conflict with the Iraqi Army when al-Gaylānī revolted and sent the Iraqi Army to attack the British air base at Ḥabānīyya, eight years later, in May 1941. The Assyrian units of the Levies would join the British counteroffensive. Thus, their loyalty to the British caused them to be involved in the second conflict with the Iraqi Army, and “it is possible that after the war, when the British forces in Iraq have been reduced to peacetime strength, some Iraqi elements may be disposed to seek a favourable opportunity for revenge”.

Despite some of the obvious attempts to protect Iraqi Christians, some of the Muslim majority may well have wished to avenge themselves on the Assyrians for their part in helping the British Army to overcome the al-Gaylānī revolt. This may well have been part of the motivation behind the following British statement:

“There is a real risk, if it were decided that the Assyrians should remain in Iraq and Syria, that they would be exposed to dangers against which we should find it difficult, if not impossible, to afford them effective protection”.

On September 19th, 1943, the British Embassy in Baghdad tried to convince Nūrī al-Saʿīd the Iraqi prime minister, to resettle the Assyrians in Khābūr (north-western Iraq), according to all previous conditions which had been refused by Mar Shimʿun Eshai which included the resettlement of Assyrians in many different areas of Iraq.

It appears from one of the reports, sent by the British Embassy in Baghdad to London that the Iraqi government has agreed on resettlement of the Christians in Iraq in the Khābūr area. The report was optimistic, stating that the situation for Iraqi Christians was to improve in terms of security and education in the post-war stages (World War II). The report revealed that the Iraqi prime minister agreed that all Christians would have equal rights and, like Arab Iraqis, be able to pursue careers in the military and the police force. However, another report illustrated the non-action of the prime minister. It appeared that no resettlement of the

Assyrians in the area had been agreed. In fact, the Assyrians were dispersed across the region and the large number of them settled on the other side of the Syrian border, and only a small portion of them settled in Iraq.

At the end of World War II, Mar Shimʿun Eshai requested the international community and the United Nations to guarantee a safe place for the Christians. However, all his appeals would prove to be both fruitless and (increasingly) hopeless endeavours. Therefore, in 1948, he abandoned his aspirations for an independent Assyrian State or for Assyrian self-rule in Iraq and ordered all Assyrians, especially those living in Iraq, to maintain loyalty to the governments of their respective nations. All Christian political activity under his control ceased until the coup of 1963. Then, the Christians of Iraq entered a new era of conflict and divided loyalties as a minority in Republican Iraq, as will be discussed subsequently. It can be said that the slaughter of the Assyrians at Simele was the first genocide in the history of modern Iraq. It divided the Christian community between Syria and Iraq and between northern Iraq and KRI, many fled to the major Iraqi cities to escape further massacres.

The exile of their leader and the oppression they faced destroyed Assyrian hopes of self-rule. In addition, the conflict became a point of tension between the Christians and the majorities which would have negative repercussions on any future political demands they may make. Moreover, the events of 1933 heralded an era of instability and hatred, as their regions were exposed to Arabisation, Kurdification and Islamisation, which impelled them to gradually leave Iraq for good.

The Christian case serves to illustrate various factors that involved multiple layers of Iraqi society which would also repeat themselves in the decades to follow. Arab and Kurdish clans were manipulated to turn against the Christians by the the Iraqi government for its own ends, for example. Secondly, minority and identity politics were utilized to save the state’s face and, this (as opposed to popular legitimacy), was used to consolidate its power. Furthermore, political manipulation was utilized to attain clandestine political gains at the cost of civil unrest and general stability. Lastly, such clandestine strategies were instigated at junctures in Iraqi interal politics when an upsurge of religious and/or nationalist thought would give them the buoyancy and drive to hasten the outcome desired by the key political stakeholders behind them.

Similar to other peoples in the Middle East after the fall of the Ottoman Empire, the Christians, as a clearly definable minority, should have been granted self-rule under the protection of the new Iraqi state, not least because of their size, and since they were socially and politically organized and had a clear concept of self-governance. However, due to the change of strategy among the European stakeholders’ international policies after World War I, which saw them distance themselves from the promises of independence they had previously

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made to the Christians, their hopes for self-rule, despite this time of great historic opportunity, were never fulfilled.

4.2 The Yazidi - From Revolution to Persecution

4.2.1 Historical Background

Yazidis have been exposed to many massacres as well as individual and mass killings and kidnappings, especially during Arab and Islamic invasions of their districts. Collectively, by their religion, Yazidis are compelled never to convert to Islam, holding instead to their own religion, a refusal that would earn them a history of persecution and tragedy, as their regions were repeatedly invaded by the dominant powers of the time. These attacks intensified after many religious advisory Fatwas (opinions) were declared by Muslim clerics against them. These Fatwas declared the killing of a Yazidi lawful, in view of the fact that they were considered disbelievers.

The Yazidi are first mentioned in historical sources with the advent of Shaykh Ādī Ibn Musāfīr to Lalish valley, the main place of worship in the region of Mount Dāsin (505 AH/1111 CE). The arrival of Shaykh Ādī Ibn Musāfīr heralded a new era in the history of the Yazidi, an era of considerable change as reforms in the system of rule, politics and religion would transform and modernise the Yazidi way of life.

The Yazidi enjoyed widespread authority, both geographically and politically during the reign of Ḥasan ibn Shaykh Ādī II, the son of Abū Ṣakhar Bin Barakāt (591 AH/1094 CE - 644 AH /1246 CE) who was killed by Atābik (the ruler) of Mosul, Badr al-Dīn Lūʾū’ (615 - 656 AH)

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394 According to Yazidi heritage, they were exposed to 72 genocide attacks by Muslims, most of which occurred during the Ottoman era. These attacks are generally known as faramān, or “edicts”.


396 The Yazidis had castles, fortresses and centers that withstood Islamic invasions. The most important of them are Dāsin Castles and Bāʿadra, and other centers such as Sinjar, Duhok (Dāsin) and Āmad (Diyār Bakir), see: Ahmad ibn Yahya al-Balādhurī: Futūḥ al-Buldān (countries’ conquests). Egypt: Egypt for Printing 1909, p. 327; Ṣadīq Ṣafī Zādah: Tārīkh Kurdū Kurdistān (The history of Kurds and Kurdistan). Tehran: 1378 Shamsī, p. 668.

397 Muslims dealt with free non-Muslims of al-Dhimmah, which means People-of-the-Book, such as Christians and Jews, in a special way, in exchange for their payment of ’tribute’ (jizya).

398 The Yazidi had two main fortresses in Iraq at that time, one on Mount Sinjar and the other on Mount Dāsin which lies between Duhok and Shaykhān. See map in: Appendices, Figure 1. 3.

The assassination of Hasan ibn Shaykh Ādī II marked the beginning of a huge military campaign against the Yazidis in 652 AH/ 1254 CE. The forces of Badr al-Dīn Lū’lū’ entered the temple of Lalish, had the bones of Shaykh Ādī exhumed and burned. They crucified and killed the captive Yazidis whom they found in the temple. The Yazidi regained control of the Hakkārī province (southeast of Turkey), and of the Bahdīnān province including Dāsin Mount (north-west of Iraqi Kurdistan) during the reign of their leader, Sharfaḏīn. However, this was a short-lived triumph as the latter was killed by the Mongols in 652 AH/ 1257 CE.

The period of calm ushered in by Sharfaḏīn would end 155 years later, when Jalāl al-Dīn Muḥammad Ibn ‘Izz-al-Dīn al-Ḥālwānī (an affiliate of the Shāfīʿi School) declared a fatwa that legalized attacks on the Yazidi. Kurdish emirs would react favourably to the fatwa and Prince Mīr ‘Izz-la-Dīn Būktī, Būtān’s Emirate prince, Mīr Tawkal Kurdī, the prince of Sharānsh, Kayfā fortress prince and others would band together to attack the Yazidi of Mounts Dāsin in 817 AH/ 1414 CE. Their assault would be successful and what captives they took were led to the temple of Lalish, where they were killed and their women seized.

For many reasons, Yazidis were constantly exposed to extreme tyranny and persecution, including forced conversion, in the Ottoman period in particular. There were also many religious Fatwas (edicts or advisory opinions) declared against them by the country’s official muftis. The Fatwas issued by Shaykh Abū Saʿūd al-ʿAmmādī (1491-1575 CE.) which was made public in 974 AH/ 1567 CE, and by Malā ʿṢāliḥ al-Kurdī al-Hakkārī (980 AH/ 1573 CE), as well as that of Shaykh ‘Abd-allah al-Rabatkī (died in 1159 AH/ 1746 CE).

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402 His shrine is located in Sinjar; it is the second largest holy shrine after Lalish.


405 Some historians point out that the first fatwa, in this regard, was in the 9th century (the third of the hegira). It was ascribed to Imam Muḥammad bin Ḥanbal and Imam Abū al-Layth al-Samarqandī. See: Ṣāmī Ṣāʿīd al-Aḥmad: al-Yazīdiyya, aḥwāluhum wa-ṣayarihun wa-ma taqadātuḥum (The Yazidi: their life and beliefs). Baghdad: University printing 1971, Vol. 1, pp. 27-41.


declaring the Yazidi blasphemers, Satan-worshippers, atheists, and apostates, are examples of such tyranny. These Fatwas deemed it legally permissible to kill the Yazidis and to take their women as captives and sell them on the slave market.

Similar campaigns against the Yazidi, sometimes carried out by the Ottomans, sometimes by the Safavids or Sunni Kurdish emirs, would continue until the end of World War I. There were also periods of relative stability, however, when Yazidi princes came into power, such as the rule of Prince Mīr Mirzā Bag Dāsinī over the Province of Mosul (1649-1650). Besides, the Yazidi minority preserved its own principedom, known as the emirate of Shaykhān. The Principedom’s territory was centered around the area of Shaykhān and Mount Sinjar which was an administrative area within the Province of Mosul. Similar to other Emirates in the Ottoman Empire, the Yazidi Principedom was autonomous. As a result of the relative independence enjoyed by them, continuous military attacks on the Yazidi were carried out by both Kurdish and Arabic Emirs whose territories were in the vicinity of the Emirate. From the beginning of the 13th century until the coming of the British and the establishment of Modern Iraq, the number of military campaigns and Farmāns (edicts) against the Yazidi reached a total of more than 150, according to some sources. Therefore, by the time Modern Iraq was established, the Yazidis had become a battle-weary people, disdained and considered inferior by those around them. By then, the term ‘Yazidi’ itself had become an adjective for condemnation. It was also used to refer to the attack, capture and killing of Yazidi women.

4.2.2 Yazidis during the Monarchy of Iraq

In reaction to the Ottoman policies towards the Yazidi of Sinjar, Yazidi leaders made contact with the British after they took over Baghdad on 11th of March 1917 and sought their help in confronting the Ottoman forces. The first official contact between the Yazidis and the British occurred when the Yazidi Chief, Ḥammo Sharo, received a letter on August 1917 from

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the British Policy Department in Baghdad, suggesting that he take advantage of the strategic site of Mount Sinjar, during the British advance on Mosul.

The Ottoman Empire became cognizant of these connections between the Yazidi and the British, and soon learned that the Yazidi had hidden and protected Armenian Christians whom the Ottomans considered fugitives. The Yazidi refused to comply with the subsequent demands that they hand over the Christian fugitives to them. In response, the Ottomans attacked and killed many Yazidi on March 1918, aided by the neighbouring Arab and Turkmen tribes.

When the British forces entered Mosul on November 8th, 1918, they were supported by the Yazidi under the leadership of Ḥammo Sharo and Isma’il Bag Chol. In addition, the latter brought Colonel Leachman into Sinjar and showed him that he could take it over from the Ottoman Forces. Subsequently, when the British forces arrived there in 1919, Ḥammo Sharo expressed his loyalty to the British. As a result, they appointed him Government Agent of the Sinjar District. Consequently, some villages on the outskirts of Sinjar which had previously been seized by Arab clans were repossessed by the Yazidi.

One year later, Yousif Rassam, a Christian, was appointed as an employee to the Sinjar administration and subsequently became District Chief of Sinjar in 1920. He was accepted by Ḥammo Sharo and by the Yazidis. Leachman, the British colonel, then visited the Yazidi of Shaykhān and Lalish temple and was warmly welcomed by Mayān Khātūn, the mother and regent of the Yazidi prince, Sa’īd Bag. His aim was to gain the confidence the Yazidis in Shaykhān, too.

Yazidi leaders petitioned the British authorities to grant them an independent territory under British protection, as they refused to submit to any Arab government in Iraq. Britain, on the other hand, offered Ḥammo Sharo a “Yazidi Emirate” in the district of Mount Sinjar and the neighbouring areas under his leadership. However, Ḥammo Sharo never took up the British offer.

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418 Gierlyn A. W. Leachman (1920-1880) was colonel in the British army which occupied Mosul. He was the military and political ruler for the brigade of Mosul. Farḥān: *al-Sīyāṣa al-Brīṭānîya tijāh…*, pp. 77-78.
421 Fuccaro: *The Other Kurds…*, pp. 79-80, 90-91.
423 Self-determination in Iraq: Reproductions of original declarations by the people of Iraq regarding the future of their country. *Declaration by the Yazidis of the Mosul Division*, No.14, (9-musul), 1919.
their offer, as to do so, would have meant breaching Yazidi custom which demands that the head of an Emirate must come from within the princely family. It is also likely that he realized that such an Emirate would have caused both his Arab and Kurdish neighbours to turn against the Yazidi with equal vehemence.424

An international committee came to Sinjar to investigate the people of Mosul’s desire to join either Turkey or Iraq. The report that followed showed that the Yazidis rejected Turkish claims that Mosul belonged to Turkey. It also established that the Yazidis wished to join Iraq, provided it were under British mandate.425

After resolving the Mosul issue, the border (the so-called Brussels Line of 1926) was drawn,426 upon which two major districts of the Yazidi, Sinjar and Shaykhān became part of Iraq. However, Sinjar became issue of dispute between the British and the French, as they had not yet agreed on how the border between Iraq and Syria was to be drawn.427 This was later decided by the League of Nations and a special committee for demarcating borders defined the future of the Yazidi territory of Mount Sinjar in 1932.

The committee ordered that, given the religious, cultural, economic and social relationships that connected the people of its territories, the entire Yazidi territory should be united within Iraq rather than being split across the Iraqi-Syrian border. Hitherto it had not yet been decided whether Sinjar and its adjacent territory should become part of Syria. The committee ordered that, rather than becoming part of Syria, Sinjar should be united with the Yazidi territory of Shaykhān, with had been under Iraqi sovereignty since 1925.428

Led by Dāwūd-e Dāwūd,429 the Yazidi revolted against the decision between 1924 and 1925, in an attempt to take Sinjar from the Anglo-Iraqi government. In turn, the Iraqi government, supported by the British Air Force, combated the revolt and coerced its leader into surrendering in July 1925. He was imprisoned in Mosul and then banished to Naṣriya city in

427 In accordance with the treaty of October, 1920 between Britain and France, the western part of Sinjar became part of Syria; however, after 1925. However, until 1930, Iraqi-British authorities dominated the area due to their control of Mount Sinjar and Tal Afar. Fuccaro: The Other Kurds..., pp. 114-120.
South Iraq. He stayed there until 1928, when he was allowed to go to Shaykhān, and finally allowed to return to Sinjar on October 20th, 1933.

Meanwhile, a dispute among the Yazidi leaders in Sinjar and Shaykhān over the leadership of the entire Yazidi community had taken place. The parties of the dispute were Ismāʿīl Bag Chol, on the one hand, and Saʿīd Beg and his mother Mayān Khātūn, on the other. This dispute resulted in a need to regulate Yazidi internal affairs, which saw the Yazidi leaders send multiple petitions to the British requesting the formation of an extended Jivātā Rūḥānī (Spiritual Council) to this end. That October, Britain announced its support of a Yazidi Spiritual Council, similar to the spiritual councils of other minority religions. The inclusion of representatives from Sinjar and Shaykhān was made mandatory, and through this council, the Yazidis would have the power to choose their leader and regulate their internal affairs. Britain ordered the Iraqi government to establish a special committee for enactment, suitable with the rituals and social habits of the Yazidi. However, unlike its undertakings on behalf of the Jews and Christians, the Iraqi government never created such an establishment for the Yazidi.

4.2.3 Disputes in the Yazidi Princely Family

The dispute in the princely family dates back to the late Ottoman Era and the early period of Modern Iraq. During the era of Prince Mīr ʿAlī Bag, a Yazidi prince, who lived during the reign of the Ottoman Sultan, ʿAbd al-Ḥamīd II (1876-1908), some disputes took place within the princely family as a result of his cousin’s Ismāʿīl Bag Chol’s visit to the Caucasus. Ismāʿīl Bag Chol claimed to have gone in lieu of the Yazidi prince. He visited Istanbul after the unionist coup of 1908 and met the Ottoman Grand Vizier Ḥusayn Ḥilmī Pāshā. Ismāʿīl Bag Chol demanded the return of the Yazidi temples and sanjaqs which the Ottoman State had confiscated in 1892, after a military campaign headed by ʿUmar Wahbī Pāshā and his son, ʿAṣim Bag, to Sinjar and Shaykhān. The Grand Vizier accepted the request and returned the

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430 For more information see: Fuccaro: *The Other Kurds...*, pp. 95 – 99
432 There were internal disputes within the Yazidi leadership at that time, see: Guest: *Op. Cit.*, pp. 176-192; Also, next section 4.2.3 of this study, pp. 95-99.
433 See the texts on the formation of the Yazidi spiritual council and the official response of the Iraqi government to it in July 1928, in: Jundī: *al-ʾIzīdiyya wa al-ʾimtiḥān al-ṣaʿib...*, pp. 135-139.
436 Sanjaq, meaning the sacred images of Malak Tāwūs. Yazidis have seven brass sanjaqs (“flags”) in the form of seven peacocks, representing the heavenly flag. Each flag symbolizes an angel and is specific to one of their regions. The Yazidi qawwāls (those who sing the religious hymns, or “Qawls”) visit Yazidi villages three times a year (April, September and November), bringing these sanjaqs to spread the teachings of the religion and collect alms. Each sanjaq is a statue comprised of several rings, on the top of which stands a bird that looks like a female peacock. See Khalīl Jundī: *Naḥwa Maʿrifat Haqqat ad-Diyana al-Yazidiyya* (Towards Knowing the Truth about Yazidi Religion). Sweden: Rābūn Publishing 1998, p. 122. For more details, see: Peter Nicholaus: “The Lost Sanjaq”, *Iran & the Caucasus*, Vol. 12, No. 2 (2008), pp. 217-251.
temple of Lalish and Sanjaqs to the Yazidis in the same year. The resolution of the Grand Vizier came as a result of the Young Turks’ slogans of freedom, brotherhood, and equality.

When the news reached Prince Mīr ‘Alī Bag, he feared that Ismā‘īl would overthrow him. A dispute ensued in the Yazidi royal family and Prince Mīr ‘Alī Bag confiscated some of Ismā‘īl’s property. Consequently, the latter filed a lawsuit against Prince Mīr ‘Alī Bag in Mosul during the time of Ṭāhir Pāshā, demanding the return of his property and that of his father, Mīr ‘Abdī Beg, and a share in the revenues of the temple of Lalish which generates a considerable amount of money from visits and donations.

These disputes intensified after Prince Mīr ‘Alī Bag was killed in the same year 1913. The princely family agreed that the deceased prince’s son Saʿīd, who was twelve years old, should be prince and appointed his mother, Mayān Khātūn, as his regent. The disputes within the princely family continued after the British occupation and the establishment of Iraq. Ismā‘īl Bag requested his rights regarding the throne and the money which was due to him. His efforts proved fruitless however. Princely rule over the Yazidi was made exclusive to the family of ‘Alī Bag and after the death of Mīr Saʿīd Bag 1944, his son, Taḥsīn Bag, succeeded him as prince. After his death, Ismā‘īl Bag’s children continued their father’s campaign for the return of his property and demanded a share in the throne of the principedom. Two of the sons of Ismā‘īl Bag, namely Bāyazīd and Mu‘āwiyya had crucial political roles during the Republican Era.

The disputes within the princely family outlined above are not merely the result of controversy over ascendancy to the throne and property rights. Rather, they are indicative and symptomatic of a flaw in the administrative system of the Yazidi principedom and the Yazidi religion. No electoral mechanism exists, and a method of selecting the Yazidi prince, based on

440 Many people were accused, without evidence, of killing him. Among those accused was the family of Āl-Mammān in Shaykhan, as both parties bore grudges. A rumour also circulated that Safar Āghā ibn ’Umar, the leader of the Kurdish Muslim clan of Dūskī, killed him for unknown reasons. See: Damalūjī: al-Yazīdiyya..., pp. 28-29.
441 Ismā‘īl Bag claims that he was chosen as a custodian to Saʿīd Bag. However, his sister, Mayān Khātūn denied that and also refused to live with them in the palace, because he was accused of having taken part in killing his cousin ‘Alī Bag. No involvement on the part of Ismā‘īl Bag in the killing has ever been established, however. See: Chol: Op. Cit., pp. 42-43.
442 He assumed that position when he was thirteen years old after the death of his father. This was accepted by the Royal Family, headed by his grandmother Mayān Khātūn. She herself was was appointed as regent and his guardian, as she had been for his father before him. For more information, see: Damalūjī: al-Yazīdiyya..., pp. 19-20, 31, 34-35.
443 Bāyazīd was born in 1923, in Sinjar. He moved to Baghdad in 1965 and opened an office for the Yazidi Umayyad call in 1969. He was then appointed president and prince of the Yazidi by republican decree in April 1980. He died on 13 June, 1981. From an interview with ‘Urūba Bāyazīd in Germany on 24 January, 2016. She is the daughter of Bāyazīd Ismā‘īl Bag. She worked as a consultant in Nineveh Governorate for the affairs of the minorities from 2011 to 2013. She now lives in Germany.
general consensus is also lacking. Rather, the new prince is chosen by the branches of the princely family. During this period, however, in a bid for the loyalty and control of the Yazidis, the CGI interfered in this selection process by supporting one of the candidates, irrespective of his suitability (such as his level of influence within the Yazidi community and among its spiritual leaders). In doing so, CGI interference set a precedent that would destabilize the Yazidi Princedom indefinitely. From then on, all members of the family could aspire to the princely position, whatever their qualifications were. This flaw is still existent.

The lack of participation of the Yazidi populace in the selection of the new prince may be attributed to widespread illiteracy within the Yazidi community, as Yazidis only entered schools after the Republican period and many were forced to wait until the government opened schools in Yazidi villages. This, in turn, meant that there was no educated elite in Yazidi community that could call for reform, such as the introduction of an electoral system along democratic lines.

It is worth mentioning that there are rumors that the Yazidi princes and clergymen forbade education. However, there is no evidence that past princes or the spiritual council ever prohibited official education for the Yazidi in the history of Modern Iraq. However, such a prohibition did exist during the Ottoman Era for very specific reasons. Firstly, education in Kurdistan and the Yazidi regions during the Ottoman Era was restricted to mosques and to Islamic religious education. The Yazidis feared that their children would convert to Islam, if they attended these schools. For similar reasons, the Yazidis avoided sending their children to missionary schools. Secondly, during the Ottoman Tīmāt (reformations), modern official schools were opened in the main Ottoman cities. These schools were run by the Ottoman State and, naturally, many Muslim Kurds were involved in their operation which, given the Yazidis’ poor relations with both the Ottoman State and the Muslim Kurds, made it extremely difficult for Yazidi students to attend these schools.

Thirdly, although the Ottoman State acknowledged Christians and Jews as ahl al-dhimma (free-non-Muslims) within the Millet System, the same recognition was not afforded the Yazidi. This lack of official recognition resulted in ongoing oppression of the community by the Ottomans until the last military campaign in 1918 over the Yazidi territory of Sinjar. The fourth reason was the poverty and ignorance endemic within the Yazidi community, which made them unable to open their own schools. Another aspect that became apparent later in the

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444 According to the statistics of 1957, the rate of illiteracy among the Yazidis reached 74.3%, one of the highest in all of Iraq. Cf: The Ministry of the Interior: The Directorate of the General Registrations, the records of statistics of 1957, the second file, table No. 33, reported in: Badrī: Op. Cit., p. 221.
period was the predominantly rural character of their community, since most Yazidis lived in villages.\footnote{In an estimate of 1965, 87.2\% of the Iraqi Yazidis were classified as villagers, whereas the rest was living in the urban areas of \textquotesingle\textquotesingle Ayn Sifni, Ba\textquotesingle sh\textquotesingle qa and Ba\textquotesingle z\textquotesingle an. See: Badr\textquotesingle: \textit{Op. Cit.}, p. 223.}

The first Yazidi children were able to attend school after the opening of State schools in the Iraqi cities. The first to enroll his children was Ism\textquotesingle il Bag in 1926. His son, \textquotesingle Abd al-Kar\textquotesingle m\ was the first Yazidi to hold a certificate from the Institute of the House of Teachers in Baghdad.\footnote{Chol: \textit{Op. Cit.}, p. 72.} Then, his daughter, Wansa,\footnote{The first educated Yazidi woman was Wansa, a member of the princely family and wife of Mir Sa\textquotesingle d Bag, the then ruler of the Yazidis. Maisel: \textit{Op. Cit.}, p. 6.} was enrolled at the American School for Girls in Beirut\footnote{Guest: \textit{Op. Cit.}, p. 187.} where she learned English. She returned to Iraq in 1933 to pursue her preparatory studies in Baghdad.\footnote{S\textquotesingle mi\textquotesingle ha A\textquotesingle m\textquotesingle Zak\textquotesingle: \textit{Dhikray\textquotesingle t}\, \textit{‘abiba ‘Ir\textquotesingle q\textquotesingle ya} (Memoirs of an Iraqi female physician). London: D\textquotesingle r\textquotesingle al-\textquotesingle H\textquotesingle k\textquotesingle ma for Publications, 2005, pp. 145-146.} Many Yazidis followed in their footsteps, and a few of them entered schools in Sinjar, Ba\textquotesingle sh\textquotesingle qa, Ba\textquotesingle z\textquotesingle an and Shaykh\textquotesingle an. Therefore, Ism\textquotesingle il Bag of the princely family is regarded as a pioneer in the field of Yazidi education who encouraged the Yazidis to avail of the opportunity of education in Iraq and also in other Yazidi regions.\footnote{When he visited the Region of the Caucasus to check on the welfare of the Yazidis there, he raised the matter of the education of the Yazidi in the region. Responsibility for the Yazidi community in the Caucasus was placed in the hands of Kabtikos, undersecretary to the Armenian patriarch in Yerevan, Medinus II Izmirlian (1908-1910), who promised to start seven schools for the Yazidi and to see to the community’s needs. See: Chol: \textit{Op. Cit.}, pp. 21-22.}

The first educated Yazidi elite in Iraq emerged in the 1970s. However, the political circumstances at the time meant that they were excluded from participating in State affairs. To serve the interests of the Arab-Nationalist regime, the dominating political elite followed a policy of excluding minorities from all layers of the administration. Thus, the emerging educated Yazidis were unable to reform Yazidi affairs. The Yazidi princedom lost some of its legitimacy and found itself marginalized from its people, to some extent. Although various attempts were made during the period to reform Yazidi community and politics, these did not come to light, due to the general instability and the political problems in the country at the time.

It is worth mentioning that the leaders of the Sinjari Yazidis protested against the bad administration of Mir Sa\textquotesingle d Bag and voted unanimously in 1934 that he should be overthrown. Later, they were joined by a section of the Yazidi population in the Wal\textquotesingle Shaykh\textquotesingle an region, due to the prince’s poor disposal of revenue from Lalish’s charitable donations and due to his depriving other members of his family of its sources. The group demanded another more competent person to be appointed.\footnote{Since the establishment of Iraq, Sinjar had been quasi-independent from the princely family’s political influence. At that time, the leaders of Sinjar, \textquotesingle Hamm\textquotesingle Sharo and D\textquotesingle w\textquotesingle d-e-D\textquotesingle w\textquotesingle, asked Ism\textquotesingle il Bag to come to Sinjar to be their prince after the latter had restored the \textquotesingle Sanjaq of Sinjar\textquotesingle by a resolution of the court of Mosul.} However, his deposition was unsuccessful and Mir Sa\textquotesingle d
Bag he remained in power until his death. His son, Taḥṣīn Bag was then chosen as prince, and remains in power to date.

The dispute in the princely family continued after Ismāʿīl’s death as his children continued to press for the return of their property and their prerogatives. In 1951, Muʿāwiya Ismāʿīl Bag presented new information to the Awqāf department in Mosul and called for an investigation into Mīr Taḥṣīn’s management of the temple of Lalish and his income from it. Since Mīr Taḥṣīn Bag was responsible for the temple, the government carried out an investigation from 1954 to 1955. This case was considered an internal Yazidi affair. As Iraqi law does not allow the government to interfere in the income of the temple and its spending, the Directorate of Endowments decided that it was sufficient to get a statement of income from Taḥṣīn Bag for the Awqāfs Department and to let him present the accounts of the temple to that department, and that he should be obliged to spend this money on building and repairing the temple, and on the affairs of the religious community. When Prince Taḥṣīn stood before the Directorate of Endowments, the Ministry decided, after examining the accounts, to close the case because it was considered an internal religious matter.

4.2.4 The Yazidi in the Post-Mandate Period

In the Iraqi-British treaty of June 1930, the rights of minorities were overlooked. Furthermore, it failed to set up measures for the protection for the minorities after independence. Fears abounded among the Yazidi and the Christians in particular about their future in Iraq after the Mandate would come to an end. Consequently, the leaders of both religious minorities formed an alliance to voice their concerns for the future of all minorities. This alliance, the “Committee for the Rescue of the Iraqi Minorities” presented a report to the League of Nations in the same year.

Subsequently, Yazidi leaders from Sinjar and Shaykhān held a conference in Mosul in 1931 which was attended by the British High Commissioner, Francis Humphreys. At the conference, the Yazidi leaders lay the following demands before the High Commissioner: 1. That only Christians be appointed as employees in the Yazidi districts; 2. The establishment of the Yazidi religious emirate in Sinjar; 3. That Yazidi would be made equal to the Iraqis in the prevailing laws of the country; 4. That they would be granted representatives in government

Therefore, Ismāʿīl stayed in Sinjar and intensified his relations with the British after the occupation. See: *ibid*, p. 46.

454 It is a branch of the Ministry of Endowment.

455 The matter was closed after the end of the investigations in 7 August, 1955, and the Ministry of Endowments agreed that no more discussion on the matter was necessary. M.D.C.: The Directorate of Endowments of Mosul, No.4236/648, dated 10 August, 1968, to the Province of Mosul. Issue: *Investing the Endowments of Shaykh ʿUday* (Shaykh-Adi) in district of Shaykhān, doc. 5, p. 15.

departments and the parliament; 5. That the Yazidi lands that had been confiscated by the
government should be returned to them.457

It is worth mentioning that subsequent events proved that the Yazidi fears were justified. The
State did not seek to find solutions to the regulation of Yazidi affairs, nor did they entertain
any of the Yazidi proposals or demands in that direction. This policy clearly falls within the
category of discrimination and oppression against them as a minority.

Permeating all walks of life, the government’s abuse of its minorities’ rights during this period
is indisputable and is therefore too broad for the scope of this study. However, the following
may serve to illustrate the general situation in which the Yazidi found themselves after Iraq
had gained independence.

Although the government had embedded the right to freedom of religious expression in the
constitution, official documents confirm that it banned a simple Yazidi prayer book shortly
after it was published and ordered that all copies of it be destroyed. Written by Jalādat
Badirkhān Baq, the Nivējên Êzidiyan (The Yazidi Prayers)458 it was probably the first
collection of Yazidi prayers written in the Kūrmānjî dialect. It was printed in Syria in 1933.459
Further acts of discrimination on the part of the State towards the Yazidi followed, such as the
Ministry of Religious Endowment’s refusal to register the Yazidi Lalish Temple and its
grounds as Yazidi property. Yazidi protests ensued, however, the Ministry held its ground.460

Distrust in the government among the Yazidi grew substantially, both as a result of its
aforementioned actions as well as its violent suppression of the Assyrian Christian movement
in August 1933. The Yazidi also feared that their refusal to participate alongside the Kurdish
and Arab tribes in the state’s campaign against the Assyrians Christians461 would result in
similar persecution being visited upon them by the Iraqi State.

4.2.5 The Yazidi’s Armed Movement against the Iraqi Government in 1935

At the dawn of Iraqi independence, state policies against the Yazidi multiplied. The
government’s Arabisation policy in which it engineered the seizure of Yazidi lands by Arab
clans in particular, meant that revolution was imminent.

458 Jalādat Badirkhān Baq: Nivizên Êzidiyān, Quatre prières authentiques, inédites des kurdes Yézidis, al-Taraqi
Printing, Damascus, 1933.
459 See the text of the document of prohibition in: Appendices, figures 2. 2; 2. 3.
460 Mālik: Fawājiʿ al-Intidāb…, p. 44.
461 Anastāns Mārī Karmalī: Kītībî Izīdyakān (Jalwa ū Maspfā Rash) wa Bīblūgrāfiyāy Izidīyān. Tr. From French
to Kurish By: Najātī ʿAbd-ellaḥ (Yazidi Sacred Books and the bibliography of Yazidis), Sulaymānī: Bingay Jīn
2006, pp. 219-220. (Kurdish Sūrānī).
Further government discrimination policies would make revolt by the Yazidi inevitable. In 1935, the National Defense Act (compulsory military service law) was passed. The authorities tried to force the Yazidi to join the army. This was rejected by them. A chief of a major Yazidi tribe, Dāwūd-e Dāwūd declared his non-recognition of the Iraqi government and his refusal to comply with this law. He ordered Yazidi men not to join the military service, and he refused to submit to the government’s warnings and threats that ensued. Dāwūd called the Yazidis to join him in armed resistance and they fortified themselves on Mount Sinjar, upon which the District Governor of Mosul, ʿUmar Nazmī, demanded that the CGI use military force against the Yazidis.

The CGI sent a military campaign to Sinjar to subdue the Yazidi revolt, headed by the General Ḥusayn Fawzī, on October 1st, 1935. A decisive battle between the two parties ensued on October 7th, 1935. More than 40 soldiers of the Iraqi forces were killed and injured, whereas 200 of the Yazidis were killed and 120 were injured. The government also destroyed eleven Yazidi villages in the course of one week. Martial law was declared on 14 October and lasted for almost a month: 364 Yazidis were captured, 9 were condemned to death, 69 to life imprisonment, 70 to twenty years’ imprisonment and 162 to fifteen-year sentences. Fifty-four were deported to the south of the country.

Despite the grave losses and the severe incarcerations on the Yazidi side, the government achieved very little with this first military conscription campaign. A mere 70 recruits were collected from Sinjar in February 1936, only four of whom were Yazidi, the rest of whom were from the local Muslim and Christian communities.

Britain intervened to lessen the sentences of the Yazidi who were imprisoned by the CGI and to have those released who had been taken captive and deported. The majority of the Yazidi who had been sentenced were released after the government declared a general amnesty in November 1936.

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463 It should be noted that since the Ottoman period, the Yazidi had always rejected joining military service, see the Memorandum of the Yazidis to the Ottoman Authorities in: Giuseppe Furlani: The Religion of the Yezidis, Religious texts of the Yezidis: translation, introduction and notes. Tr. From Italian to English by: Jamshedji Maneckji Unvala. Bombay 1940, pp. 61-76.
pardoned the Yazidis who had been sentenced to various terms of imprisonment by Court Martial in Mosul. Among those released were two important Yazidi leaders, Khudidā, son of Hamas Sharīf and Shaykh Khalaf Haskānī.468

When the Iraqi government attained victory over the Yazidi Movement, its leader, Dāwūd-i Dāwūd sought refuge in Syria469 and settled in Qamisli470 and later returned to Iraq in the 1940s.

4.2.6 Land Seizure and the Policy of Arabization

In conjunction with the Iraqi military campaign and its suppression of the Yazidi Movement, there were attempts by some nomadic Arab clans like the Shammar clan to take over Yazidi lands and villages in Sinjar. The Arab Shammar tribe leader, Shaykh, ʿAjil al-Yāwar, registered the stolen territory in his name471 with the support of the Iraqi authorities.472

“The encroachment on Yazidi lands in the Sinjar area by Arabs under Shaikh Ajil al Yauwwar of the Shammar ʿAbda tribe, has apparently been receiving increasing encouragement from the Government. The principal sufferer until now at the hands of the Arabs has been Shaikh Daud [Dāwūd-e Dāwūd]; but since the recent operations it is reported that Shaikh Ajil has not only occupied 1, 000 feddans of Shaikh Daud's land, but is also encroaching on land belonging to Shaikh Khalaf, Chief of the Haskan section of the Yazidis, who had remained loyal to the government. This action on the part of Shaikh ʿAjil is encouraged by the government as part of their Arab nationalist policy, and the Yazidis are beginning to realize that they are considered only another minority to be “liquidated,” like the Assyrians. Unless, therefore, the government policy changes, it may be that 1936 will see the Yazidis being eliminated from 'Iraq, but whether as peaceful emigrants or on the lines of the suppression of the Assyrians it is not possible to guess”.473

468 E849, 238/2/40, 26 FEB 1940, No. 69. Pardons issued for the Yezidis sentenced to imprisonment by court-martial in Mosul in August, 1939.
The government offered nine Yazidi villages to Arab clans in November 1936 after Dāwūd-e Dāwūd sought refuge in Syria. The government continued to distribute Yazidi land to Arab and Muslim clans until the late 1930’s. This government policy, which would later be termed Arabization, would cause violent conflict and clashes between the Yazidis and the Shammar, Jahish and al-Būmutiwut clans. It is worth mentioning that the Yazidi’s collective memory was full of painful memories due to the persecution they had suffered at the hands of these inimical tribes during the Ottoman military campaigns against the Yazidi during the Ottoman period.

The lack of impartiality on the part of the Iraqi government and its siding with these Arab clans in the land seizures exacerbated the conflict and led to its reaching a high point in 1940-1942. Upon his return from exile in Syria, Dāwūd-e Dāwūd, along with some other Yazidi leaders, called the Yazidis to rise up against the seizure of their lands. During the clashes, a significant government representative, Qāʾīmmaqām, the District Chief of Sinjar, Yūnis ʿAbdullah, was killed, which caused the situation in Sinjar to further deteriorate.

British official documents illustrate that Britain monitored and intervened in the transgressions against the Yazidis during this period. The British Interior Ministry advisor, Sir Edmunds, mediated between the Yazidi leaders and those of the nomadic Arab tribes and the Iraqi government. From British official documents, it is clear that the British recognized the government’s partiality towards the nomadic Arabs when Şafūk, Shaykh of Shammar, was awarded title to Yazidi lands. Moreover, the Yazidi made multiple petitions and complaints to the British advisor in Iraq, in which they described how their property was being destroyed and stolen, and that their farms had been demolished.

During the negotiations between the Iraqi government, Britain and the Yazidi, Dāwūd-e Dāwūd decided not to comply with Britain’s demands. He feared that, if he were to forgo attempts to regain the Yazidi lands by force and leave Sinjar as the British had demanded, so that the matter would be settled through negotiations with the Shaykhs of Shammar and other Arab clans, that he would gain nothing for his people. Dāwūd decided to stand his ground.

The conflict worsened and Dāwūd-e Dāwūd was once again exiled in 1941, this time to Sulaymāniyya. From there, he sent several letters to the Iraqi Prime Minister and the British High Commissioner, in which he emphasized both the need to restore Yazidi land that had

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474 F. O. 371/20803 X/MO 3176; Fuccaro: Ethnicity, State Formation..., pp. 573-574.
477 F. O. 325/28/42, Political Adviser’s Office, Northern Area, Kirkuk, about Daud I Daud, 2nd Desember 1942.
478 For more details about these losses, see F.O 325/1/42, No. C/1/G/749, Political Adviser’s Office, Northern Area, Kirkuk, 22nd January 1942; F.O 325/2/42, No. C/1/G/844, Political Adviser’s Office, Northern Area, Kirkuk, 9th February 1942.
479 F.O 325/30/42, No. C/1/G/1104, political Adviser’s Office, Northern Area, Kirkuk, 27th November 1942.
been confiscated by the Arab clans during his exile in Syria. He also demanded that to be allowed to return to Sinjar.480

The British High Commissioner, Sir Edmunds, intervened once again in the conflict. After considerable negotiations, a compromise was reached. He returned to Baghdad and reported the terms of the agreement to the British government in September 1941. He also stated his belief that the settlement would be reached satisfactorily, although there was some risk of it being sabotaged by the Mutasarrif (Governor) of Mosul. The latter, who was evidently chagrined by the settlement, had pushed for military intervention after the Yazidi had begun to mobilize, even before outright revolt had begun and matters had escalated after the death of the Qāʾimmaqām (administrative officer) of Sinjar. The agreement is detailed below:

“1. Dāwūd-e Dāwūd and other leaders, having come to Mosul, were pardoned for our previous refusal to obey Mutesarif summons. 2. Section of tribe involved in the death of Qāʾimmaqām (Habbābāt) fined dinars 1,350 (first installment of dinars 500 already paid on due date). The same section undertook to hand over for trial by civil courts men responsible for firing on Qāʾimmaqām. 3. Fine of 150 dinars to be collected for cutting telegraph wires. 4. Other Yazidis chiefs signed an undertaking to get the Yazidis back to their villages, preserve order, obey the law and help Habbābāt in the execution of their undertaking. A charge of cutting off water and forcing the withdrawal of police postponed for further investigation”.481

Subsequent to the settlement, the Minister of the Interior of Iraq was commissioned to find a long-term solution to the problem.482

Despite the settlement between the Yazidi and the Iraqi government which was reached under British intervention, the land seizures and the demographic Islamisation of Yazidi regions and the systematic discrimination towards the Yazidi would continue throughout the era of the Republic.

4.3 The Jews from a Prosperous Community to Massacre of Farhūd, then to Mass Exodus

The Jewish minority will be examined as it was the religious minority with the largest and oldest documented population in Iraq during the Monarchical period. Because of its unequivocal role in Iraqi history, culturally and economically, it will be briefly examined in this section. Although a few Jews remained in Iraq throughout the three Republican eras, the

481 F. O. E5938/1/93, Telegram from Sir Kinahan Cornwallis (1083), Disturbances in Sinjar: Settlement with the Yazidis could Hold unless Sabotaged by Mutesarif, Situation in Iraq, 21st September, 1941.
482 F. O. 371/27082 X/907, from K. Cornwallis to Eden, 11 November 1941.
Jewish minority suffered such oppression that its entire population was forced to leave its Iraqi homeland forever.

Most Iraqi researchers who have analyzed the history of the Jews in Iraq have taken an Islamic or a pan-Arabic view of events, and have often attributed the fate of the Jews to the activities of the Zionist movement, to the Palestinian issue and to the espionage which they claim the Jewish minority engaged in, in the interests of British imperialism. As for Jewish writers themselves, these have tended to portray their history from a uniquely Jewish perspective, and have often omitted to place Jewish history within a broader historical context. To date, Jewish minority history in general and the pioneering contribution which was made by them to the Iraqi economic and scientific renaissance have rarely been objectively or academically addressed. For these reasons, an attempt is made here to examine their history, as well as their political, economic and social status in Iraq.

Generally speaking, the Jews enjoyed a kind of special status in Iraq for almost the first half of the 20th century. This derived from their trade and economic relations with Britain on the one hand, and from relative privileges which they enjoyed under Ottoman policies towards them on the other, namely under the Millet system. After the departure of the British occupant forces in southern Iraq, however, Iraqi Jews were subjected to widespread persecution by the Ottoman authorities, whereby many were executed on charges of having collaborated with the British forces.483 They were also accused of manipulating the price of the Ottoman currency. Prior to the seizing of Baghdad by the British forces, numerous Jews were arrested and imprisoned by the Ottoman authorities and secretly and heinously ill-treated. “Their noses and ears were amputated, their eyes were gouged out, and they were bagged and dumped into the River Tigris”. 484

Having suffered under Ottoman persecution, Iraqi Jews openly welcomed the British occupation and the Jewish community is documented as having been overjoyed about the British military occupation of the cities of Mesopotamia. One Jewish man of distinction at the time wrote that the leader of the Scribes (Chief Rabbi ‘Ezra Dangūr) considered March 11th, 1917, the anniversary of the British troops’ landing- in Baghdad485 a holy day. Positive Jewish sentiment towards the occupation is also reflected in a formal accolade granted to General Stanley Maude, ‘Baghdad’s Conqueror’ (the British commander who seized Baghdad) by the Israeli Alliance School486 on November 14th, 1917.487

486 The Israeli (Jewish) Alliance School in Iraq was founded in Baghdad in 1864. It spread thereafter to other cities where Jewish communities resided, such as Baṣra in 1903, Mosul in 1907, Ḥilla in 1907, ʿAmara in 1910.
The initial welcome afforded to Britain and the subsequent loyalty shown them by the Jewish minority in Iraq partly originated from trade relations between both parties which existed towards the end of the Ottoman era. Most Iraqi trade during this period was done by Jewish merchants, craftsmen, and moneylenders who dominated business and banking activities in Iraq.

The British Mandate Era was filled with hope and fraught with uncertainty for all religious minorities in Iraq at the time. Although well positioned within the fabric of society as a whole in terms of population size and economic influence, the Jewish minority, similar to other religious minorities, also feared for the future of its people.

Plans which were made public by the British to declare Iraq an Arab State caused grave concern within the Jewish minority. They feared violence from nationalists in the country and also feared that an Arab state would become reality. This led the Jewish community in Baghdad to sign a unanimous petition, in which they demanded that the British government grant them British citizenship. In 1918, following the publication of an Anglo-French Declaration which promised “to encourage and assist in the establishment of indigenous governments and administrations in Syria and Mesopotamia,” the country came under Arab rule. In response to this development, representatives of the Jewish minority petitioned the civil commissioner in Baghdad, Percy Cox, and requested they become British subjects. Opposed to the prospect of an indigenous government ruling over them, they provided three reasons in support of their position; the Arabs were politically irresponsible, they had no administrative experience, and they could be fanatical and intolerant.

Despite such misgivings, the Jewish minority participated in the formation of the new Iraqi state. After the first Iraqi government was formed in 1920, Sassoon Ḥasqī, a prominent Jew, and Kirkuk in 1913. This development contributed to an overall improvement in education in Iraq which saw schools being opened in many cities in Iraq. For more information on Jewish schools, see: Faḍl al-Barrāk: al-Madāris al-Yahūdiya wa-al-Īrānīya fi-al-ʿIrāq, dirāsā muqārāna (Jewish and Iranian schools in Iraq, a Comparative Study). Baghdad: al-Ṭabarīya for Printing 1985, pp. 27-41.


Sāsūn Ḥasqī was born in Baghdad on 17th March, 1860. He was educated at the Alliance School. He left for Istanbul in 1877 in the company of Manāḥīm Ṣāliḥ Dānyāl who had been elected to the Ottoman Parliament as a Deputy of Baghdad during the reign of Sultan Abdul Hamid II. After studying in Istanbul, he proceeded to Vienna where he was an outstanding pupil. He returned to Istanbul where he obtained a law degree. He returned to Baghdad in 1885 where he was appointed dragoman (interpreter) for the consular services. On the announcement of the new Constitution in 1908, Sāsūn Ḥasqī was elected deputy for Baghdad in the first Turkish Parliament, a position he occupied until the end of World War I when Iraq was detached from the Ottoman
who was the deputy of Baghdad during the previous Ottoman parliament, was appointed Minister of Finance. In 1921, he attended the Cairo Conference under the chairmanship of Winston Churchill, the then Secretary of State for the Colonies, to settle the Middle East question. Sāsūn Ḥasqīl, who was subsequently knighted by King George V, represented Iraq with Sir Percy Cox, the High Commissioner, Miss Gertrude Bell, the Oriental Secretary and Ja’far Pāshā al-ʿAskarī, Minister of Defence.

The Conference nominated the Emir Fayṣal of the Hejaz as a candidate for the throne of Iraq. It was said that Sāsūn Ḥasqīl objected to the nomination of Fayṣal, who was a fellow Deputy in the Ottoman Parliament, to the Kingdom of Iraq, “stating that it was usual to choose a Northern prince to new thrones in Southern Europe and elsewhere (such as Greece, Bulgaria, Romania, for example). He was advised that Kinahan Cornwallis would accompany Fayṣal to Baghdad as an advisor and that he was from a Northern country”. Ḥasqīl subsequently backed the recommendation to crown Fayṣal King of Iraq. In acknowledgment of his abilities and in gratitude for his loyalty during his holding office as Minister of Finance, he was granted the position of Member of Parliament until his death in 1932. In addition to the offices of parliament which he held, Sāsūn Ḥasqīl collaborated with a number of British and Iraqi experts on the committee of enactment/ legislation which drafted the Iraqi Basic Law (constitution), prior to its official declaration in 1925. He is also credited with developing the Iraqi economy significantly, during his period of office as minister of finance. In 1925, he negotiated the oil concession with the Turkish (thereafter Iraq) Petroleum Co and insisted that royalties to the Iraqi treasury be paid in gold sterling. When Britain left the gold standard, Iraq benefited from this clause and obtained substantial royalties for its oil. His insistence on the sale of Iraqi oil revenues in gold was of great benefit to the development of the Iraqi economy and thus, is widely considered proof of his statesmanship, his honesty, integrity, transparency, and patriotism.

It is worth mentioning that Sassoon Ḥasqīl was known for strict accountability in all matters pertaining to public monies and succeeded in making the King, the ministers and the British Mandate authorities accountable for their use of public money. He also ensured the

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495 Nevertheless, some Iraqi scholars have accused him of Zionism, see: Barrāk: al-Madāris al-Yahūdiyya..., pp. 25.
establishment of a savings fund and secured the State budget, “al-Ḥasqalah”. Synonymous with austerity, his name has come to mean austerity in Iraqi dialect.

The spirit of the time saw various leading stakeholders in Iraqi society endeavour to make the new State a success. After his coronation, King Fayṣal of Iraq did everything in his power to win the confidence and support of the population. The Jewish community also made great efforts to win the confidence of the King. This is reflected in a speech made by King Fayṣal at a reception held in his honor on 18th July, 1921 at the Grand Rabbi’s house in Baghdad. In his speech, King Fayṣal underlined the importance of the various religious communities in creating a unified Iraq:

“There is no meaning in the words Jews, Muslims and Christians in the terminology of patriotism, there is simply a country called 'Iraq' and all are 'Iraqis'... I ask my countrymen the Iraqis to be only Iraqis because we all belong to one stock, the stock of our ancestor Shem; we all belong to that noble race and there is no distinction between Muslim, Christian, and Jews. Today we have but one means to our end: the race”.

This official declaration could be considered the first of its kind during this period, as it defines a patriotism based on tolerance. In making such a speech at the Grand Rabbi’s home, the king conveyed his appreciation of the status of the Jewish minority in the new State, which signifies the unique position enjoyed by the Jewish community in Iraqi society and in British-Iraqi relations as a whole. This unique position was characterized by a newly-gained access to higher education, for example. Commercial ties between the Jewish community and Britain were further strengthened, which would eventually lead to their total domination of the Iraqi economy. However progressive and inclusive King Fayṣal’s speech may appear, it is worth noting that it makes no mention of the rest of the religious minorities of Iraq, namely the non-Semitic religious minorities.

4.3.1 The Golden Age of the Jews of Iraq

The 1920s and 1930s were considered a golden age by the Jews in Iraq, mainly due to the modernizing influence of the British and to Fayṣal’s friendly policies. During the British occupation which lasted until 1921, the Jews were afforded equal rights, complete freedom and security. It would appear that most of the Iraqi Jews considered themselves de facto residents of the new State.

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British citizens, as if they were living on British soil. Some of them acquired jobs within the British Administration mainly in Baghdad and Baṣra.

The Jewish community would have liked British rule to continue. Some sought more economic freedom and more development of education; while others aimed to attain British nationality. The British observed their rapid educational development in Iraq with interest, as more than fifteen new Jewish schools were opened, in addition to the Jewish schools that had been founded during the Ottoman Era.

The British needed administrative staff and employees after Baghdad became the political capital and administrative centre of the country and found in the Jews, a well educated people who were competent in a number of European languages. The Jews’ involvement in the economical and administrative affairs of state, its institutions and companies was viewed by the British as a positive development, one that was to their advantage, not least because Britain saw Iraq as a significant potential market for its exports. In time, Jewish merchants came to control about 95% of the Iraqi economy.

Under British Rule in Iraq, the Jews founded a number of associations, clubs, and forums. On July 15, 1920, the British authorities allowed them to establish the first Jewish association known as al-Jamʿiyya al-Israʾiʿliyya al-Adabiyya (Jewish Literary Society) for the promotion of Hebrew language and literature. The society was led by Shlūmū Rūbīn Ḥayā, (who was assassinated on December 24, 1920), and its secretary was Salmān Shīnā. On 22 February 1921, a group of Jews applied for a license from the British High Commissioner to establish the first openly Zionist organization in Iraq. The request was granted by Sir Percy Cox, two weeks later. The Jamʿiyya al-Sahyūnīyya li-Bilād al-Rāfidayn (Mesopotamian Zionist Committee) was a legally recognized organization in Iraq from March 1921-July 1922, which carried out its activities with full government approval. Although its permit was not renewed, the authorities allowed the group to function with semi-legal status until 1929, chaired by Ahārūn Sāsūn Alyāhū Nāḥīmʿ, who was exiled from Iraq in January 1935.
Jews also opened numerous other associations and clubs for literary, social, scientific and mathematical advancement. According to the documents of the Iraqi Interior Ministry, the number of licensed Jewish associations and clubs in 1930 reached twenty-one.\(^5\) It is against this background of a prosperous, thriving Jewish community, that the gradual deterioration of mutual relations and the increasing aggressiveness of the government and Muslim majoritarian community towards the Jews must be examined.

### 4.3.2 Crystallization of Discrimination Policies against Jews

The Golden Age of the Jews in Iraq was short-lived. The first signs of anti-Jewish sentiment appeared in Iraq much earlier than in any other Muslim country, because of internal political developments and external influences. On, March 8\(^\text{th}\), 1928 when the first Lord Alfred Mond\(^6\) on a visit to Palestine, journeyed into Baghdad, rumours circulated about the nature of his visit, which was alleged to be connected with talks on the Jewish National Home in Palestine.\(^7\) The rumour caused hostile demonstrations initiated by the Muslim schools and mosques, which condemned the visit and the Zionist movement.\(^8\) Protests continued until November of 1929. Having realized that their relations with Muslim society were deteriorating, the Jews began to make donations to anti-Zionist parties, in an effort to silence their anti-Zionist statements.\(^9\) It should be noted that while Zionist activities in Iraq had commenced in the early 1920s, Zionism did not garner much support until the late 1940s. Although Zionism attracted some adherents from among the Iraqi Jewish youth, the majority of intellectuals did not become partisans, as they viewed the Zionist movement with great suspicion.\(^10\) Consequently, Zionism remained an insignificant phenomenon.

Anti-Zionism sentiments appeared gradually in the public domain, but quickly morphed into anti-Jewish sentiment. Newspapers such as \textit{al-ʿAlam al-ʿArabī} (the Arab World) threatened the Jews with the consequences of supporting the Zionist movement.\(^11\) Jewish citizens became the victims of assaults in Baghdad, which naturally caused fear and anxiety among the city’s Jewish inhabitants. Consequently, many Jews closed their businesses in all the major

\(^6\) Sūdānī: \textit{Op. Cit.}, p. 82.
\(^12\) \textit{Al-ʿAlam al-ʿArabī} (the Arab world), \textit{newspaper}. Baghdad: 1 October 1933, cited by: Sūdānī: \textit{Op. Cit.}, pp. 79-80.
Iraqi cities for more than two weeks, which significantly affected commerce in Iraq. The police guarded Jewish homes during this period in anticipation of possible attacks that might occur.517 Without the extensive efforts put into keeping order and peace by the first government of Tawfīq al-Suwaydī, “an untold atrocious massacre could have taken place against Jews”.518

The ascension of King Ghāzī saw the introduction of discriminatory policies against the Jews, as Ghāzī, unlike his father King Fayṣal,519 harboured anti-Jewish sentiments and was inclined towards Nazi ideology.520 Unsurprisingly, similar sentiments soon appeared among government officials after his coronation in September 1933 and lasted until his demise in 1939.

In September 1934, upon the appointment of the new Minister of Economy and Transportation, Arshad al-ʿUmarī, no less than 150 Jewish staff and civil servants were dismissed from his Ministry and from government service.521 The newly appointed minister also dismissed non-Jews for organizational reasons, but they were reinstated after a short interim period.522 Those dismissed included the two top-ranking officials as Directors General: Sāsūn Zilkha and Khūzīv Ṣahyūn.523 The positions which had previously been held by Jews at the Ministry of Economy and Transportation were then allocated to Muslims.

This government action was interpreted as clearly anti-Jewish by the Jewish community. In protest, they closed their shops and stores for three successive days.524 British official documents also record a statement made by the British Ambassador to Baghdad on the dismissal of the Jews from government office; “Local opinion accuses the Minister [Arshad al-ʿUmarī] of having announced more than once, his determination to prevent Jews from civil service”.525 It is not unlikely therefore that such discriminatory action toward any minority could cause it to lose confidence in its government, and lead it to search for an alternative homeland long term.

519 King Fayṣal’s disposition and general attitude towards the Jews is worth mentioning. Sources point out that during his visit to London in September, 1933, he received a proposal to settle a hundred thousand Jews, mostly from Germany, to Iraq, mainly to the lower Tigris River area, between al-ʿAzīzīya and Kūt. The king did not decline the proposal; rather, he submitted it to the Iraqi government for consideration. However, it was not discussed after his return to Baghdad. It had been said that this request was declined. See: Najdat Fatḥī Ṣafeat: Al-ʿIraq fī Mudhakarāt al-Diblūmāsiyyn al-Ajānib (Iraq in the Memoirs of the Foreign Diplomats), Beirut: al-ʿAṣrīyya Office for Publications 1969, p. 124; Maʿrūf: Op. Cit, 1976, p. 75.
It is useful to note that many newspapers, such as *Istiqlāl* (Independence), *al-ʿAlam al-Arabī* (Arab world), *al-Mufīd* and *Hidāya* and nationalist associations like the Muslim Youth Association, the Association of Defending Palestine, Muthanna Forum, fuelled antipathy on the Iraqi streets against the Jews under the pretext of supporting the Palestinians. The religious Fatwas declared by Muslim clerics with religious and ultranationalist tendencies also helped turn the population against the Jews.526

The Iraqi Consulate in Haifa reported to the Iraqi Ministry of Foreign Affairs in Baghdad, that the Haifa *al-Difāʿ* (the Defence) newspaper had run a story on the pro-Palestinian demonstrations and on the attacks on Jewish students, schools, and houses during the demonstrations in Jewish neighbourhoods on 28 May 1936. “The Jews became seriously concerned and they returned to their homes early in the evenings in fear of being assaulted...” The *Davar* newspaper condemned the attacks and the discrimination on the part of the Iraqi government.527

The targeting intensified during the second ministry of Yāsīn al-Hāshimī. During his reign, fanatical Arab aggression towards Jews spiralled out of control; Jewish clubs were attacked, and seven Jewish citizens were killed in the streets of Baghdad and Baṣra. Claiming that Jews were a danger to the unity of Iraq, they attacked and looted Jewish shops and stores, threw grenades at their clubs and killed a number of Jews. This took place in 1935 to 1936 during the administration of Yāsīn al-Hāshimī528 (who held office from March 17, 1935 to October 25, 1936). Al-Hāshimī’s dictatorial proclivities and pan-Arab ambition no doubt led him to tolerate, if not to instigate the anti-Jewish aggression. Such fear was aroused in the Jewish community by the targeting that they organized a one-day strike during which all Jewish shops and businesses were closed.529

On September 13th, 1936,530 the Committee for the Defence of Palestine in Baghdad (headed by the deputy of the Iraqi parliament, Saʿīd Thābit) distributed leaflets inciting hatred against the Jews. Three days later, on the eve of the Jewish New Year (September 16, 1936), two Jews were murdered. On the following day, which was proclaimed “Palestine’s Day”, gatherings were held in mosques, followed by demonstrations in which one Jew was killed and another wounded.

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530 Concomitant with events in Palestine- In 1936 the Arab Revolt in Palestine started.
The violence continued to gain momentum and on the Day of Atonement (September 27) a home-made bomb was thrown into a synagogue in Baghdad. A high-ranking Jew, Sāsūn Zubayda (secretary of a Jewish association in Baghdad) was assassinated in late September, prompting Jews to strike and close their businesses once again, for a three day period (7-9 October 1936).

The Jewish protests went unheeded and the assaults and the stone-throwing continued, with several bombs being hurled into the Jewish clubs on numerous occasions. It would only begin to subside when the government published an announcement threatening to punish to those guilty of incitement to hatred against the Jews. The Jewish community returned to their work, although for some time afterwards they shut themselves into their homes at night. The attacks continued, and some days later two more Jews were murdered. In the second half of October of the same year, three other Jews were killed; one in Baṣra named Gūrgī Khalīf.

Meanwhile, some local newspapers called on the Jews to publish a declaration stating that they had no interest in Palestine, which was duly published and signed by the Rabbi Sāsūn Khāḍḍūrī, Head and Chief of Iraqi Jewry. The document, in which he disassociated himself and his community from Zionism was published during the Arab general strike in Palestine in 1936, and is quoted below:

“In order to clear any doubts and prejudices against the Jews of Iraq with regard to the Zionist movement, and in order to expose the most basic truth in respect to this issue, I find it incumbent upon me to make the following announcement in the name of the Jewish community in Iraq: the community has no connection to the Zionist movement, its institutions or activities. The community never assists or sponsors this movement, whether within or outside Palestine. The Jews of Iraq are Iraqis, bound to the people of Iraq, and they participate with their brethren, the Iraqis, in their times of prosperity and their times of adversity. They are animated by the same feelings, sympathize with the Iraqis in their difficulties, and share their affections”.

In July 1937, two Jews were killed. Between December 1937 and January 1938 and again between August-October 1938, there were numerous attacks on Jews. In August 1938, thirty-three dignitaries of the Jewish community in Baghdad sent a telegram to the British Colonial Office and to the League of Nations, expressing opposition to Zionism and their devotion to their true homeland. This did not put an end to the attacks, however.

531 This declaration was published in the al-Istiqāl (The Independence) Newspaper in October 8, 1936, National Archives (Washington) Department of State, RG 5989G.4016 Jews/ 12, Enclosure No.1 to Dispatch No.708, Diplomatic, October 13, 1936, cited by: Stillman: Op. Cit., p. 389.
Baghdad witnessed the killing of a proportionately large number of Jews, probably because the concentration of Jewish citizens in Baghdad was higher than elsewhere. Except for the murder of Jews in Basra in 1936, outside of Baghdad, incidents against Jews were practically unknown. In southern Iraq, the Arab Shi’i (the largest Muslim majority in the south of Iraq at the time) were sceptical of Arab Nationalism. This factor could serve to explain why anti-Jewish propaganda did not gain a foothold there.

The Iraqi Consulate in Haifa reported that the Jewish newspapers in Palestine reacted strongly to the killings of the Jews and published severe criticisms and condemnation of the Iraqi government and of what was considered evidence of Islamic and Arab fanaticism. Those newspapers demanded that Jewish leaders worldwide raise the issue in the Assembly of the League of Nations, until Iraq vowed to guarantee the safety of the Jews and their interests as a minority in Iraq.

It should be noted that Iraqi Arab researchers contradict themselves when they address the Iraqi Jewish issues of the 1930s and 40’s. While they accuse the Jews of Zionism with the intent of migrating to Palestine on the one hand, they simultaneously accuse them of buying land in Iraq to establish a Zionist influence in Iraq on the other. If the Jews were in fact Zionist and intended to emigrate from Iraq to Palestine, then why buy land in Iraq with the intention of remaining in the country to instigate Zionist plots?

Clearly, the wave of anti-Jewish propaganda and violence is directly linked to the emergence and crystallization of nationalist and religious ideology in Iraq. This became particularly evident after the publication of Nazi propaganda in Iraq which was supported by the German Consul Fritz Grobba in Baghdad. Developments in Palestine along with the jostling of European nations for positions of influence in Iraq were also significant factors that contributed to the anti-Jewish propaganda and persecution.

It should be noted that Fritz Grobba stated in his memos that the majority of Iraqi Jews did not adhere to the Zionist Movement. He also commended Sāsūn Ḫaḍḍūrī, the Chief Rabbi in Baghdad and the head of the Jewish minority in Iraq for not allowing a boycott of German goods during the World War II. After the renewal of riots, attacks, and actions against the Jews, Rabbi Ḫaḍḍūrī along with the Jewish elite repeatedly denounced the Zionist Movement.

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534 Cohen: *The Jews of the Middle East*..., p. 28.
536 Those who killed the Assyrians in 1933, the Yazidis in 1935 and the Jews in 1941 are the same civil and military leaders who were pan-Arabist and nationalist leaders who assumed military posts and ministries in the Iraqi government, such as Rashīd ʿĀlī al-Gaylānī, Yūnis al-Sabʿawī and Arshad al-ʿŪmarī. These nationalists can be said to be the founders of the sectarianism and ethno-nationalism that emerged in subsequent periods in Iraq.
538 Ṣafeat: *al-`Iraq fī Mudhakarāt*..., pp. 24-25.
in Palestine from which they absolved themselves and wished Arabs peace.539 However, Arab ultranationalist movements in Iraq chose to ignore this, detaching Jews from the Zionist movement and to target all Jews without exception.

4.3.3 Farhūd massacre in 1941

4.3.3.1 The Naming of Farhūd

After a thorough investigation into the naming of the Farhūd,540 it can be concluded that it comes from the partisan name of Yūnis al-Sabʿāwī,541 a man known for his hostility to the Jews, and one of the most prominent figures of the May coup of 1941. He was nicknamed Farhūd542 in an undercover organization by the name of Ḥizb al-Shaʿb (the People’s Party) that contributed to the coup. It is worth mentioning that, during the reign of the coup government, al-Sabʿāwī set up three paramilitary youth organizations, namely the Youth’s Battalion, the Iron Guard, and Yūnis al-Sabʿāwī’s Commandos.543 As British forces approached Baghdad in 1941, Yūnis al-Sabʿāwī installed himself as the military ruler of Baghdad and southern Iraq to resist British forces. He used his militia battalions to exercise repression and intimidation against Jews.544

It is those attacks against the Jews by this man and his militias which make a convincing case for the claim that the term Farhūd sprang from his partisan name as a military ruler and supervisor of those battalions that perpetrated attacks and massacres against the Jews of Baghdad. Those battalions were named after al-Sabʿāwī’s partisan nickname. It is to be noted here that the purpose behind this naming was to officially condone the looting of Jewish property and the killing of Jewish citizens. Farhūd would go on to become a term in Iraqi dialect that denotes a breakdown of law and order.

4.3.3.2 The Farhūd Massacre (Pogrom)

During World War II, the political elites in Iraq split into two opposing blocs in their position on the war, one of them headed by the most popular Iraqi politician Nūrī al-Saʿīd who

540 It is the first time, to the author’s knowledge, that the term ‘Farhūd’ has been investigated.
541 After the failure of the coup, Yūnis al-Sabʿāwī tried to escape from Iraq; however, he was arrested and presented before the military court. He was sentenced to death in 1945. For more details on him, see: Khayrī al-ʿUmarī: Yūnis al-Sabʿāwī: Sīrat Sīyāsī ʿIṣāmī (Yūnis al-Sabʿāwī: A Biography of a Self-Made Politician). Baghdad: Publications of the Ministry of Culture and Arts, 1978.
supported Britain and issued a declaration of war against the Axis Powers. The second bloc was headed by Rashīd ʿĀlī al-Gaylānī who maintained a pro-German policy (Axis). This split in the political echelons of Iraqi society and the administration prompted al-Gaylānī, with the aid of army officers, to seize the opportunity and stage a coup. Al-Gaylānī formed a cabinet known as the Government of National Defence which included Yūnis al-Sabʿāwī, on 18 April 1941. He then overthrew the Iraqi Regent, ‘Abd -al-Ilāh who fled to Baṣra and from there, to Jordan.

Meanwhile, the Grand Mufti of Jerusalem, Hājj Muḥammad Amīn al-Husaynī, turned Muslim public opinion against the British. He also gave the conflict a religious dimension. In a speech broadcast on May 9, 1941 he declared a jihad (holy war) against “the greatest foe of Islam.” Yet the British would still come to occupy Iraq, their troops having entered via the southern border. They would defeat the Iraqi army and seize control of Baghdad before a ceasefire was announced on May 31st, 1941. The coup leaders fled Iraq and on the 1st of June of 1941, the Regent ‘Abd al-ʾIlāh was reinstated in Iraq and his supporters resumed public office. His return coincided with the first Sunday in June which is the Jewish feast of the Prophet Joshua (the descent of the Torah-Shavuot feast) and many Jews as well as Christians and Muslims greeted him at the airport. The purpose of their outing was not to receive the Regent and his entourage, neither was it to provoke animosity on the streets of Iraq, as many Arab Muslim scholars have claimed, rather it was pure coincidence.

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547 The Grand Mufti of Jerusalem, Hājj Muḥammad Amīn al-Husaynī was a supporter of al-Gaylānī. A Palestinian, he was exiled to Baghdad after playing a key role in the failed Palestinian Arab Revolt of 1936 to 1939 against the British Mandate there. He then became involved with the Middle Eastern intelligence unit of the German-led Axis in Baghdad. He supported al-Gaylānī’s coup and was instrumental in the dissemination of propaganda against the Jews leading up to the Farhūd of 1941. Subsequently, he fled to Germany via Italy, where he met with Mussolini, and, after having been received by Hitler in Berlin, he remained there until the end of the war. He met publicly with high-ranking Nazi officials on numerous occasions and assisted the Axis (mainly with propaganda) in its efforts to recruit Muslims in Bosnia for the German forces. After the defeat of the Axis, he spent a brief period in prison in France. With the help of fellow pan-Arabists, he escaped and was taken to Egypt, where he was granted political asylum. After the war and the establishment of the Israeli State, his influence in the Middle East waned, particularly in Palestine. He died in Lebanon in 1974. On al-Husaynī’s role in the Farhūd, see: Shmuel Moreh: “The Palestinian Role in the Incitement of the Farhud Riots in Iraq and the Attitude of Arab Intellectuals towards the Farhud”, in: Zeet Harvey et al. (eds.): Tson ve tisonut be-kerev yehudei Sefarad ve-ha-mizra [Zion and Zionism among Sephardi Oriental Jews]). Jerusalem Misgav Yerushalayim, the Center for Research and Study of Sephardi & Oriental Jewish Heritage, 2002, pp. 419-441; Ḥamīdī: Op. Cit., pp. 13-14.
549 Rashīd ʿAlī al-Gaylānī was exiled from Iraq.
On 1-2 June 1941, a mob led by youth militia battalions attacked Jewish citizens. In the attack, Jewish shops and houses were burned or looted. According to government official sources, 110 Jews were killed, 242 wounded, while 586 Jewish business premises were looted and 911 Jewish houses were destroyed. Unofficial accounts estimate the number of deaths at between 150 and 180. The number of wounded is said to have exceeded 900. The head of the Jewish community in Iraq, in a report sent by him to the prime minister on July 17, stated that the losses of the Jews alone were estimated to be 130 dead, 25 missing and 450 injured with 586 warehouses and shops looted. The material damages were estimated at 271,402 Iraqi Dinars. 911 houses were also looted, affecting 3,395 families. In total, 12, 311 individuals saw their homes looted and the damage was estimated at 383,878 Iraqi Dinars. Less serious outbreaks also occurred at Baṣra, Mosul, and other places in the provinces. There is also a list of the victims of this massacre that numbers 145 persons.

4.3.3.3 Cause and Effect

Behind the May coup was a clandestine right-winged political nationalist party known as Ḥizb al-Sha'b the People's Party. The party was led by the Mufti of Jerusalem, Ḥājj Muhammad Amīn al-Husaynī, and counted many hard-line nationalists and military officers among its members. Similar to Hitler’s Youth Brigades, this organization founded its own military wing composed of school and college students which it indoctrinated to support the coup government. After the coup itself had failed and the government was reinstated, these right-wing anti-Jewish military groups remained in existence, which serves to explain how such violence against the Jews continued, although the coup itself had actually failed.

Understandably, the Jews sided with those in Iraq who supported the British Alliance. The British used the Iraqi media to spread anti-German propaganda, reporting on the plight of the Jews in Germany. The Jews in Iraq were also aware of the close relationship between the

553 This number was the final estimation of the Iraqi Government Committee for the Investigating of the Events of June 1 and 2, 1914, which was established on June 7. It submitted a report to the CGI on July 8 of 1941. See the text of the report in: Stillman: Op. Cit., pp. 405-417; Maʿrūf: Op. Cit., Vol. 2, pp. 231-235.
555 Landshut: Op. Cit., p. 46. while other estimates were made Landshut affirms that the most reasonable is that 170-180 Jews were killed in the riots and several hundred wounded, and that Jewish property worth one million Pounds or more was looted, see Cohen: The Jews of the Middle East..., p. 30. Some other estimates claim some six hundred were murdered, and very large number wounded, see: Kedourie: The Chatham..., p. 307.
Mufti of Jerusalem, Amīn al-Husaynī, the Iraqi General, Rashīd ʿĀlī and the Nazi leader Adolf Hitler. Moreover, these same individuals did not hide their hostility towards the Jews and publicly incited the masses against them under the pretext of anti-Zionism, or by linking the Palestinian issue with the Iraqi case. Amīn al-Husaynī took this stance and helped create deep hatred of the Iraqi Jews. This hatred, more than any other factor, can be said to have driven the Jews into the pro-British camp.

On 2 June 1941, the Regent, after retaking full control of power in Iraq, ordered the Army Chief of Staff to prevent demonstrations by all means, including the use of arms. A committee was formed to investigate the Farhūd massacre which found that the coup government, Amīn al-Husaynī, Syrian and Palestinian teachers, and Nazi propaganda incited the students and youth militia battalions to hatred and anti-Semitic violence. It should be noted that the report also hints at the connivance of the army and the police, some of whom were directly involved in the killings. However, the report did not explore the matter fully, for if it had, it would have found that behind the killings was an Iraqi right-wing grassroots movement. Rather, the government shifted the blame to its enemy, the coup government and to foreign actors such as the Palestinians and Syrians, as well as to Nazi propaganda. Moreover, in its assessment it disregarded the religious factor altogether. Although the exact number remains unclear, approximately twelve Jews were killed in the village of Sindūr near the city of Duhok in the Kurdistan region during this time, almost five hundred kilometres away from the coup in Baghdad. The Jewish killings in Duhok can hardly be attributed to the coup. Rather, they were the outcome of anti-Jewish violence.

In addition to general social harassment and such catastrophic outbreaks of anti-Jewish violence as the Farhūd, attacks on Jewish women such as kidnapping, sexual assault and forced marriages became commonplace. The testimony of Yahūdā Bārzānī, who migrated to Israel after killing a Muslim man who was notorious for tormenting Jewish women is evidence of this dystopian phenomenon, which makes clear that the Jews migrated from Iraq.

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562 It should be mentioned here that the leader of the Shiʿi al-Mārjaʾiyya in Iraq, Abū ʿAlī al-Ḥasan al-Mūsawī al-Asfahānī (1866-1945), refused to issue a fatwa against the Jews and ordered the Shiʿi not to take part in the Farhūd massacre. Thus, the majority of those who took part were Sunni. See: Gideon. N. Giladi: Discord in Zion: Conflict between Ashkenazi and Sephardi Jews in Israel. London: Scorpion Publishing 1990, p. 85.


in search of a safe haven away from the social persecution and sexual harassment they endured in their home country.

Moreover, confidential reports by the Iraqi police indicate that the hatred towards the Jews was severe in those days, and that the army, the police and the general public [Muslims] believed that the Jews were the root cause of all problems, on the grounds that the country’s economy was under their control. Such reports also reveal that “the previous administration [the coup government] and the Muslim majority had found ways to avenge the Jews to satisfy their deep hatred”.

4.3.3.4. Migration of No Return

The massacre of the Jews meant they no longer felt secure in Iraq. Many tried and succeeded in obtaining exit permits to India. Others emigrated to Palestine, and many of them entered Palestine illegally.

Within Iraq, some of the Jewish youth thought it necessary to establish a defence force to resist possible further attacks. From 1941 to 1951, several Jewish student and youth organizations were founded, such as the underground organization, Shabāb al-ʾInqād (rescue youth), "Unity and Progress", "Community of Free Jews". These Jewish defence organizations were insignificant and ceased to exist by the time of the mass emigration to Israel, with the exception of the Hāgānā, an organization which, together with other groups, pledged to defend the Jews of Baghdad in April, 1942. Although some of these organizations did display Zionist characteristics, they cannot be said to have been Zionist, not least since Zionist organizations and Jewish agencies outside of Iraq who were aware of the plight of Iraqi Jewry did not show any support for them. They remained silent.

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565 It is significant that the affairs of Baghdad were administered by the interior security committee, which was headed by Arshad al-ʾUmarī, who was known for his deep-seated animosity towards the Jews. He discharged 150 Jewish employees in August 1934 when he was a Minister of Economy and Transportation, as mentioned previously herein.

566 About the police’s lack of concern and their inactivity towards the killing of the Jews on the streets of Iraq, see the work of Mīr Baṣrī: Rihlat al-ʾUmbr min Dīfāʾ Dījl ilā Wādī al-Tīms: Dhikrāyāt wa-Khawāṭir (The Life Journey from the Banks of Tigris to Thames Valley). Jerusalem: Association for Jewish Academics from Iraq, 1992, p. 59.


568 Such a possibility existed, in view of the continuing advance of the German forces in North Africa. The Muslim youth did not conceal their joy for instance, on the day Tobruk city in Libya fell (June 21, 1942). During many months, a proclamation circulated in Baghdad which called for the Jews to leave the country, and slogans flourished stating clearly that Jews were to await the coming of “the Great Feast”, when a greater massacre than that which had occurred on the Feast of Pentecost would be carried out. See: Cohen: The Jews of the Middle East..., p. 31.

Zionist activity in Iraq was very limited and failed to develop a grassroots base in the broader Iraqi Jewish community. Nor did Zionist thought affect the Jews as Arab Muslim writers claim. This is due to a number of factors. Secular attitudes towards religious minorities were prevalent during the Monarchical regime in Iraq which saw the Jews enjoy relative peace and freedom in almost all walks of life. Furthermore, the status of the Jews in Iraqi society, not least thanks to Britain, also made Zionism redundant.

The lack of Zionist influence in Iraq can be seen in the scant numbers of immigrants from Iraq’s Jewish community before the announcement of the State of Israel in 1948. In fact, Zionist emissaries sent to Iraq in the wake of the Farhūd complained bitterly that their movement received little support. After 1948 however, Zionism became a meaningful force in the life of Iraqi Jews. There were more Zionist emissaries in Iraq who were able to organize small groups of young people and engage in illegal operations.

There is an important point I would like to emphasize which is the breadth of the leftist movement in Iraq, which embraced religious minorities, including Jews, especially the Iraqi Communist Party ICP; because it was an internationalist, non-racial organization that defended the rights of minorities. Therefore, the leading Iraqi movement open to Jewish youth at that time was communism and they formed a considerable force in the communist movement and attained positions of leadership in it. Thus, when the Party's Secretary General was arrested and executed, a Jew was chosen to take the helm, and when he, too, was executed he was executed for being a communist and not a Jew. The Jewish intellectuals who embraced communism often competed with Zionism. To this end they support a new organization called ʿUṣbat Mukāfaḥat al-Ṣahyāniyya fi-al-ʿIrāq (The League of anti-Zionism in Iraq). According to press reports, a number of Jewish promoters of the anti-Zionist League met the Prime Minister, Nūrī al-Saʿīd to explain their aims and program. The Prime Minister, it is

571 According to Maʿrūf, between 1919 and 1948, the total number of Jewish immigrants from Iraq was estimated at 7,988. Most of these were from Kurdistan, because of the war in Kurdistan between the armed Kurdish movements and the Iraqi government. This is in comparison to the population of Jews in Iraq, which was estimated at 118,000 about 18,000 of whom were located in the Kurdish zone, according to official statistics in 1947. This means that the Jews constituted 2.5% of the population of Iraq which is estimated at 4.5 million people. See: Op. Cit., Vol. 2, pp. 18,113; In addition, the Jewish writer, Yaʿqūb Yūṣif Kūriyyah, estimated the population of those who left Iraq (except for Kurdistan) between 1919 and 1945 at around 3,539. See: Maʿrūf: Op. Cit., pp. 160-161.
573 A number of Jews were appointed to leadership positions in the Iraqi Communist Party, such as Naʿīm Ṭāwūk, who joined the party in 1937. Yahūdā Sadiq who joined in 1941 was executed with a number of other leaders in 1949. Shlūmū Dalāl who joined in 1946 was also executed in 1949. Yaʿqūb Manāḥīm Qūmān joined in 1948 and was imprisoned from 1951 until 1958. See: tables in: Batatu: Op. Cit., pp. 450-451, 520-521, and 572-573.
574 Maʿrūf: Op. Cit., p. 64.
575 The league was established on September 12, 1945 and was issued with an official license on March 16, 1946. A political gazette entitled The League was established on April 7, 1946, and the Yūṣif Hārūn Zalkhā, (a Jew) became president of the league. However, because it expanded its activities, the league’s license was rescinded in July of the same year. Ḥamīdī: Op. Cit., pp. 397-417.
stated, supported them and applauded the motives which led them to form the League. Eventually, the anti-Zionist League was disbanded and its leaders were imprisoned on the absurd grounds that its name meant “the league that fights for Zionism”.

After the declaration of the State of Israel, the internal pressure on the Jews increased, especially the government measures, which contributed to their migration. The Jews used many means and routes to immigrate but one of the most important was through Iran and from there to Israel. Some Iraqi newspapers openly and explicitly called for the government to expel the Jews from Iraq. These are the same newspapers that argued that the Jews, as a whole, were Zionist agents that worked towards the downfall of the nation. Propaganda which had significant impact on the government and public opinion and may have led to government’s dismal of dozens of Jewish public servants, especially those occupying sensitive positions in the state in 1948 and early 1949. The government also took stringent measures to reduce the Jewish merchant’s activity and reduced their business dealings, and imposed extra taxes on them and limited their freedom to sell their property.

Such discriminatory policies are confirmed by ʿEzra Manāḥīm Dānīyāl, the representative of the Jewish minority in the Chamber of Deputies, when the council discussed the issue of Jewish immigration, he reasoned that the imposition of strict administrative restrictions on Jews, throughout the two-year period prior to migration (1948-1950), and the refusal to accept Jewish students in high schools, or consider Jewish workers for public service or institutions, such as the police or army corps, led to Jewish feelings of disenfranchisement and contributed to the breadth of their migration.

4.3.3.5 Promulgation of Law 1/ 1950, and mass Exodus

On 3 March 1950, the Iraqi Chamber of Deputies ICD promulgated of Law 1/ 1950 about revocation of Iraqi citizenship for Jews. Their emigration had officially begun. This was one of the most severe measures taken by the Iraqi government against the Jews at that time.

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According to the Iraqi Ministry of the Interior, since the issuance of the law to the 13th January 1951 a total of 85,893 Iraqi Jews had registered for migration to Israel. Of these, 35,766 had been deprived of their nationality by the Council of Ministers, and 23,345 had been flown to Israel. There were thus some 62,000 Jews in Iraq awaiting transportation to Israel and about 12,000 of these had been deprived of Iraqi Nationality. 584 Official Israeli statistics report that the approximate number of Jews arriving from Iraq - legally and illegally – was around 122,915 people, in the period from 1950 to 1953. 585 It is worth mentioning that, according to statistics published by the British colonial government in 1920, the number of Jews in the three provinces of Iraq amounted to 87,488 people. 586 In the Iraqi population census of 1947, the number of Jews amounted to 118,000 people. 587 This law was passed and supported by the majority of the House's 139 members and behind its issuance were the nationalist movements such as the Ḥizb al-ʾIstiqlāl (Independence Party) that contributed through their representatives in parliament, as well as some ministers of Tawfīq al-Suwaydī administration such as Şālah Jabr a Minister of Interior. Some accused the Jewish community of being agents, posing a threat to Iraq and being a “fifth column”. 588 The insolence reached the point that some lawmakers like MCD Ismāʿīl al-Ghānim, asked those defending the Jews to leave with them when they were expelled from Iraq. 589

ʿEzra Manāḥīm Dānīyāl asked the ICD to find a solution for those Jews who do not wish to leave their homeland despite this discrimination against them, and pointed out that history will show the real reasons for this migration pointing out that the Jews of Iraq had nothing to do with the events of the time. The opposition of some of members of ICD such as Muzāhim al-Pāchachī to this law 590 should be noted as well as the Iraqi Communist Party ICP which accused the government of “treason and subservience to colonial powers” 591 on the background of this decision and law.

The government followed its policies and in March 1951 it passed a law to freeze Jewish funds under the title of the “Surveillance and Administration of Jewish funds and properties” which froze the assets of those who had been stripped of their Iraqi citizenship between 1951 - 1954. The ICD approved and confirmed Law No. 5 of 1951, 592 to freeze the movable and

584 F.O 371/91689, British Embassy, Baghdad, Confidential, 1572/5/51, 18th January 1951.
585 It is worth mentioning that between 1948 and 1949, only 1,723 Jews arrived in Israel; all others left Iraq after 1950. See: Shiblak: Op. Cit., table 13, p. 142.
590 To details of each of these discussions, see: ʿUbayḍī: Ibid, pp. 28-43.
immovable properties of the Jews. The frozen Jewish assets came under the control of the state treasury.\textsuperscript{593} Five bombings took place between May 1950 and June 1951. The bombings targeted Jewish stores and Synagogues and the government issued a statement ascribing them to Zionist activity.\textsuperscript{594} Meanwhile, Jewish emigration continued until the end of the Law of Denaturalization (March 1951-March 1973). Those Jews that did not leave during the denationalization period abandoned Iraq during the Republican Era due to the atmosphere of fear that pervaded the country. Therefore, only a dozen or so Jews remained in Iraq at the time of the U.S. invasion of 2003. The reasons and motives for the mass emigration of the Jews are many: the discrimination policies; the atmosphere of fear and anxiety that was experienced by the Jews; the killings and assassinations of them; their being accused of treason and of being a “fifth column” in favour of Israel. In general, the majority of Jews lost confidence in the Iraqi authorities and saw themselves with no option but to leave Iraq indefinitely.

Widespread Jewish emigration and the pervading violence and victimisation which was evident to society at large during this period left deep psychological scars on the Jews and on the rest of Iraq’s religious minorities. Furthermore, the Jewish exodus from Iraq had a substantial negative impact on the country in other ways, not least since it caused a significant brain drain,\textsuperscript{595} as professionals, economists, doctors, and others in the scientific and academic professions abandoned Iraq.\textsuperscript{596}

\textsuperscript{593} The file of the denationalized Jews 1951-1954, File No. 3/6, (10) (Private collections, unpublished document).
\textsuperscript{595} The meaning of brain drain is the emigration of highly trained or qualified people from a particular country.
\textsuperscript{596} See: Shiblak: \textit{Op. Cit.}, table 6, pp. 51-54
Part III - The Religious Minorities in Republican Iraq: Political Developments and Legal Framework


Republican Iraq went through four successive republics: the first was the Republic of ʿAbd al-Karīm Qasim from 14 July 1958 to February 1963. The second was the Republic of the two ʿĀrifs Brothers from 9 February 1963 –to 17 July 1986. The third was the Baʿth Republic and the one-party system from 17 July 1986 to 9 April 2003 and the fourth was the post-Baʿth period from 9 April 2003 until the present.

A coup, headed by General Brigadier ʿAbd al-Karīm Qasim (1914-1963) and a number of Homeland Officers’ Organizations in the Iraqi army took place in Iraq on July 14th, 1958.597 Most of these officers were Sunni Muslims,598 and among them was the pan-Arabist, Captain ʿAbd al-Salām ʿĀrif. 599 That coup led to the termination of Monarchical rule in Iraq and to the beginning of a new era known as the Republican era, which shall be referred to here as Republican Iraq to distinguish it from Monarchical Iraq.

In the period after the demise of monarchic rule, radical changes occurred in Iraq that gave rise to governments and systems which were founded on a single ideology that tried to appear secular. The new regime came to power by military coups and in turn, Iraq became ruled by statesmen whose activities in government focused mainly on the military. That also led to the creation of rulers who had both military and civilian appearances.

When the coup occurred, its leaders encouraged the Iraqi people to take to the streets and show their support for the coup and for regime change. Such civilian protest against the monarchy afforded the military coup political legitimacy and turned it into what could be perceived as a national revolution.600

There is great controversy among researchers about this historical period in modern Iraq. Some consider it a revolution601 whereas others see it as a “sanguinary”602 military coup.

597 There are multiple terms that have been used to describe this historical event, such as ‘revolution’ or ‘military coup’. Here, the term ‘regime change’ is used in reference to this period of unrest in Iraq.
598 The Monarchical Era was dominated by the Sunni. The royal family and the majority of high-ranking government officials were Sunni Muslim. See: Liam Anderson, Gareth Stansfield: The Future of Iraq: Dictatorship, Democracy, or Division. New Work: Palgrave Macmillan 2004, pp. 19-21.
599 After the coup of February, 1963, ʿAbd al-Salām ʿĀrif became the first president of the republic. He died in April 1966 after his plane crashed.
Irrespective of such views, it is indisputable that the developments created and triggered radical change in the Iraqi regime. These developments brought about a host of temporary constitutions and new legislation. The coup ushered in a new era replete with conflict, further military coups, and political change. Overall, Iraq witnessed a vast increase in political and civil unrest which continues to this day.

The new regime made great efforts to construct a national identity and forge “the Iraqi Nation,” meaning the national state, a body of governmental institutions that was intended to reflect the needs and aspirations of the various ethnic and/or religious groups within its borders. The new regime sought to create political confessionalism in Iraq. The Sovereignty Council was established and followed a quota system that sought to represent Iraq’s three largest communities: Shiʿi Arabs, Sunni, and Kurds. The council would become known as the Council of the Presidency, headed by Lieutenant General Najīb Pāshā al-Rubayʿī (a Sunni), and had the membership of Shaykh Muḥammad Mahdī Kubba (a Shiʿi) and Colonel Khālid Naqshabandī (a Kurd).

Engaging these three large communities in governing and managing the country was a significant step forward on the part of the government. Although other ethno-religious communities were not granted high-ranking positions, many members of the Iraqi Communist Party (ICP) were from the religious minorities. Although some conflict between the members of the government and the ICP became apparent in 1960, The Party played a significant and effective role in State institutions and formed the backbone of support for ʿAbd al-Karim Qasim’s government, until his overthrow in 1963.

The ICP was also historically significant in that it functioned beyond the sectarian and ethnic divisions of Iraq. In addition, it raised doubt about the theory of a single Arab nationality which had been adopted by the nationalists within the Pan-Arabism movement and others within the rightist Arab parties. Thus, the ICP attracted Iraqis who did not follow Pan-

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603 The Iraqis were divided according to their religious, ethnic and sectarian affiliation throughout the Monarchical Era. Accordingly, British documents classified all Iraqi groups and individuals who participated in ruling and managing the country. See: F. O. 471 January, 40: *Personalities in Iraq*. This refers to the Foreign Office circular of the 9th June, 1938 (L3603/571/405-38), and provides a comprehensive report on the leading personalities in Iraq in 1940.


Arabism or Arab nationalism. This was particularly true of Iraqi religious minorities, as it was the only party that offered a political alternative to Arab nationalism. It can also be said that the ICP represented minorities to a greater or lesser extent in the institutions of the Iraqi State.

In working towards political secularism, the new regime created some previously non-existent democratic legislation with the aim of liberalizing Iraq, such as the Law of Communities and Parties, for example. In addition, detainees were released and measures were introduced to curb nationalist and religious discrimination. The new regime also gave new rights to non-Arab minorities by recognizing the national rights of the Kurds and permitting the return of the Kurdish Leader, Mustafa Barzani (1903-1979) from exile in the Soviet Union. This law also granted the Kurdistan Democratic Party (KDP) official recognition as a political party through the Parties Law. The publication of an official gazette named Khabāt/al-Niḍāl (struggle) in Baghdad which was the mouthpiece of the party was also permitted.

Although the establishment of the Sovereignty Council afforded each of the three largest communities (Sunni, Shiʿi and Kurdish Sunni) equal representation in the council, the actual authority within Iraq would remain firmly in the hands of the Sunni Arabs. This was due to the Sunni predominance in the Iraqi military which, in time, bore a direct impact on the unfolding of events in Iraq. Sunni control of the Iraqi military originated in the structural beginnings of the Iraqi State, when positions within both the military and the police were limited to Sunni exclusively. Their dominance would grow, in time, to permeate the highest

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607 Its founder was an Iraqi Christian, Yūsif Salmān Yūsif (Fahd) who was executed in 1948. Many ethno-national and religious minorities were involved in this party. Some, such as the Christians and the Jews, reached leading positions in the forties and the early fifties.


609 The KDP was established in 1946 by Kurdish leftists and nationalists in Baghdad. Its leader was Mustafa Barzani, the father of the present party president, Masʿud Barzani. It has been one of the ruling parties in Kurdistan since 1991. The KDP was the largest party that demanded Kurdish national rights within a framework of self-determination. Throughout its history, it had members from the different social classes, the leaders of the clans, Muslim clergymen, secularists, and leftists and has endured a number of splits and domestic conflicts, the most prominent of which occurred in 1964 and 1975. Out of these splits, new parties were formed, who claimed that secularism and leftism were part of their ideology to cloak their sectarian, ethno-nationalist agendas. For more information on Kurdish parties and organisations in Iraq, see: Ṣalāḥ al-Khirsān: Al-Tayārāt al-Siyāsiyya fī Kurdistān al-ʿIrāq 1946-2011 (the political currents in the Kurdistan of Iraq 1946-2011). Beirut: al-Balāgh Institution for Publication 2011. pp. 29-520.


611 The leadership of the Sovereignty Council which represented the three majorities was decidedly Sunni in character. The ministry included thirteen ministers, nine of whom were Sunni and four were Shiʿi. See Ṣalāḥ ʿAbd al-Razzāq: Mashārīʿ Izālat at-tamyāz al-ṣādīq fī l-ʿIrāq min Mudhakirāt Fayṣal ilā majlis al-ḥukm, 1932-2003 (The projects of eliminating communitarian discrimination in Iraq from the memory of Fayṣal to the Ruling Council 1932-2003). Beirut: al-Maʿārif Forum for Publication 2010, p. 55.

612 The Sunni occupied an overwhelming majority in government and in the institutions of the State, which made it easy for them to accept some students or employees and reject others to Iraqi colleges and institutions on sectarian grounds. Razzāq: Ibid, p. 55.
levels of political authority, peaking for a ten-year period from 1958 to 1968. Of the 38 chief political and administrative leaders of Iraq, 30 were Sunni, 6 Arab Shi‘i and only 2 were Kurds,\textsuperscript{613} which clearly illustrates that the nation’s political system did not represent its three main ethno-religious groups in proportion to their populations. Nor did the system include the various other ethno-religious groups within Iraqi society. This lack of representation significantly limited the legitimacy and effectiveness of the country’s institutions.

The new government would face political and class struggles in the years to come, the impact of which continues to affect Iraq unto the present day. Two such significant events, both of which had major consequences for religious minorities, namely the Mosul Revolt of 1959 and the Kurdish Armed Revolt of 1961, will be examined below. Beforehand, the rights that religious minorities had in the new regime will be examined.

\textbf{5.1 The Rights of the Religious Minorities during Qasim’s Rule}

In chapter two, the plight of religious minorities in the thirties and forties was examined. The new period of rule thereafter saw religious minorities assume a positive attitude towards the new regime, particularly after the leaders of the coup declared a national revolt and appeared to embrace all political currents and the Iraqi’s components and formations.

After the abolishment of the Iraqi Basic Law (meaning the constitution of the Kingdom of Iraq 1925-1958), an interim constitution was enacted by the Republic of Iraq on 27\textsuperscript{th} July 1958. It consisted of 30 constitutional articles. Numbers 4, 9, and 12 of same were the most significant to the religious minorities. Article No. 4 stipulated that “Islam is the religion of the country”. At the same time, article No. 9 stipulated that all “citizens are equal before the law in terms of rights and general duties, and it is not permitted to discriminate on basis of gender, descent, language, religion or beliefs”. Article No. 12 stipulated that the “freedom of religion is preserved by the law”,\textsuperscript{614} which means the right to religious practice was protected under law, on the condition that it did not violate the general system and was not contradictory to public morals.

The new interim constitution did not differ greatly from the former constitution, (namely, the recently abolished Basic Law of 1925) on the matter of formal religion and in terms of the rights it afforded to minorities. In terms of political representation, much remained the same as before. The nonexistence of a parliament, as it existed in the Monarchical period, meant that no quota system was in place to allow representation of religious minorities. The new interim constitution did not legislate for elections. Rather, article 21 of the constitution granted legislative and executive authority to one single governmental entity, the


Ministerial Council. As a result, decisions of the Ministerial Council were automatically made law. Many of its decisions remain part of Iraqi law to date.

5.1.1 Unique Minorities and Communities gain Recognition under Qasim

In general terms, the new regime under ṬAbd al-Karim Qasim can be said to have acknowledged religious minorities. This was expressed in an official Iraqi document:

“There are Muslims in Iraq, and they are the majority whose religion is recognized by the government of the republic. There are also Christians, Jews, Yazidis, Sabais [Sabeans-Mandaean], a small number of Baha’is, Majus, Zoroastrians, Shabak, Ṣarliyya, Kākā’iyya, and Nuṣayryya. Religious freedom is ensured by the interim constitution of Republican Iraq and is guaranteed by the social customs which have been respected by the Iraqis since ancient times until now. The mosque is built next to the church or the synagogue; therefore, the voice of the Sheikh in the mosque mixes with the sounds of the bells, glorifications, and recitations. Our motto is Allah [God] is for everyone and Iraq is for all Iraqis.”

Here, Qasim’s government demonstrated its recognition of all the religious minorities in Iraq. The document was regarded as a positive initiative by the government in recognizing all the country’s minorities. It also makes reference to religions which were no longer thought to exist in Iraq, such as the Zoroastrians and the Magi, for example.

The document provides evidence of the hitherto mostly unknown religious diversity of Iraq. That diversity along with the religious freedom to which it referred would also become quickly forgotten in Iraq in the turbulent ethno-nationalist decades that followed. Although it is beyond the scope of this study to examine the breadth of social customs mentioned in the document “which have been respected by the Iraqis since ancient times until now,” some of these minority religions and communities will be examined in brief in the interest of providing a more comprehensive picture of Iraqi society as a whole.

5.1.1.1 Zoroastrians

It should be noted that, while the Zoroastrians were no longer thought to exist in Iraq and were unrecognized, according to Iraqi official documents from previous periods, an Iraqi Zoroastrian community does exist. According to some Zoroastrians, they have coexisted in

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615 Majus is a Qur’anic term which denotes adherents of Iranian religions. The term was also used by the renowned Persian historian, Shahrastānī to refer to fire worshippers who believe in two Gods, the light, and the darkness, good and evil. More commonly, the term Majas is used to refer to Zoroastrians. See: Muḥammad ibn ṬAbd al-Karim Shahrastānī: Kitāb al-milal wa-nihal (The Book of Sects and Creeds). Beirut: Dār al-kutub al-ʿilmīyya, pp. 257-261.


617 Rather the will of the government to recognize it.
Iraq for centuries. Initially, they lived in the villages of Disputed Areas mainly in the Nineveh Plain, in the village of Kāria which is located about 60 km east of Sinjar in the suburbs.618

There were also Zoroastrians living in Khanaqīn in Dīyālā governorate and Kūt in Wāsit Governorate. The largest Zoroastrian community was concentrated in the city of Baghdad. An unrecognized community, the Zoroastrians practiced their religious rites in secret until 2003, fearing persecution of the Iraqi regimes. After 2003, because of the security situation, most Zoroastrians emigrated from Baghdad and other Iraqi cities to live in Kurdistan, and approximately 50% traveled to Europe and Western countries. While there are no official statistics documenting the Zoroastrian population, estimates placed their number at about 4,600 families scattered throughout Iraq in the 1940s. A current estimate of the Zoroastrian population in the KRI suggests around 10,000 persons.619

In April 19, 2015, twenty-two Zoroastrians came together to establish the Supreme Council of Zoroastrians in the Kurdistan Region of Iraq (SCZK) in Erbil.620 However, the society is still not recognized by the Iraqi authorities. The Society has its headquarters in Sulaymaniyya and is officially licensed by the authorities to host social activities as an officially-recognised NGO. It should be noted that, in the Kurdistan region, many Muslim clerics have declared Fatwas against the Zoroastrians and their centers have been attacked more than 10 times.621

5.1.1.2 Ṣarliyya

Ṣarliyya is not a different ṭāʾifa or religion, rather, they are a tribe. They form a subgroup within the Kākāʾi. Ethnically, some members of them are Kurdish, whereby others are Turkmen in origin. They are broadly dispersed, mainly in the north and northeast sections of Iraq. They inhabit many villages and urban centers, in the provinces of Mosul, Erbil and Kirkuk in particular. Ṣarliyya is an Arabic term which derives from the verb ṣara (to become). Its use originates from a traditional concept which is associated with the selling of sections of paradise. According to this tradition, any member of the Ṣarliyya, while in this life, can buy a piece of ground in paradise and then claim the garden of paradise has become ṣara, meaning

618 From an interview with Ḥassan Ismāʾīl ʿAlī Ḥalabāny, on 14th January, 2017 in Berlin. Ḥassan Ismāʾīl ʿAlī Ḥalabāny is member of the SCZK. He was born in Baghdad to Zoroastrian parents and is a researcher who specializes in Aryan languages. He received his degree from the University of Baghdad and he currently resides in Germany.

619 Ibid.


621 From an interview with Pīr Luqmān Ḥajī Karīm Ḥama on 26th December, 2016 in Sulaymaniyya. Pīr Luqmān Ḥajī Karīm Ḥama is the spiritual leader of the SCZK and of all Iraqi Zoroastrian Movements. He studied sociology and theology in the UK. He resides in Sulaymaniyya.
‘mine by purchase’. Hence, they are called the Šarliyya.\textsuperscript{622} There is a second interpretation of the origin of their name. To the Kākāʾi, the Šarliyya or Šarlo are ethnic Kurds. They believe that the name Šarliyya stems from the word Sarlo meaning yellowing of the sun, which is a sacred symbol in the Kākāʾi religion.\textsuperscript{623}

5.1.1.3 Nuṣayriyya

Until recently, a small community of Nuṣayriyya existed in the locality of Sarrāyʿ in the town of al-ʿAna, west of Baghdad; their current whereabouts are unknown. The roots of the Nuṣayriyya in Iraq date back to the period of the Islamic Gnosis, in the mid-3rd century AH / 8th century CE. The first reports of their existence emerged when they moved to the city of Samarra, north of Baghdad. From there, it is thought that they continued to practice their faith in secret. It is thought that they were in contact with the Nuṣayriyya in Syria. Some sources suggest that they also dwelled in the Tallaʿfar region between Sinjar and Mosul.\textsuperscript{624}

Having taken a closer look at the religions mentioned in the document, the sheer breadth of religious diversity in Iraq is apparent. The theological similarities and differences between the aforementioned religions who originate from a relatively small geographical area illustrates the rather untidy process of theological crystallisation which takes place when a religion establishes itself. Here, numerous religious groups and strands of a dominant faith remain intact on its outskirts (theologically and geographically), sometimes openly, oftentimes in secret.

Iraq’s religious diversity and the predominance of secrecy and self-concealment among its smaller minorities illustrates that withdrawal from the mainstream of society was not an isolated phenomenon within a given religion, rather, it was common practice. The latter is further evidence of the impact of a hostile atmosphere of discrimination and persecution on minorities in general.

In regard to the coup, all religious minorities, similar to other groups of Iraqi society, showed their support for it and for the process of change. The perspectives and positions of the three largest minorities - Jews, Christians, and Yazidis - shall be considered in the next sections.

\textsuperscript{623} From an interview with Hāshim Kākāʾi in Kirkuk on 25th December, 2016.
5.1.2 The Minorities who are the People-of-the-Book

5.1.2.1 The Second Golden Age of the Jews

The Jews, those who stayed in Iraq, although they had been stripped of their Iraqi nationality in 1951, saw in the new regime a good omen for their future, not least as formal and public pressure on them decreased as a result of political developments. The new regime expressed flexibility in dealing with the minorities, which, in turn, made them consolidate the authority of the new regime. The limits which had previously been imposed on the Jews became somewhat relaxed, and the restrictions on their traveling outside of Iraq were abolished.

As a means of showing its sincerity and goodwill to the Jews, the government amended the law of denaturalization that was imposed on the Jews with its legislation No. 11/1960, entitled The Modification of Law No.12 in 1951; the law of controlling and managing the Jew’s money whose Iraqi nationality had been revoked. Of most importance in the first article was: the cancellation of paragraph B of the fifth article of the law of controlling and managing the Jew’s money whose Iraqi nationality had been dropped after No.12/1951. Paragraph B had stipulated that “Every Jew whose passport was invalidated while abroad must return to Iraq to obtain a new passport. If he/she does not come back in the given period, the Ministerial Council, according to the minister’s proposition, shall be forced to drop his/her Iraqi nationality, and all his/her property shall be confiscated [by the state] according to the law No. 5 in 1951…”

The amendment to the above contains a most important piece of legislation in its appendix:

“The Iraqi Jews who are in Iraq, had been exposed to a great deal of hardship because of the application of this section. In addition, maintaining it would obstruct the goals of the revolt and the temporary constitution which grants equality to all Iraqis in rights and duties. The principle of denaturalization also violates the very core of the constitution because nationality is the right of every citizen and can never be denied simply because he/she was late in coming back to Iraq within the specified period

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625 By the end of the mass exodus of 1950-1951, only about 6,000 Jews remained in Iraq. Those who stayed behind in those years were, in many cases, wealthy Jews or those who enjoyed renowned status in Iraqi society. They prospered again thereafter, especially between 1958 and 1963. See: Moreh: “Jews: Forced Exodus…,” p. 56.
stated in his/her passport. His/her belatedness may be due to inescapable reasons such as economical reasons or medical treatments, and the specification of the period may hinder the travel of some. Many countries’ embassies and consulates to where some people travel, refrain from granting him/her a visa or the right to stay…”

The law, especially the cancellation of paragraph B, lifted the restrictions on the travel of Jews outside Iraq. It allowed them to stay abroad indefinitely and to return to Iraq freely. It also removed the restrictions and sanctions placed on the Jews. Similarly, it abolished the denaturalization of the Jews and allowed them to retain their assets. This law created a new opportunity for Jewish students to study abroad, many of whom did not return after the coup of 1963.

According to one source, this change of legislation came after Rabbi Sāsūn Khaḍḍūrī, the president of the Iraqi Jewish community, visited ʿAbd al-Karim Qasim at al-Salām Hospital in Baghdad in October 1959 to offer him condolences after an unsuccessful assassination attempt on him by the Arab Socialist Baʿth Party. During that visit, reportedly, Qasim assured Khaḍḍūrī that he loved the Iraqi people and the Jews in particular. ʿAbd al-Karim Qasim then called for the Minister of the Interior, Brigadier General Aḥmad Muḥammad Yahyā. When the minister came, Qasim informed him: “I want you to prepare a bill that abolishes the denaturalization of the Iraqi Jews”.

Whether the story is true or not, has not been established to date. Although the law was not completely abolished, paragraph B was removed. This was met with much celebration among the Jews. They were now allowed to travel and study without fear of denaturalization or the confiscation of their money and property. The change in legislation pertaining to the Jews can be considered a positive initiative on the part of the new government. It offered them the hope of returning to Iraq again, especially as the new law clarified in its appendix, that the rights of the Jews are equal to those of other Iraqi citizens.

In general, the Jews were optimistic about the regime change in Iraq after having suffered two decades of oppression and discrimination, especially during the final years of the Monarchical period. The Jewish community began to feel, for the first time since the years of oppression, that there was hope of achieving equality, basic rights and freedom from discrimination.

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especially after the removal of Colonel `Abd al-Salām Ŵārīf from power,631 who was “spiteful and fanatic against the Jews”.632

In the early months after the regime change, many detainees and political prisoners were released from prison. A significant number of the detainees were Jews who had been accused of Communism or Zionism, many of whom had been imprisoned since the establishment of the Israeli state. It is worth mentioning that, according to some of the prisoners, the Jewish prisoners faced discrimination and maltreatment from Muslim jail wardens, as well as some of the Muslim prisoners.633

The gradual abolition of anti-Jewish laws continued via governmental procedure. In general, this granted the Jews equal treatment and helped them to restore their businesses by giving them permission to import and export, to travel abroad and enter universities both in Iraq and abroad. Consequently, many Jews returned to their previous jobs working in the Iraqi press,634 in education and so forth. That is to say, the early years of the regime change, under the governance of 'Abd al-Karīm Qāsim made the Iraqi Jews feel as if they were living “a second Golden Age635 and that Qāsim was their safety”.636

British documents point out that under Qāsim, the pressure the Jews faced was less than it had been during either the Monarchy or the Ottoman Era.637 Mīr Baṣrī mentioned in his memoirs

631 He was the Deputy Prime Minister and the Minister of the Interior. He was second-in-command to 'Abd al-Salām Ŵārīf. However, because of his national aspirations characterized by the union of Syria and Egypt, he was removed from authority on 30th September 1958. For more information, see: Walīd Muḥammad Ṣā'īd al-Aẓāmī: Thawrat 14 tammūz wa-'Abd al-Karīm Qāsim fī l-wathā'īq al-Bṛītāniyya (The revolution of 14th of July and 'Abd al-Karim Qasim as shown in British official documents). Baghdad: ad-Dār al-Arabīyya Press 1989, pp. 95-96, 106-111.
635 The first Golden Age was during the time of King Faysāl I. See: chapter 4, section 4.3.1 herein.
that the July “Revolution” was considered the beginning of the Golden Age for the Jews of Iraq, for example. He stated that:

“Perhaps the Golden Age of the small community of Jews which is still in Iraq after the mass exodus in 1950-1951 was the time of ‘Abd al-Karim Qasim when the Jews had their civil, religious, and sectarian rights [restored to them] and because they were independent of and protected from politics and parties, so they were at peace”.638

After Qasim’s coup of 1958, the State adopted a very positive approach in relation to the Jewish Community, the reintegration of Jews into the Iraqi society being one element of Qasim’s national vision.639 Unlike his predecessors, Qasim had put into practice the equality among citizens regardless of their religion, language or ethnicity, which he had reiterated in his speeches, by reinstating the rights that the Jews were stripped of, during the previous era.640 However, when Qasim was ousted in 1963, the Jews became oppressed once again.

5.1.2.2 Christians from Settlement to the Internal Struggle

After the regime change, the Christians looked forward to being treated as equals within Iraq. Encouraged by ‘Abd al-Karim Qasim’s recurrent statements about the “brotherhood of nationalities” and “equality of all minorities” in the Republican regime, the Christians were zealously pro-Qasim, not least since they considered him the best guarantee of security against the extreme Arab nationalists, who tended to regard Iraqi Christians, as all Christians, as too closely linked with the Communists.641

Qasim’s regime enjoyed the support across all of the various Christian churches, despite their different political leanings and perspectives. The Prime Minister’s reiterations on his policy of non-discrimination against the ethnic and religious minorities (which received extensive media coverage) resulted in much loyalty toward Qasim’s regime among the Christians. In part, they supported Qasim as they feared that under a future Pan-Arab regime they would not retain the same level of relatively fair treatment that they had been receiving under him. These fears arose from animosity expressed by Muslims towards Christians in Mosul. Behind the animosity lay the Arab Nationalists and Islamists enmity towards Communists and the prevailing belief that all Christians were Communists. More by necessity than by choice, Christians (many of whom were important merchants) supported ‘Abd al-Karim Qasim and sought his protection in the hope that they would maintain their physical security, their businesses, and their economic interests in Iraq.

638 Baṣrī: Rihlat il-ʻumr min dišāf dijla ilā wādī al-Thīmas ..., p. 123.

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In general, the common Christian political tendencies at this time appear to be support for Qasim, fear of the negative implications of Pan-Arab, Pan-Islamic, and Nationalist intentions, and a quest for stability. The stereotype of Iraqi Christians as members of the ICP, fed to a large extent by ignorance and prejudice towards Christians particularly in ‘closed’ Nationalist areas, led to discrimination against Christians on political grounds. In fact, although there were a number of Christians among the Communists - for example, one leader of the Iraqi Communist Party was Christian - as well as in the front organizations and left-wing parties, there is little evidence to support the Christian/Communist identification upheld by the Arab and/or Islamic majority.

Regarding the Christians’ support for Qasim, the president of Armenian Orthodox in Iraq, Bishop Azkūn Daîr Ḥākubiyyān, on the occasion of the Revolt of 14th July, gave a speech in which he demonstrated the Christian’s support for the new regime and called for legislation that would acknowledge the rights and the democratic freedoms for all Iraqi people. Moreover, during the ceremony of supplication and prayers of the Catholic Christian communities on 19 July 1959 at the Church of Mār Yūsif in Baghdad in the presence of the Prime Minister ʿAbd al-Karim Qasim and representatives of the Catholics in Iraq, his Eminence, Mār Paul Shikhū, the Patriarch of Babel and the Chaldean Church expressed his absolute support for the new regime. On the same occasion, Abd al-Karim Qasim delivered a speech about the interior developments of Iraq where he reiterated his emphasis on equality and minority rights.

The presence of the Prime Minister in the Church serves to illustrate the government’s recognition of the importance of the Christians with regard to the new regime. At the same time, it demonstrates the significant status enjoyed by the Christians and their desire for equality and opportunity after their long suffering as a religious minority during the monarchy.

In the same context, the government issued a statement appointing the members of the Majls al-Tamīz (Discriminatory Council) and the Religious Court for the Syriac Orthodox church of Mosul in 1962, on the basis of the Law of the Organization of Religious Courts for the

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“Mosaic” (Jews) and Christian āʾifa No. 32/ 1947 and in application for the second article of the Personal Status Law No.188/1959, which will be discussed later.

The lives of Christians improved in the first four years of the Republican rule in all respects, a fact that is reflected in a confidential British report about the conditions of the Christians in Iraq dated 21 September 1960. The report provides much valuable information that cannot be attained from other sources. It concerns the Iraqi Christians and their historical roots, the history of their presence in Iraq, the number of groups, the various denominations, their population,647 their geographical distribution, political involvement, economic activities, press, and education.

Following the revolt, the position of the Christians improved greatly, in terms of political participation. Nevertheless, although the government delivered on the pledges made by the earlier regime as regards fair and equal treatment of all minorities, as far as government service was concerned, there were even fewer Christian officials in the position of Director General than heretofore.648 Many Christians maintained that their promotion to senior office was hampered by their religion. In the Army, one Christian officer held the rank of General but few in positions of secondary importance held field rank. In the Air Force, however, the Christian Brigadier, Emmanuel Ashoo, Air Attaché in London, was considered one of the highest-ranking officers. The most prominent advancement of a Christian to public office was the appointment of a Christian Ambassador to Lebanon.650

In other fields, Christians had notable success, particularly with regard to commerce, journalism, hotel-keeping, education, and the professions, Christian influence was particularly

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646 For more information on the statement itself and on the names of the members of the Discriminatory Council and the religious court of the Syriac Orthodox Church, see: Statement No. 279, in: Al-Waqāʾiʿ al-ʿIrāqiyya, Vol. 684 dated 20th June, 1962.

647 According to a report by the British Embassy in Baghdad, the total approximate Christian population of Iraq in 1960 was 285,000. This constitutes about 5% of the total population of Iraq. These are divided among the separate churches approximately as follows: A: Catholic Churches (in communion with Rome): Chaldeans 166,000, Syriac Catholics 37,000, Armenian Catholics 3,000, Roman Catholics 4,000, Melchites (Greek Catholics) 1,000 and Maronites 300. B: Dissenting Churches - Nestorians (Eastern Church) 25,000. Jacobites (Syrian Orthodox) 30,000. Armenian Orthodox 16,000. Byzantine Orthodox 2,000. Protestants (Miscellaneous) 3,000. See: F. O. 371/149954 Report by Mr S. Falle, British Embassy, Baghdad, ‘Christians in Iraq’, Doc. No. 21:9:60 Confidential, 21st September, 1960, in: Rush and Priestland: Op. Cit., Vol. 13, pp. 597-600.

648 The position of Director General in the Iraqi government is considered an important post in the State administration.

649 Brigadier Ghānim Zubaidī of Senior Officers’ School.

650 His name is Najīb al-Ṣāyigh (1913-1995). He was born in Mosul. He graduated from the Faculty of Law and occupied legal positions in the Ministry of Finance from 1935 to 1941. He was made Deputy for the Christians of Mosul in parliament in the years 1947, 1948, and 1952 and was vice-president of the bar association in 1958. He was appointed by Abd al-Karim Qasim as the first Christian Ambassador of Iraq in 1959. This appointment may have been for clandestine reasons, as the President of the Republic of Lebanon was a Christian. Therefore, Najīb al-Ṣāyigh was a political appointee, not a Foreign Service employee. For more details about him, See: Najīb al-Ṣāyigh: Min āvrāq Najīb al-Ṣāyigh fil-ahdāy al-malakī wal-Jumhūrī khīlāl 1947-1963 (From the papers of Najīb al-Ṣāyigh during the monarchial and republican times from 1947 to 1963). Baghdad: Maktābat al-yaqṣa al-ʿarabiya 1990.
prevalent in commerce, where their impact remained disproportionately large compared to the size of their communities. The majority of Baghdad’s leading merchants were Christians and a large number of those firms which held agencies for Western European and American products were both owned and staffed by Christians. Some had more experience in the field than their Muslim neighbours and often went to exceptional lengths to take on Muslim staff, so that their firms could not be accused of religious discrimination by employing only Christians. In banking circles, the Christians were also relatively strong, both in the three big British Banks and in the private banks (e.g., Dāwūd Zākū, Managing Director of the Baghdad Bank). In the Government Banks, however, they suffered from discrimination, and this was the case in other divisions of the civil service and in government institutions.

Baghdad’s three long-established newspapers were all owned and operated by Christians. These were al-Akhbār, (run by the Armenian Melcunian family), al-Bīlād (run by the Jacobite Butti family), and al-Zamān (run by Tawfīq Sam‘ani from Mosul). The more recently established al-Mabda` was owned by a Christian, Dāwūd al-Ṣayigh, and was the newspaper of the legal Iraqi Communist Party. Hotel-keeping, similar to journalism, was dominated by Christians. Almost all the leading hotels of Baghdad were owned by them, such as the Baghdad Hotel, the Khaiyām, the Ambassador, the Samīrāmīs and the Zia. Staff who worked there were almost all Christians, many of them from Talkayf town. One reason for Christian’s pre-eminence in this field, may be attributable to restrictions under Islamic law, which forbids its followers to touch or trade in alcohol, which is usually considered a standard feature of places of entertainment or rest in non-Muslim countries. Christians were well represented in all the main professions, such as medicine, law, and architecture, and were accepted as equals in every sense by the Muslims. There was a natural tendency for Christian lawyers, for example, to represent Christian clients, or for Christian doctors to treat their own minority, but in no way did this create barriers between Muslims and Christians, nor did it lead to boycotting of lawyers or doctors of one religious group by another. In education, Christian communities had their own schools and received small and irregular subsidies from the CGI towards their maintenance. There were also a number of privately-owned Christian schools. Religion, however, was not taught as a general rule in the government schools and was only very rarely taught in the private schools.

651 Dāwūd al-Ṣayigh is a Chaldean Christian who was born in Mosul in 1907. He is linked with the earliest Communist movement which was established in 1941. He was a member of the Central Committee of the ICP until he was expelled in 1957. He founded a bogus Communist Party in 1960. He was appointed to the Embassy in Lebanon in 1959. Batatu: Op. Cit., Vol. 2, table 19-1, pp. 494-495.

652 It cannot be said that these newspapers convey a characteristically Christian point of view. If they have a common characteristic, it is that they (at least the first three) avoided publishing the kind of nationalist and sectarian writing of some of their Muslim counterparts. F.O 371/149954 Report by Mr S. Falle, British Embassy, Baghdad, 21 September 1960, ‘Christians in Iraq,’ Doc. No. 21/9/60 (Confidential), in: Rush and Priestland: Op. Cit., Vol. 13, p. 602.

653 Foreign religious orders, some of which have been established in Iraq since the mid-19th century, play an important role in the field of education. Relations between foreign religious orders and the central government appear to be satisfactory. In 1959, however, the government took action to expel a number of American
The prominence of the role and position of the Christians at that time can be attributed to their filling the gap in commercial sectors that was left after the mass exodus of Jews from Iraq in 1951. Furthermore, they had a distinct advantage over many other Iraqis in terms of their qualifications and education. Private Christian schools qualified them to work in the economy, in banks, and in commerce, which were restricted to Jews in the monarchical period before their exodus. As such positions were occupied by Christians Western firms were positively disposed to do business in Iraq, which, in turn, strengthened their prominence in the commercial sector.

Although the Christians enjoyed privileges of this kind, they grew to distrust the government, towards the end of Qasim’s reign, especially after the attacks on them by Nationalists and Sunni Muslims during “Shauwwāf” Revolt in Mosul in 1959, and by the Kurdish Armed Movement in 1961 (both of which shall be discussed in more detail below). The wave of assassinations endured by the Christians and the government’s leniency towards these crimes worsened relations between the Christians and the government.

5.1.3 The Minorities who are Non-\textit{Ahl al-kitāb} and Qualitative Advantages

The minorities who were not adherents to a revealed religion also gained cultural advantages during Qasim’s regime. In addition to ‘People-of-the-Book’, the government also recognized by official decree, the religious holidays and ceremonies of other non-\textit{Ahl al-kitāb} minorities.

It is worth mentioning that during the Monarchial Era, the country’s official agencies such as the Ministry of Justice and Iraqi’s District Chiefs used the term “\textit{ṭāʾifa}”, when referring to most religious minorities, which can be considered a kind of recognition of them. The government also passed the \textit{Official Holidays Law No.29/ 1939} \textsuperscript{654} which granted official religious holidays to non-\textit{Ahl al-kitāb} minorities, especially the Sabeans-Mandaeans and the Yazidis. However, because of subsequent events, political developments, and coups in Iraq, this law remained inoperative until the coup that put Qasim in power, on 14th July 1958.

The government ofʿAbd al-Karim Qasim also passed the \textit{Official Holidays Law No.21/ 1958}. According to its second article, the holidays of those minorities who were ‘People-of-the-Book’ were to be acknowledged. This also referred to the religious holidays of the Sabean-Mandaeans. According to the second article of the law, the following days were considered holidays for the following communities. Christian holidays were Christmas on the 25th of
December, and New Year on the 1st of January. Jewish holidays were a day of Penance, a day of Sukkot and a day of Pesach. Sabean-Mandaean holidays were a day of Greater Bairam on the 7th and 8th of August, Lesser Bairam on the 23rd of November, Panjah Holiday on the 5th and 6th of April and the Day of Dahfa Yamanah. However, the law neglected non-\textit{Ahl al-kitāb} minorities. Consequently, the Yazidis submitted a memorandum to the new government, requesting official recognition of their religion and religious holidays.

In response to that memorandum, the government modified the Iraqi law on official religious holidays, and passed law \textit{No.63 in 1960}. The first article reads as follows

“The following section should be added to the second article of the law of official holidays, No. 21, in 1958, and paragraph D shall be titled ‘Yazidi’. Accordingly, the holidays of the Yazidi religion have been added to that law and shall be recognized as official holidays”.

Paragraph D was for the Yazidi and recognized the following holidays, namely the first Friday of October, according to the Eastern calendar (it is the Fasting Day of the Yazidis) and the first Wednesday of Eastern April which is the New Year of the Yazidis (Jazhna Sarsāl-Chārshambwā Sūr; three days which start on the 18th – 21st of July and seven days starting on 23rd of September (the Fest of Jamā at Lalish Temple).

The main points that came from the appendix of this law were as follows:

The Yazidi \textit{ṭāʾifa} is one of the deeply-rooted communities in Iraq which has its own special traditions and religious ceremonies. In accordance with the policy of the national government in giving the communities their rights…this list recognizes the Yazidi \textit{ṭāʾifa} and its official holidays”.

Accordingly, for the first time in history, the Yazidi were able to celebrate their official religious holidays. The Yazidi religion was also recognized as an indigenous religion of Iraq. This was of great significance to the Yazidi. In a gesture of appreciation, they sent letters and telegrams to the media thanking President ‘Abd al-Karim Qasim, stating their appreciation for the role of the government and for the advantages the new regime had granted to the Yazidi people, such as the freedom of thought, opinion, belief and religion.

Although the law did not mention or acknowledge the Baha’i or Kākāʾī’i’ religious holidays, the second article of law No.21 in 1958 stated that:

\begin{itemize}
\end{itemize}
“Non-Muslim employees who had not been mentioned in the second article have the right to be absent from office and from officious circles on their religious holidays, provided that their absence is considered part of their regular leave to which they are entitled”.659

The change of law that extended the right to official religious holidays to the minorities could be considered a positive initiative on the part of the government. Similarly, the new government’s policy of granting the religions and communities their rights in accordance with the principles of 14th July Revolt was a step forward in the development of the emerging state, as it recognized the country’s religious minorities’ rights to maintain their own customs, traditions and special rituals. The new legislation also signalized to Iraqi society that those rights should be respected. Furthermore, the reforms were a step towards gaining the loyalty of all strata of Iraqi society, and towards creating equality within the emerging system.

The government also reformed Iraqi taxation law to the benefit of religious minorities; this law remains in existence and is still enforced to date in both Iraq and the Kurdistan province. Sections of the law pertaining to religious groups have remained unchanged.

Based on the new taxation legislation, the Real Estate Tax Law No.162/1959660 was passed. The following paragraphs of the third article stipulate that the real estate of religious minorities is exempt from tax. Paragraph No.4 reads:

“Unrented real estate which is dedicated to rituals of different legally-recognized religious groups such as mosques, churches, and other buildings, and the real estate which belong to and are prepared as a dwelling for those who attend to these rituals are exempted from tax”.

Paragraph 5 reads:

“Real estate owned by legally recognized religious groups and charitable organizations, including schools, hospitals, clinics, orphanages, infirmaries and so on are also exempted from tax”.

In the following year, Regulations No.7/1961 was passed to enforce law No.162/1959, and amended to include some details that are applicable to the article three of the aforementioned law.661 Moreover, the government legislated for the system of the Islamic religious schools No. 6 of 1960,662 which placed religious schools under State control. The government also allowed non-Muslims to teach their religions at the official schools in areas where the population density of minorities was high. As a result, Christians and Jews, as ‘People-of-the-

661 The two sections are numbered 5 and 6 in the third article; they include details and other regulations. See: Al-Waqāʾiʿ al-ʿIrāqiyya, Vol. 584 dated 1st October, 1961.
Book,’ had schools and curricula that accommodated their religions. However, other non-\textit{Ahl al-kitāb} minorities; their religious education came from priests alone (not formal education). This regulation allowed religious minorities to officially teach the basics of their religions, without fear or oppression. The Yazidis, for example, were able to learn the teachings of the Yazidi religion as well as other religions at local government schools for the first time.\textsuperscript{663} This was also the case for the Sabean-Mandaeans.\textsuperscript{664} The government’s goals in taking these steps were to organize religious education in Iraq, nationalize religious institutions, and expand the scope of tolerance and equality.

In the light of these facts, the period of ‘Abd al-Karim Qasim’s rule can be considered a Golden Age for all religious minorities, especially in comparison with both earlier and later periods, not least since it was a period of relative stability for Iraq. Moreover, religious minorities gained official State recognition of their existence, along with some privileges such as the right to their religious holidays and feasts, which they saw as a considerable achievement. Moreover, Qasim’s rule was also considered a Golden Age for the Iraqi leftist thought, as characterized by an ICP which claimed more religious minorities as members than any other political current of the time, by virtue of its program and ideology.

\textbf{5.1.4 The Rights of the Religious Minorities in the Iraqi Personal Status Law No.188/1959}\textsuperscript{665}

The third chapter covers the rights of the religious minorities who are People-of-the-Book and concerns the laws, jurisprudence, and courts which regulated Jewish and Christian community during the Monarchy. Primarily, it focuses on key legislation which was introduced in 1931, 1947 and 1950.\textsuperscript{666} The aforementioned legislation refers to Christians and Jews, but it completely excluded the non-\textit{Ahl al-kitāb} religions, such as the Yazidi, the Sabean-Mandaeans, and the Baha’i, among others. In this act of exclusion, the government pretended that these minorities simply did not exist, and similarly, they ignored the religious laws or codes that are unique to each of these minorities. Similar to the Sharia in Islam, each of these minorities had its own distinct religion and its personal religious law or code, which are as relevant to legislation and rulings on members of these religions as the Shari’a is to judicial decision-making for Muslims.

\textsuperscript{663} For the first time, the Yazidi learned the basics and teachings of their religion during the time of ‘Abd al-Karim Qasim. However, the teaching stopped after the coup of 1963. Confirmed in separate interviews held in Cologne and Munich in Germany in October 2015 with a number of Yazidis who were taught religion at that time in the Duhok Kurdistan region of Iraq.

\textsuperscript{664} Separate interviews with a number of Sabean-Mandaeans in Munich and Stuttgart, Germany, in December 2015.

\textsuperscript{665} The law was called the \textit{Personal Status Law No. 188/ 1959 on Al-Waqā’i’ al-‘Irāqiyya, Vol. 280, dated 30th December, 1959.}

All Iraqi citizens should have been entitled to be judicialized according to their recognized religion.\textsuperscript{667} This would remain a privilege exclusive to Muslims, however, and in a limited way, to Christians and Jews, whereas other minorities were assigned to the courts and to those who ruled in accordance with Islamic law.

A Mecelle was issued in 1882 CE, during the Ottoman period. It was a kind of reduction of the Islamic laws according to the Ḥanafī School which had been adopted by the Ottoman State. Shortly after the British occupation of Iraq, Lieutenant General, William Rein Marshal, the leader of the occupation army of Baghdad on, published the \textit{Courts Statement No. 6/ 1917}, in 28 December 1917. It consisted of 24 articles which established civil courts and renewed Islamic personal status courts on civil matters which had previously been abolished under the Courts Statement would go on to become the legal basis of the Iraqi court system, which would become the Personal Status Courts,\textsuperscript{668} after the establishment of the Monarchy.

When forming judgements, during the Monarchical period, the judiciary depended on a variety of different jurisprudential books, Fatwas (legal opinions) on controversial issues and rulings passed by the judicial systems of Islamic countries. The judiciary and courts in monarchical Iraq submitted to denominational rule. Regarding personal status lawsuits, in the Court of Cassation, a discriminatory body was established for the Jaʿfarī sect (the law school of community of Twelvers Shiʿi in Iraq) and similarly, for Iraqi Sunni.\textsuperscript{669} Similarly, Sunni and Jaʿfarī personal status courts also existed.\textsuperscript{670}

After the emergence of the republican system in Iraq, the government stated that the multiplicity of the judiciary sources, the difference in judgments and Islamic religious Fatwās (legal opinions) made the life of the Iraqis unstable and failed to ensure that their rights were guaranteed. This was the main incentive for the new Iraqi government to enforce a single legal codex for personal status rulings that guaranteed the rights of women, their family independence and the organization of the mechanism for starting families.\textsuperscript{671}


\textsuperscript{669} These Sunni and Jaʿfarī discriminatory bodies stayed valid until special legislation was introduced in 1963, with which Sunni and Jaʿfarī discriminatory councils were abolished. The Court of Cassation was established to succeed them. See: \textit{Al-Waqāʾiʿ al-ʿIrāqiyya}, Vol. 806, dated 27th May, 1963.

\textsuperscript{670} Despite the acknowledgement of a united law in the republican period, some Sunni and Jaʿfarī personal status courts remained in existence in Iraq until 1972. For example, legislation was passed to merge the Basra Sunni and Jaʿfarī courts into a single personal status court on 1st of April, 1972. See: \textit{Al-Waqāʾiʿ al-ʿIrāqiyya}, Vol. 2102 dated 2nd March, 1972.

\textsuperscript{671} For the reasons behind this law, see: \textit{Al-Waqāʾiʿ al-ʿIrāqiyya}, Vol. 280, dated 30th December, 1959; The Iraqi Legislation of 1959, p. 905.
It was to this end that the Ministry of Justice formed a committee to analyze the common principles of personal status matters reflected in the decisions of all Muslim Fuqahā’ (jurisprudents’). The legal mechanisms of other Islamic countries were also taken into account. In addition to the Ja‘farī system of Islamic jurisprudence which was adhered to by the majority of Iraqi Shi‘i, the Ḥanafī and Shāf‘ī systems which are widely followed by the country’s Sunni population were also included in the research.

The legal codex that emerged from the committee’s work, namely the Personal Status Law No.188 of 1959 made legal provisions for the most important issues relating to personal status matters such as marriage, divorce, giving birth, kinship, civil property, wills, and inheritance. It was the first time that the government introduced comprehensive civil legislation and it was one of the most important achievements of the Iraqi Republic. It guaranteed the rights of women, placed conditions on multiple marriages and granted minorities who are ‘People-of-the-Book’ special legal provisions to allow them establish their own courts. This legislation remains in force in Iraq and the KRI to date. Although it allowed Christians and Jews to establish their own courts, the Personal Status Law no.188/ 1959 also deprived minorities who are non-Ahl al-kitāb of these self same rights claiming these minorities had no religious law, since they could not be considered adherents of a revealed religion.

Despite the modifications to the aforementioned law during the later periods, such articles which allow for the exploitation of minorities, be they adherents of a revealed religion or not, still exist at present. Those articles have directly harmed religious minorities in the past, and minorities continue to suffer the discriminatory practices which it permits and enforces. For example, its articles allow Muslims to marry non-Muslim women, but forbid Muslims to change their religion or a Muslim woman to marry a non-Muslim man, especially according to articles thirteen and seventeen, which will be discussed due to their importance in marginalizing the rights of minorities.

The Personal Status Law No.188/ 1959 contained ninety-four articles, some of which were modified as many as seventeen times between 1963 and 1999. In the KRI, some of the articles were modified after the new government and parliament were formed in 1992. However, despite the overall significance of the legal codex, it remains controversial, as several articles within it discriminating against religious minorities, either directly or by

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674 Some laws were amended, some articles were abolished and new laws were passed such as Law No. 1/ 1992 which was passed by the parliament of Kurdistan. According to its articles and rulings, the National Council of Kurdistan (Parliament) is allowed to amend and rescind laws. However, no change has been made to articles (1, 13, 17, and 18) See: Ivān Zuhayr ʿAbd al-Ḥamān al-Duhūkī: Qānūn al-ḥawāl ash-shakhṣiya raqm 188 li sanat 1959 wa taʿdīlātuhū fil qānūn il-ʾIrāqī wal-nāfīd fi iglim Kurdistān-Al-ʾIrāq (Personal Status Law and its amendments in Iraqi Kurdistan). Duhok: Hāwār Press, 2009, pp. 3, 11, 12.
omission, have yet to be amended. Such articles concern marriage, inheritance, underage children, and religious conversion. Moreover, it still grants privileges to Muslims, and although it makes some provisions for adherents of revealed religions, it makes no provisions for the rights of minorities. In fact, the modifications which were made to the original legal codex, deepened the inequality rather than rectified it, in the name of harmonising the legislation with Islam according to “the principles of the Islamic law and the jurisprudential opinions in the Islamic law which were suitable for that time”.

In the first article, paragraph No.2 states:

“If there is no applicable legislative text, judgment shall be reached in accordance with the principles of Islamic law that are most relevant to this law”.

Here, it can be concluded that the law enables the courts to apply Islamic law, in cases where the Personal Status Law is deemed inadequate or lacking.

Paragraph No.3 states that

“The courts find guidance in all of this in the stipulations adopted by the judiciary and the Islamic Fiqh (jurisprudence) in Iraq and other Islamic countries where laws are close to Iraqi ones.”

Despite the quasi-civilian character of Personal Status Law no.188/ 1959, it should be noted that it granted flexibility in applying the religion of Islam, the Islamic law and the Islamic jurisprudence in making judicial decisions. It allowed Islamic law to be applied in civil cases as well as in the Islamic courts, a situation which effectively harmed the religious minorities. In the case of marriage, for example, the law grants privileges to Muslims in that it allows principles of the Islamic law to be applied in cases involving Muslims, as is evident in the second section of the first article. Similarly, it allowed the courts of Iraq, upon seeking guidance in their decisions, to apply Islamic jurisprudence and Islamic religious law in civil cases as they deemed necessary, and in cases when there were no clear legal articles to which they could refer in their deliberations.

In the second article: paragraph No.1 states

“The provisions of this law apply to all Iraqis except for those who are exempted by virtue of a special law”.

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675 The first amendments to the articles of this law took place under the title of Post-Coup, Law No. 11, 1963 which was published in: Al-Waqā’ i’ al-’Irāqiyya, Vol. 785 dated 21st March, 1963.
677 See the text of the articles on Al-Waqā’ i’ al-’Irāqiyya, Vol. 280, dated 30th December, 1959.
678 Christians and Jews.
It should be said that paragraph No.1 of the second article can be considered constructive from a minority perspective, as it makes reference to those who are “exempted,” meaning People-of-the-Book. It gave the latter hope that they would once again enjoy the kind of recognition and rights which they had been granted during the Monarchical Era.

In the first part of the second section of the thirteenth article of the law entitled “Prohibitions: Marriage to Women belonging to the People-of-the-Book”, we find the following:

“The reasons of prohibitions are both perpetual and temporal. The perpetual restrictions are kinship, affinity and breastfeeding kinship, temporal ones are marriage to more than four wives and adherence to a non-divine religion [non-Ahl al-kitāb].” 679

As is common worldwide, this article also prohibited incestuous marriages by law. In addition to allowing marriage, on the condition that the number of wives is no more than four (in accordance with Islamic law), at the same time, marriage to a woman who does not belong to a revealed religion is forbidden. Therefore, marriage to Christian and Jewish women is allowed, because these two religions are ‘People-of-the-Book’. However, marriage to a woman who is not an adherent of a revealed religion, such as a Yazidis or Sabean-Mandaeans, is prohibited. However, should the woman convert to Islam, marriage is then permissible by law. Many minorities who are non-Ahl al-kitāb have become victims of this article. Both articles number seventeen and eighteen have provided a means of religious oppression and discrimination in practice, and contravene the very concept of civil marriage, which is that the State shall not interfere with the desire of those who wish to marry, regardless of their religion or beliefs. Rather, this law gives preference to the Islamic majority over the non-Islamic minorities in the matter of marriage.

In the seventeenth article, a Muslim man is permitted to marry a non-Muslim woman whose religion is ‘of the book’, meaning he may marry a Christian or a Jewish women, whereas a Muslim woman is not allowed to marry a non-Muslim man. This article is clearly partial towards Muslims, because a Muslim is allowed to marry from any revealed religion, or non-revealed one after the woman converts to Islam. However, a Muslim woman, by contrast, is not allowed to marry outside of her religion.

Iraq later witnessed thousands of cases among the religious minorities in Iraq where women were abducted and forced to marry their kidnappers. After marriage, they converted to Islam either by choice or most probably by force. These conversions often occurred after these women were forced to sleeping with their kidnapper, either before or after marriage. This practice has also involved female children, who were no more than ten years old 680 at the time of abduction.

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680 There were tens of cases of abductions upon which women announced their conversion to Islam. In 1993, a young Yazidi woman was abducted from Shaykhān by a Sunni Kurd and she converted to Islam. The Yazidis
of their abduction. No legal sanctions have been put in place to protect the minorities from being abused in this way.

Article eighteen also states that in the event that one of the parties to a marriage converts to Islam, that the marriage with the non-Muslim spouse is automatically negated under Sharia unless the non-Muslim spouse also converts to Islam. Should the non-Muslim spouse refuse to convert to Islam, the couple is forced to divorce. Similarly, when a non-Muslim parent converts to Islam, their children are automatically considered Muslims according to Islamic law and children converting to Islam are taken from the non-Muslim parent in the case that he/she does not convert to Islam. The automatic conversion of the underage child and their removal from the non-Muslim parent is a practice which discriminates against the non-Muslim parent and creates irreparable division within the family unit.

It is noteworthy that all of the modifications to the law after its inception were made to bring the law closer to the principles of Islamic law and those of various Muslim sects and was openly declared as such by those who officially announced the modification. The first modification that took place after the coup of 1963 occurred under the pretence that Statement No.15/1963 contradicted the Quran. In fact, the modifications of 1963, rather than reverting to the Islamic Law of old (meaning prior to the legal reforms under the Personal Status Law), introduced an Islamisation of personal status legislation with was hitherto unknown in Iraq.

The religious minorities have suffered extreme legal discrimination from the Iraqi courts since this period and the negative repercussions of many court rulings made from 1963 until now are still felt to this day. Although reforms have been attempted, little has been achieved in practice. For instance, in 1981 the Religious Cult Patronage Law No. 32 was passed. With it, the State officially recognized more minorities than it had previously done. The government asserted a limited form of equality, in that it declared that government decisions apply to all of

rejected the conversion since the woman had been forcibly abducted, however, both Sunni Arabs and Kurds threw the case out of court because the young woman ‘chose’ the Islamic religion and Islam does not allow Muslims to leave their religion. Thus, the case became a religious one, according to the articles of Islamic law. In a similar case, two young girls were abducted in 1998 by two Sunni Kurds in Duhok. Although they were only 12 years old, their abduction was not hindered by the authorities, nor did the latter intervene to return them to their families, irrespective of the fact that the abduction was in clear violation of the law, as the girls had not yet reached the legal age according to the Iraqi Personal Status Law 188/ 1959 which, prior to their abduction, had been amended to set the legal age for acceptance of marriage at eighteen. It should be noted that, according to the law, if the male requests permission to marry when he is fifteen, the judge can permit it, if the young man is considered competent and suitable. See the text of the articles 7 and 8 of the law and its amendments No. 21/ 1978 in: Al-Waqā’i’ al-’Irāqiyya, Vol. 2639 dated 20th February, 1978. This law is still in force in Iraq and the province of Kurdistan. See: Duhūkî: Op. Cit., p. 7.

681 Despite the different interpretations, the Islamic law, depends on the verses of Quran such as al-Baqarah, Verse No. 221, al-Mā’idah, Verse No. 5.
683 This legislation which regulated personal status matters of non-Muslim minorities was published on Al-Waqā’i’ al-’Irāqiyya, Vol. 2867 dated 18th January, 1982.
the communities listed under the new law, except for decisions made in the courts by the judiciary. However, this new law was never really applied in practice.

It appears that such supposed reforms, similar to the efforts to harmonise the law with Islam were undertaken in response to pressures placed on the government from various religious movements inside Iraq. They also appear to have been used by the government as a means of appeasing the common people during this period of Iraqi history. In other words, both types of legal amendments, although appearing to follow contradictory policies, had one central factor in common; their sole purpose was to make sectors of Iraqi society side with the regime at a given time in its domestic and international struggle for control and significance.

5.2 The Religious Minorities during the Domestic Political Events and Developments in Iraq

5.2.1 The Nationalist-Islamist Revolt in Mosul 1959

The initial stability in the reign of ‘Abd al-Karim Qasim was short-lived. The political climate began to deteriorate rapidly and the country gradually moved towards war. Violent conflict between various political currents occurred, which involved most of society. The political currents were chiefly divided into two camps. The first camp comprised mainly Communists and Kurds and also included the left-wing, liberal, religious minorities, as well as secular and poorer elements of Iraqi society. It can be presumed that many of the aforementioned sectors of Iraqi society who were not politically active, sympathized with them. The second camp included nationalist Nasserites, Ba’thists, Islamic parties, and right-wing conservatives,

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684 Fourteen Christian churches were specified in this legislation, along with the Sabean-Mandaean, Jews, and the Yazidi, who were named the “Umayyad Yazidi” therein. See: Ibid.
686 At that time, Iraq was at war with Iran and with the army of the Kurdish Movement in northern Iraq.
687 Some studies have dealt with this revolt. However, most of them tackled it from a single perspective, whether they were Nationalists who considered it a national revolution or Leftists who considered it a revolt. For example, see: Khalīl Ibrāhīm Ḥusayn: Thawrat al-Shauwwāf fi al-Mosul 1959 (Shauwwāf revolution in Mosul 1959). Baghdad: Maktabat Bashshār 1987; Ḥāzim Ḥassan ʿAlī: Intifadat al-Mawsil: "Thawrat ash-Shauwwāf" 8 Adhār 1959: "al-qīṣṣa al-kāmila li-l-thawra" dhikrayāt wa-khawāṭir (Mosul uprising, "Shauwwāf revolution" March 8, 1959: The full story of the revolution: Memories and Thoughts). Baghdad: (publisher not identified) 1987.
689 The seed of political Islam and the Muslim Brotherhood in Iraq was sown in the late 1940s by Shaykh Muḥammad Maḥmūd al-Ṣauwwāf, who brought political Islam from Egypt. He promulgated this ideology among the Sunni mainly in Mosul and in the principal cities in Iraq. Al-Ṣauwwāf founded the Iraqi Muslim Brotherhood, an organization which remained secret until February 1960, when it was officially permitted under the Law of Communities, under the name of the Iraqi Islamic Party. One year later, the party was banned by Qasim’s government and went underground. Due to its religious ideology, it remained outlawed under the Pan-Arabist ethno-nationalism of the Ba’th Era. However, after the American Occupation in 2003, the Iraqi Islamic Party was granted official recognition as a political party and now participates in the political life of Iraq. It
with whom Sunni clans in the north and middle of Iraq sympathized. Consequently, insurgencies and domestic revolts between these two camps drew the religious minorities into the general conflict.

In March 1959, some senior Army officers supported by nationalists, the Islamists (Muslim brotherhood), pan-Arabists and nationalists in Mosul, revolted against the rule and authority of 'Abd al-Karim Qasim. This event would become known as “The Shauwwāf Revolt,” the aim of which was the establishment of an Arab national government that would pave the way for a United Arab Republic (UAR), which was to include Egypt and Syria. However, the revolt led to the deaths of hundreds, among which were members of the Iraqi army, Communists, Arab Sunni, ethno-religious minorities and others. Towards the end of the revolt, Christians and Muslims of the area would also begin to riot and struggle with one another.

Even before the Shauwwāf revolt, tensions were high between the Christians and Muslims of Mosul. Reports were made that, joined by their fear of nationalist oppression, the Christians and the Communists forged an alliance with one another. Immediately after Shauwwāf announced the revolt, many were inspired by him. The same nationalist fanaticism and the vainglory that afflicted him took hold among Muslims and gave rise to indiscriminate attacks on the homes and rich Christian merchants and Communists and many of them were murdered in these attacks.

The ICP and KDP participated in subduing the revolt. Because the Yazidis and Christians were members of the communist party or sympathized with the Communists, the Islamic Nationalists began exacting sectarian and religious revenge against them. A sectarian struggle ensued. Tens of Christians were murdered, and thousands of them left Mosul in 1959-1963.

demands that Shari’a be made the primary source of legislation in all constitutional and legal areas and calls for the appointment of Islamic personnel in government institutions in administration and in politics. It is considered the political wing of the Muslim Brotherhood, which is officially listed as a terrorist organization by several countries in the Middle East. See: Hāḍī al-ʿAlawī: al-Aḥzāb as-sīyāṣiyyya fī l-ʿIrāq: al-sīrriyya wal-alanīyya (The Political Parties in Iraq: Secret and Public). Beirut: Publication of Riyāḍ ar-rayāz 2001, pp. 178-179.


5.2.1.1 The Seriousness of the Split among Muslims and Religious Minorities (Christians and Yazidis) in Mosul

The Christian and Yazidi minorities were against the Shawwāf revolt for a multitude of reasons. In addition to their affiliation with and their support of the ICP (which supported the existing regime), the two minorities feared the dangers which could befall them, if the nationalists were to gain power. The participation of these religious minorities in subduing the Shawwāf movement in Mosul can be ascribed to this fear, at least in part. In addition, bitterness and hatred towards Arabs and Sunni’s, because of their role in suppressing the Assyrian Revolt in 1933 and the Yazidi Revolt in 1935, was rife among both minorities.

The participation of the army officers of Mosul (one-third of whom were officers of the Iraqi army) in suppressing the Christian and Yazidi uprisings and the violence and losses which both minorities suffered at their hands just twenty years or so earlier, had not been forgotten. To make matters worse, the collective memory of both minorities would not forget how the people of Mosul had received the army with flowers after their violent acts of suppression against the Christians and the Yazidi. Consequently, it can be said that the motivation among the Christians and the Yazidi to side against the Shawwāf revolt was rooted in retaliatory motives and past historical grudges. Sources also illustrate that before the CGI forces arrived in Mosul to suppress the Shawwāf revolt, the mutineers murdered many left-wing politicians, a number of whom were Christians, such as the well-known Kāmil Puṭruṣ Qazānchī.

Once again, it is noteworthy that many Christians were members of the ICP, and that some priests and monks supported communism. Some Arab Sunni and Islamic nationalists intimidated the Christians and discouraged them from getting involved in politics, as the Communist leader, ‘Adnān Chilmirān confirmed adding that Christians were afraid of being assaulted by Muslims. Meanwhile, the Pan-Arabists had not forgotten that Assyrian Christians had occupied significant positions in the British Army during the occupation. As ‘helpers of the occupation,’ The Christians were held in contempt by Muslims. That contempt was commonplace among all Muslims, not least for religious reasons, both Iraqi Arab and

694 Born in Mosul, Kāmil Puṭruṣ Qazānchī (1907-1959) was an intellectual and a well-known Christian politician. He got a BA degree in Political Economics from the American University in Beirut, in 1932 and was issued a law license from the Iraqi Faculty of Law in 1940. He worked as a consul in New Delhi in India, after which he joined the Iraqi National Party, and then the ICP. He has written many publications. He was abducted and assassinated in Mosul by the Nationalists in 1959. For more information see the following websites. Retrieved on 11 July, 2015 from http://www.ankawa.com/forum/index.php?topic=726728.0; http://altaakhipress.com/viewart.php?art=74640.
Kurdish, since they dwelled among Christians in Kurdish cities and villages in northern Iraq.696

When Shawwāf was killed, his headquarters were destroyed and his revolt was overthrown. During the suppression of Shawwāf and his followers, revengeful acts were visibly carried out by Christians - who were clearly noticeable among the Communists and Kurds - on those who had been oppressing them. They pillaged Muslim houses and indulged in other worse anti-Muslim and anti-nationalist violations. That created further tension between Christians and Muslims in Mosul and Baghdad for some months. Neither side forgot. There is little doubt that many Christians, remembering the trespasses of Shawwāf and his men, viewed the resurgence of militant nationalism with deep distrust.697

The struggle in Mosul intensified and nationalist activity there took on a religious dimension, due to the religious provocation by Muslims and Nationalists who taunted the Christian churches to get them to partake in the conflict. Threats against Christians increased and rumours were spread that Muslims would begin massacres against Christians,698 to frighten and threaten them. Indeed, the Arab nationalists and Islamists of Mosul revenged themselves on the communists, and later on the Christians and committed bloody massacres in the Christian towns, especially the towns of Talkif in 1959.699 In return, the participation of the Yazidis and Christians from other villages increased for four successive days during the revolt against the rebels.700 As a result, Muslims, Nationalists and the Baʿth Party responded fiercely, especially through organized murders and attacking of Christians.701 As their regions overlapped with the city of Mosul, it was easy to attack the Christians. The response and the counter response led to the killing of hundreds of Iraqis from different minorities, which in turn, created more violence and suspicion among all Iraqis, including the minorities. This increased the social split and divisions among the various religious and ethnic groups in Iraq. As a result, subsequent national governments deliberately marginalized both Christians and the Yazidi, particularly through the policy of Arabization and by forcing religious minorities to change their identity.

699 Talkif is a town in which Christians constitute about 93% of the population, according to the statistics of the Church of Talkif on 3rd October, 1968. 76% of the Christians are Catholics, and the rest follow the ancient Eastern Church. The population of the town in 1968 was about 7,102 of whom 5,479 were Catholics, 1,181 belonged to the Eastern Church and only 548 were Muslims. See: al-Qas Mīkhāʾīl Jaḥū Ḫansūr: Balad Talkif: Ḫādirah wa ḫādirūḥā (Talkif: its Past and Present). Mosul: Republic Press 1969, pp. 36, 87. It should be noted that, Talkif was gradually Arabized and Islamized until it lost its Christian presence entirely.
By analyzing the incidents of this revolt, it becomes apparent that the revolt of Mosul revealed the complexities of the internal struggles which were to shape Iraq in the years to come. The different social powers and the ethnic and religious divisions in Iraq also become visible upon noting how the tribes of Bārzānī Kurds, Christians and Yazidis stood against Arabs and Sunni Muslims when the revolt occurred in Mosul. The Kurdish tribe of Gargariyya was also against the Arab tribe of al-Bū Mutiwit.702 Thus, although the revolt had ended by government, its repercussions would be felt in Iraqi society as a whole in the years to come, such as in a series of organized attacking and retaliatory actions against Christians, for example. The Iraqi Islamic Party killed and murdered many leftists and Christians on political grounds, namely because they did not endorse Nationalist and Islamic movements,703 a factor which probably forced the Christians to become involved in the country’s domestic problems and to change their political attitudes in relation to same.704

The murder of two Arab Sunnis, Amjad al-Muftī and ʿUmar al-Shaʿʿār, in Talkif on March 10th, 1959 is noteworthy, for the murders created a pretext for an increase in the violence towards Christians in the long run, adding a dangerous dimension to existing tensions between the Christians and the Muslims. The problem, however, sprung from the fact that those murdered were from Mosul, a Muslim town. They came to the Christian town of Talkif during the curfew, which had been declared by the government after the Shawwāf Revolt.

A special court-martial was established in Baghdad in 17 January, 1960705 to inquire into the case. There were 26 defendants, most of whom were Christians from the town of Talkif.706 The prosecution presented a report in which it insisted that those who were accused of murdering the two people be punished according to State law. The defendants denied committing the crime, explaining to the court that those who had been murdered had come to Talkif during the curfew and had cried out against the government. They claimed that the two victims had called for support for the Shawwāf revolt, and that they were active within Baʿth Party. The defendants explained that, for this reason they were killed by the Kurdish clans. They also claimed that the people of Talkif707 were not involved.

Despite the scarcity of the witnesses, the court-martial ruled that the defendants were guilty and ordered the execution of 6 Christians. Ten others were sentenced to a range of terms of imprisonment, from life sentences for some, to between two to fifteen years in prison for others.708 Although the court had decided to punish the criminals under State law, the case

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704 See chapter 8, sections 8.2.1, 8.2.2 herein on how their political attitudes changed.
705 For more information on this case, including investigations into same, see: Hilāl Nājī: Ḥatā lā ninsa: fuṣūl min Majzarat al-Mūsil (Lest we forget: Parts of the Mosul massacre). Baghdad: al-Maʿārif Press 1963, pp. 57-79.
706 For the names of the defendants, see, Nājī: Ibid, pp. 60-62.
708 For the court-martial decision, see: Nājī: Ibid, pp. 78-79.
acquired a sectarian dimension. All of those convicted were Christians, because the murders of Arabs took place in a Christian town. Lust for revenge against the Christian community spread among Pan-Arabists and the Muslims of Mosul, and extended to the other minorities of the Nineveh plain.

The government observed these developments with growing concern. An official clandestine document issued by the security department of Mosul, dated 17 May, 1960 entitled “The Seriousness of the Split among Muslims and Christians in Mosul”709 was sent to the ruler of Mosul. In it, the Governmental Security Service expressed its fears about the seriousness of the situation as follows:

“We feel, and so does everyone who lives in Mosul, that the mutual hatred among Christians and Muslims is increasing and that a split is apparent, in other words, the feeling of loyalty and love between the two parties has disappeared. Thus, it can be regarded as a sign of danger that may have dire consequences between the two groups. The outbreak of a raging fire [violent conflict] especially in the hearts of Muslims, is imminent”.710

The document also points out that the reasons behind this separation, hatred and the feeling of revenge on the Christians are:

“When well-known incidents took place [meaning the Revolt of Shawwāf] in Mosul, some Christians stood by the chaotic actions which were done by a group of Muslims [Communist Muslims] against the people of Mosul. On the other hand, some of the Christians had their actual partaking with the anarchists, and their actions created the real reason behind the spirit of hatred towards the Christians and the seeking of revenge on them. In addition, the atrocity of the crime committed by the group of (Talkif) increased the separation and the feeling of hatred which became deeply-rooted in the hearts of the people of Mosul towards Christians. Therefore, Christians themselves… sensed the very danger of the fault committed by a group of them that held destructive and chaotic tendencies against the people of Mosul during the known incidents. Their feeling of that fault which was expressed by a group of Christians during those incidents made them unstable and worried; they began feeling the danger which was latent in the hearts of those who were affected by the damage caused by that group”.711

The Security Department expressed their belief to the Provincial Governor of Mosul that punishing the Talkif criminals publicly (meaning a number of Christians), would generate

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709: Mudīryat Amin al-Mūsil (The Directorate Security of Mosul): No. 735, Q.S 1444. Date: 21/5/1960, Subject: The Seriousness of the Split among Muslims and Christians in Mosul (Secret and personal). The Center for Kurdish Studies, Research and Documents Preserving (CKS), University of Duhok, No. 70/ 287, 54
710 Ibid.
711 See the original text of the document herein in Appendices, figure 2. 4, and its translation in figure 2. 5.
calm among the people of Mosul and decrease the tensions which had been growing steadily since the revolt. 712

From this document, the Security Department of Mosul’s bias against Christians is evident; when discussing the reasons behind the tensions and hatred, the document attributes full blame to a group of Christians and fails to take account of Christian motivations for taking action against the revolt. This bias is further highlighted in another document that accuses the country’s organizations of murdering Christian and leftist citizens.

According to another document, 44 people were murdered and 20 were injured by bullets in December 1960 and January 1961. They were all Christians and leftists in Mosul. 713 The style of this document appears to indicate that it belonged to the Iraqi Communist Party, which accused the authorities of indulging reactionary powers and currents (meaning Muslims and Nationalists) and giving them free rein. It also demanded the government to put a stop to these murders and attacks, and emphasized that the authorities bore the responsibility for those citizens’ injuries and loss of life. In addition, this document highlighted the role and involvement of some officials and some of the country’s organizations in that revolt.

Indeed, the central authorities did bear responsibility for these violations. This became evident in the regime that followed, which took account of the former government’s wrongdoings and sought to learn from them. In 1960, ‘Abd al-Karim Qasim, adopted the policy of balance between powers and the currents who struggled for dominance in Iraq, not least in an attempt to maintain his authority. In steering a middle course, politically, he sometimes, tried to please the Nationalists and Ba'thists, and he also distanced himself somewhat from the leftists, from Communists and Kurds, despite their Communists’ support for him. Nevertheless, they continued to support him and did not call for him to be overthrown. 714

Because of both the intensity of threats and pressures on the Christian community as a whole, and because of the government’s attempts to limit the power of the Communists, 715 the leaders of the Christian communities in Mosul saw themselves obliged to issue a statement on 20 December 1960 716 condemning those (Christians and Communists) who participated in

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712 Muṣīlīyyat Amin al-Mūsīl (The Directorate Security of Mosul): No. 735, Q.S 1444. Date: 21/5/1960, Subject: The Seriousness of the Split among Muslims and Christians in Mosul (secret and personal). The Center for Kurdish Studies, Research and Documents Preserving, University of Duhok, No. 70/287, 54
714 From a TV interview for Asia Channel with the Iraqi writer and thinker Dr.‘Abdul-Ḥusayn Sha‘bān on 13th September, 2012. Available on YouTube and retrieved on 13th December, 2012 from http://www.youtube.com/watch?v=LkeJdfedC0g.
715 This inclination was a response to growing communist popularity, which the central government viewed as a threat.
716 For more information about the text of the statement which was signed by five leaders of the Christian groups in Mosul, who were the leaders of the Syriac Catholic, Chaldeans, Armenian Orthodox, Assyrians, and Syriac Orthodox, see: Sa‘ad Saloum: al-Māṣiḥīyyūn fī al-ʿIrāq (Christians in Iraq). Baghdad, Beirut: Masārāt Institution for Cultural and Media Progression 2014, pp. 597-598.
putting down the Revolt. The statement focused on the Christian prohibition of communist membership. Subsequently, Christian clergymen preached from the pulpit and in their councils on their ongoing condemnation of communism. They also warned Christians about the dangers of communism. The Christian leaders’ statement requested the Muslim clerics to work with them to relieve the tensions which existed between both peoples.

This official statement by the Christian leaders reflects the extent of the fear, the danger and the threats to which the Christians were exposed by nationalists and Muslims in the city. At this time, the government’s abandonment of the Christian minority was already indisputable, for it neither acknowledged the threats nor did it protect the Christians; the leaders may have felt obliged therefore, to issue the statement. Similarly, the statement may also have been an attempt to appease the nationalists and Muslims in an effort to reduce the pressures they were exerting on Christians. It is noteworthy that Christians and other minorities regarded the left-wing powers, especially the Iraqi Communist Party, as protectors. The government attempted to diminish growing support for the communists, however, perhaps in an effort to maintain a certain balance between competing political currents in the interests of achieving stability and remaining in power. Nevertheless, the Communists continued to protect the authority of ‘Abd al-Karim Qasim, but the latter would pay the price in the form of the government’s betrayal after support for the nationalists movements intensified.

The systematic sectarian murder of Christians continued from 1961 to 1963. The murders were carried out by an organization that was mainly established for political revenge, known as the Clandestine Nationalist Court. It had a list of the names of those to be targeted and more than fifty Christians were murdered in Mosul by the organization at that time.

Due to the murders and to the general increase in violence the Christians’ overall position became more sensitive. This led to the British Embassy in Baghdad to highlight the situation in Mosul in 1961 in its official documents. The Embassy also touched on the plight of the Christians and mentioned the threats and murders specifically:

“The position of the Christians in Mosul has been particularly delicate since the Shawwāf Revolt and there has been much talk in Baghdad about a wave of persecution being directed against them. It is true that a number of Christians are Communist, and that many Christians did join with the Communists, or sympathized with their aim of disposing of the most extreme nationalists, at the time of the Revolt. Consequently, allowing for the traditional ill-feeling of the nationalists, and particularly the extremists, towards the Christians, there has been a natural tendency on their part to identify Christians and Communists. The anti-Communist Christmas statement of the Christian leaders in Mosul was designed to counteract this tendency, but many Christians there do not feel that it achieved its object. There certainly were a number of Christians among those who have recently been killed, but these seem to have fallen into two main classes. There were those who had clearly been connected with the
atrocities in some way, and were killed because they were Communist, not because they were Christians. Others seem to have been the victims of those who are exploiting the situation for their own personal ends, and the Christians, being on the whole more wealthy and successful, have been particularly exposed to various forms of blackmail and terrorism. For example, six senior Christians on the clerical staff of the Mosul Petroleum Company recently received threatening letters, and all wanted to leave ʿAīn Zālāḥ. The company is convinced that these letters were sent by some of their subordinates, who hoped to take their jobs if they fled, and the six officials were ultimately persuaded to remain. On balance, I consider that though there is and always has been anti-Christian feeling in Mosul, it has been somewhat exaggerated. There does not appear to be any campaign by the Nationalist revenge organization directed against Christians as such, though individual fanatics may be taking advantage of the situation to work off their spite against them”.

From the wording of this document, it is apparent that Britain was not particularly concerned about the issue of the Christians. According to British embassy, the murder and discrimination that the Christians were exposed to, related to the targeting of the Communists alone (who had opposed Britain and colonialism for ideological reasons). It is worth mentioning that the incident in which threats were made, to pressurize Christian employees into leaving their posts was a minor issue, considering the breadth of the overall situation.

The seriousness of the Christian plight and the general level of sectarian unrest in Iraq were clearly played down by the British in the aforementioned document. Due to sectarian pressures and threats, a mass exodus of the Christians from Mosul took place, in which approximately five thousand Christian families moved to Baghdad and Baṣra (in the middle and south of Iraq) and to some Kurdistan urban centres in the north. There was also a mass exodus of Christians from Iraq to western countries, especially after rumors were spread by the Nationalists and Muslims which stated that the Christians intended to establish an independent State in Nineveh plain with its capital in Talkif. The rumors also claimed that Christians opposed the Arab Nation, and accused them of anti-Arab slogans such as “Talkif is independent and the religion of Prophet Muhammad is false”. That rumor proved sufficient to cause Muslims to begin killing Christians in an arbitrary manner. This in turn, led thousands of Christians to leave the city of Mosul, after tens of Christians had been murdered.

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717 This town is located about 80 kilometers northwest of the city of Mosul, where oil has been extracted from its fields by oil extraction companies since 1939.
719 ʿAlī Sinjārī: Awrāq min Arshīf Kūrdistān: Majmuʿat maqālāt sīyāsīya (papers from the archive of Kurdistan, a number of political articles). Duhok: Khānī Press 2013, Vol. 2, pp. 195-197. This source is regarded as a memoir and a historical document as its writer was a renowned political activist who witnessed these political events in Iraq.
When the Christians had left Mosul, the Muslims claimed Christians’ stores, houses and properties for themselves.

It should be noted that the city of Mosul was and remains a paragon of, and a feeding ground for extreme Arab nationalist thought. It is there that pan-Islamism thrived and crystallised. Nationalism in Mosul was traditionally influenced by Turkish national thought, on the one hand, and Islamic thought, on the other, not least because of its long-term close relationship with Ottoman Islam and because of the city’s economic and social relations with Aleppo in Syria. In addition, one third of the Iraqi army officers were from Mosul, as already mentioned herein, a factor that renewed and agitated hostilities between Mosul and the religious minorities, especially among those attached to Iraqi left-wing currents which rejected pan-nationalism.

One of the Arab Nationalists who later joined the Ba’th party in 1954 admitted as much, saying he had witnessed these incidents and that the city of Mosul contained a large crowd of Christians, who had been exposed to disturbances in “this city which is fanatic, nationally and religiously”. He also described the city of Mosul as purely Sunni and stated that its rural areas are divided between Christians and Kurds. This city-rural divide also served to intensify the arrogance of the Arab and Muslim urban populace towards the Christians and towards other non-Muslim rural outsiders. Moreover, in time, the nationalist movement inside Mosul became more extreme.

Christians and other minorities were not subjected to murders and violent oppression by nationalist extremists in Mosul alone. Rather, these persecutions were accompanied by social discrimination in other cities, too. Referring to this, Hānī al-Fākīkī notes that Christian quarters in Baghdad were clean and orderly “despite the fact that some devout Muslims avoided eating with them”. Muslims also used to wash anything that was touched by Christians and non-Muslims, as they considered them unclean. Although this idea is rooted in classical Shi’i concepts of ritual purity, the avoidance of anything which has been touched by non-Muslim hands is customary across all Muslim sects in much of the Muslim world.

In fact, Christians cared about cleanliness, not only in their appearances, but also in their houses and districts. In terms of their understanding and their practices relating to hygiene, they were more advanced than Muslims. The Muslim stereotype which created the notion that

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723 Here, the arrogance of Mosul residents towards the Christians and towards others who were non-Muslim is referred to.
724 Fākīkī: Ibid, p. 19
Christians and non-Muslims were unclean\textsuperscript{725} took root in Iraqi society and was a device with which these peoples could be socially belittled. Al-Fakīkī illustrates this point in his autobiography:

“I remember that my mother used to tell her visitors how the [Christian] midwife assisted the births of children in the district of Aʿzamiyya in Baghdad and that [she] nursed many at a time when] health services and hospitals did not exist in Iraq yet.”\textsuperscript{726}

This example serves to illustrate the contradiction between the stereotype and the reality. On the one hand it tells the story of a Christian midwife who was allowed to help Muslim citizens in such a vital and personal matter as childbirth, while the general consensus that considered Christians unclean, still remains on the other.

5.2.2 The Religious Minorities and the Kurdish Armed Revolt of 1961

Before delving deeper into the case of religious minorities, it is necessary to understand the ethno-national and religious aims of the Kurdish Movement, which became effective factors in consolidating the identities of the religious minorities.

5.2.2.1 The New Aspirations of Kurdish-Nationalist Thought and the Ethno-Nationalist Identities\textsuperscript{727} of the Religious Minorities

There is no general agreement on the precise meaning of the political concepts of nationalism and ethno-nationalism, and the viewpoints of many researchers differ in this respect. We find that in some perspectives, nationalism and the nation are linked, whereby the nation is considered a mental condition characterized by absolute loyalty of the individual to the nation. This concept is not linked to the concept of the State, as it is a psycho-cultural\textsuperscript{728} concept, by this allowing the existence of a state without a nation, and equally, a nation without a state.

The difference and distinction between the ethnic affiliation of human groups and one’s feeling of belonging to a national identity, or the belonging to the group, and that which specifies the differences and the distinctions between them are explored in the fields of anthropology and sociology. These concepts, along with the following scientific terms, namely, national identity, nationhood, and ethnicity are indispensable in approaching the Iraqi situation, although they may not be applied to its religious minorities in some regards. For the

\textsuperscript{725} This is rooted in Islamic concepts of ṭahāra (purity).
\textsuperscript{726} Ibid, p. 19.
purpose of this research, the works of such prominent researchers as Max Weber\textsuperscript{729} and Anthony Smith\textsuperscript{730} takes as basis.

5.2.2.1.1 Kurdish Nationalist Thought

The emergence of Kurdish Nationalist Thought and the Kurdish Movement in Iraq and its developments and effects on the religious minorities shall be discussed here in brief. The Kurdish educated class was affected by the same surge of nationalism which had swept through the rest of the Ottoman Empire in the years prior to World War I. The First World War and its outcomes such as various nations proclaiming their right to self-determination influenced a number of Armed Kurdish Movements in Monarchical Iraq. These movements and the establishment of various Kurdish associations contributed to the expansion of Kurdish nationalist thought in the Republican Iraq that followed.

Since the establishment of modern Iraq, the proliferation of Kurdish nationalist thought was limited to the elites and to Kurdish students who studied in Baghdad and other urban areas. It was they who planted the seed of Kurdish nationalism in Iraq and founded its first organizations. Therefore, in the beginning, the dissemination of Kurdish nationalist thought, the concept of Kurdish ethnicity, and the concept of the Kurdish Unma (nation) did not spread significantly, nor did these concepts become engrained in the minds of the masses, rather, they remained a narrow elitist phenomenon.\textsuperscript{731} This was mainly due to the intensely intricate tribal nature of Kurdish society and the widespread illiteracy of the greater Kurdish population. However, these students later went on to become leaders of the Kurdish Movement and promulgated these concepts among the grassroots of Kurdish society during the Republican Era. In turn, the Kurdish nationalist organizations expanded in size.\textsuperscript{732} Consequently, the 1960s can be considered the period which marked the true beginning of Kurdish nationalism, since it was at this time that it gained a significant following in Iraq.


\textsuperscript{731} The idea of the Kurdish nation did not crystallize in Monarchical Iraq, rather, it was discussed among the political elites during the 1940s. In addition, the demands of the Kurdish political movement were influenced by the repercussions of the World War I and the principles of U.S. president Woodrow Wilson and did not extend beyond the goal of self-determination. A gap between the Kurdish elites who fomented national thought and the illiterate majority existed, which served to alienate the latter. The only way to influence the thought of ordinary people was through religious speech. Consequently, nationalist thought per se did not spread until the 1960s. For more on the beginnings of the crystallization of nationalist thought among the elites and the Kurdish students in Iraq in detail, see: Ali: \textit{Al-Haraka at-tulābiyya al-...}, pp. 47-95.

The nationalist and political Kurdish organizations relied upon certain theoretical, intellectual, and ideological constructs to establish their concept of nationhood such as ethnicity, culture, religion, and shared language. In the case of Kurdish nationalism, religion is a key element as it offers social cohesion based on the shared Sunni belief system of the majority of its adherents. However, it alienates non-Sunni religious and doctrinal minorities who are considered Kurds on ethnic or linguistic grounds, for example.

It should be noted that the majority of those Kurds in Northern Iraq and Kurdistan were Sunni Muslims of the Shāfī‘ī School. Amongst them, were also some ṭarīqa Sufi orders (mystics) and a substantial number of Shī‘is, notably the Faylīs and some Kurdish clans in Sinjar. The Kākā‘ī, which some considered to be a Bātinīya (hidden) sect of Shī‘i lineage, were also represented. There are then the Yazidi who are theologically distinct from the Islamic orthodoxy. The Christian and Jewish communities in the region are not considered Kurdish, despite their extensive use of the Kurdish language.

As for the Kurdish religious and political organizations in Iraq, it should be noted that political Islam is not a contemporary phenomenon. Rather, it has historical roots that date back to the 1950s, after the emergence of the Muslim Brotherhood in Egypt, whose ideas spread to Iraq. It is significant that the Iraqi Muslim Brotherhood of the 1950s was headed by a Kurdish religious ʿlim (scholar), Shaykh Amjad Al-Zahāwī. This shows that the Muslim Brotherhood (as a religious movement) could mobilize equally well among Kurds and Arabs. Nevertheless, not much is known about the history of this branch, apart from the fact that it does not appear to have ever had a large following.

Political Islam and Islamic movements in general lacked any effective political presence in Iraq and the Kurdistan region at State level. Nevertheless, they gained significant grassroots support in Kurdistan in the 1980s and 1990s. Although the Kurdish nationalist political parties claim that the Kurdish nationhood is nationalist, not religious, they still refused to allow non-Muslim minorities such as the Yazidi, Kākā‘ī, and others to establish parties peculiar to them, even though these minorities are considered ethnic Kurds. Such inconsistency in Kurdish nationalism also became evident with the rise of Islamic religious currents, parties, and political forces. These became secondary political forces that competed with the parties with considered themselves national or secular. In the 1990s, with the

733 A study by the linguist D. N. Mackenzie states that the Kurds do not share any mutual origins nor essential cultural unity. Therein, the author relied on the scarcity of mutual linguistic traits among the Kurdish dialects, especially the dialects of Kurmanji and Sorani in his research. For more information, see the article: “The Origins of Kurdish,” Transactions of the Philological Society, Volume 60, Issue 1, November, 1961, pp. 68–86.

734 The question of the origin of the Kākā‘ī is discussed in various sections of this dissertation.


736 On the Kurdish Islamic Movements in Iraqi Kurdistan, see: Leezenberg: Ibid, 216-223.
emergence of political Islam, religious extremism was expressed politically and militarily among the Kurds of Iraq, especially after the Kurdish region acquired a form of self-rule in 1991, an occurrence which displays the readiness within the Kurdish community to accept and propagate political Islam.

In this context, there exists a certain overlap and ambivalence between the nationalist and religious political currents in Kurdistan and Iraq. Furthermore, the Kurdish ethno-nationalist identity per se did not surpass the collective religious awareness of a shared Sunni belief system. Consequently, most leaders of the Armed Kurdish Movements are Shaykhs and religious leaders. Yet, despite the shared Sunni belief system, the Kurdish parties were unable to overcome tribale and clannish divisions where religious and ethnic identities overlap. In time, the internal solidarity and an established collective awareness existent within tribes and clan structures would come to be utilized by the Kurdish parties as a means of consolidating their power.

5.2.2.1.2 The Ethno-National Identities of the Religious Minorities

Nationalist thought, based on theories of nationhood and ethnicity and its concepts and historical context, did not manifest among the religious minorities of Iraq during the monarchy, except for the Assyrians, who desired independence and self-rule within a kind of protected enclave under the auspices of the State. Nationalist affiliation which has an evident political dimension began to emerge within religious minorities in the early sixties. This came about as a result of political developments after the coup of 1963 such as the expansion of the Kurdish movement, as well as domestic conflicts and external factors. Hitherto, religious minorities had preserved their distinct core identities based on their own social and religious customs and their idiosyncrasies peculiar to them. This made them self-defining communities which were bound together by a coherent religious identity, and not by political factors. Developments in the 1960s, however, generally referred to as the Liberal National Movements

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737 Since the 1980s, clashes and killings on both sides between between the Islamic parties and the Kurdish national parties have occurred due to political competition. In addition, in Kurdish cities, many assassinations and explosions have been carried out by these extremist religious organizations. For information on Kurdish support for ISIS, see: “Anṣār al-Islam/Supporters of Islam”. Retrieved on 19th November, 2015 from http://www.islamist-movements.com/32212.

738 From the beginning of the 19th century until the end of World War II, many armed Kurdish Movements and Kurdish Emirates or Princedoms were established by Shaykhs and Sunni Muslim clergymen. However, they were not part of nationalism or political Islam per se, as they did not ascribe to its contemporary concept. The majority of these movements began and remained local rather than nationalist, and most of them had a religious trait. For more information on the religious aspect within the leadership of the Kurdish Movements, see: Wadie Jwaideh: *Kurdish National Movement: Its origins and development*. New York: Syracuse University Press 2006, pp. 54-242; Othman Ali: *al-Haraka al-Kurdiyya al-Mu‘āṣarah: Dirāsa Tārīkhīyya Mu‘āṣira 1833-1946* (the Contemporary Kurdish Movement: A Contemporary Historical Study 1833-1946). Erbil: Al-Tafsīr for Publication, 2011, pp. 35 and what follows.

in Iraq and the Middle East, reached a climax. Political nationalist identity and religious minority identity which had remained separate to date, merged to a certain extent. In turn, the affiliations and antipathies between various groups and the nature of their interaction became more complex and intertwined. This, in turn, made the period one of great change both in the political and social milieu in Iraq, in particular, and the region, in general. Arab nationalism peaked and a number of the Arab nationalist and pan-Arabism parties came to power, while armed conflict between the CGI and the Kurdish Movement intensified; this was a conflict which would continue for many years to come.

The nationalist and sectarian aims of the major groups, namely, the Shi‘i, Sunni and Kurds in Iraq and the political interior developments, with their multiple dimensions, created contradictory and conflicting outcomes that increased the role of religion in politics. As a result, social and civil matters became subject to religious or Islamic law to a greater extent. This development was a strong incentive for the non-Muslim minorities to support left-wing politics or to support the central authority, which claimed to be secular from time to time.

5.2.2.2 The Kurdish Armed Movement of 1961 and Religious minorities

The KDP supported the new regime for a variety of reasons. The regime allowed the Kurdish cause to make gains which were political, cultural and linguistic. The government declared a general amnesty for political prisoners, it allowed the Kurdish leader, Mustafa Barzani to return from the Soviet Union, and it also granted the Kurds membership in the Sovereignty Council and appointed two Kurdish ministers to the government. The temporary constitution, also, stipulated in its third article that: “Arabs and Kurds are parts of this country, and the constitution confirms their nationalist rights in the Iraqi Union”. The relationship between the Kurdish movement and the Central Authority deteriorated rapidly, however. Tensions (which were not new) peaked in the wake of the Mosul Revolt and in response to ʿAbd al-Karim Qasim’s attempts to centralize power and strike a balance among the political currents, in which he minimized the role of the ICP and its ally, the KDP. Another bone of contention was Qasim’s abolishment of the third article of the constitution which forced Kurdish newspapers to cease publishing.

A theory of identity and a common purpose for all these groups that reflected an understanding of the idiosyncrasies of each was lacking. This factor, along with many others, made it almost impossible for minorities to identify with the state per se and with a kind of national identity which did not take account of them. Ultimately, the outcome was the predominance of one single group which advanced its own nationalist agenda based on its own characteristics and idiosyncrasies. A one-dimensional form of nationalism resulted, as opposed to a kind of nationalism which could be said to reflect the multicultural nature of the community which it aimed to unify and lead as a nation. Meanwhile, the ability of the various groups to coexist peacefully diminished, and the interior social and political cohesion within each religious minority was strengthened. These developments led minorities to call for the establishment of provinces or regions of self-rule of their own, such as the Christians had done in the past, and which many Yazidi (especially in Sinjar) have come to demand since then.

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In time, these factors led to a Kurdish armed revolt against the Central Authority,\textsuperscript{743} in which the KDP and their Communist allies sought the aid of the minorities in their struggles against the Central Authority.

The Kurdish Revolt broke out on 11th September, 1961. Thereafter, it became clear that Iraq was heading towards civil war. In the same month (September), the government, together with some Kurdish Muslim tribes, attacked both the Barazani region and Christian towns which were close to it. That, in turn, forced about six thousand Christians to leave their districts.\textsuperscript{744} This struggle and its outcomes made the Christians and Yazidis of Kurdistan and Northern Iraq (the Disputed Areas) assume different attitudes towards the KDP and the Communists. The animosity and distrust which the Christians and Yazidis felt towards the Kurds was due to the involvement of a number of Kurdish clans in\textsuperscript{745} suppressing the past Assyrian movement. They also condemned the role of the Kurds in the massacres in 1933 in particular. However, subsequent developments saw these minorities ally themselves with the Kurdish Movement whom they previously perceived as their enemies.\textsuperscript{746} Some minorities would even join the Kurdish Armed Revolt alongside the Kurds.\textsuperscript{747} The reasons for the about-turn in the political affiliation of the minorities can be explained as follows:

1. The failure of the CGI to face the actions of pan-Nationalism currents against the Christians and others after the Revolt of Mosul 1959.
2. The districts of religious minorities, mainly the Christians and Yazidis, became battlefields because of their strategic locations\textsuperscript{748} between conflicting parties. Therefore, they did not have much choice; either they could join one of the parties or leave their homes in these areas.


\textsuperscript{746} During the 19th century the Assyrians (Christians) suffered at the hands of the Kurds as did the Armenians and the Yazidi. Derk Kinnane: \textit{The Kurds and Kurdistan}. London-New York: Institute of Race Relations, Oxford University Press 1964, p. 19.

\textsuperscript{747} It was the KDP alone (and not the minorities) that would exert their influence on the political situation in Iraq in the years that followed. In Chapters 7 and 8 herein, the attitudes of the Christians and the Yazidi towards the events and developments surrounding the coup of 1963 and thereafter shall be discussed in detail.

3. The role of the Kurdish movement leader, Mustafa Barzani,\textsuperscript{749} in making the religious minorities side with his movement. Barzani engaged in an exhaustive tour of towns and villages throughout Kurdistan and the disputed districts which were the homes of religious minorities. He either convinced them of the necessity of supporting the Kurdish movement, or required they hand over their weapons.\textsuperscript{750} Thus, the Christians and other minorities found themselves at a crucial juncture, desiring freedom and self-governance, yet fearful of both the Iraqi regime and its Kurdish opponents.

4. The destruction of Christian villages and the displacement of the inhabitants by the actions of the government and those Kurdish clans who allied with the Central Authority, created a desire on the part of the religious minorities to become involved in the struggle do defend themselves.\textsuperscript{751} The Christian region of ʿAmidiyya, passed from Barzani to Zebāri tribe’s hands in autumn 1961, and the pro-government forces pillaged and destroyed numerous villages. Although this region was previously neutral, around 4,500 Christians left their homes for other areas of Iraq.\textsuperscript{752} In the winter of 1961, the armed conflict between Kurdish forces loyal to Barzani, and those working for the Iraqi government, reached deadlock. In December, when Barzani’s forces returned from areas that were under their control, they accused the Christians of treason. In the village of ʿAnnūne (Kānī Māsi), Barzani’s men took revenge on the Christians by murdering every male over fifteen whom they were able to capture, some of whom were priests. Some of the male village-dwellers escaped these killings and fled to Turkey, returning to live in Baghdad some time later.\textsuperscript{753}

5. The Iraqi Communist party’s supportive attitude towards the Kurdish Revolt greatly influenced the minorities.

In light of this struggle and the overall complexity of the situation, a second coup occurred against the Central Authority, and the government of ʿAbd al-Karim Qasim was overthrown. This created the beginning of a new period and allowed the Arab Nationalists to assume power. With it, a new period of contemporary Iraqi history began which established the one-party system and forced the religious and national minorities to adapt to the changes and developments that came with it. This new period which lasted until 2003 can be referred to as

\textsuperscript{749} In the interests of advancing Kurdish nationalism, Barzani, had comprehensive strategies for gaining the support of all clans, parties, religious and ethno-national minorities in Iraq, such as the Christians, Yazidi, Kākāʾi and the Jews. This was the first time in which a Kurdish movement leader came to gain the support of minorities when religious fanaticism was evident in the dominant Kurdish Sunni community of the period.

\textsuperscript{750} It can be argued that Christians played the minority role in this issue, since they had neither the backing nor numbers of the Kurdish struggle. Qasim was not their enemy, and initially the Christians remained sidelined within the struggle, until Mustafa Barzani began a tour to the northern regions, attempting to recruit Assyrians to his cause prior to the outbreak of the war in 1961. See: Donabed: \textit{Op. Cit.}, pp. 142-143.


\textsuperscript{753} Donabed: \textit{Op. Cit.}, pp. 144-145.
“The Nationalist Republics of Iraq”. The primary characteristic of this period was the amalgamation of religion and nationalism in governance, State institutions and the broader body politic. The overthrow of Qasim and the developments that followed paved the way for the dictatorship which would take hold after the success of the National right-wing currents which saw the Ba’th Party come to power. This part of the study focuses on the era of the two’Ārif Brothers from 1963 to 1968. It was this period in which State authority became the exclusive domain of the Sunni Nationalist Arabs, a development which would produce radical changes in the lives of religious and ethnic minorities.

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754 After the abolition of the first temporary constitution went into force on 27th July 1958, a second temporal constitution was announced in 1964. The second article of it stipulated that: “Islam is the religion of the country and the main base of its constitution and Arabic is its main language”, see: Al-Waqā’i’ al-‘Irāqiyya, Vol. 949 dated 10th May, 1964.
Chapter 6: The Period of the Second Republic, theʿĀrif Brothers (1963-1968)

6.1 A New Era of Conflicts and the Emergence of Subsidiary Identities

After the Arab national currents gained momentum in their struggle for power in Iraq, supporters of the Arab Socialist Baʿth Party (a radical socialist and nationalist organisation) and of pan-Arabist currents such as the Arab Socialist Party and Arab Nationalists Movement (a unionist and Nasserite current)\(^{755}\) carried out a second coup in Iraq in 8th of February, 1963. The coup led to the overthrow of ‘Abd al-Karim Qasim’s government after fierce fighting and street battles resulted in the death of President ‘Abd al-Karim Qasim himself, along with many of his supporters.

After the coup, the first joint government of the Baʿth Party and the Arabist-Nasserite current\(^{756}\) formed the National Council of the Revolutionary Command (NCRC),\(^{757}\) which was known as al-Sharʿiya al-Thawriya (The Revolutionary Legitimacy). The NCRC took supreme control over the State institutions and the constitution. It instituted law No.17/ 1963,\(^{758}\) to grant the president of the republic supremacy over the State. This law was passed on the same day of the coup. Subsequently, the leader of the Arabist current, ʿAbd al-Salām ʿĀrif, was appointed the first president of Iraq,\(^{759}\) and Āḥmad Ḥasan al-Bakr, from the Baʿth Party, was made Prime Minister.

This would not go untested however, and a second coup would follow soon after. The new president’s desire to rule singlehandedly, the Baʿth Party’s attempts to overthrow the president along with the “National Guard Troops” and the practice of targeted assassinations of political leaders, caused another coup on the 18th November in 1963. Thus, the Baʿth Party was removed from power and the army became, in effect, the government.\(^{761}\)

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\(^{760}\) The “National Guard Troops” were armed units and militias under the control of Baʿth Party. They were official in the sense that their existence had a legal basis under \textit{Law No.35 / 1963} which stipulated that they should be commanded independently, in corroboration with army staff. In practice, however, they were under the direct command of Baʿth Party. See: \textit{Al-Waqāʾiʿ al-ʿIrāqiyya}, Vol. 809 dated 2nd June, 1963.

Iraq witnessed a new period under the control of ʿAbd al-Salām and ʿAbd al-Rahman ʿĀrif which began on 18th November in 1963. This period can be referred to as the Second Republic.

The policy of the two ʿĀrifs on the religious minorities of Iraq saw a further tightening of the restrictions of their rights which were already in existence. The rule of the two ʿĀrifs created conditions in which the emergence and the crystallisation of ethno-national identities took place with considerable momentum. Violent conflicts which saw these ethno-national identities compete for pre-eminence would follow. The coming three chapters will examine this phenomenon in the context of the dimensions and internal developments in Iraq.

6.1.1 The Rise of Sectarianism and Confessionalism

During this period, the prevailing body politic in Iraq inclined towards a Pan-Arab Nationalist ideology that encompassed confessionalism. The latter was a contributing factor to the emergence of religious currents. Furthermore, autocratic military rule under ʿĀrif also presupposed a form of pan-Arabic nationalism and sectarian racism that caused division among the various communities and ethno-nationalities.

When he assumed power, president ʿAbd al-Salām ʿĀrif declared “We have in our Arab legacy and Islamic Sharia [which is] all that is needed to give our system meaning and content, without recourse to imported principles”. With this statement, he rejected British democracy, German Nazism and Russian Bolshevism - hitherto influencing ideologies in political thinking in Iraq in general - as unworthy of credance. “We have to believe in Arabism and Islam only,” he claimed. ʿĀrif's pietism was said by some to have been coupled with an aversion to peoples of other faiths, and this aversion was behind the anti-Jewish measures taken by him immediately upon his coming to power.

ʿĀrif’s authority was imposed through the establishment of the court-martial which passed many court rulings, most of which were intended to eliminate oppositional currents. Thousands of Iraqis, including many communists, leftists and others, were executed, and many others were imprisoned. Many others who opposed ʿĀrif were also assassinated by his regime. Moreover, State authority became increasingly sectarian under the cloak of nationalism. Members of other denominations, especially people working in senior managerial positions and experienced members of State institutions were removed from office. Hurdles

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762 This is due to the Sunni dominance of the armed forces.
were put in place to make it difficult if not impossible for non-Arab Sunnis to join military colleges and to become members of military staff.\textsuperscript{766} In essence, Iraqi citizens were to be treated according to their religious denomination. Documents of the British Embassy in Baghdad pointed out the religious character of ʿĀrif’s rule, and highlighted his pan-Arabist approach to religious\textsuperscript{767} affiliation. They stated that the Sunni irritated the Shi`i, and that ʿĀrif alarmed Christians and caused the Kurds to lose confidence in him.\textsuperscript{768} Many freedoms were enjoyed by the Sunni Muslim Brotherhood Party,\textsuperscript{769} which flourished during this period. The latter organization would be allowed to publicly pursue its activities until the 1970’s.\textsuperscript{770}

President ʿAbd al-Salām ʿĀrif was a pan-Arabist that considered both Shi`i sectarian identity and Kurdish ethnicity a threat to his ideal of the Arab state. He also applied sectarian policy,\textsuperscript{771} based on the dominance of Sunni Arabs over Iraq, with which he intended to mask his ambitions and his desire for power. His policies forced Iraqis to unite within their subsidiary sectarian and ethno-national identities, in other words, under his rule, individuals withdrew into their own minorities, consolidated their ethno-national identities and fended for their own group.

It should be noted that Arab nationalism derived its strength from sectarianism. According to its primary thinkers and advocates in Iraq, such as Ṣāṭiʿ Al-Ḥuṣrī, Sāmī Shawkat and others, Islam was an indispensable central pillar in creating a consistent, Arab nationalist society. Arab nationalists also used Islam to stir up the crowd and incite them to squeeze their

\textsuperscript{766} This was, in turn, overturned by ʿAbd al-Salām ʿĀrif, a conservative Islamic officer with strong anti-Shi`i sectarian sentiments. Whereas both Shi`i and Sunni `ulama` were gratified by ʿĀrif`s readiness to repeal the family law reforms of 1959 and reinstate the legislative provisions of the Sharia, it was the Sunnis who were granted exclusive predominance in government and in the military and the economic sphere by ʿĀrif. See: Ḥassan al-ʿAlawī: Al-Shīʿa wal-Dawla al-Qawmīyya fī l-ʿIrāq (Ṣhi`i and the National State in Iraq). Qum: Dar al-tharāfa Press 1991, pp. 224-231.


\textsuperscript{769} The ʿĀrif brothers appear to have had close ties to the Muslim Brotherhood. In late 1964, the then Iraqi president, ʿAbd al-Salām ʿĀrif is alleged to have intervened with the Egyptian government on behalf of the Muslim Brotherhood intellectual, Sayyid Quṭb and to have invited him to settle in Iraq. Quṭb, however, remained in Egypt. He was subsequently arrested and hanged in August 1966. Leezenberg: “Political Islam …”, on Faleh A. Jabar and Hosham Dawod (eds.): \textit{The Kurds Nationalism and Politics}. London, San Francisco, Beirut: Saqi Publications, 2006, p. 214.


\textsuperscript{771} During the coup, on the night of 13\textsuperscript{a} (or the 14\textsuperscript{a}) of July, 1958, ʿĀrif left no doubt as to the extremity of his sectarian inclinations in a statement which was witnessed by a Free Officer in ʿĀrif’s regiment. Hudaib Al-Hādj Hammūd (the Free Officer in question) subsequently became Minister of Agriculture in Qasim’s cabinet. Almost twenty years later, he gave an interview on 21\textsuperscript{st} June, 1977 in which he claimed to have witnessed ʿĀrif as saying that there are three groups that should be terminated, namely the Kurds, the Christians and the Shi`i. See: Zubaydī: \textit{Op. Cit.}, p. 344.
opponents out of the political arena, especially the leftists, by accusing them of atheism. It was hoped that such accusations would force the leftists to ultimately abandon their political activity among the religious minorities in particular. Tactics of defamation were also employed (albeit less harshly) by the Sunni-dominated Arab nationalist government against the Shi‘i. Similarly, Kurdish demands for national and political rights - political aims that contradicted the government’s agenda - were discredited as superfluous entrapments, on the grounds that the bond of Islam should be sufficient for all.772

In addition to using Islam as an instrument to quash its political opponents, the nationalists used historical expressions that hold racist connotations to refer to anyone who was not of Arab descent. They also forged concepts of discrimination against them. Such expressions were Al-Shu‘ubiyya,773 for example. The use of this expression and its related concepts is a phenomenon that is unique to Arabs. It was mainly used by Arab Nationalists in Iraq against those who did not identify with Arab nationalist thought, Arabism or Arab nationalism.774 By calling non-Arabs ‘Al-Shu‘ubiyya’, or ‘Persians’ or ‘Safavids’ they frequently tried to defame the Arab ethnicity of the Shi‘ is of Iraq and to accuse them of not being loyal to Arabism.775 ‘Abd al-Salām ʿĀrif, further propagated these derogatory expressions,776 seemingly in an attempt to utilize the sectarian and religious feelings of the Sunni Arabs and gain their support and loyalty so that he could maintain control of the government and the country. It goes


773 The term Al-Shu‘ubiyya originates in the Quran, where it is stated: “O Men, we have created you of a male and a female and have made you into peoples (shu‘ub) and tribes (Qabi‘ il), that ye might know one another. Verily the noblest of you in the sight of God are they that do most fear Him” (al-Ḥujurāt Sura, Verse: 13). Al-Shu‘ubiyya became a movement within early Muslim community which denied any privileged position to the Arabs. The Al-Shu‘ubiyya movement, which appeared in the 2nd AH/ 8th CE century and reached its peak in the 3rd AH / 9th CE century, had other, more diverse goals. These ranged from a call for equality between non-Arabs and Arabs, whose advocates were also known as Ahlus-taswīya, to the claim of non-Arab supremacy which denied any significance, past or present, to the Arabs. Most of the Shu‘bīs were Persians, although references to Aramaeans, Copts and Berbers, among others, are also found in the literature. For more information about the concept of Al-Shu‘ubiyya and its historical roots, see: S. Enderwitz: The Encyclopaedia of Islam. E. Bosworth, E. Van Donzel, W. P. Heinrichs (eds.). Vol. 9, Leiden Brill 1997, pp. 513-516; Roy P. Mottahedeh: “The Shu‘ubiyya Controversy and the Social History of Early Islamic Iran,” in: International Journal of Middle Eastern Studies. Vol. 7, No. 2 (April 1976), pp. 161-182; Abd al-ʿAzīz Al-Dūrī: Al-judhūr al-tarīkhīyya li-l-shu‘ubiyya, (The Historical Roots of Al-Shu‘ubiyya). Beirut: al-Ṭalī‘a Publishing House 1981, pp. 9-97 and, Sami A. Hanna and George H. Gardner: Arab Socialism: A Documentary Survey. Netherlands: Leiden E.J. Brill 1969, pp. 80-95.


without saying that the propagation of such ideas and sentiments increased the animosity between the different communities and directly contributed to social segregation along sectarian lines. This, naturally, had negative consequences for the overall cohesion between the various ethnic and religious groups within the Iraqi State. Indeed, ʿAbd al-Salām ʿĀrif and his successors are the result of the political thinking of the elite and the national currents in Iraq, a thinking which both produced and consolidated a sectarian-national identity characterized by loyalty for ones’ own sectarian group and the practice of resorting to sectarianism in times of political and social crisis. In essence, a kind of nationalism based on sectarianism had existed prior to ʿĀrif’s rule, whereby the country became merely a tool in the hands of these narrow-minded elites who depended on the sectarian subsidiary identity and on the traditional loyalties of those who belong to it to maintain control of society and retain some form of legitimacy. In such situations, the primary loyalty of individuals lies with the subsidiary group (the clan, the tribe, the group, and the minority); they are loyal to their group rather than to their country.

The situation is aggravated when political systems with sectarian tendencies fail to perform their duties and become unable to satisfy a majority of the communities in a country. This weakens the popular legitimacy of those in power and can ultimately corrode the legitimacy of the State as a political entity. Civil unrest often ensues, whereby other subsidiary identities (the oppressed groups or minorities) begin to threaten the status quo and take up arms against the prevailing powers that exist. The outcomes are domestic conflicts and civil war that cause groups (minorities, and in some cases, majorities) to separate and scatter, effectively fragmenting the country on the long-term.

The pervading sectarianism and ethno-nationalism in the politics of this era which was generated mainly by Arab nationalists along with other ancillary political currents is reflected in the organizational and political structure of the Syrian and Iraqi Ba’thists. In Syria, after the Ba’th Regime’s leadership was seized by officers of various denominational and religious minorities in 1963, it was accused of sectarianism by pan-Arabs. These accusations

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780 Jamāl Abd al-Nasir in a speech he delivered on 22.07.1963 also indicted Syria for its sectarianism and its bias towards minorities over the Sunni majority. His speech can be accessed under the following link. Retrieved on 26
intensified after Hafez al Assad, a Nuṣayrī-ʿAlawī, who violently repressed any form of domestic political activity, took control of the country. His repression of the Syrian branch of the (Sunni) Muslim Brotherhood is particularly well known. Sectarianism also extended beyond Syrian borders and became evident in the country’s international alliances. Syria established strong ties with Shiʿi Iran and with Hisbollah in Lebanon and sided against Iraq in two wars, the First Gulf War with Iran and the Second Gulf War with America and its allies.

Ethno-nationalist categorization and sectarianism impacted on regional politics and on the balance of international relationships in the Middle East. The fact that these states engaged in, and fostered sectarianism within and beyond their own national borders should be interpreted as a denominational issue rather than a nationalist one, despite the fact that both countries were led by Baʿthist regimes.

Most nationalist currents in Iraq also inclined towards sectarianism. An example of this can be seen in the marked decrease in the number of Shiʿi that held leadership positions in the Iraqi Baʿth Party. The number of Shiʿi involved in the Baʿth Party would decrease from 53.8% in 1952 to 1963, to 5.7% in 1963-1970. As the Shiʿi role diminished, the Sunni presence was increased and the overall role of Sunnis in the Party was enhanced. Some scholars have associated the decrease of Shiʿi Baʿthists to the discriminatory practices of the security services against Shiʿi members of the Iraqi Baʿth Party. Indeed, after the 1963 coup headed by ʿAbd al-Salām Ārif, Shiʿi Baʿthists were, in fact, prosecuted more often and treated more severely than their Sunni counterparts. This discrepancy is evident in rulings on criminal charges, for example. Shiʿi Baʿthists who were prosecuted by the State regularly faced harsh treatment and prolonged terms of imprisonment, whereas Sunni members, by contrast, were acquitted or received very light sentences for their offences.

As for the religious minorities, none of them occupied any leading post in the Baʿth Party, with the exception of ṬāriqʿAzīz, who was of Christian origin and who held a prominent post in the Baʿth Party after 1968. In fact, a renowned Baʿthist leader has admitted that none of the religious minorities ever held a leading field post in the army or in the free officers’ organization, as this was unacceptable in the military institution. Curbing the minorities had


781 For more on Syria’s internal political struggle, see: Munīf Al-Razāz: Al-Tajrība al-Murra (The bitter experience). PPNI: Munīf Al-Razāz Foundation for Nationalist Studies 1986. The author was the Secretary General of the Baʿth Regime in Syria in 1965 and later became Deputy Secretary General of the Baʿth Regime in Iraq in 1977.


784 Originally, he is from the Christian town of Talkif. He was born into a simple family that emigrated to Baghdad. He worked as an employee in the Iraqi broadcasting station from 1958 to 1963 and joined the Baʿth Party in 1960. Then he became a leader after the Coup of 1968 and managed Iraqi diplomacy until 2003. After the American occupation of Iraq, he was arrested. He died in 2015.

become unwritten policy within the Iraqi military, especially after the violence and bloodshed which the army had carried out on the Christians, Yazidis and Jews in the nineteen-thirties and forties, as illustrated earlier.

The Iraqi political elites who formed the emerging nationalist currents of the time came to power, but were unable or unwilling to reach beyond their sectarian or doctrinal affiliations in office. Rather than establishing State and governmental structures and institutions to develop democracy, they left the structures of State which had been created during the monarchy untouched.

The depletion of non-Arab Sunni representation in the higher tiers of the Baʿth Party serves as evidence of the lack of desire for democracy that prevailed at government level. It also hints at the growing denominational and ethnic bias of the highest levels of the Baʿth party leadership and the effects of that bias on the overall structure of the party and thus, the government itself.

The outcome of the regime change in 2003 and the following domination of the government by sectarian and religious currents illustrate the failure of the nationalist government in dismantling the traditional structures of Iraq prior to 2003. Furthermore, the failure on the part of the political leadership to bypass sectarian issues and attitudes ultimately precluded any form of viable national union that preserves peoples’ rights on the basis of a common nationality. In short, state-promulgated sectarian division made the establishment of civil society through interior national and social integration and with it, the development of a stable Nation State, impossible.

It bears repeating that after the overthrow of Qasim’s government, the nationalists who subsequently took power aroused fears of discrimination, injustice and exclusion among the minorities. The various nationalist currents in power in the institutions of State derived much of their ideology from their doctrinal and Islamic heritage, a reality which was only superficially concealed by a secular and nationalist veneer. These nationalists confirmed the minorities’ initial misgivings and, after assuming power, engaged in cultural and religious discrimination against them. Contrary to common belief, in which ʿĀrif’s government and its successors are erroneously described as having propagated secularism, the fact remains that

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787 It cannot be denied that some of the leaders of the nationalist currents in Iraq inclined to lessen the importance of religion in forming nationalist thought in Iraq. However, depending on the political circumstances of the country at a given time, such proposals were temporary, and their effect remained relatively marginal. For more information, see: Saddam Hussein: *Na ra fi-al-Dīn wa al-Turāth* (A view of religion and heritage). Baghdad: Dār al-Ḥurriyya for Publishing 1978, pp. 3-22.
788 Secularism in its most general and theoretical concept is the separation of religion from the governance of a country. It is a democratically applied philosophy for the political modernization of and rule of a country that allows members of all religions and parties to take equal part in government, the economy, and all other walks of life. Various forms of secular rule can be found in a majority of western countries whereas in the Arab and Islamic countries display somewhat inconsistent forms of secular rule, depending on the political currents in power at a given time. See for instance: Azzam Tamimi, “The Origins of Arab Secularism” in: Azzam Tamimi
they neither endeavoured to create a secular civil society, nor did they achieve equality among religions. Rather, they hid behind secularism and the vestiges of formal equality, while making it impossible for the religious minorities to play any cultural or political role in government or in its institutions.

6.1.2 Official and Non-Governmental Statistics

Before delving deeper into internal Iraqi politics and policies and its effects on religious minorities, it is worthwhile to examine some official and nonofficial population statistics on the various ethnic, religious, and doctrinal groups in Iraq. Firstly, it is first necessary to take into account the presence of all religious and doctrinal groups in Iraq and the size of their respective populations. Such statistics are significant, not least since they show stark discrepancies between the growth patterns of Iraqi Muslims and the country’s religious minorities over time. Many reasons and motives account for this, as will be seen later in the sections on Iraq’s internal conflicts.

6.1.2.1 Official Statistics

Four important censuses in Iraq were conducted in 1947, 1957, 1965 and 1977. These form the basis of all official estimations of the Iraqi population and its various communities. The statistics provided by the census of 1957 (conducted in Monarchical Iraq) and 1965 (conducted during the Republic) are of much importance, as they provided the basis for, and the foundation upon which the country developed its policies. However, these statistics should not be wholly depended on, for the censuses were, in some ways, products of the interests and inclinations of the governments that commissioned them. Moreover, there exists unofficial statistics, some of which were carried out by the minorities referenced in this study. It should be borne in mind that some of these unofficial statistics may be exaggerated. Yet, by presenting a selection of both of these statistics and by comparing them, it should be possible to achieve some relative estimation of the various populations, thus gleaning a more comprehensive overview of the demographics of Iraq populations and its religious minorities at a given time in history.

According to the census of 1957, the population of Iraq was estimated at 6,298,976. The Muslim population was 6,019,585. The remainder was from religious minorities as shown in the following table 2.1:

**Table 2.1** Shows the population of religious minorities in Iraq according to the census of 1957

<table>
<thead>
<tr>
<th>Religion</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christians</td>
<td>204,226</td>
</tr>
<tr>
<td>Jews</td>
<td>4,319</td>
</tr>
<tr>
<td>Yazidis</td>
<td>55,828</td>
</tr>
<tr>
<td>Sabea-Mandaens</td>
<td>11,425</td>
</tr>
<tr>
<td>Baha’is</td>
<td></td>
</tr>
<tr>
<td>Other religions</td>
<td>135</td>
</tr>
<tr>
<td>Total</td>
<td>276,833</td>
</tr>
</tbody>
</table>

* population not mentioned

During Qasim’s government (1958-1963), the Iraqi government used this census as a basis for the estimation of the population in its official documents and in various official publications as well as those produced for educational purposes. In their statistics, they analysed the population on an ethno-national basis, making visible the presence of the Arab, Kurdish and Turkmen ethnicities, as shown in the following table 2.2:

**Table 2.2** Shows the ethno-national groups in Iraq in numbers between 1958-1963

<table>
<thead>
<tr>
<th>Ethno-national groups</th>
<th>Population</th>
<th>Percentage of total population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabs</td>
<td>5,460,000</td>
<td>78%</td>
</tr>
<tr>
<td>Kurds</td>
<td>1,120,000</td>
<td>16%</td>
</tr>
<tr>
<td>Turkmen</td>
<td>140,000</td>
<td>2%</td>
</tr>
<tr>
<td>Others(^{791})</td>
<td>280,000</td>
<td>4%</td>
</tr>
<tr>
<td>Total</td>
<td>7,000,000</td>
<td>100%</td>
</tr>
</tbody>
</table>

\(^{789}\) The Iraqi Ministry of the Interior, General Directorate of People, records of statistics of 1957, reported in Badrī, ibid, p. 201.


\(^{791}\) It did not mention in source who are they, probably they are Persians, Assyrians and Chaldeans.
Despite mentioning the religious affiliation in a separate field in the census of 1957, the government in the first Republican Era avoided disclosing publicly the population statists along denominational lines. Rather, it only mentioned that Islam forms 94% of the population of Iraq which is estimated at seven million people and that the absolute number of Muslims is 6,580,000, implying that the total population of non-Muslims was 6%, i.e. 420,000 people.

What is most notable about the census of 1957 is that it focused on ethnicity. It also distributed religious minorities among the three ethnonational groups Arab, Kurd, and Turkmen. This means that the Kākāʾis and Christians in Kirkuk were counted as Turkmen, the Christians and the other religious minorities in the cities of Kurdistan as Kurds, and the Sabean-Mandaean and the minorities scattered throughout the middle and the south of Iraq as Arabs. Only 4% were counted as national minorities. In addition, the Bahaʾi were not included in the census despite their being mentioned by name under the various religions.

In the census of 1965, the population of Iraq was 8,047,415. There were 7,711,712 Muslims recorded, and the rest were recorded as religious minorities as shown in the following table 2.3.

Table 2.3 Shows the population of Iraq across religious minorities acc. to the 1965 census

<table>
<thead>
<tr>
<th>Religions</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christians</td>
<td>232,406</td>
</tr>
<tr>
<td>Jews</td>
<td>3,187</td>
</tr>
<tr>
<td>Yazidis</td>
<td>69,653</td>
</tr>
<tr>
<td>Sabean-Mandaean</td>
<td>14,262</td>
</tr>
<tr>
<td>Bahaʾi</td>
<td>961</td>
</tr>
<tr>
<td>Others</td>
<td>339</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>449,199</strong></td>
</tr>
</tbody>
</table>

What is noticeable in these statistics is that those counted as Muslims saw an overall increase in population growth. The religious minorities, however, saw no such increase in their numbers. There are a number of reasons for this lack of growth. Primarily, the domestic

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793 The government applied the same method in the statistics of 1965 and counted the Yazidi, Shabak, and the tribes of Bajilān and Gargariyya in the plain of Nineveh as ethnic Arabs. However, this time the Chaldeans, Assyrians, and Armenians were registered according to their ethnic affiliation. See: Dilshād Mewlūd Marzānī: *Qezāy Mūsil la bardam shālāwakānī rāgwāstin wa ba Ḣarāb kirdānā*. Erbil: Shahāb Press 2012, pp. 82-83 (in Kurdish language).
political developments forced the members of the minorities to be internally displaced or to leave their own country for indefinite time.

6.1.2.2 Non-Governmental Statistics

In addition to the aforementioned statistics, other population estimates exist which were made by independent entities. One such estimate which dates from 1959, offers different statistics for the religious minorities to those disclosed in the government statistics. According to the independent statistics, the number of Arabs is estimated to be 4,728,000, Kurds 1,500,00 and the Turkmenis 140,000. The comparison between this source and the government census shows a lesser count for the dominant three ethnicities, thereby increasing the overall number of religious minorities. Indeed, table 2.4 shows the minorities at nearly double the rate of the counts in the government statistics as seen below.

Table 2. 4 Shows the population of religious minorities in Iraq according to non-government statistics in 1959

<table>
<thead>
<tr>
<th>Ethno-religions</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christians</td>
<td>530,000</td>
</tr>
<tr>
<td>Yazidis</td>
<td>85,000</td>
</tr>
<tr>
<td>Sabean-Mandeans</td>
<td>15,000</td>
</tr>
<tr>
<td>Israelis (Jews)</td>
<td>2,000</td>
</tr>
<tr>
<td>Total</td>
<td>632,000</td>
</tr>
</tbody>
</table>

Other statistics reported by the British Foreign Office (from Baghdad) in 1962, categorized, for the first time, Iraqis on a denominational basis. These documents stated that over 50% of Iraq's population consisted of Shiʿi Muslims and that just under 40% were Sunni Muslims, the remaining 10% being made up of Christians, Jews, Yazidis, among others. Estimates can only be tentative, however, since the Iraqi census of 1957 did not take religions into account. Table 2.5 is based on the estimated total population of 7, 362,000 in 1962.

Table 2. 5 Shows the estimated population of Islamic sects across ethnicities in Iraq as reported by British Foreign Office documents (from Baghdad) in 1962

796 F. O. 22814, Research Department Memorandum, Middle East, the political influence of the Shiʿis in Iraq, LR 6/10, 1 April, 1965, (confidential), pp. 2-3.
The estimated population of Islamic sects across ethnicities in Iraq as reported by British Foreign Office documents (from Baghdad) in 1962

<table>
<thead>
<tr>
<th></th>
<th>Population</th>
<th></th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabs</td>
<td>3,750,000</td>
<td>Arabs</td>
<td>1,350,000</td>
</tr>
<tr>
<td>Iranians</td>
<td>100,000</td>
<td>Iranian</td>
<td>-*</td>
</tr>
<tr>
<td>Turkmen</td>
<td>30,000</td>
<td>Turkmen</td>
<td>70,000</td>
</tr>
<tr>
<td>Kurds</td>
<td>20,000</td>
<td>Kurds</td>
<td>1,280,000</td>
</tr>
<tr>
<td>Total</td>
<td>3,900,000</td>
<td>Total</td>
<td>2,700,000</td>
</tr>
</tbody>
</table>

(=53%) (= 37%)

*Iranian group that only belongs to the Shi’i sect in Iraq

By adding the Shi’i and Sunni populations and subtracting it from the total population of Iraq (according to the 1962 statistics) the remaining 10% can be taken to represent the total population of the religious minorities. Accordingly, the population of the religious minorities is estimated at 762,000. Although this statistic uses relative population counts, and although there is an exaggeration in the percentage of the religious minorities, it proves that the Shi’i Arabs are a majority followed by the ethnic and doctrinal populations of Sunni Arabs and Sunni Kurds, followed by the religious and ethnic minorities in terms of population size. The two population counts presented in tables 2.4 and 2.5 relating to the religious minorities (estimated to be 632,000 in 1959 and 762,000 in 1962), show that they made up about 8-10% of the population of Iraq. In contrast, although no exact number of the religious minorities is given, it can be inferred that they made up 4-6% of the Iraqi population, from the official statistics of 1957 and 1965 in tables 2.1 and 2.3.

According to these statistics, it can be concluded that, despite the disparity of the population of Iraq, governmental power centered around 18 to 33% of the Iraqi population, namely, the Sunni Arabs. Thus, a doctrinal minority dominated a multicultural society, while the more populous Shi’i Arabs, despite their number, were treated as a minority in relation to the Sunni Arabs from the establishment of Iraq from 1921 until 2003. The Sunnis, though smaller in population than the Shi’is are classified among the three dominant groups (Sunni Arab, Shi’i Arab and Kurdish) because of their population size (18%) and because of their social and political role.

Despite the significant volume of their populations, the political involvement of these groups in Iraq’s civil and political institutions remained minuscule. For instance, the National Council of the Revolutionary Command (NCRC) which was established in 1963 had a comparatively low number of the Shi’i and Kurdish communities in its ranks. Compared to 27.8% Shi’i and 5.5% Kurds, by contrast, the rate of Sunni Arabs in the leadership council was 66.7%. Furthermore, while the representation of the Shi’i and Kurdish groups in the NCRC was proportionally low, representation of the minorities in the NCRC was virtually unknown.
Moreover, a majority of the Shiʿi and Kurds in the NCRC were members of the Baʿth Party and the Nationalist Currents, and very few of them were politically independent. 797

High positions in the country’s administration, political and security institutions stayed under control of Sunni Arabs effectively creating an unofficial policy of discrimination. The outcome of such discrimination and the despotic allocation of power on the part of the pan-Arabist Iraqi government and the political elite was that the majority of Iraqis rejected and opposed their nationalist politics and policies. The nationalists were seen to have abandoned their slogan of “a unified nation” as they actively hindered the integration of ethnic or religious communities into the framework of the nation state. Naturally, this did little to reduce sectarianism and discrimination within society as a whole. With no basis upon which to form a collective will, and without an outlet to express the latter, sectarianism and discrimination disseminated throughout all levels of Iraqi society. Such general hostility served to heighten the internal solidarity among members of ethnic and denominational groups (regardless of their demographic size) and deepened division within Iraqi society as a whole.

Discontent among the Shiʿi is in response to ʿĀrif’s sectarian and unionist policies, against the backdrop of discrimination as illustrated above, led the Shiʿis oppose to the Iraqi union with Egypt and other States798 on the grounds that it would transform them into a minority in a predominantly Sunni country. Other factors which fuelled Shiʿi discontent included the rigidity of President ʿĀrif’s Sunni beliefs and his unwillingness to share power with them, which he demonstrated in his refusal to allocate them more than a mere two or three ministerial posts in government, which meant they were significantly underrepresented.

Shiʿi discontent was widespread, a fact which was reflected in documents of the British Embassy799 which also pointed to the existence of a Shiʿi opposition group. This was the Fatimid Party,800 which was probably founded in Najaf in the summer of 1963. Comprised

799 F. O 22814, Research Department Memorandum, Middle East, the Political Influence of the Shiites in Iraq, LR 6/10, 1 April, 1965, (confidential), p. 5.
800 The Fatimid (Fāṭimī) Party is the popular name of the Religious Shiʿi Movement which was opposed to the policies of ʿĀrif at that time. It is also the group of ʿUlamaʾ/scholars upon which the Shiʿi Islamic Call Party (Hīzh Al-Daʿwa Al-Islāmiyya) was formed. This occurred due to the increase in communist authority and the
mainly of young Shiʿi, the party was determined to break with the incoherence of thought and lack of unity on taking action which had been characteristic of Shiʿi political activities. The group aimed to achieve greater Shiʿi representation in government and to work against the planned union with Egypt and Syria. The party encountered a setback in September 1963, when a number of its members were arrested in Kāẓimiyya, and was revived again, in early 1964.

ʿĀrif’s government policy had an ethno-sectarian dimension which was based on Arabic national chauvinism. Although his confessional-political orientation was not overtly expressed by him, nor his government (nor the governments that succeeded them), Arabic national chauvinism is nevertheless evident in their actions. Collectively, these governments led to the emergence of ethno-religious currents in Iraq such as the Islamic Party, the public Muslim Brotherhood, and the Islamic al-Daʿwa Party which became one of the biggest Shiʿi opposition parties after 2003. Furthermore, ʿĀrif’s policies and the measures adopted by his government to facilitate the union between Syria and Egypt, together with the government’s nationalization of companies in 1964, provoked considerable unrest among the Shiʿi community and other minorities. Protest meetings were held in various Shiʿi centers from April 1964 onwards, in which the government’s discrimination against non-Sunni Arabs and strategies of dealing with it were discussed.

However, the establishment of a new ministerial cabinet on 18th June, 1964, provided some positions and ministries for Shiʿi, in an attempt by ʿAbd al-Salām ʿĀrif’s to nominally involve Shiʿi in the government and lessen their opposition. Nevertheless, he and other nationalist officers remained determined to keep the Sunni at the pinnacle of power. As a result of such mere token measures of power sharing, the Shiʿi community manifested itself politically and

civil amendments which were made law during Qasim’s rule, especially the law of personal status in 1959 which gave newfound rights to women. This, in turn increased the enmity of al-Marjaʿiyya al-Dininyya (the Shiʿi religious institution) in Iraq, who considered it a threat to their existence. An organization, known as “the group of Ulama’” was established to tackle communism within the Shiʿi community. It then became the Secret Call Movement and later became the Islamic Daʿwa Party. It can be considered the Shiʿi version of the Muslim Brotherhood Movement (which is Sunni) because it was established according to the ideals and books of the Muslim Brotherhood. Daʿwa was banned during Baʿth era from 1968 to 2003, but now it is one of the main ruling parties in Iraq. For more information about the history of the Islamic Daʿwa Party, see: Florian Bernhardt: Hizb ad-Daʿwa al-Islāmīya: Selbstverständnis, Strategien und Ziele einer irakisch-islamistischen Partei zwischen Kontinuität und Wandel (1957-2003). Würzburg: Ergon-Verlag GmbH 2012. (in German language); Khirsān: Op. Cit., pp. 43...; see also their official website. Retrieved on 21 April, 2016 from http://www.islamicdawaparty.org; http://www.islamist-movement.com/show.aspx?id=26125.

801 It is a district within Baghdad which is inhabited mainly by Shiʿi. It is also the location of the tomb of the Shiʿi Imam, Mūsa al-Kādhim.
802 F. O. 22814, Research Department Memorandum, Middle East, the political influence of the Shiʿis in Iraq, LR 6/10, 1 April 1965, (confidential), p.5.
803 Ibid, p.5.
proved itself to be a substantial challenge to the sectarian power structure of Iraq.\textsuperscript{805} This also led other communities in Iraq to increasingly voice their dissatisfaction and resentment, as it became clear in time that, despite the division and struggle over power, Arab Sunni would continue to hold a majority of positions in the military and would become the military leaders of Iraq in the years to come.\textsuperscript{806}

The dilemma in which the minorities found themselves was manifold. Their sense of not belonging to the nation or of being ‘other’ within it was not only due to nationalism at government level and to its sectarian policies and slogans. They also found themselves underrepresented or actively excluded from political participation, despite their demographic size.\textsuperscript{807} It should be noted that such exclusion from the political sphere went hand in hand with many other forms of disadvantage, directly or indirectly, and had a negative impact on almost all walks of life.

The manipulation of the religious and denominational sphere as a means of staying in government was used by the CGI in innumerable ways. President ‘Ārif repeatedly endeavored to imbue political cases with religious undercurrents. One such example took the form of an official government plea which ‘Ārif made to the Shi‘is in which he requested that they support the government against the Kurds in 1965.\textsuperscript{808} In this official document, ‘Ārif asked the Shi‘i Supreme Religious Authority (\textit{Marja‘iyya}) Sayyid Mu‘hsin al-Hakīm to consider the war against the Kurds as legitimate and expressed the desire that a \textit{fatwa} (formal legal opinion) to fight the Kurds would be declared.\textsuperscript{809}

The introduction of religion into politics by the Arab nationalists deepened confessional divisions in the political and the public sphere. Sectarian rivalry ensued and has remained an inherent feature of successive national governments of Iraq to date. Sectarianism is also evident in the Shi‘i religious institutions and the religious parties which appeared during this period.

\textsuperscript{805} F. O. 370/2796, Memorandum prepared by Middle East Section (Research Department), Foreign Office, London, 1 April 1965, Shi‘i influence in Iraq.
\textsuperscript{807} Although Iraqi governments have granted a limited number of seats and positions to some of the members of the religious minorities, these representatives, rather than opposing discrimination policies, often colluded in concealing them. This situation exists in the KRI today, where seats are given to party supporters who are members of the minorities. In office, these representatives do not represent their minorities, rather, they represent the political party of which they are members.
\textsuperscript{808} F. O. 22814, Research Department Memorandum, Middle East, the political influence of the Shi‘is in Iraq, LR 6/10, 1 April, 1965, (confidential), p. 6.
\textsuperscript{809} Sa‘īd Mu‘hsin al-Hakīm declined the government’s order and replied that, as he is the Shi‘i Marja‘ (highest religious authority), he cannot separate the Iraqi people. That rejection was significant as it indicated the nature of Shi‘i authority in interior conflicts. See: Ibrahim: \textit{Op. Cit.}, p. 299.
While manipulating the various religions and groups within the nation proved expedient for the politically dominant nationalist currents of the time, it also expressed a superficial view of the various other political currents and the aspirations within Iraqi society. This ensured that people would remain divided into different beliefs, ideas and opinions without any shared unifying factor and aggravated the general dynamics between the various groups. Each ethnicity and religious minority has its own opinions and aspirations that went largely unheeded, which led to the internal disputes that occurred before 2003 and similarly, to the sectarian problems that took place in Iraq after 2003. From a long-term perspective, the ongoing sectarian unrest is the product of the gradual historical deterioration initiated by Arab nationalist sectarian politics.

Inevitably, interior agendas, inclinations and the struggle between various identities and political, religious and ethno-nationalist ideologies, divided Iraq. The leftist were against the nationalists and vice versa; the CGI was against the Shi`is and Kurds and vice versa. This was intensified by the rise of Arab nationalists and unionists’ calls for a pan-Arab state. The governments, which were established by the political currents which had ruled Iraq since 1963, adopted an interior policy that only amplified the ethno-sectarian and confessional-political divisions.

Ethno-sectarian government policies affected all of the minorities. The authorities made every possible effort to push out the Jews through the issuance of extremely oppressive legislation in the wake of the Arab-Israeli conflict, for example. As for the other minorities, they would be forced into the country’s domestic conflicts, a situation which contributed to the revival of the demands which the minorities (the Christian and Yazidi in particular) had made during the monarchy. These demands were that the State acknowledges their existence, grants them independent enclaves under State protection, and makes them exempt from conscription.

Considering the emergence and the crystallization of religious and sectarian identities in Iraq’s social structure, and the revival of the aforementioned demands made by the various groups, it should be possible to define the minorities’ role in the internal developments in Iraq. This is possible by focusing on the rights of the various groups and the discrimination which they endured as they asserted their religious and sectarian identities and aspirations.

6.2 The curtailment of the Rights of the Religious Minorities by Legislation

The parties and nationalist political currents which came into power in Iraq did not seriously try to end the discrimination towards non-Sunni minorities. They omitted to grant all citizens equal rights legally, constitutionally, and politically. Such an attempt would have been

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810 After 2003, Iraq changed from being a country with a particular system and practice of governance, to the failed state that it is at the time of writing. This failure has resulted in religion and religious currents (Islamic confessionalism) entering political life. These have taken the place of any secular or civil form of governance upon which a nation, a constitution, a legal system and a viable civil society can be built.
necessary to reach a consensus that creates union and fusion in the nation state. Instead, these currents actively fuelled discrimination by enacting legislation that promoted and extended it.

ʿĀrif’s government issued a series of discriminatory instructions and passed discriminatory legislation peculiar to the religious minorities. He ordered a number of laws pertaining to religious holidays for the minorities who are non-Ahl al-kitāb to be abolished, as well as special laws pertaining to those minorities identified as People-of-the-Book, transferring their cases to the civil and religious courts and changing most legislation that related to Jews in particular.

6.2.1 Religious Minorities and Changes in Legislation

Concerning religious holidays, ʿAbd al-Salām ʿĀrif’s government abolished the law of holidays No. 21/1958 and all its amendments with the fifth article of the new law No. 10/1963 concerning religious holidays. In the second article of this new law, the three official holidays in the year remained for Christians and Jews, while the third article of this law abolished the previous recognition of religious holidays for the minorities who are not People-of-the-Book. By abolishing the previous law and issuing a new law, ʿĀrif’s government withdrew its recognition of the religious minorities who are non-Ahl al-kitāb, especially by striking their names from the articles of the law. In addition, members of these minorities lost their right to take leave during holidays (at the expense of their due leave), which had been granted to them by the former law, if they were employees. In other words, they were unable to enjoy their special religious holidays unlike adherents of revealed religions.

Special courts for the religious minorities which had been in existence since the Monarchical Era were abolished under legislation No. 87/1963. Although this law was passed specially for a specific Christian group, in essence, it encompassed all religious minorities. This is clearly evident in the appendix of this law:

“If we clearly scrutinize the rules of the law, we find that they were formulated in a way that makes elections a reason for defection and separation of members of the same fāʾifa in an inconsistent way. Iraq, with its prosperity and progression, found it necessary to abolish these backward laws and transfer the cases of the members of the communities to civil courts just as other Christian communities. As for regulating their

812 In fact, this law referred to the Armenian Orthodox church. However, it was evident in the addendum to this law that it encompassed and applied to all religious minorities in Iraq, especially the Christians and Jews who had special courts and councils. See: Al-Waqāʿi’ al-ʿIrāqiyya, Vol. 846 dated 22nd August, 1963.
813 Here, it refers to the election of the spiritual and corporeal councils for the religious minorities. The competitive election may have caused division within the individual minorities whereby two parties may have jostled with one another to gain such a position of influence. However, those minorities had maintained their interior coherence up to 1963. Despite similar challenges, the Christian and Jewish minority had their own spiritual councils throughout the Monarchy and still maintained inner cohesion within their communities, for example.
religious affairs and the cases of marriage and divorce, they must be done by the spiritual leader according to the rules of law No. 32/ 1947, assisted by some of the local members of the community who are known for their reliability and reputability and unrelatedness to political parties”.

As for the affairs of the other religious groups such as property, schools, and the payment and distribution of endowments, the law stipulated the establishment of an administrative committee for this purpose, managed according to instructions by the Minister of Justice as it is the case in managing the affairs of the “Mosaic Ṭāʾifa” [Jewish]814 at that time.

The resolution brought an end to the laws whose origin lay in the establishment of the Iraqi State and which allowed the formation of special courts for the religious minorities in Iraq. The abolishment extended to all minority courts and councils. Despite passing a number of laws and new systems in the subsequent periods concerning the minorities, these remained nominal and were hardly applied in practice. The civil courts in Iraq had specialized in personal law for all the members of the religious groups, and the religious courts were granted a say in cases and court rulings pertaining to the religious minorities.

The second article of the law of the judiciary No. 26/ 1963 required the establishment of a religious (Sharʿiyya) court under the auspices of the court of first instance (al-Bada’a courts). The (Muslim) judge in the court of first instance presided over cases in the religious court on personal status issues pertaining to non-Muslims.815 This law remained in force until the late seventies, when it was replaced by No.60/ 1979.816 Then, Sharʿiyya courts were abolished and replaced by so-called personal civil status courts.

Although subsequent laws also made provision for Christians to become judges or prosecutors towards the end of the seventies, this opportunity did not extend to those who are not People-of-the-Book. No special courts had been established for these minorities in the past; their cases were heard in courts which ruled according to civil and Islamic law.

Previous laws in Iraq did not allow for any member of the minorities who are non-Ahl al-kitāb to become judges or prosecutors in the Iraqi courts, in accordance with interpretations of the Qur'anic rule: “No ruling for non-Muslims over Muslims, and non-Muslims are prohibited from presiding over cases involving Muslims”.817 This formed the basis for the preconditions governing appointments to the Iraqi courts. The courts themselves depended on the legal

816 It is the year in which Saddam Hussein officially came to power in Iraq. For changes to the law of personal status, Law No.72 in 1979, see: Al-Waqāʾ i’ al-ʿIrāqiyya, Vol. 2716, dated 17th June, 1979.
817 Verse 28 of Sūrah 3 (Al-ʿImrān).
interpretations of various Islamic law schools who interpreted these Quranic verses to mean that non-Muslims do not have the capacity to issue the lowest rulings over Muslims.

During the Ba’th period, this rule was abolished and replaced by new laws that permitted non-Muslims to become judges and prosecutors. One of these new laws was the al-Ma’had al-Qadāʾī (judicial institute) law No. 33/1976. However, amendments to the law were made twelve years later, in 1988, which stipulated that only lawyers who are believers were permitted to undertake further study (at the Insitute for Judges in Baghdad) to become judges. Naturally, this excluded non-Muslims from entering the judicial institute and, hence, from becoming judges in the Iraqi courts. The judge or the prosecutor could not be a non-Muslim, especially if he was an adherent of a non-Ahl al-kitāb religion, as court procedure required legal professionals to swear on the Quran in court.

6.2.2 The Registration of Civil Status Law No. 189/1964

In 1964, ʿAbd al-Salām ʿĀrif’s government passed the Registration of Civil Status Law No. 189/1964 which states that “It is possible for a non-Muslim to change his/her religion according to the rules of this law”. This made it possible for a non-Muslim to convert to

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818 Most Iraqi laws are based on the interpretations of the Ja’afarī, Ḥanafī and ʿṢafīʾī law schools, due to their prevalence of their respective populations in the demographics of Iraq. ʿṢafīʾī jurisprudence can be said to be the more lenient of the three schools in such cases. For details see: Ahmad al-Kubahṣī: Sharḥ qānūn al-ahwāl al-shakhhsiyya (Explanation of the Personal Status Law). Baghdad: al-Maktaba al-qānūniyya 2006, Vol. I; Riyāḍ al-Qaysī: ʿīm ʿuṣūl al-qānūn (The origin of the knowledge of laws). Baghdad: 2000.

819 ʿṢārat al-Nisāʾ (women), verses 59, 141, 144.

820 Their perspective can be summed up as follows: ʿṢafīʾīya declared that Muslim judges and lawyers must judge and represent Muslims, since, in Islam, it is illegal for a non-believer to judge a Muslim, according to the following verse: “Allah (God) will never allow non-believers to judge those who believe”. Al-Nisāʾ ʿūra, verse 141. See: Muṣṭafāʾ al-Baghāʾ, Muṣṭafāʾ al-Khn and Ali al-Sharbaṭī: Al-fiṣḥ al-maḥaṣṣaʾ ala Madhḥah al-ʿImām al-Shāfīʿī (Systematic jurisprudence of the belief of Imam Shāfīʿī). Damascus: Muṣṭafāʾ Publishing House 2008, Vol. 1, pp. 121-122.

821 See Chapter 9, sections 9.1, 9.2.


824 This refers to the Yazidis who are considered devil-worshipers, the Sabean-Mandaeans who are considered believers in the stars and planets, and also to others who doubt or do not adhere to the Islamic faith. In not believing in the Quran and swearing by it, the aforementioned exclude themselves from the judicial sphere, which determines that non-Muslims cannot become rulers due to the Islamic laws which govern jurisprudence and general legal practice.

825 The matter of swearing an oath on holy books by the people-of-the-book was something common in Iraqi courts but this excluded the non-Ahl al-kitāb. They, therefore, were always confronted with unsurmountable obstacles in legal matters. For example, Baghdad’s court of instance just requested Christians and Jews to provide the court with holy books for oath taking. See: IJA # 3762. Baghdadi Jewish Religious Court Records; Burial Expenses; Citizenship Issues; Correspondence, 1944-1960, p. 666.

826 It was amended during the reign of the Ba’th Party, and the word “recording” was deleted according to the first article of legislation No. 112/1968. The law came to be known as the registration of civil status law and is known as such from the Civil Status Law No. 112 / 1968. Al-Waqāʾī’ ʿal-ʿIrāqīyya, Vol. 1630 dated 28th September, 1968.

Islam or to any other recognized religion. It should be noted that this law is restricted to non-Muslims by default, because according to Islamic law it is not possible for a Muslim to change their religion, as doing so would be considered apostasy.\textsuperscript{828}

Although this law appears to grant freedoms to non-Muslims at a first glance, in practice, it provided a means for the State to discriminate against religious minorities in Iraq. It also became the basis for subsequent discriminatory laws which were passed.

This law does not refer to the religion of the dependent children whose parents embrace Islam. Similarly, the law of personal status No.\textsuperscript{188/ 1959} makes no reference to this matter. Since they did not have recourse to a statutory basis when presiding over civil cases which involved children whose parents had converted to Islam, the courts referred to the interpretations of the Shari`a by Muḥammad Qadrī Bāshā,\textsuperscript{829} a renowned Egyptian judge who was an authority on personal status law for Muslims. His text reads as follows:

“If one of the parents converted to Islam and had a child before or after converting to Islam, the child shall belong to the parent who converted to Islam, if the parent is living in a Muslim country...If [the parent] is not living in a Muslim country, this law shall not apply to them.”\textsuperscript{830}

It was clear to the Iraqi Judiciary that the Registration of Civil Status Law No. 189/ 1964 would have to be amended. In the interim, the courts were forced to resort to the articles of the Personal Status Law of 1959, and to article 18 in particular.


\textsuperscript{829} His work on personal status law for Muslims was published during the Ottoman Empire in 1895 and is based on Quranic verse, the Hadith and the opinions of jurists of the various sects of Islam. Cf: Hans-Georg Ebert: Die Qadrī-Pāshā-Kodifikation: Islamisches Personalstatut der hanafitischen Rechtsschule. Leipziger Beiträge zur Orientforschung: Peter Lang Gmbh, Internationaler Verlag der Wissenschaften 2013.

\textsuperscript{830} See: article No. 129 in: Ibid, p. 28.
Part IV - The Socio-political History of Particular Minorities during the Early Republican Period

Chapter 7: The Scattered Religious Minorities (SRM): Their New Situations under the Republican Iraqi Interior Policies and Developments

This chapter deals with the religious minorities that became dispersed across Iraq. Here, the policies of the CGI that affected them are examined, such as the curtailment of their rights and the discrimination exercised against them. The primary focus is placed on the Jewish, Baha’i and Sabean-Mandaean minorities who, demographically speaking, were scattered amongst the different Iraqi cities. These minorities faced systematic discrimination of a sectarian nature which caused them to lose their internal identities and eventually their ultimate existence in Iraq.

7.1 The Jews Under New Situation

The situation of the Jews deteriorated considerably in Iraq after ‘Abd al-Karim Qasim's downfall. During the period of the two ‘Ārifīs, as well as the period that followed, new regulations were passed that placed restrictions on Jews exiting the country. Under Qasim, although Jews were not allowed to immigrate to Israel, they were allowed to leave the country. ‘Ārif’s government restored travel restrictions on those travelling abroad, however, which limited travel to those seeking medical care abroad or going abroad to study, compliance with which was closely watched and enforced by the Iraqi security forces. Many other Jews were unable to get permission to leave Iraq.

General State policy under ‘Abd al-Salām ‘Ārif once again became oppressive toward the Jews, and brought the precarious peace which the Jews had enjoyed under Qasim to an abrupt end; thus, ‘Ārif ended the so-called second golden age of the Jews in Iraq.

The policy of ‘Ārif’s government appears to have been the elimination of the remaining Jewish population in Iraq, by accusing them of being disloyal to the Iraqi State and of treason on behalf of Israel. There reasons behind this were twofold. The first was political. Anti-Jewish sentiment was generated by Arab Nationalists as a means of promulgating and intensifying their nationalist ideology. The second reason was economic. The denaturalization of the Jews provided capital for the state. Their monies and properties were confiscated, taxed, and used to support the state's needs.

831 In the previous chapters, the religious minorities in Iraq were categorized on the basis of the minorities who are People-of-the-Book and People who are non-Ahl al-kitāb. However, due to the changes that took place in the Republican period, the policies of the government towards the minorities changed and each minority was dealt with in isolation thereafter.


and rented. The General Secretariat also used this instrument to grant financial loans to the government banks such as the Real Estate Bank, the Iraqi Mortgaging Bank[834] and other institutions. To realize these goals, the government revived the law of denationalization.

7.1.1 The Revival and Renewal of the Law for the Supervision and Management of the Properties of Denationalized Jews

The Iraqi government introduced legal and political procedures to put an end to the freedom which Jews had previously enjoyed, the first of which was legislation No.14 in 1963,[835] known as the ‘law of abolishing law No.11 in 1960’. The new legislation denationalized the Jews. In addition, paragraph B was restored to the fifth article of the law of denationalization which had been abolished during ‘Abd al-Karim Qasim’s era. The government revived No. 12/ 1951 on the grounds that it was still valid as a vast number of Iraqi Jews had gone abroad and had not returned. Denationalizing the Jews, the government claimed, was in response to Jewish disloyalty to the State.[836] Jews who travelled to Israel risked having their bank accounts frozen by the State.

In 1963, legislation No.44/ 1963, was passed, which gave wide-range powers to Mudīriyyat al-amāna al-‘amma li-al-‘ishrāf wa-murāqabat almuntalakāt al-yahūd al-mujjarradīn mina-al-Jinsiyya the General Secretariat of the Directorate of Monitoring, Supervision and Management of the Properties of Denationalized Jews (MSMPDJ). This allowed the currency, dwelling places, and property belonging to the Jews who willingly chose to stay in Iraq, to be confiscated by the State. Upon freezing Jewish assets, the General Secretariat of MSMPDJ then appropriated their monies and property for use by the State, the most of which went to official and unofficial circles and to the “National Guard Service” and the Palestinian refugees in particular.[837]

This legislation paved the way for extreme injustice on the part of the State in relation to Jewish properties which were distributed or rented to the security services, or to the Palestinian refugees. That, in turn, linked the disposal of the Jews’ properties and the Palestinian refugees in the collective mindset and drew erroneous parallels between Iraqi Jews and the Palestinian-Israeli conflict, at a time when most of these Jews were being made refugees themselves by the Iraqi State. It should be noted that the Jews who remained in Iraq were, in fact, loyal to Iraq and were not involved in Zionism nor did they have political ties to Israel at that time.

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836 The aim of the accusation of disloyalty was force and expel the remaining Jews from Iraq. See: Mūryah (Sāmī): Op. Cit., p. 65.
The government continued to pass legislation in the same vein, an example of which is legislation No. 54/ 1963 which added a new paragraph G to the fifth article and other new details to the eighth article of law No.12/ 1951. Paragraph G states:

“The Iraqi Jews who left Iraq from 20th January, 1960 until 30th March, 1963 must return within six months of the enactment of this law. Persons who do not return within this period shall be denationalized in accordance with the minister’s proposal and the cabinet ruling. Besides, such persons’ money is to be used according to law No. 5/ 1951 and the passed regulation or these that would be passed accordingly”.

Furthermore, the following article was added to the eighth article of the same law. It states that:

“Every Iraqi Jew of foreign nationality after the validity of law No.5/ 1951 will be denationalized since he/she acquired foreign nationality. Moreover, his/her money is to be frozen and the rules of the aforementioned law are to be applied to him/her along pursuant to the regulations or to those which would be passed accordingly. The previous disposal which took place other than that carried out by the Real Estate Registration Department is not considered law”.

Given its discriminatory and oppressive practices, it can be said that the Iraqi government officially followed a policy of “Farhūdification” against the remaining Jews in Iraq, by legally confiscating their properties. This was done with the knowledge that a majority of these families travelled abroad for commercial, educational, or therapeutic purposes, many of whom were impelled to seek asylum after this law was passed.

The government also passed many new regulations on Jewish travel abroad. Any Jew wishing to travel abroad for therapeutic, educational, recreational or commercial purposes had to meet a catalogue of requirements to receive approval to go abroad from the Directorate of General Security. The only way to meet these requirements was to open oneself to rigorous and extensive investigation by the security forces. This reduced the number of Jews willing to travel abroad, since Jewish travel had become synonymous with such invasive security measures.

Through this and other new legislation, the government disabled and ultimately ended the role and the activities of the Jewish legal councils and institutions. The government then created a new institution, headed by a non-Jew, which became known as the General Secretariat of the

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839 Generally, the term Farhūd is used in reference to the Farhūd’s Massacre in 1941 against the Jews. Here, it is used to refer to general damage to, looting and seizure of Jewish property which took place as a result of discriminatory and oppressive government policy towards them.
840 For example, see: Mūryah: Op. Cit., pp. 64-65.
Diractorate for Freezing Jews’ Funds (FJF) which controlled the assets of the denationalized Jews. The government stipulated that, as per the new regulations, that the General Secretariat of FJF grants posts to Muslims, which virtually assured that the new administrative system was not made up of Jews.842 Probably the most significant action taken by ‘abd al-Salām ‘ārif’s government against the Jews No. 77/ 1931 was its abolishment of the Law of the Israeli [Jewish] ṭāʾīfa No.77 in 1931, along with its amendments in the first article of legislation No.109/ 1963.843 The government linked the abolishment to what it called the intense disorder of the Jewish community in Iraq which caused it to lose the characteristics of a genuine ṭāʾīfa under the terms of the aforementioned law, due to Jewish emigration. In other words, the government alleged that the Jews could no longer be considered a religious community because their population had fallen significantly.

The abolishment of the Qanūn al-awāʾif (Law of Ṭāʾifas) which was passed in 1931 and remained in force for 32 years, meant the end of a legal system on which the institutions of Iraq depended to manage the country and to organize the affairs of the Iraqi Jews. Thes radical changes in legislation left no doubt over the hostility of the ‘ārif government towards the Jews. Ārif abolished many laws and reforms pertaining to the Jews which had been passed when ‘abd al-Karim Qasim was in government. In essence, ‘ārif’s government reverted to articles of law No.12/ 1951, which had been passed during the monarchy, and further intensified its subjugation of the Jews with harsh new legislation.

It is noteworthy that the management of the property confiscated from denationalized Iraqi Jews came under the control of Al-majls al-Jsmāniī (the Lay Council) in 1963 which operated according to the law of al-ṭaʾīfa al-Mūssawiyya 844 (‘Jewish community’) No.77/ 1931. On October 31, 1953, the Iraqi Ministry of Justice No. 1646 ruled that the Lay Council of Jews were to begin managing Jewish property. The Corporeal Council managed these monies until 11th February, 1958, when by the Iraqi Ministry of Justice passed the ‘Regulations of the Administrative Council of the Iraqi Jews,’ 845 which included 17 articles, and detailed the establishment of the new Jewish administrative committee. The committee was to be made up of five people, one of whom would become the elected president of the committee and was to be elected in secret. The period of office of the president would last for two years with the possibility of re-election. The following range of functions were assigned to this committee, namely, managing the suspended estates for charitable purposes which were run by the Lay

843 Ibid.
844 For instance, at one point the community decided to begin calling itself al-ṭaʾīfa al-Mūssawiya, meaning the Community of the Followers of Mosaics, rather than al-ṭaʾīfa al-Yahūdiyya, the Jewish community. This change, the community felt, would reduce discrimination, because many people were not really sure who the members of al-ṭaʾīfa al-Mūssawiya were, especially after the coup of 1963. See: Tamar Morad, Dennis Shasha, Robert Shasha: Iraq’s Last Jews: Stories of Daily Life. Upheaval, and Escape from Modern Babylon, Palgrave Macmillan 2008, pp. 204-205.
845 These regulations were published in: Al-Waqāʾi’ al-‘Irāqiyya, Vol. 4104 dated 25th February, 1958.
Council, watching over the properties, endowments, and schools, and managing the estates, monies and the other issues related to the Jews.846

7.1.2 Examples from the Endeavors of Legally Confiscating Properties

There are multiple cases that record the government’s endeavours to confiscate Jewish property according to the new (and newly revived) legislation, and of the subsequent attempts made by representatives of the denationalized Jews to prove the illegality of such endeavours. A majority of the property was taken over by the government, nevertheless. Some examples are provided here to illustrate how the government sought to legalize their confiscation of Jewish property and to manage the profits it earned from these properties.

From the foundation of Iraq until 1963, according to the laws of the Israeli ʿāʾifa, a Jewish person or institution could be appointed to manage Jewish property. Such appointments were officially recognized and required that all contracts be signed in the presence of a judge and witnesses. The following is an example:

A Jewish woman authorized three Jewish persons to manage her private property, which consisted of three plots of land in the district of Patāwīn in Baghdad. In doing so, they, along with their children and grandchildren became the regents of her land. If no regent is available to provide authorization, the authorization goes to the president of the Spiritual Council of the Jewish sect.847 However, this changed after the coup of 1963 with the previously mentioned series of legislation that allowed for the seizure of Jewish property by the state and for the profit then received by the state on the confiscated property to be withheld by the government.848 What follows are some memorable cases of attempted seizure of Jewish property.

On 14th November 1948, the Jewish citizen, Munshī Ibrahim Mūshī, ceded plot No. 255, located in the al-ʿAlawiya lane in Baghdad to the Rabbi, Sasson Khaḍḍūrī, president of the Jews in Iraq, where he built a synagogue. The Directorate of Endowments in Baghdad had been officially informed of same at that time.849 Ten years after making it a synagogue, the Iraqi authorities, during the era of ʿAbd al-Salām ʿĀrif, tried to find a legal means of confiscating this synagogue and resorted to the Directorate of Taxation. In 1964, that directorate sent a warning to the synagogue, ordering Munshī Ibrahim Mūshī to pay a tax of

847 For example, see contract No. 56/42 dated May 20, 1943 which was signed at the Legitimate Council in the court in Baghdad in the presence of a judge and witnesses. Its purpose was to transfer a property that belonged to Khāṭūn ʿYūṣif Maṣrī to three people whose names are mentioned in the contract for the building of a synagogue, school and a dwelling place, see: IJA # 2830: Archival Material from the Baghdadi Jewish Community. pp. 3-5.
848 See the documents in: IJA # 3087: Ezra Menahem Daniel Endowment Paperwork; Receipts, President of the Jewish Community, 1961-1967, pp. 4-18.
Iraqi Dinar within a period of three months, otherwise, measures against the synagogue would be taken. The deacon of the synagogue, Afrāyīm Shūʾ, received the warning. The synagogue (which is built on that plot No. 255) was the legal property of and had been placed at the disposal of the presidency of the community. The synagogue deacon never knew the benefactor, Munshī Ibrahim Mūshī who ceded the land in 1948 and who had died sixteen years before the synagogue was issued with a demand for payment by the Directorate of Taxation.

Iraqi law, according to the third article of the law of taxation No. 192/ 1959, states that estates owned by the legally recognized communities are tax exempt. This law was valid in Iraq under ‘Ārif and remains in effect today with no modifications made to any of the text. Moreover, since the transfer of the land from property-owner to the leader of the community requires official approval and is considered legally binding, the state must have been aware of the land transfer. The demand made by the government for the aforementioned tax payment was therefore untenable. The government adopted the same method when dealing with similar cases. Thus, it is not illogical to conclude that this was a systematic policy, directed by state agencies, to impel the Jews to cede their properties to the state.

Given the dubious legality of the government’s confiscation of Jewish property, it should come as no surprise that the head of the community attempted to have these properties restored via legal means. Equally, given the dubious legality of the state’s actions, should it be surprising that these cases were prolonged unduly. The cases of the properties of Manāḥīm Ṣāliḥ Daniel and ‘Ezra Manāḥīm Dānīyyīl, for example, bear witness to this.

The endowments of Manāḥīm Saleh Daniel, about 297 shares of 504 or about 60% of the shops at Manāḥīm, known as the Khān Djighān, and other properties, came under the control of a Jew named Amīl Ṣāliḥ Shlūmū in 1955. The property was managed by his representative Adwar Yaʾqūb Shaʾšūʿ. In the period between 20th of May, 1963 and 6th of June, 1963, the Directorate of General Importations (the Directorate of Taxations) gave five warnings to the guardians of the property demanding that the taxes of previous years, from 1956 to 1963, be paid in full. These taxes were very high and estimated to be about 9,195 Iraqi Dinar. This was an enormous sum at the time and immediate payment proved impossible. Therefore, Amīl Ṣāliḥ Shlūmū and his legal representatives were forced to cede control of the property until the tax could be paid to the administrative committee for monitoring the money. Consequently,
the committee put forward a proposal that the money owed could be paid in installments over a four year period April 1964 until April 1968. Since these properties were under the control of the committee for the four year period the government would be able to collect profit from these properties in addition to the monies paid on the cumulated tax. The ultimate purpose of these actions, which disregarded the laws that had been in place during the monarchy and Qasim’s government, was the confiscation of Jewish property which was virtually assured given the substantial sum required to pay the cumulated tax.

In the same context, documents belonging to the head of the community and the administrative committee of the Iraqi Jews from 24th March, 1963 until 3rd September, 1963 record that the Land Registration Department in Baghdad executed a survey on the income that could be generated from Jewish property. This survey indicates that the government preplanned the use of these properties. It is likely that the survey was used to plan for the government’s renting of the property and its distribution to members of the National Guard and the Palestinian refugees.

As for the case of the properties of ʿEzra Manāḥīm Ṣāliḥ Daniel, the General Directorate of Nationality sent a note to the presidency of the Jewish community in October 1967, requesting the date of death of ʿEzra Manāḥīm Daniel, a man known for his property, including the Shop of Danial in Baghdad proper and his properties in Dhū al-Kifl in southern Baghdad. The leader of the community replied that ʿEzra Manāḥīm had died in Baghdad on 3 March, 1952. ʿEzra Manāḥīm’s properties had been managed by his legal representatives after his death and they had chosen to rent them to Muslim merchants who had not been required to pay tax on the property previously, since they were exempt under tax laws pertaining to the Jewish community in Iraq.

Because of the lawsuits, taxes, and debts caused by the Muslims’ renting of property that had formerly followed the laws regulating the Jewish ṭāʾifa and now was subject to the new legislation, the spiritual-religion court in Baghdad took over some of these private properties where buildings had been built by tenants in 1964-1971, located in the district of Patāwīn in Baghdad. A famous example of such a building is the Cinema of Semiramis. The dispute over this property took over ten years to resolve in the Iraqi courts.

Since ʿEzra Manāḥīm Daniel had remained in Iraq and died there in 1952, he was not denationalized; consequently, the right of disposal of his properties belonged in the hands of

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855 See, IJA # 2727, Archival Materials from the Baghdadi Jewish Community, pp. 674-686.
857 For the details of the case, see: IJA # 2715: Ibid, pp. 35-39.
his representatives legally regardless of whether they were acquaintances or the head of the Jewish community. However, ʿEzra Manāḥīm Daniel’s properties came under the control of the administrative committee of the Iraqi Jews because of the many contracts signed with tenants of Daniel’s Market in Baghdad.\textsuperscript{858} In addition, the administrative committee received and distributed monies according to the powers vested in it by the new legislation which was passed during the era of ʿAbd al-Salām ʿĀrif. Eventually, a majority of these properties came under the supervision of the administrative committee in the first months after the coup.

Another significant case involving ʿEzra Manāḥīm Daniel No.393/94 relates to a house in the Torah district where 368 ancient manuscripts of the Torah, written in Hebrew on animal skins, were preserved. This house, too, was seized by the government despite attempts by the head of the Jewish community to convince the General Secretariat of FJF and the Ministry of the Interior in 1967 that this property belonged to the Jews. The head of the community provided both documents and legal evidence to this effect. However, the General Secretariat of FJF for monitoring and managing the frozen money argued that the deceased ʿEzra Manāḥīm Daniel had given his property to two denationalized Jews (Khaḍḍūrī Frederick and Salīm Sāsūn Daniel), therefore, the house and the manuscripts were to be confiscated by the government and put under the disposal of the General Secretariat of FJF. After seizing this property, the government, through the General Secretariat of FJF, charged the Presidency of the Jews of violating the law and keeping property that did not belong to the community. Thus, the secretariat decided the matter should be settled by charging the community for the use of the house for the period before the government seized the property.\textsuperscript{859}

However, the fate of the Jewish properties remains vague up to the present day due to the coups and the change of the ruling systems in Iraq. Since the overthrow of the Baʿth Party in 2003, the Jewish community in Iraq began to request the return of their property or compensation for the seizure thereof. Information and official documentation on the seized property remained in the hands of the Iraqi Security Service (ISS) until 2003. Thereafter it was moved to the USA and is now being collated and indexed at an American institution.\textsuperscript{860} This archive is also believed to contain the 368 manuscripts of the Torah seized when ʿĀrif was in power.

As has been seen, the new government faced some difficulties confiscating and managing Jewish property. Problems relating to the legality of their actions arose, since these actions required the existence of applicable laws, a matter that proved complex, not least because the

\textsuperscript{858} To view the leasing contracts and other contracts concerning the building of shops over the properties of Ezra Manāḥīm Daniel and Manāḥīm Ṣālah Daniel, see: IJA # 3084, Endowment Paperwork, Financial Information, Architectural Plans, Administrative Committee for Iraqi Jews, 1967, pp. 2-18.


\textsuperscript{860} From the US National Archives and Records Administration. See: \url{https://ija.archives.gov/}.
government’s actions were challenged by the Jewish leadership and its lawyers, who tried to prove the illegality of the confiscations.

7.1.3 Precarious Peace for the Jewish Community

Having presented some examples of the mechanisms and methods of controlling and disposing of Jewish property, the legal aspects of the case should be considered.

The government encountered legal difficulties when trying to confiscate the Jews’ properties, therefore, it passed new laws such as the Law of Managing the al-Mūsawiyya (Jews) Ṭaʿifa No.167 in 1963 and modified others. Subsequently, the institution of the General Secretariat of FJF which was put in charge of freezing Jewish assets was impelled to form a committee of Jews to regulate its activities. This law provided an opportunity for the Jews to reorganize the management of the community’s money, endowments, and schools in accordance with regulations passed by the Iraqi Minister of Justice, provided that the activities of that committee were monitored by the ministry.

Thereafter, it became evident that the government was determined to continue to pressure the Jews in an effort to denationalize them and freeze their assets, as it enacted new legislation to this end, such as the fourth law of modification No. 161 in 1963, whereby paragraph D was added to the fifth article of law No. 12 / 1951. Accordingly, the Directorate of Travel and Nationality (a state security organisation) and the acceptance of Directorate of General Security (secret intelligence service) had the authority to carry out investigations on the Jews who were living within Iraq and abroad, who wished to preserve their nationality. Some paragraphs in the new law, especially paragraphs 3 and 4 broadened the provisions for the denationalization of Jews and freezing their assets. The new legislation was compulsory for all Iraqi Jews residing in Iraq and abroad. In addition, that directorate imposed special identity cards on the Jews (the yellow identity card) to distinguish them from other people. This is conclusive evidence that the authorities followed a policy of discrimination by applying these laws to a specific sector of Iraqi society. They also forced them to carry an identity card with a special color exclusive to them, to distinguish them as Jews from the other peoples of Iraq.

864 According to Paragraph 3, every Jew who did not take action to preserve their Iraqi nationality is automatically denationalized. In addition, his/her money is frozen, according to law No.5/ 1951. According to paragraph 4, the Secretary-General of the Directorate of Monitoring, Supervision and Management of the Properties of Denationalized Jews manages the Jews’ money, in cases whereby the authorities ruled that the Jew in question be denationalized. See: Al-Waqaʿiʿ iʿ al-ʿIrāqiyya, Vol. 896, dated 28th December, 1963.

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To facilitate the application of the above-mentioned law, more legislation was passed. Law No.122 of 1964\textsuperscript{865} ruled selling of real estate, as well as transactions in shares and profits of companies to Jews specified under that law was prohibited. Paragraph A of the first article stated that: “Selling the estates, owning them, mortgage them, endowing them, transferring them by inheritance or will, the shares in the commercial and civil companies, and distributing the profits out of them are not to be sold to the Iraqi Jews who are included in the law No. 161/ 1963 within the period between 1 June, 1964 until 1 October, 1964”.\textsuperscript{864} Therefore, after July 1964, Jews faced a whole new range of new prohibitions and restrictions, the majority of which were economic. Most importantly, they were denied permission to leave the country.

Because of the government practices towards the Jews and the intensity of the procedures employed by them, the case gained attention outside of Iraq. The British Foreign Office ordered its embassy in Baghdad to secretly provide them with information on the Jews in Iraq, their remaining numbers, those willing to immigrate, their economic circumstances and what discrimination they and other minorities had to contend with. The embassy in Baghdad provided this material in 1964,\textsuperscript{867} stating that\textsuperscript{868} according to the 1947 census the population of the Jews in Iraq was 856 and that, according to the latest estimate, the total Jewish population was 3,095. This was made up of 1,072 men, 998 women and 1,025 children.\textsuperscript{869} It estimated that 80% of the population wanted to immigrate permanently to other countries and that they were gradually losing their posts in the civil and military services. It also reported that they had been removed from office in commercial institutions which had recently been put under Muslim supervision. Reference was also made to ‘a tightening of the grip around them’ which had increased since the coup in 1963.

This document also stated that the new prime minister\textsuperscript{870} was stricter with the Jews than his predecessor.\textsuperscript{871} It was also predicted that the nationalization of the foreign banks and

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\textsuperscript{865} From as early as July 1964, Jews faced a whole range of new restrictions, the bulk of them economic. Most importantly, they were denied permission to leave the country. While some families managed to escape illegally, for the most part the Jews stayed and tried to endure the new restrictions placed upon them by the government. Benjamin: \textit{Op. Cit.}, pp. 254-255.
\\textsuperscript{866} \textit{Al-Waqāʾ iʿ al-ʿIrāqiyya}, Vol. 998, dated 7th September, 1964.
\\textsuperscript{867} The importance of this document is that it refers to the discrimination and oppression to which the Jews were exposed. It also provides precise demographic information on the Jewish population in the categories of men, women and children. It was the first time that their population was stated precisely in an official context. However, it makes no reference to the source of the statistics. For more details on this document, see: Appendices, Figure 2. 6, and Figure 2. 7.
\\textsuperscript{869} The document which contains these statistics is dated 20th of November 1964.
\\textsuperscript{870} The new minister mentioned in the document is Šubhāʾ ʿAbd al-Ḥamīd al-ʿUbaydī (1924-2010). He became Minister of the Interior on the 14th of November 1964 until his resignation on 30th of June 1968. He was a Pan-Arabist, political and martial figure. He sought refuge in Egypt after the Baʿthist coup in 1968. He returned to Iraq in 1975 and isolated himself from political life until 2003, when he resumed his political activities and established the Arab nationalist current which has been opposed to political process and the new regime in Iraq since the American occupation. See: ʿAlī Karīm ʿAbās Salmān al-ʿUbayyidī: Šubhāʾ ʿAbd al-Ḥamīd wa Dawrahu
insurance companies and of some foreign firms which was put into force on July 14th, 1964 would further reduce the employment prospects of Iraqi Jews. Since about March of 1964, it reported, “a complete ban on Iraqi Jews leaving the country was imposed and still operates.” When the banks, industries and insurance companies were nationalized in July 1964 Jewish financial institutions were seized, and the licenses of Jewish insurance agents were withheld. Jewish employees who held positions in the newly-nationalized companies and industries were expelled from their jobs.

Once more, the Jews were required to get new certificates to prove their Iraqi nationality. These were issued to them in the autumn of 1964. With an increasing number of Jews out of work and unable to find employment or leave Iraq legally, many fled the country through the Iranian border. The land registry office did not register transactions for Jews which meant that those who fled were forced to relinquish their property when they left. The government was obviously aware of the Jewish flight for an operation of such dimensions could not have gone unnoticed. However, the government turned a blind eye to it all.

There were occasional reports that were imbued with anti-Jewish sentiments and propaganda, such as a statement delivered by the Iraqi Minister of Health, Shāmil al-Šāmirāʾī, who claimed that pharmaceutical warehouses were nationalized because the Jews had created a monopoly in the drug sector.

With the aggravation of the Jew’s situation, the government made some minor modifications to the previous laws particular to the Jews, especially the laws that regulated property and travel. Thus, it passed legislation No. 1/1965 which abolished the extensive checks by the Directorate of General Security. Furthermore, the Directorate of General Nationality

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871 The previous minister was Rashīd Muṣlih, a pan-Arabist figure who was removed from office of the ministry in 1964 and was executed by Baʿth Party on the 15th of May 1969. He was charged with conspiring against the revolt. Retrieved on 07 April, 2014 from http://almustakbalpaper.net/old/news.php?id=1523.
874 For the text of these articles, see: Al-Waqāʾī’ al-Irāqiyya, Vol. 998 dated 7th September, 1964.
875 Ibid; IJA # 2747: Archival Material from the Baghdadi Jewish Community. The presidency of the al-Mūssawiyya Ṭāʾifa (Jews) in Baghdad, No. Ṭ/ 71, Date: 1/1971, from the Rabbi Sāsūn Khaḍḍūrī, the president of the Jews community, to the Minister of the Interior, p. 690.
877 Shāmil al-Šāmirāʾī (1921-2014). He is a physician and an officer who is nationally inclined. He became the Minister of Health in 1964 and left the ministry after the establishment of ʿAbd al-Raḥmān al-Bazzāz’s government. Subsequently, he became the Minister of the Interior after the Six-Day War.
supplanted it. This means that some of the strict security constraints were removed, and Jews were allowed limited travel subject to specific regulations.

It’s important to note that, at that time, the reports on the situation of Jews in Iraq had become sporadic, due to the total isolation imposed on the community by the government. In October 1965, a message “from a reliable source” it was claimed, was sent by Dominitz (assumed name) to his superiors at the Jewish Agency. It read as follows: “Jews are not persecuted by the Iraqis but the authorities do not help the Jews get permits or passports. Under Qasim, things were much better for the Jews”. The report also asserted a reduction in the pressure placed upon the Jews, but it failed to mention the reason behind this conclusion. The unstated reason for this may be ascribed to the establishment of the first civil government in Iraq, headed by 'Abd al-Raḥmān al-Bazzāz in 1965 to 1966. He is known for his endeavors to solve Iraq’s interior and exterior problems. Although he was nationalist and the father of the theory of harmony between Arab nationalism and Islam, he was a moderate nationalist. His short period of rule (which lasted for only one year), reflected positively on all parties across the various Iraqi communities because he adopted balanced interior policies through which he tried to establish a party system, democratic plurality, freedom of the press, and a permanent constitution. He also worked to resolve the Kurdish issue, the problems with Iran, and military dominance of the State. However, these attempts led to the creation of a military bloc against him and he was eventually forced to resign in 1966.

In a speech about the era of al-Bazzāz’s government, a contemporary Jew has stated that, eventually, improvement did come to pass for the Jews; the land registry office was made open to them again. Four Jews were granted passports and were allowed to leave Iraq (after leaving a deposit of a thousand Dinars, to be confiscated if they failed to return within a specific period. This development was very important to the Jews, for that which bothered them the most was their inability to leave Iraq legally.

When Al-Bazzāz left for Moscow in August, the Jews awaited his return with anticipation, as they hoped he would continue this trend and that once again, they would be granted freedom to travel. However, yet again they were disappointed, for he was replaced immediately upon his return. In the meantime, until April 1967, the Jews continued to cross the border illegally.

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879 Al-Waqāʾiʿ al-ʿIrāqiyya, Ibid.
881 'Abd al-Raḥmān al-Bazzāz (1914-1973) was a writer and a thinker. He was the first civil minister in the Republic of Iraq and was prime minister from 1965 to 1966. His many works focused on the law, history, Arab nationalism and on Islam. For more information, see: Sayf al-Dīn al-Dūrī: 'Abd al-Raḥmān al-Bazzāz awal Raʾīs wuzarāʾ Madanī fi al-ʿĪrāq al-Jumhūrī, (ʿAbd al-Raḥmān al-Bazzāz, the first civil prime minister in the Republic of Iraq). Beirut: the Arab Institution for Publishing 2006.
882 They were the last to leave Iraq legally, before 1971.
7.1.4 The Repercussions of the Six-Day War on the Jews of Iraq: The Beginning of the End

Government policy during the era of ʿAbd al-Rahman ʿĀrif towards the Jews was similar to that of his brother, especially with regard to the denationalization policy, to confiscating and freezing Jewish assets, and in imposing constraints on Jewish people’s travel. These policies intensified in 1967 because of the so-called Six-Day War between the Israeli and the Arab troops from 5th to 10th of June, 1967. The war directly affected people’s lives and its repercussions, touched the lives of most Jews who remained in Arab countries.

On the eve of the Six-Day War, the Israeli Ministry of Education claimed that the persecution of Iraqi Jews had escalated in June 1967. Bearing in mind that this information was made known in a publication which was released by the Israeli authorities for educational purposes (and notwithstanding the possibility that it had been issued as a propaganda measure), according to the same publication, it was claimed that Jews in Iraq who did not have identity cards had been stripped of their property and citizenship.

A later Iraqi ruling would confiscate the property of the Jews who could not prove they were Iraqi nationals. Similarly, property belonging to the Jews who left the country, and who did not return, was also confiscated. However, most of these rulings applied to Jews no longer living in Iraq; the active persecution of the local Jewish community which the Israeli government claimed had begun prior to that war did not begin in Iraq until thereafter.

According to one Jewish account, the Six-Day War made the remaining Jews regret that they had not taken advantage of past opportunities to escape. Consequently, those who remained in Iraq were forced to endure the repercussions of the war, meaning for the vengeance of the Arab community on account of losses incurred on the Arab side in the war with Israel. Some remaining Iraqi Jewish witnesses reported that they feared for their safety after the war had been waged, especially when it was announced via the media that Israel had killed four hundred Arab troops on the first day of the war. As a result, on the second day of the war, most Jews in Iraq stayed in their houses rather than going to school or to work, out of fear of retaliation.

Jewish fears for their safety proved to be justified. The media reported the burning of Jewish property such as Jewish houses and shops and the murder of some Jews in Tunisia, Libya and

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884 ʿAbd al-Raḥmān ʿĀrif ruled Iraq from the 16th of April, 1966 until the 17th of July, 1968. He was exiled to Istanbul as a result of Baʿth coup, and Saddam Hussein allowed him to return in the beginning of the 1980s. He left Iraq in 2003 after the invasion, and died in Jordan in 2007.
Aden in Yemen, alongside reports of Arabs who had fallen in the war. Not only did this have political repercussions on the Jews, it also had a social impact on them. After the war, some Muslim clergymen announced a “holy war” against the “bad Jews” all over the world, and demanded their contingent kill the “bad Jews.” There is no doubt that the “bad Jews” could eventually come to mean all Jews, especially those closest to hand, meaning those who were still living in Iraq. After the return from Cairo on June 10th of the Iraqi Deputy Prime Minister, Ṭāhir Yaḥyah, rumours spread that many Jews would be arrested. This was to appease the Iraqi government and its majorities after the Arabs had lost the war. Indeed, several Jews were arrested and imprisoned by the government in the initial months thereafter. The government also demanded that the Iraqi people cease all trade with Jews and ordered them to cut their social ties with the Jews.

Meanwhile, the State Security Department recruited some 3,000 secret police to keep consistent watch over Bagdad's remaining Jews under the “One Spy for every adult Jew” policy. In addition, the Iraqi media accused the entire Jewish community in Iraq of being a “Fifth Column.” The media also exhorted Muslims to watch the Jews and warned them never to collaborate with them.

Subsequently, the government adopted a series of tyrannical measures against the Iraqi Jews; they were dismissed from their jobs, their licenses were not renewed, their phones were disconnected, their businesses were closed and confiscated. Furthermore, they were prohibited from selling their property, their assets were frozen and a limit was placed on the amount of money they could withdraw from their accounts per month. Similarly, they were not allowed to travel within Iraq without express police permission and they were placed under constant surveillance both by police and by reporters.

Many Jewish students who were studying abroad had their citizenship revoked. Cohen, a Jewish student during this period, recounts that the government withdrew his citizenship in

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890 Ṭāhir Yaḥyah was an ultra-nationalist and a Nasserite. There is evidence to suggest that he may have even been behind the arbitrary arrests of the Jews. See: Ibid, pp. 31, 37; He was also a former member of the Free Officers Movement, and was also nominated in 1963 to become prime minister to a cabinet of army officers which was completely controlled by the army.
894 He was born in 1943 in Baṣrah. He went to England to study engineering in 1959. He left Iraq for Britain along with his family in 1970 after being denationalized. See: “Yahūd al-ʿĪraq Yuṭālibūn al-Ḥukūmatayn al-Īsrāʾīliyya wa al ʿĪraqiya bi taʾwīḍat, (the Jews of Iraq demand that the Israeli and Iraqi government provide
1967 and sentenced him to five months in prison. “Our family did not even consider traveling to Israel....” Regarding the ultimate departure of the family from Iraq some time later, due to the aforementioned oppression, he explains “My father was a true nationalist Iraqi, and if there were no security pressures on him, he would not have left Iraq”.

Government policy against the Jews did not stop at arrests and imprisonment; rather, it began to undermine their quality of life in general. Renowned colleges denied Jewish students admission to study, especially in fields such as medicine, pharmacology and engineering, despite the fact that many Jewish students attained the high grades necessary to qualify them to enter these colleges. In 1968, only one Jewish student was admitted to university in Baghdad. Her name was Rāshīl and she was admitted to the Faculty of Engineering. A special case was made for her, in recognition of her father, ʿAbd Allah ʿUbayda,895 for his outstanding contribution to education.896

The negative treatment of the Jews by the Iraqi government in the wake of the Six-Day War can be ascribed to the government’s nationalist tendencies in general and its retribution for the victory of the Israelis over the Arab troops in particular. The Iraqi case was no exception. Arab governments throughout the Middle East appeased their wrath on the Jewish people within their territory, accusing them of treason and of spying for Israel, so as to justify their vengeance and mollify their defeat. The head of the Jewish community visited the president to highlight the injustices that the Jews were forced to endure. The following is an account of that meeting:

“A telling story that reflects the changing fortunes of the Jewish community in Iraq and its standing in Iraqi society is something my father recounted to me about a meeting between the Chief Rabbi, Hacham Sasson Khadouri [Ḥākhām Sāsūn Ḥaḍḍūrī]897 and ʿAbd al-Rahman Ārif, President of Iraq between 1966 and 1968.... My father was not in that meeting, but he was one of the first to be briefed about it. Ḥākhām Sāsūn went to Ārif to air the grievances of the Jewish community, because persecution of the Jews was worsening at the time. After the rabbi had pleaded his case, all that Ārif uttered in response, was to recall his own childhood. He told his visitors, ‘My father used to take me with him to the market, and we always used to pass a date seller who sold his dates out of a basket. Every time we passed by, I

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895 ʿAbd Allah ʿUbayda was the last headmaster of the Frank ʿĪnī/ Iny School, which was the last Jewish school that operated during the Baʿth Era in Iraq. He was also a highly renowned educator in the field of mathematics in Iraq. He emigrated from Iraq to Canada in the 1980s.


wanted some dates. And every time my father would tell me, ‘Raʾs al-salla li-l-Yahūd’, meaning, [the top of the basket is for the Jews], that is, the best dates were for the Jews because they could afford it, while the older, rotten fruit usually hidden below was for everyone else. Hacham Sasson and his group were in disbelief. What he was saying was, “Don't complain. You were always the top, the cream of the crop, the richest people”.

Although the meeting was presented in a positive light on the part of the Jews, there is another interpretation of this story. It is possible that the president wanted to convey to the Jews that in the past, they had enjoyed the best of everything and that, as Muslims, the president and the Muslim people were only allowed what was second rate at best, or more commonly, that which was decayed and unsavoury. Thus, the Jews should not express discontent with what was happening to them because they had lost their position of privilege. The Muslims were now at the echelons of society; all privileges which had previously been enjoyed by the Jews had now reverted to them.

There is a certain historical basis to this interpretation. It is quite well known that, towards the end of the Ottoman era, the People-of-the-Book acquired a legal position that enabled them to succeed in the Iraqi State. The Jews had excelled at commerce at a time when the majority of Iraqi Muslims were still illiterate workers, whereas, in the Republican Period, by contrast, a wealthy class of Muslims developed and became involved in commerce, especially after the nationalists’ rise to power and the significance of the Jews waned. Probably the most important aspect that supports this interpretation is the great lengths the ‘Ārif’s government went, to discriminate against the Jews, including their attempts to give a legal veneer to their policies of persecution. Legislation such as No.64 June 28, 1967 in which paragraphs 4, 5, 6, and 7 were added to the article seven of Law No. 127 1951, which dealt with the supervision and management of properties of the denationalized Jews, is such an example. The paragraphs which were added by the government to the previous legislation referred specifically to the Jews and made it impossible for them to buy and sell property. It also forbade them from selling, endorsing, or transferring the ownership of shares in civil and

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898 Meaning they are at the echelons of community in general, and at the core of public and economic life, rather than on the periphery.
900 This is related to the Millet System and to the protection and special status which was granted to them by western forces during the Ottoman Empire.
commercial companies and bonds of the State. Two other items of legislation No.125/1967 and No.10/1968 followed, which stated that:

“Land Registration Departments, Waqf (charitable foundation) authorities, and Notary Publics shall abstain from carrying out any transaction of sale, transfer, donation or mortgage of immovable properties belonging to a Jew”.

In addition, the new legislation limited payments to Jews from their own bank accounts and limited monthly salaries to Jews to not more than 100 Iraqi Dinar. This also meant that all Jewish financial trusts which they had reserved for schools, synagogues, and cultural institutions in their community (that were not already expropriated) were now frozen. This led many such institutions to close due to lack of funds.

The directorate of the General Secretariat of FJF made the aforementioned legislation the basis of its dealings with the Iraqi Jews. The government often alleged that these procedures were necessary, claiming that the Jews were actually foreign nationals and that they merely pretended to be Iraqi.

The nature of such policies and practices during the period is clearly reflected in the investigations which were carried out by the General Secretariat of FJF on the properties which had been under the guardianship of the administrative committee of the Jews since 1967. It is also reflected in the summoning of the Jews who dwelt in these properties. For example, on 17th of March, 1968, five Jews, Roza Hārūn ʿĪzrah, NūnahʿAbd-ullah, Rāḥīl, and ʿĪsḥaq were called to the Divan of the General Secretariat of FJF to report on how they occupied the dwelling places in the district of Torah in Baghdad stating that, if they did not comply with the summons, legal proceedings would be initiated against them. The documents point out that the houses in which the aforementioned people lived in the District of Torah, belonged to the presidency of the Jewish community according to the evidence and in accordance with the law. Nevertheless, on January 9, 1969, the General Secretariat of FJF ruled that: “With regard to denationalizing ʿĪzrah, Shamʿūn, Ibrahim and the sons of Yousef Fattāl, the owners of the frozen shares of the aforementioned property [the house

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906 It is noticeable that these procedures were intensified after the Six-Day War. Many cases relating to properties remained open until the Baʿth Era, when they were taken over completely.
number 391/94 sequence 310 Torah], you must evacuate the mentioned property within a ten-
day period since the date of receipt of this notice. It is to be guaranteed that the due legal
procedures are to be carried out to protect the rights of the General Secretariat of FJF, and
others.”

This case serves as an example of how other Jewish properties were taken over gradually by the authorities, which legally belonged to the Jews.

The Jewish community did not emigrate en masse, despite the discrimination and persecution they experienced. The media campaigns against them, and the fact that those who were accused of spying by the government continued to be incarcerated without the State having provided evidence of guilt were factors that would have given them significant grounds to leave the country by any means possible. However, no significant wave of emigration of the Jewish population from Iraq took place between the Six-Day War and the Baʿth Coup of 1968. The Zionist Annual Book of 1968-1969 estimated the Jewish population that remained in Iraq at 2,300. If, however, this number is subtracted from a previous statistic which estimated their number to be 3,095, it appears that about 795 people fled between 1964 and 1969, mostly after the Baʿth party came into power.

It was not the desire to stay, but the legal obstruction to their emigration by the government that saw the majority of the Jewish community remain in Iraq. In addition to making it impossible for Jews to leave the country, the government forced many Jews to leave their cities and seek refuge in Baghdad within a notice period of one month of being instructed to do so by the State. As a result, many of them were compelled to abandon their properties, shops, and homes. The government’s goal behind forcing the Jews to move to Baghdad was to cut down on its surveillance outlay. By centralising them in Baghdad, it became no longer necessary to send surveillance staff to other regions of Iraq under its “One Spy for every adult Jew” policy.

The extent of oppression and the ongoing media campaign against the Jews at that time reached a pinnacle. Some considered converting to Islam to rid themselves of the scourge of constant surveillance and police harrassment. In a clandestine meeting in Baghdad, a physician proposed that Jews convert to Islam to free themselves from constant surveillance and oppression. After discussing the proposal, the majority of those present decided that this would be a positive step. However, a vote on the move was postponed. When news of the

913 From a television interview with Raḥīl Khalāṣjī entitled “Stories beyond Songs,” produced by the Iraqi Heritage Centre in Israel. It was broadcast on Israeli television on April 19, 2015. Raḥīl Khalāṣjī is the daughter of a well-known journalist, Ṣālah Naʿīm Ṭūwayq. She was born in Baghdad in 1951, and now she lives in Israel. She married Salmān Khalāṣjī who belongs to a Jewish family from the city of Dīwāniyya in Iraq. They were forced to leave the city in 1968.
proposal reached Jewish religious figures, they shunned it, and warned of the consequence of such a step. The idea of conversion was therefore abandoned, not least since they knew that those German Jews who had converted to Christianity during World War II were not saved from oppression.914 Despite the unique nature of this issue, it clearly shows the degree of oppression that the Jewish community in Iraq faced at this time.

Indeed, the general circumstances in which the Jewish community found itself saw some Jews conceal their identity by giving their children Islamic names. They even told their children that they were Muslims in order to protect them from government oppression that might otherwise befall them. In one instance, a Jewish boy who fought in the Iraq-Iran War was hailed at his death as a good Muslim. His mother was Jewish, but had hidden her Jewish identity from her three sons. Later, when her husband died, she left the country with her two other sons.915 It is more than possible that some Iraqis today that identify themselves as Muslims are in fact Jewish and may not even know it.

By virtue of nationalist and sectarian government policy and as a result of interior and exterior developments, it can be stated that the era of the ‘Ārif brothers made the life of the Jews one of instability and mere fragile peace. It also paved the way for the subsequent period, namely that of the Ba‘th Party (1968-2003) which ultimately ended the Jewish presence in Iraq. Legislation which had been passed during the ‘Ārif brothers’ rule (along with how such legislation was implemented during the period) provided the basis for subsequent government policy on the Jews, and its interaction with the Jewish minority in general.

In conclusion, many criticize the law of denationalization of 1950-1951 which, according to the letter of the law was optional. Although it was coercively enforced by the State, especially after nationalist currents came to power, it must be placed in its proper historical context. It can be said that, as the final statement of the Iraqi-Jewish Association confirms, denationalization benefited the Jews who left in the 1950’s to some extent, since their early departure saved them from the State persecution which intensified during the era of the ‘Ārif brothers and continued throughout the Ba‘th period. That period proved that if the Jews stayed in Iraq, they would have faced persecution and grave danger, as the period itself is considered particularly sectarian, unstable and violent. Indeed, a similar fate would come to be endured by generations of Iraqi minorities to come.

7.2 Sabean-Mandeans

Sabean-Mandeans make up one of the most widely distributed religions in Iraq. They did not form a settled social mass in a specific geographical location. They were not systematically abused, especially since they speak Iraqi Arabic, therefore, they were not troubled by

nationalists’ and unionists’ political projects, with the exception of some Sabean-Mandaeans who were exposed to political surveillance because of their membership in leftist parties and currents. Thus, the rest of them were able to go about their lives, socially and economically, in a relatively settled and undisturbed manner.

7.3 Baha’i from Freedom to Prohibition and Clandestineness

During the Monarchical Era, The Baha’i enjoyed relative freedom to practice their religion. In the population census of Iraq in 1957, the Baha’i were recognized (and counted) as a religious faith. The listing of the Baha’i is generally regarded as clear recognition of them as a religious community during the Monarchy. Accordingly, their religious status was entered on their National Identity Card as “Baha’i.” In addition, the Baha’i enjoyed immense freedom during the era of ʿAbd al-Karim Qasim, as previously stated herein.

Their suppression began in the ‘Ārif and Ba’th Eras, when their religious activities were prohibited. Prior to these negative developments, the Baha’i had their own centers and official community centres throughout Iraq, especially in the larger cities. Iraqi documents of 1965 mention the number of the Baha’i community centres in Iraq⁹¹⁶ during the 1950s and 60’s, before they were closed and their properties confiscated. They were as follows:

First: the Baha’i Spiritual Assemblies in Baghdad:

1. The National Spiritual Assemblies for the Baha’i in Iraq NSA (The Central Spiritual Community Centre) located in the district of Saʿdūn (Baghdad), in house No. 72/2/1. It consisted of nine members.
2. The Local Spiritual Assemblies LSA (Circle) consisted of nine members.
3. The Spiritual Community Centre in Ḥimīyya, consisted of nine members.

Second: the Baha’i LSA in Mosul consisted of nine members.

Third: the Baha’i LSA in Kirkuk consisted of nine members.

Fourth: the Baha’i LSA in the State of Diyālā:

1. The Baha’i LSA in Ba’qūba consisted of nine members
2. The Baha’i LSA in the village of ʿAwāshiq consisted of nine members.

Fifth: the Baha’i LSA in Başra consisted of nine members.

After the coup, the Iraqi government followed Egypt’s example in its oppression of the Baha’i; Egypt had already forbidden Baha’i religious activity in 1960.

Over a period of thirty-five years, the Baha’i in Egypt went from enjoying official recognition to complete prohibition. An Egyptian court declared the Baha’i Faith a distinct religion in 1924 and a fatwa was issued to this effect on May 10th, 1925. This was certified by the supreme religious directorates in Cairo. As such, the matter was officially closed. Thereafter, however, Dār al-ʾiftāʾ (the Egyptian House of Legal Opinions) in 1939 and 1950 issued numerous fatwas against the Baha’i, declaring them apostate, prohibiting them to practice their religion and banning their organizations. An appeal made by the Baha’i to regain the recognition they had been granted in 1924 was rejected by the Egyptian Administrative Court in 1952 and in 1960,917 it was ruled that Baha’i circles were to be destroyed, their activities stopped and their properties confiscated.

The similar fate endured by the Baha’i in both Iraq and Egypt is evidence of the close alliance between both countries. That alliance was both ideological as it was formal. On April 17th, 1963, Iraq signed a proclamation with Egypt and Syria in Cairo, which foresaw the formation of the United Arab Republic. In its articles, the proclamation asserted the necessity of harmonising and coordinating State institutions and policy to pave the way for union. Modelling itself on the United Arab Republic (UAR), the Iraqi nationalist government targeted the Baha’i and aligned its policy on minorities in general with that of the UAR.

The coup of 1963 marked the beginning of State oppression of the Baha’i. Their institutions and community centres were closed by order. On August 6th of that year, the authorities cancelled the registered contracts of Baha’i assemblies and no longer recognised the āʿifa as legitimate,918 thereby forcing the Baha’i to practice their religious ceremonies in secret.

Two years later, the draft law No. 2668 dated 11th of April, 1965 was presented by the Ministry of the Interior. Its purpose was to legally prohibit the Baha’i’s activity in Iraq under the pretext that the Baha’i were a danger to society and to State security. However, the Iraqi Minister of Justice, Muṣliḥ al-Naqshabandī919 refused to ratify the law in cabinet, as it violated


919 Muṣliḥ al-Naqshabandī was Kurdish. He was a parliamentarian, an Iraqi minister, and a judge. He was born in ʿAmmādiyya in Duhok in 1920. He graduated from the Faculty of Law in 1943 and joined the judiciary in 1944. He was appointed deputy judge to the civil courts and was elected deputy for the District of Mosul in 1953. He was reelected in 1954 and 1958. Thereafter, he returned to the judiciary. He was a judge of first instance in Karrāda. He was appointed Minister of State in 1963, then Minister of Religious Endowments from 1964 to 1965. He was made Minister of Justice and representative of the Minister of Religious Endowments in 1965, then became Minister of State in 1965 and representative of the Minister of Industry. He held the office of Minister of Justice from 1966 to 1968. He died in Baghdad in 1996. See Mīr Başrī: Nāvdārānī Kūrds (the Kurds celebrities). Sulaymaniyya: Sardam institute for Publications 2002, p. 217. (Written in Kurdish).
the then constitution, which guaranteed freedom of religion and faith. The Minister’s decision periodically stalled the prohibition, which was later made law in 1970 after the Ba‘th Coup.

Although the illegalization of the Baha‘i prior to the Ba‘th Coup was not made law, the Ministry of the Interior under Şubḥi ‘Abd al-Ḥamīd al-‘Ubaydī (a known unionist and pan-Arabist)920 took other suppressive measures against the Baha‘i. On 14th of April, 1965, the Ministry closed the Baha‘i Assemblies by order and appropriated their property through the National Security Act No. 4 of 1965.921 Upon its seizure of the Baha‘i Assemblies, the State confiscated everything, including books and information material on the Baha‘i faith. These were then kept in the Directorate of Secret Service (DSS) which was under the remit of the Directorate of General Security.922 Some of the books found on Baha‘i community property after its seizure by the State were burned. Similar to books on communism, the State saw them as a risk to its security. 923

The government also impounded the Ḥaḍīrat al-Maqdis924 in Baghdad, where Baha‘i meetings had previously been held. The government regarded the building as a Baha‘i headquarters of sorts and took special security measures to ensure it withheld its contents. An eyewitness reported that regulations were put in place for the transfer of everything in this complex to one of the government’s general security buildings.

It is worth mentioning that the central building of Ḥaḍīrat al-Maqds took 28 years to build, due to financial shortages within the Baha‘i community and because of its size. The last part of the building to be completed was the large assembly hall. It was completed in late 1964 shortly before the building was seized by the Ministry of the Interior in April 26, 1965.925 After its confiscation, the ministry turned it into an interrogation center for the secret service, which was a separate entity to the Directorate of National Security. The building was mainly used to interrogate the Jews.926

Despite closing and confiscating the property of the Baha‘i in Iraq during the era of the two ‘Arifs brothers, the Baha‘i religion itself was not banned outright, thanks to the Divan (State Counsel) of the Ministry of Justice, who insisted on the illegality of that treatment of the Baha‘i. This is reflected in letter No. 191/12 from the Divan dated 7th of December, 1967,

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920 He is the minister who is known for his antagonism towards the Jews. See: chapter 7, section 7.3.
924 The Ḥaḍīrat al-Maqds was built on the grounds of the former National Spiritual Assembly in the district of Sa‘dūn, next to the White Palace building in Baghdad.
regarding the law of prohibition by the Ministry of the Interior in which the Divan ruled that the proposed law was unconstitutional.927

Thanks to the intervention of the Ministry of the Interior, the Baha’i were able to live relatively normal lives until the coming of Ba’th Party. Thereafter, they were exposed to great oppression and discrimination by the State, especially after the government passed laws that prohibited and banned the Baha’i in Iraq, inasmuch as the Baha’i was not recognized as a religion or doctrine.

Chapter 8: The Geographically Concentrated Religious Minorities (GCRM): The Kākāʾi, the Christians, the Yazidis and the Arab-Kurdish Conflict (the Beginning of Ethno-National Identities)

The truce declared on February 1963 between the CGI of Iraq and the Kurdish Movement ended three months later on June 10th, 1963, in response to the CGI’s refusal to grant the Kurds Autonomy (meaning a kind of self-rule inside the Iraqi State). Fighting resumed between the two parties and the CGI began to seek allies among some of the minorities in the Disputed Areas in the Kurdish region, in particular among the Christians and the Yazidis of northern Iraq. Their motivations were twofold, namely, to utilize the minorities militarily in the armed conflict against the Kurdish Movement and to synthesize them into the Islamic and Arab-nationalist identity. This was consistent with government policy at the time, as it had adopted pan-Arabism.

In addition to deploying the Iraqi Army, the Iraqi government mobilised local battalions and forces that had recently been established by the Kurdish clans and tribes, called the brigades of the Knights of Ṣalāḥ al-Dīn al-Ayyūbī. Arab tribes, called the Knights of al-Walīd were also mobilised as part of the campaign. Small groups and units of the Kākāʾi, the Yazidis were also mobilised as part of the campaign. Small groups and units of the Kākāʾi, the Yazidis after the government granted them a license to establish forces named the Knights of al-Walīd were also mobilised as part of the campaign. Small groups and units of the Kākāʾi, the Yazidis

928 This conflict would come to include many truces, negotiations and pacts between the Iraqi governments and the Kurdish Movement after 1963, the Iraqi–Kurdish Autonomy Agreement of March 11, 1970 being the most significant achievement on the Kurdish side. With it, the Kurds achieved autonomy for the first time and the conflict came to an end. In 1975, the conflict recommenced however, and continued until the Gulf War II in 1991.

929 Here, the term Northern Iraq refers to the disputed territories. It is the region where religious minorities are centered. This area is called “the disputed territories” due to the dispute between the central government and the Kurdish region. In an attempt to resolve the dispute, article 140 was added to the Iraqi permanent constitution of 2005. It makes provisions for a future referendum to be held in the disputed territory, to enable the people to vote as to which government they wish to belong. The territory came under Kurdish military control after the invasion of ISIS in 2014 and remains so to date. See map of Iraq herein, in: Appendices, figure 1.5.

930 The Knights of Ṣalāḥ al-Dīn al-Ayyūbī are a number of Kurdish clans who could be mobilized by the central Government to fight against the Kurdish movement, so-called Chata, which means bandits in Kurdish. The latter were known locally as the Jahsh, which means little donkey (a term which was originally coined Kurdish and Iraqi Arabic as an insult). Regarding the leaders of the clans and their use by the government against the Kurdish Movement, a complete file exists of hitherto confidential unpublished documents which are in the private archive of the author. It is entitled: Secret Scribe Department, title: Pro-Government Clans’ Wages, file No. 4/74, the number of pages in the file 256 pages. This file includes many documents on the organisation and specification of the wages and weapons for the Kurdish fighters who support the government. For example, document No.6/23 dated 7th December, 1963, was issued by the first squad of the Iraqi army, and document No. 109/216 that dates back from 27th December, 1963 to 7.1.1964. Therein the distribution of the fighters of the Kurdish Knights of Ṣalāḥ al-Dīn al-Ayyūbī among the military units provided is stipulated; each checkpoint in the unit should include about 300-500 Kurdish fighters.


932 A small unit of the Yazidi was established, headed by Muʿawiyya Ismāʿīl Bag after the government granted him a license to establish forces named al-Jahfal al-Khaṭif (meaning the small legion) in 1964. They were a paramilitary militia that received light weapons to support the army. However, after a short period of time, Muʿawiyya Ismāʿīl Bag sold the weapons which he received and fled to Turkey. See: Mosul Center for
and Christians were also established. The Kurdish Movement tried to entice these minorities into joining its ranks, with the aim of establishing a Kurdish autonomous region. This dragged the country into a civil war that was characterized by the politicizing of ethno-national and confessional traits. The civil war had long-term effects on Iraqi history.

The effects of the civil war came to bear particularly on the fate of the minorities that dwelled in Kurdistan and the geographic regions located between the territories of both parties of the conflict. The war, along with State policies influenced minority thought and contrasting attitudes began to develop among the affected minorities, whether in support for, or opposition to the warring parties. The reasons for these contrasting attitudes within the minorities and the consequences of same will be analyzed below. In addition, special attention will be paid to those domestic policies and recent developments which led to the discrimination and persecution of the religious minorities.

8.1 Kākāʾi: An unofficial Religious Minority in the Arab-Kurdish Conflict

The Kākāʾi were not considered an independent official religion in Iraq, rather, they were considered a social group similar to the Kurdish clans. Their involvement in conflicts in their geographical regions was tribal, which meant that, unlike recognized religious groups, they could not be manipulated for political purposes by the parties to the struggle in Iraq. As such, they were not subject to the kind of manipulation that was employed by the CGI and the Kurdish Movement to serve their respective interests.

The Kākāʾi were mentioned by name for the first time in a government document in 1960, in the Guide of the Republic of Iraq. Therein, they were referred to as one of the groups and religions of the country. Unlike the Yazidi, Sabean-Mandaean and Bahaʾi had done in the past, due to the general illiteracy and the scarcity of educated people among them they did not seize the opportunity of being mentioned in an official document to demand official recognition from the government and the right to religious holidays, for example.

Apart from some doctrinal and anthropological studies which have been done on the Kākāʾi few sources or historical documents exist that provide an insight into the attitudes of the CGI or of the local powers towards the Kākāʾi as a religious group. Nevertheless, it is possible to provide a cursory analysis of them from a historical perspective.

Documents M.C.D, No. A.S/33/1548, dated 7 November, 1964, Subject: The leadership of the fourth squad (general staff), clandestine, to the general military ruler. Issue: Clear an opinion, pp. 10-34.


934 Confessional traits already existed as features of Iraq’s peoples and their various identities. The matter is, however, how these traits were manipulated and applied, meaning how they were politicized.


936 For example, see: C. J. Edmonds: Kurds Turks and Arabs, Politics, Travel and Research in Northeastern Iraq. London: Oxford University Press 1957, pp. 182-201.
The Kâkâʾi remained a pastoral community as most of them dwelled in the areas of dispute. Although their location caused them to become involved in the national conflicts, they managed to retain their tribal identity and culture as well as their particular loyalties and attitudes.

An educated class did not appear among them until 1944, in the village of ûbzâwâ. Between 1958 and 1979, five schools were opened in various Kâkâʾi villages. The nonexistence of official government schools equalled the nonexistence of an educated class. In this regard, the Kâkâʾi are similar to the Yazidi in that both religions have found themselves the subject of much fabrication on the part of writers and researchers. Furthermore, the nonexistence of an educated class within Kâkâʾi community has contributed to the ease with which religious Aghas (Clan chiefs) and leaders controlled and manipulated their community for political gain.

In civil matters, the Kâkâʾi regulated their own affairs entirely, their marriages being carried out by clergymen. They did not resort to the Iraqi courts in cases of marriage and divorce until the 1970s. Thereafter, they sought to regulate matters such as divorce, financial problems and different clan disputes in the State courts.

In view of the secrecy of the Kâkâʾi and their lack of involvement in the wider Islamic environment, unlike other minorities, they were able to avoid many issues which confronted other minorities, the great exception to this being the conflict between the Kurdish Movement and the CGI. In the conflict, the Kâkâʾi were formed into units of the militia by the CGI. This is how Jamâl Sayyid Khalîl, the president of the Kâkâʾi in Iraq, came to join the clans in support of the CGI in 1964. However, he retreated and joined the Kurdish Movement after 1970.

The Kâkâʾi, like the Yazidi, are a closed religion which means that they have developed an identity particular to themselves that includes ethnographic and anthropological characteristics based on marriage within the community and the religious hierarchical division which, perhaps, allowed them to live in harmony amongst themselves, set apart from the Islamic society around them. However, in the security study referred to above, the government classified them as a Kurdish clan and in doing so, it identified them by their ethno-national identity, with the aim of using them militarily against the Kurdish Movement. As the Kurdish ethnic identity of the Kâkâʾi was undisputed both by the Kâkâʾi themselves and by society at

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939 After the death of his brother Fattaḥ Agha, Jamâl Sayyid Khalîl became leader of the Kâkâʾi from 1945 to 1975. Thereafter, the leadership of the minority was passed on consecutively to his nephews, Sayid ʿAdnān Fattaḥ Agha, then Ṭâriq Fâʾîk, who is still considered president of the Kâkâʾi all over Iraq. Harzânî: Op. Cit., p. 167. For more information on the leaders of Kâkâʾi in Iraq, see: ʿAbbâs Al-ʿAzâwî: al-Kâkâʾi iyya fi al-Tarîkh, (the Kâkâʾi in History). Baghdad: The Trading & Printing Co., Ltd, 1949, pp. 27-28.
large, unlike the Yazidis, they were not torn between a sub-identity, meaning Kākāʾi, on the one hand, and a major identity, meaning Kurdish on the other.

The identity controversy between the two Kākāʾi’ groups continues to date. It is not a recent phenomenon; in fact, it dates back to the 1960s. The group which claims affiliation with Islam were mostly Kākāʾi chieftains who had connections with the CGI and were mobilized by them against the Kurdish Movement. It is evident that the concept of the Kākāʾi affiliation with Islam stems from these leaders, as the overwhelming majority of the Kākāʾi were illiterate and uneducated at that time. As tribal leaders, their doctrine has come to influence the vast majority of the tribally-organized Kākāʾi to date, whereas the educated elite, in its endeavors to separate the Kākāʾi from Islam has remained largely unsuccessful.

8.2 The Christians: from Oppression to Emigration

As mentioned earlier, the Christians of Iraq are divided into several different groups, such as those who speak Aramaic, Syriac and Armenian, for example. Societal divisions which were caused by governments and by the general political life in Iraq since the beginning of the republican eras saw a general simplification of identity markers which was imposed upon all sectors of Iraqi society, both ethnic and religious. This led to the various Christians being considered collectively by the authorities as merely “Christian” and thereby losing other identity markers such as Chaldean, Assyrian, and so forth. Although the Assyrian Christians were considered an ethn-national group during the Monarchy, thereafter, in the Republican period, all Christians would become grouped together in terms of identity by the political landscape in which they found themselves in Iraq, both conceptually and in practice.

Therefore, rather than utilizing the subsidiary identity marker of each of the different Christian communities, the term Christian is used collectively herein.

The Republican period marked the beginning of numerous military and political conflicts and was characterized by the emergence of new political organizations. These, along with other factors influenced Christian involvement in conflicts in Iraq and their migration within the

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943 The Civil Status Identification Records in Iraq were changed to reflect the religious affiliation of Iraqis as opposed to their ethnic identity. The records and the ID cards of Iraqi Assyrians, Chaldeans and Armenians, therefore, no longer reflected these aforementioned designations, rather, they were all termed “Christian”. Similarly, Iraqi Mūsawī (Mosaic) and Israelis terms were deemed “Jews” in their records and on their ID cards. See: The Law of Identification of Civil Status No.1/1957, article 15, paragraph L: Iraqi Local Governance Law library. Law/ Document Number (ID): 1, Type of Law: Law. Passed on: January 1, 1957, published on January 1, 1957, Status: In force. Retrieved on 05 April, 2016 from http://www.iraq-lg-law.org/en/node/896.
country, as well as their emigration. After the coup of 1963, new legislation regarding the rights of Christians was enacted, the most significant of which curtailed the rights of all Christian churches in Iraq, such as law No. 87/1963 pertaining to the Armenian Orthodox. Consequently, the personal lawsuits of members of the community were transferred to the civil courts. The article states,

“The civil courts shall preside over special personal status lawsuits of the members of the Armenian Orthodox Ṭāʾifa.” 944

Furthermore, a committee of ṭāʾifa (community) members according to regulations passed by the Minister of Justice was established to manage the community’s money, endowments, schools and all other affairs. 945 This abolished the communities own courts and gave the State direct control over the Armenian minority’s affairs.

In a similar vein, according to the third article of the aforementioned law, the Law of the Armenian Orthodox ʿāʾifa No. 70/1931 and its amendments was abolished by the government, on the grounds that it had been passed during British colonization, before Iraq had joined the League of Nations, and that it had been passed under duress. In addition, the new law accused Britain of being a colonizer and of obstructing the progress of the Iraqis and endangering their welfare by forcing the government to pass such laws, on the pretext of preserving the rights of the minorities of Iraq and granting them political structures in the name of religion. These laws had been passed during the Monarchical Era and the British Mandate at the request of the community’s members inside Iraq in an effort to organize the communities’ affairs. The new law which abolished these provisions which had been made for the minorities, claimed, however that:

“With these two laws, each ṭāʾifa became a state in Iraq, and the members of the ṭāʾifa started to feel that they are strangers and isolated from the Iraqi people”. 946

However, the true reason for the abolishment was another. In line with the sectarian policies and nationalist leanings of the government and its president, the rights of minorities to regulate some of their civil affairs themselves through state-recognized legal institutions of their own, were rescinded.

In the initial phase of Ṭabd al-Salām ʿĀrif’s leadership, non-Islamic religious courts were abolished and cases pertaining to matters of personal status were heard in the Iraqi courts, most probably with a Muslim judge presiding over the case. These courts were given the responsibility of taking Christian legal tradition into consideration in their handling of the separation or divorce of Christians, for example. The courts omitted to consult religious

946 See the appendix of this law, in: al-Waqāʾ iʾ al-ʿIrāqiyya, Vol. 846 dated 22nd August, 1963.
community leaders, however. Furthermore, cases regarding the religious conversion of citizens and other such issues, regardless of whether the individuals concerned were non-Muslims, were decided according to Islamic law exclusively.

This new policy saw the lawful rights which the Christians had enjoyed previously, being either restricted or abolished entirely. Furthermore, this nationalist policy paved the way for a transition from their current identity to the Arab ethno-nationalist identity that clearly emerged in the Ba’th Party era, a development which was further consolidated by the censuses of the 1970s and 1980s, in which the majority of citizens were registered as Arabs.

8.2.1 Involvement in Domestic Conflicts

In addition to the curtailment of their lawful rights, once again, the Christians found themselves dragged onto the political battlefield, due to political developments in the Kurdish north. These developments would prove positive for them, however, against the backdrop of the severe discrimination which they had endured during the 1930s which had ended with the exile of most of their leaders from Iraq.

Despite efforts to suffuse the Christian minority with the Arab ethno-nationalist identity, about half the Christians in Central and Southern Iraq maintained politically neutrality. This was especially true of the clergy, as a majority of the Christian groups adhered to a system that separated religion and politics. Consequently, there was little anti-government activity in those regions, particularly after the influx of internal (Christian) refugees from the war-torn areas of Southern and Central Iraq. This, in turn, created a deep desire among church leaders to protect the Christian community, which enhanced their neutrality and in some cases, saw them side with the government.

The Kurdish Movement, for its part, also tried to gain Christian support. It is noteworthy that it is difficult to ascertain whether Christians are ethnic Kurds in origin. Equally, it is also difficult to convince them of this uncertainty, despite the claim made by a number of Christians who belong to the Kurdish Movement that Christians are ethnic Kurds. This claim (which was first made during the early years of the Kurdish Movement of the 1960s) was fuelled by many motives, some of which have already been discussed. These, along with the other motives, should be considered within their historical context. Irrespective of the question of Christian ethnicity, the claim did influence a section of the Christian community. This was reflected in an increase in the number of Christians who joined the Armed Kurdish

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949 Bruinessen: “Nationalisme kurde ..., p. 17.
Movement,\textsuperscript{951} in the battles it fought in North of Iraq and the Kurdistan region against the CGI and against the Kurdish clans (the Knights of \textit{Salāh Al-Dīn al-Ayyūbī}) that supported the CGI.

Other important incidents, such as the razing and plundering of churches in the city of \textit{ʿAmidiyyāh} by the Zibārī Kurds tribe in 1961,\textsuperscript{952} for example, incited the Christians to take up arms on the side of the Kurdish Movement. This, in turn, led to a retaliatory massacre of the Assyrians in the \textit{Barwārī} region in 1963.

The Christians feared the national government because of the oppression they experienced after the \textit{Shawwāf} revolt in 1959. Consequently, it is likely that many of them felt that, by joining the resistance, that they might find safety. Nevertheless, it should be mentioned that the Kurdish Movement was extremely attractive to the Christians and to other minorities for other reasons. The ICP had made public its support for Kurdish demands for independence, after the communists were exposed to severe oppression following the coup. Moreover, the KDP stated both in its political program and its proclamations that rights would be granted to the national and religious minorities.\textsuperscript{953} This is evident in a proposed program which was presented by a KDP delegation to the government during the negotiations which took place after the coup of 1963. It states that:

\begin{quote}
“The constitution of the national body for the region of Kurdistan shall guarantee cultural social and economic rights and democratic and religious freedom for a minority of citizens such as the Turkomans, Assyrians, Chaldeans, Armenians, and other religious communities or racial groups. It shall guarantee their complete equality in rights and duties with members of the Arab and Kurdish nationalities. Further, it shall guarantee their representation, in just proportion, in the Executive and Legislative Councils as well as in other bodies”.\textsuperscript{954}
\end{quote}

The aforementioned proposed program illustrates that this Kurdish party recognised various ethnic groups in Kurdistan and paid special attention to making provisions for them, although the text of the proposal omits some of them. One interpretation of the KDP’s interest in the minorities in general, was the leftist nature of the party in younger years, before it was exposed to internal divisions which culminated in the ultimate split of the KDP in 1964.

\begin{flushright}
951 Samar: \textit{Op. Cit.}, pp. 311-312. \\
955 For the role of leftist and Marxist wings in the KDP, see: Michael Gunter: \textit{The Kurds of Iraq}. New York: St Martin’s Press 1992, p23.
\end{flushright}
Christian attitudes towards the Kurdish Movement were also influenced by the overlapping communities and the geographical proximity of both peoples, especially after the Kurdish Movement took control of Kurdish regions with large Christian populations. In addition, the close relationship between the family of the Kurdish Movement’s leader, Mustafa Barzani and the leaders of the Christian clans undoubtedly generated support for the movement among Christians.

The outcome of Christian support for the Kurdish Movement was mixed. Some Christians assumed important leading roles in the KDP during this period. It is worth mentioning that the Christians in general, and the Assyrians, in particular, did not possess any independent political power or organizations in Iraq in the 1960’s, nor did they request self-rule, since their revolt had been curbed in 1933, and their political leaders had been denationalized and banished.

Although some Christian organizations outside of Iraq engaged in political activities in the 1960s, the Christians in Iraq had no political agenda of consequence of their own until the 1970s. Then, the Christian political elite in Iraq drafted a political programme based on nationalist principles. Rather than paving the way for a unified Christian Movement, it divided the Christians nationally and denominationally. The political programme separated the Christians along ethno-national lines such as Assyrian, Syriac or Chaldean and weakened the Christian cause within the context of the overall political landscape.

From a military perspective, the Christians suffered heavy losses due to their involvement in the Armed Kurdish Movement, however, they did rise within the ranks of the military and within party leadership. The Kurdish Movement established so-called “Armed Christian Units” to fight the CGI, the most important of which was the Hurmiz Malik Chakkū Battalion. Initially, the battalion consisted of 80 Christian fighters, but it grew to about 500

956 A clandestine document of the American CIA states that the elder brother of Mustafa Barzani, Shaykh Aḥmad Barzani converted to Christianity. This claim has not been verifiable to date. Since Shaykh Aḥmed is considered the spiritual leader for Bārzānians (Bārzān tribe) and has a sacred position, this may have been a move to get the Christians to join the Kurdish Movement at the time. On his conversion to Christianity, see: CIA: The Kurdish Minority Problem. Document No.001, ORE 71/48, published on 8 December, 1948, p. 11.

957 A group of Christians, especially the eastern Nestorians, tried to impose the Assyrian naming on all the Christian groups in Iraq out of political and nationalism perspective after they had a political current since 1979 which is known by the Assyrian Democratic Movement (ADM). Some Chaldean Catholic politicians refused these attempts, considering the Chaldeans an independent ethno-nationality with roots stretching back to ancient Chaldean empire. For more details about this case see: Ablaḥad Āfrām: al-Ḥaqīqa fī al-tasmīya al-qawmiyya bayna al-Kaldān wa al- thūriyya (the Reality in the national designation among the Chaldean and Assyrians). Duhok: Publications of the Chaldean Center for Arts and Culture, Hāwār Printing House 1999, pp. 3-93.


959 The battalion was named after the famous Christian fighter, Hurmiz Malik Chakkū. He was born in 1932 in the northeast of Duhok and joined the Kurdish Movement in 1962. He became very popular after his leadership of and participation in many military operations against the central authority. He died in action on December 1, 1963. For more details about his role in such historical events and his general military activity, see: Waṣfī Ḥasan
fighters thereafter. Despite the killing of the battalion’s leader, Hurmiz Malik Chakkū in 1963, the Armed Christian Units remained active until 1975. These fighters were supporters of the KDP. Other popular Christian military units were established in the guerilla campaign against the CGI, such as the Toma Thomas unit and that of Ashʿīya Israel Sarsinkī among others. Christian leaders also emerged and were popular in the Armed Movement against the authority, one of the most famous being the Peshmerga Commander, Margaret George Malik, an Assyrian (Christian) woman, who was born on April 1942. She joined the Kurdish Movement in 1963 and fought until her death in December 1969. She was assassinated at her home in Dūra in the Kānīmāsi district (about 100 kilometres to the north-west of Duhok city) by a group that belong to Ḥamdī ʿAbd al-Majīd al-Salafī (Mulla) who was an assistant to Asʿad Khūshawī, the field leader of the KDP in the Bahdīnān region during the armed Kurdish movement in the 1960s. The reasons for the assassination are still unknown.

Margaret George Malik was very popular as she was considered the first Christian woman in Iraq to take up arms, something which encouraged many other Christians to join the Kurdish Movement at a time when the Muslim Kurdish community deemed that women should not be allowed to fight or to hold weapons.

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960 They were headed by the brother of the deceased battalion leader, Jurjīs Malik Chakkū: Rudaynī: Ibid, pp. 18-19, 22; Deschner: Op. Cit., pp. 311-312.

961 Toma Thomas (1925-1996) was from the Christian village of al-Qūsh, which is located about 50 kilometres towards the north of Mosul. He joined the ICP in 1950 and became a field leader for the communist platoons in Kurdistan against the central government. His memoirs were published under the name of Awrāq Toma Thomas (The Papers of Toma Thomas) as episodes, exclusively in website an-nmas.com between 2006 and 2007. They contain many details about the plans and military operations which he took part in and witnessed. His memoirs also provide an insight into the role of the Christians and the Yazidis in these organizational and military activities. For more information about the period between 1963-1968, see: Vol. 1-9 of his papers which are available and retrieved on 25 January, 2016 from http://al-nmas.com/THEKRIAT/3jsf9.htm.


965 It should be noted that membership of the Kurdish Movement thereafter remained restricted to men until the rise of the PKK at the end of the 1970s. The conservative stance which the Momement took on female participation is reflected in Kurdistan in the Shadow of History by Susan Meiselas: New York: Random House 1997, p. 254.
In terms of military aptitude, according to the testimony of one of the Israeli training officers in the mountains of Kurdistan of Iraq, “the Christians were disciplined and attentive.” This testimony was made during one of several training courses held by the “Special Israeli Units” in Kurdistan after a clandestine pact had been made between the Kurdish Movement and Israel to train the Movement’s members in military and medical expertise. Several Christians participated in these courses, including medical training courses in the field hospital on September 26, 1966.966

In addition to military activity, Christians were also involved in the various political movements and activities of the different parties of the struggle. Christians would attend and participate in the general conferences of the KDP, such as the Conference of Koy-Sanjaq, in March, 1963,967 for example, as well as another conference held in October, 1964, in which a number of Christian clergymen participated. Two Christian participants, namely, Bishop Mar Ywalaha968 and Pūliṣ Bīdārī al-Khūrī who participated in that conference became members of a new organization which was founded thereafter. This organisation was the “Kurdish Revolutionary Command Council (KRCC).” In addition, Christians were also among the members of the committees and the organizations of the KDP and the Kurdish Peshmerga. It is noteworthy that money and weapons were distributed to some Christian villages to entice them to support the Kurdish Movement.969 Thus, the number of the Christians who joined the Kurdish Movement, politically or militarily, grew considerably. In the village of Zākhū, for example, there were tens of Christian supporters despite its small size.970

The most significant outcome of Christian participation in the Kurdish Movement was the KDP’s establishment of the Supreme Committee for Christian Affairs in Iraqi Kurdistan in 1964. It was headed by Jurjīs Malik Chakkū, who was affiliated with the eastern Nestorian church and who claimed to be a Kurdish Christian. He claimed that he supported Muslims and the ‘devil worshippers,’ meaning the Yazidi, and the majority of the Roman Catholics and Nestorian Christians whose nationality is Kurdish.971 It is worth mentioning that Jurjīs Malik Chakkū himself, in an interview with the German journalist and historian, Günther Deschner in 1974, points out that the Kurds and Assyrians, in their different Christian churches, strive for an independent Kurdistan.972 This illustrates that he considered the Christians, despite

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their different denominations, independent peoples that struggle alongside the Kurds for the independence of Kurdistan.

The Christian leader of the KRCC, Father Bīdārī, justified the Christian inclination towards leftism, communism, and the Kurdish Movement, especially among the Assyrians and Catholic Chaldeans. This trend continued after the clergymen and notable Christians asked the Pope of the Vatican (more than once) to intervene to stave off the massacres and genocide of peaceful Assyrian villages. However, their cries for protective intervention went largely unheeded.973

Despite the negative role of the clans and the Kurdish Aghas974 in the Christian collective memory, a turnaround in Christian opinion towards the Kurds came during the Republican era, especially after a new role was assumed by the Kurdish leadership within the political sphere of Iraq, and as a result of the increase in the significance of the leftist movements in general.

**8.2.2 Internal Oppression and its Exterior Reverberation**

In the early 1960s, the discrimination and oppression of Christians by government and political groups in Iraq reached an all-time high. Accusing the Christians of having joined the Kurdish Movement, the air force bombed Christian villages and deployed Arab and Kurdish militia to attack and loot them. This led to outcry among the Christian community and to demands that the oppression and discrimination against them be curbed. Due to the volume of letters and complaints received by the British Foreign Office on the plight of the Christians at the hands of the Iraqi government, the British authority requested information from its embassy in Baghdad on the matter. As Embassy records illustrate, it refuted such claims, asserting that no such religious discrimination and oppression was being carried out against the Christians:

“...Their children go to the Government schools like any other Iraqi children. They are at present undergoing some employment difficulties because of the smaller number of British firms now in Iraq and the slant in economic activities generally… There is unfortunately all too much suffering among all sections of society in Iraq today, and there are plenty or pitiful stories circulating, but the suffering seems fairly uniform and the Assyrians are not having a worse time than anyone else, although those in the North are finding life in the middle of a war very uncomfortable… Some Assyrians may be on the side of Mullā Mustafa [Barzani] and Assyrian villages are exposed to air attacks in the same way as Kurdish villages in the area of the campaign by the Iraqi Army. Their villages are also liable to be looted by Arab and Kurdish irregulars co-

operating with the Government forces, and indeed may be picked upon specifically since they are unlikely ever to be able to get their own back, but apart from this there is little to suggest that the Government side is making a particular target of the Assyrians.”

The report of the British Embassy in Baghdad went on to say:

“The Embassy thinks that while it is true that the Assyrian might, in general, be regarded by the Arabs as ‘imperialist British stooges’ because of the special interest which was taken in them by the British..., but they are not suffering from this association at the moment...The Embassy equally [sic] do not think that they suffer any religious persecution.”

Although the British Embassy made little of the Christian’s experience in its report, subsequent events proved the reality of the oppression and discrimination the Christians were exposed to and validated the grounds for their pleas and demands. Thousands of Christians were forced to migrate to escape the bombardment and targeting of their villages by the Iraqi army and their militia (Kurdish clans who fought on the side of the CGI). Considering certain expressions mentioned in the report, such as “imperialist British stooges,” it is rather apparent that the Christians were stereotyped in the Iraqi mentality as supporters of British colonization. Consequently, this image should be considered both a sign of discrimination and a potential reason for the hatred expressed against them within the social and political milieu.

It is noteworthy that the British embassy erroneously concluded that there was neither cause for alarm nor for intervention. The report itself reveals that the embassy investigated the matter by asking its own Christian employees and translators in Baghdad if they faced governmental discrimination or oppression. This raises questions about the manner and the lengths to which the embassy went to establish the facts upon which it based its report and the motivations behind the embassy’s apparent inaction, and that of the British government, no more than ten years after the end of its Mandate in Iraq.

In 1963, Le Monde Journal published a report entitled “Ba’th Party is Oppressing the Christians,” which highlighted the increase in Christian demands for a halt to the oppression inflicted on them since the Ba’th Party and the nationalists had come to power in the initial months of the coup in 1963. The report detailed the imprisonment of hundreds of Christians who were charged with sympathizing with communists. It also reported on the six Christians who were re-tried for the events of the Revolt of Mosul in 1959 and subsequently executed.

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977 Ibid, p. 515.
As part of the overall government propaganda campaign which stereotyped all Christians as communists, the executions became an occasion for demonstrations against Christians, which were stirred up by the National Guard\textsuperscript{979} in the Christian villages north of Mosul. Christians living in Kurdish regions were accused by the Kurdish Movement of being loyal to the CGI; similarly, those living in Iraqi territory were accused of cooperating with the Kurdish movement and with communists.\textsuperscript{980} Given the extremely hostile atmosphere and latent threat of being convicted of treason in both the Iraqi and Kurdistan regions, many Christians found themselves with no other option but to emigrate.

The general political situation and the conflict led to the demolition of a large number of Christian villages and to the displacement of thousands of Christians. In the early years of the conflict, for instance, the army demolished about 150 Christian villages and forced 30,000 Christians to leave their homes and resettle in Central and Southern Iraq.\textsuperscript{981} The government also retaliated against the Christians for their support of the Kurdish Movement by closing down all churches in the north and by arresting many bishops and members of the clergy.\textsuperscript{982} Those arrested were charged with cooperating with the “Kurdish Mutineers”, the government’s term of reference for the Kurdish Movement.

Developments such as these prompted the Christians to adopt various means of protecting themselves and their affairs from the conflicting forces that surrounded them. Christians who lived in areas directly affected by the conflict inclined toward the Kurdish Movement, a development which was perhaps inevitable, after the government had demolished their houses causing the majority of those affected to lose all faith in the CGI’s ability or desire to protect them. It is noteworthy that the majority of Iraqi political currents and parties, regardless of whether they backed the government or opposed it, ignored Iraq’s religious minorities in their political programs and partisan literature, which indicated that the minorities’ issues were marginal at best, if not irrelevant, in stark contrast to Arab nationalist issues.

Similar to other weak religious or ethnic minorities, the Christians attempted to protect themselves by supporting governments or political parties that were willing to defend them. As a result, when the government refused to lift a finger in their defense against the massacre of their people, they chose to side with government opposition, namely leftist political parties and the Kurdish Movement, in an effort to save their lives and protect their interests.

\textsuperscript{979} The National Guard Troops was a special forces unit which carried acts of persecution and assassination on behalf of the Ba’th Party. It was officially established in 1963. See: \textit{al-Waqāʾiʿ al-ʾIrāqiyya}, Vol. 809 datedd June 2, 1963.


\textsuperscript{981} Māṭrif (Bārmatī): \textit{Op. Cit.}, p. 169; Sinjārī: \textit{Al-Ḥaraka al-taharruriyya...}, p. 63.

\textsuperscript{982} They arrested the Chaldean priest, Pūliṣ Bīdārī al-Khūrī, for example, along with the bishop of the church of Zākhū, who was actually a member in the KRCC. The government also accused the patriarch, Raphael Shawrīz, the general president of the Christian monks of colluding with the “Kurdish mutineers”. See: Āfrām ʾĪsā al-Sannāfī: \textit{Azmina fī bilād ar-Rāfidayn} (Times in Mesopotamia). Duhok: PNI 2009, p. 224.
Contrary to the British Embassy Report of 1963 that refuted claims of discrimination and persecution of Christians in Iraq, another British document dated March 14, 1964,\textsuperscript{983} points out that all Iraqi governments in recent years tended to discriminate against Christians. In the past, some Iraqi Christians incurred odium for their co-operation with communist and other anti-government factions. The document also states that it was believed in certain circles in Baghdad that every Iraqi Christian was a Communist, and that members of the Party's Central Committee came from Christian families.

An analysis of this document’s content attests to the religious zeal of President ʿAbd al-Salām ʿĀrif\textsuperscript{9} as well as the prevalence among Iraqis and State services to brand all Christians as communists. During ʿĀrif’s reign in particular, this image of Christians became firmly engrained in the mentality of the Iraqi political, religious and national elites. It was this selfsame image that would be used to justify their targeting of Christians along with the series of executions that were inflicted upon the Christians in the 1960’s. These executions, following the arrests of some Christian allies of the Kurdish Movement, were intended to be a message from the government to Kurdish sympathizers within the Christian community. However, the public execution of six Christians in Mosul on the 2 or 3 of December 1963,\textsuperscript{984} backfired, politically, in that it engendered even more sympathy for the Kurdish Movement and strengthened their demands for protection and for the end of oppression.

In response to the surge in oppression of the Iraqi Christians, the Vatican sent a high-ranking papal delegation to Iraq in April 1964 headed by Monsignor Luciano Angeloni, to assess the situation of the Christians and their general welfare. The delegation met with the British ambassador in Baghdad. Monsignor Luciano Angeloni voiced concern about a number of Christian bishops and leaders who were politically active in Iraq, especially those related to the Kurdish Movement, who had been imprisoned, placed under house arrest or banished. In addition, the delegation touched upon the issue of the Christians' migration from northern Iraq.\textsuperscript{985} It is worth mentioning that the relentless conflict had forced many Christians to flee Iraq by then. In 1964 alone, about 2000 Iraqi Christians applied to Australia for political asylum.\textsuperscript{986} Similarly, the emigration of Iraqi Christians to the United States of America,


\textsuperscript{986} The Christian minorities in Iraq (mainly Assyrians, Chaldeans, and Armenians) were “now under similar pressure to the Jews and have grown progressively more apprehensive of their future in the country since early this year. In the past 6 months, some 2000 inquiries from Christians have been received at the consular sections about immigration (mainly as regards as Australia as it is generally believed among them that they have little prospect of being accepted for Canada at present). The nationalization laws of July 14, referred to above, have caused increased anxiety among Christians about their future employment in Iraq and resulted in a corresponding
Canada, and Australia increased significantly in 1966. This marked the beginning of a surge of systematic emigration of Christians from Iraq. It was the second such mass exodus of a religious minority from Iraq, the first being the displacement and emigration of the majority of Iraqi Jews in the 1950s. In essence, the fate of the Christians was more or less similar to that of the Jews, although the circumstances which surrounded their fate differed.

The attempt by the Vatican to intervene in Iraqi affairs was not one-sided. Indeed, the Iraqi government also intervened in the religious affairs of the Vatican. This became apparent within the context of a religious issue, namely, the decision of the Second Vatican Council (1962-65) to exonerate the Jews of responsibility for of the crucifixion of Christ. Although the Vatican’s decision was a doctrinal issue that related to the Roman Catholic Church’s internal politics and to its relations with other religions, this papal decision had direct effects on the lives of the Christians in Iraq.

The Iraqi reaction to this resolution was quite pronounced. The nearest approach to an official statement on the issue came in President ‘Ārif’, in a message of goodwill sent to the Pope during his flight over an Iraqi territory. In wishing his Holiness good health and a safe journey, ‘Ārif, with his customary brashness, went on to express the hope that the Pope would “reject the suspect decision to absolve the Jews from guilt over the blood of Christ”. From this statement, it is evident that the government, by utilizing the Vatican’s announcement of this resolution, tried to exploit the issue and sway public opinion among some non-Catholic Iraqi Christian churches to gain support among them.

‘Ārif emphasized that he was speaking in the name of all Arabs, Muslims and Christians alike. Editorial comments in the press on this issue strongly condemned the Second Vatican Council's decision to exonerate the Jews. The local press (Baghdad news) published letters and articles on December 4, 1964, from Iraqi Christians, as well as from the Assyrian Bishop of Baghdad (who, since his Church is not in union with Rome, had greater freedom to criticize the Vatican Council's decision).

Irrespective of the church’s distance from general political issues regarding the Iraqi State and of the fact that the Church had no direct relation to domestic Iraqi affairs, the government manipulated the issue in an effort to make sections of the Christian community side with it. Christian clergymen reacted publicly to the Second Vatican Council’s resolution, condemning it in Iraqi newspapers and Iraqi Christians, especially those living in Baghdad, also published

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988 Ibid, pp. 520-521.
990 Ibid, pp. 520, 522.
articles in condemnation of it in the national and local press, probably in an attempt to placate the government and its supporters and to prevent more hatred and discrimination at a time when the Christians in the Kurdish regions were at war with the CGI. It was probably an attempt, also, to convince the Muslim majority that Christians supported them in their nationalist aims. Furthermore, given that the Israeli-Arab conflict was ongoing and having witnessed Muslim hatred against the Jews in the recent past, appearing to condemn papal leniency towards the Jews was a pragmatic instrument of self-protection.

According to the Iraqi press in 1960, the country became the fourth Arab nation to have diplomatic relations with the Vatican. The establishment of relations came at a critical time for Christians in Iraq. Although there was a Jacobite (Syrian Orthodox) Minister in the Cabinet for the first time since before the revolution of 14th of July, 1958, tacit discrimination against the Christian community had undoubtedly increased in the civil service and in the armed forces. British documents show that, at that time, only eight ministerial Director-Generals from a total of some two hundred were Christian, with only two officers serving in the military with the rank of Brigadier or above. Christian members of the military were forced to retire rather than being promoted to higher rank. Only one Christian had ever been appointed to the position of Ambassador of Iraq. Because of the “glass ceiling” in all walks of life in Iraq, emigration by Iraqi Christians mostly to the United States, Canada, and Australia, increased dramatically. The British authorities predicted in 1966 that emigration would increase further if the Australian government was to go ahead as planned with relaxing its procedures vis-a-vis the emigration of Iraqis to Australia.

An incident of historical interest which significantly increased overall discrimination against the Christians and negatively impacted on their lives from the late 1960s onwards was the defection of the Iraqi Christian pilot, Munir Rūva from Baghdad to Tel Aviv, Israel, on August 16, 1966. After landing the MIG 21 fighter jet in which he had defected, a press conference was held in which Munir Rūva spoke openly of his motives for defecting to Israel.

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991 These events led to the suspension of diplomatic relations between Iraq and the Vatican. However, diplomatic relations between the two parties officially resumed in August 1966.

992 There has been an Apostolic Delegation in Baghdad since 1936, its head, the Latin Archbishop of Babylon. This office is held by Monseigneur Maurice Perrin. He is responsible not only for the Latin (Roman Catholic) community, but also for relations between Rome and the Eastern Catholic Churches in communion with it, such as the Chaldeans, Syrian Catholics, Armenian Catholics, Melchites (or Greek Catholics) and Moronites. At a conservative estimate, these communities constitute a total population of about 270,000. The communities not in communion with Rome probably number a further 105,000. F. O. No. 1786/3/66, a telegram from the British Embassy in Baghdad dated August, 27/1966, in: Rush and Priestland: Op. Cit., Vol. 15: 1963-1966, pp. 524, 525.


He complained bitterly about the religious discrimination he and other Christians faced in Iraq, adding that he felt Iraq was not his homeland. Subsequently, his family followed him to Israel, and he later applied to emigrate to the United States of America. In another press interview, Munīr Rūva stated that he decided to defect to the West “…because of the remorse and guilt he felt over attacking Kurdish villages with napalm bombs”. His defection increased the resentment and distrust in Iraq toward the Christian community within extreme nationalist circles in particular, and Christians soon came to be viewed as a permanent fifth column latent in the body politic. Despite the intelligence motives behind the incident, it goes without saying that it had a negative impact on the lives of Christians in general. Considered traitors by some nationalist political currents and by Iraqi Muslims in general, the Christians became stereotyped as traitors and were inextricably linked to the “Fifth Column” of the West, similar to the Jews in the past, who had been accused relentlessly of belonging to the Zionist Movement.

In the late 1960s, the issue of the Christians came to the surface again due to two important occurrences, the first of which was the Assyrian conference of April 13, 1968 in Pou-France, which saw the establishment of the Assyrian Universal Alliance (AUA), an organization which aimed to defend the rights of the Christian minority in Iraq and in other regions, a development which can be considered the beginning of the crystallization of Christian political thought in Iraq. The AUA also called for the establishment of an independent administrative region for the Christians in Iraq. A second incident occurred when a land mine caused a military truck to explode close to the Christian village of Ṣūriya, near Zākhū, in the Kurdistan region. Iraqi military forces retaliated by committing a massacre in the village on September 16th, 1969, which caused the death of about 47 Christians (among whom were men, women, and children) and severe injury to ten others.

These developments transformed the Christian elites in Iraq (especially those who dwelt in Kurdistan) into a political force that would create organizations and political movements peculiar to the Christian minority. Their goals were realized in the late 1970s with the

996 In 1988, an American movie was produced about this operation and the escape of the fighter. The movie was entitled “Steal the Sky.” It focused on the Christian origins of Munir Rufa. In it, the character of the pilot explains the oppression to which he was exposed as a Christian in an Islamic country, meaning Iraq.
1000 From the following link which was retrieved on February 4, 2016 from http://aua.net/a-brief-history/.
establishment of the Assyrian Democratic Movement (ADM) which implemented an armed struggle against the CGI and restored the Christian issue to the centre of Iraqi politics. The ADM demanded administrative and political rights and also took a stand against policies of discrimination.

Due to the historical importance of knowing the decrease of the rate of the Christians in Iraq, their number has been estimated below based on statistics available, and on other sources since the beginning of World War I until the 1970s as follows:

**Table 3.1** Shows the Christian Population in Iraq from 1914 to 2003

<table>
<thead>
<tr>
<th>Year</th>
<th>Thousands</th>
<th>Percentage of total population</th>
<th>Total population in Iraq</th>
</tr>
</thead>
<tbody>
<tr>
<td>1914</td>
<td>32,493</td>
<td>2.16</td>
<td>-*</td>
</tr>
<tr>
<td>1918</td>
<td>60,000</td>
<td>2.57</td>
<td>2,328,000</td>
</tr>
<tr>
<td>1934</td>
<td>97,000</td>
<td>2.86</td>
<td>3,380,533</td>
</tr>
<tr>
<td>1947</td>
<td>156,258</td>
<td>3.27</td>
<td>4,815,466</td>
</tr>
<tr>
<td>1957</td>
<td>204,226</td>
<td>3.24</td>
<td>6,298,976</td>
</tr>
<tr>
<td>1965</td>
<td>232,406</td>
<td>3.09</td>
<td>8,047,415</td>
</tr>
<tr>
<td>1992</td>
<td>-</td>
<td>1.4**</td>
<td>-*</td>
</tr>
<tr>
<td>1997-2003</td>
<td>750,000</td>
<td>0.81**</td>
<td>22,046,244</td>
</tr>
</tbody>
</table>

*information unavailable
**Source only provided in percentage

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1007 Some statistics indicate that today, the Christian population in Iraq totals between 750,000 and 800,000, but some observers feel that this figure is exaggerated, and that the real number does not exceed 599,000 because of the migration of Christian families from Iraq. See: Shak Hanish: “Autonomy for Ethnic Minorities in Iraq: The Chaldeo-Assyrian Case”, *Digest of Middle East Studies, DOMES*, Volume 20, Issue 2, Published by Wiley Periodicals, Inc, Fall 2011, p. 162.
1008 According to recent CIA reports (released since 2010) the Christian population in Iraq has halved since the American Occupation in 2003. It is thought that many have fled to neighboring countries such as Syria, Jordan, and the Lebanon. Retrieved on 13 August, 2016 from [https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html](https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html).
When looking at the statistics between 1957 and 1965, the clear decrease in the number of Christians contrasts with the growth rate of other groups in Iraq. The fall in the Christian population is also reflected in the number of those who emigrated. In other words, a minuscule growth rate is evident, in comparison with the growth of Muslims and the other minorities in an eight year period.

Several factors brought about the fall of the Christian population. Many died in the armed conflict between the CGI and the Kurdish Movement. Further deaths took place due to governmental manipulation which pitted the minorities against each other, especially in territories that overlapped, ethnographically. Internal displacement and general migration from the villages to the cities of Central and Southern Iraq as a result of violent conflict was commonplace. Many Christians moved to Baghdad, which contained approximately half of the entire Iraqi Christian population in 1965. Although internal migration and displacement does not account for a fall in population, emigration due to the general hostile circumstances in which the Christians found themselves, often followed. Statistics on the Christian villages which were demolished since 1963 also reflect the adverse circumstances that led many Christians to leave Iraq indefinitely. These villages were initally Arabized and subsequently underwent Kurdification. Both developments resulted in an Islamisation of these areas, meaning they were taken over by Kurdish Sunni and Arab Muslims which resulted in enforced demographic change and the loss of Christian property to these groups.

8.3 Yazidis: Between the Interior Political Developments and the Ethno-National Identity Conflicts

The political developments that took place before, during and after the ethno-national conflicts in Iraq raise very fundamental questions essential to the study of this crucial historical period. These developments as well as the conflicts themselves had direct repercussions on Iraqi society as a whole, on its minorities and on the Yazidi minority in particular. What factors and circumstances led to the Yazidi’s participation in these conflicts (on both the Arab and Kurdish side) and to their affiliation with a particular ethno-national identity? What repercussions did their choices have for Yazidi community as a whole?

In order to answer these questions from a historical perspective, the internal developments in Iraq must be considered. The causes and consequences of the conflicts, the division of the

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1010 For a comparison of the statistics for both years, see table 3.1.
1011 Over 4,000 Christians (Assyrian) and Kurdish villages were destroyed in the 1970s and 1980s. Some of the villagers were killed and others were relocated to Mujamma’at, or collective towns. See: Michiel Leezenberg: “political islam among the kurds”, in: Faleh a. Jabar (eds.): The Kurds Nationalism and Politics, p. 402.
Yazidi community into factions, and the emergence of ethno-national identities are also extremely pertinent to understanding the role of the Yazidi in this period of history and how that role changed Yazidi community and Yazidi identity.

8.3.1. The Role of the Yazidi Princely Family in Interior Developments

Despite the Yazidi refusal to completely submit to the laws and policies of the country (their revolts, movements, and mutinies during the Monarchy being examples of this refusal) they had never publicly gravitated towards any nationalist movement, be it Arab or Kurdish, in the past.1014

There were a variety of reasons for the Yazidi’s apparent lack of interest in the nationalist movements. One primary reason was that religion dominated nationalist discourse in Iraq. A clannish and tribal character also prevailed within the political and social movements. Belonging to a political party or organization was often an expression of loyalty to the clan or tribe of that party or to the organization’s president. None of the political ideologies espoused by these movements took significant hold among the Yazidi, meaning that membership was primarily a matter of personal decision. This remained the case until the Arab-Kurdish conflict in the 1960s before out, after which the question of the Yazidi ethnic identity became a matter of dispute.1015

As a result, the Yazidis’ political loyalty, participation or membership in any of the political parties in Iraq was strongly connected to loyalty to the clan or to religious leaders. The Yazidi community consisted mainly of illiterate peasants who had just begun to enter official schools in the Republican era; due to poverty and social isolation, no politically aware, educated Yazidi class existed. Thus, the loyalty of the Yazidis belonged to the prince (Mīr) and the spiritual council (Jivātā Rūḥānī).1016 This quasi-unconditional loyalty ensured that the decision of the prince would almost always garner the support of the majority of the Yazidi.

As for the participation of the Yazidi in the Kurdish Movement, in the early 1960s, the KDP approached the Yazidi prince, Mīr Taḥsīn Bag, and invited him to participate in a public

1014 In the 1930s, the Kurdish nationalist association in exile, Khūybūn, idealised Yazidism as the one true Kurdish religion. Khūybūn did not have prominent Yazidi members in its ranks, however. Some sources claim that Hājo Agha Havrkī, the chieftain of the Havrkan Kurdish tribe (and a Khūybūn member) was a Yazidi, but he was not openly so. See: Bruinessen: Nationalisme kurde..., pp. 23-24; also, for this case see: Nelida Fuccaro: Aspect of the Social and Political History of the Yazidi Enclave of Jabal Sinjar (Iraq) under the British Mandate, 1919-1932. Durham: Ph. D dissertation, Centre for Middle Eastern and Islamic Studies, University of Durham 1994, pp. 222-240.
1015 The question of Yazidi ethnic identity did not exist at the time, but later became a matter of dispute, especially after 2003.
1016 It is well known in the Yazidi tradition that the prince holds supreme power over what is known as the Yazidi Millat (meaning princedom) in Iraq and the world. Furthermore, he is the supreme worldly and religious authority of the Yazidi. He is the president of the spiritual council and is responsible for the temple of Lalish and its management.
conference of the Kurdish Movement in Kūya-Sinjaq District from 18th to 22nd of March, 1963. This can be regarded as the first official political connection between the Yazidis and the Kurdish Movement. Until that very date, the Yazidi did not resort to the ‘minority game’ in the conflicts, rather, the minority as a whole tried to preserve equilibrium in its relations with all the parties in order to preserve itself.

The Yazidi princely family chartered a political course that can be described as a delicate balancing act designed to protect its people, as the regions in which the minority dwelled seemed poised to become a battleground between the government forces and the Kurdish Movement. To that end, loyalties had been distributed from inside the princely family among these parties. Khayrī Bag became part of the Kurdish Movement, and Mīr Taḥṣīn Bag adopted contrasting and wavering stands between the central authority and the Kurdish movement to preserve the affairs of the Yazidis as a minority. Consequently, after negotiations collapsed and armed conflict broke out in June 1963, Mīr Taḥṣīn Bag released a statement, demanding all those in the Yazidi villages in the region of Walāt-Shaykh (Shaykhān) which had become a battleground, to move to the town of Bāʿadra (where the Yazidi Prince resided), and those who lived in the town of Shaykhān, which was not affected by the conflict, to stay there.

It is worth mentioning that after the conflict broke out, the Iraqi Army collaborated with the Syrian Army on a military campaign in Christian and Yazidi regions between Duhok and Mosul (Nineveh Plain) in the summer of 1963. Much looting took place and many villages in the region were incinerated by the campaign. To protect them, Mīr Taḥṣīn Bag requested that the Yazidis evacuate their areas and gather in the town of Bāʿadra and Shaykhān.

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1018 Here, the term “minority game” means the phenomenon whereby a minority sides with the strong party against the weak one in major conflict, in order to secure its interests and protect itself.

1019 Khayrī Bag joined the Kurdish Movement several times. He left it due to developments in the course of the conflicts. The Kurdish Democratic Party KDP elected him as representative of the Yazidi in the parliament of Kurdistan which was established after the elections of 1992. He died in 1997.

1020 From an interview with Mīr Taḥṣīn Bag, in Hannover, Germany, on June 10, 2016.

1021 Because of their geographical location, the villages of Walāt (Shaykhān) became the battleground for the armed conflict between the government and the Kurds. The Yazidis of Sinjar, on the other hand, were not asked by the prince to leave, because it was located far from the conflict and did not become a center of power for the Kurdish Movement.


1023 From an interview with Taḥṣīn Bag, in Hannover, Germany on June 10, 2016.
The Yazidis’ withdrawal from their villages drew the attention of the official institutions of the country and on 12 September 1963, the police center of Duhok instructed all security and administrative centers to investigate why the Yazidi had left the area. In addition, the police directorate of Mosul requested the Iraqi Army to clarify the situation. By doing so, the province of Mosul made the issue a military matter. The Army replied that the Yazidi’s departure had been carried out with their approval and was intended as a temporary measure until the situation stabilized.

Yazidi involvement in this conflict was primarily limited to a number of individuals who had already become member of the Kurdish Movement in response to the outbreak of violence in 1961 and again in June 1963. From the available official Iraqi documents, it can be deduced that, after the Yazidi began joining the Kurdish Movement, the CGI began searching for a way to sway opinion among the Yazidi in their favour.

The first measure the government took was to order the arrest of Khayrī Saʿīd Bag of the Yazidi princely family, brother of Mīr Taḥsīn Bag, who was charged with looting and murder in the revolt of Shawwāf in 1959. However, the military ruler of Mosul decided to end the legal proceedings against Khayrī Bag and he was released on bail on 10 June, 1963. Iraqi classified documents denote that his release was “according to the necessity of the common good [maslaha āma]” meaning that the CGI needed to keep the Yazidi clans from siding with the Kurds.

The Armed Kurdish Movement began in June 1963. According to official documents, soon after, the CGI swayed about 500 Yazidi (who had previously been members of the Kurdish Movement) in their favour. These 500 men were then registered in the CGI military units of Fursān (the knights or cavalry division). From this document, it is apparent that the government planned and relatively succeeded in either separating the Yazidis from the Kurdish Movement or gaining them as allies by imprisoning and then releasing the brother of the Yazidi prince. In other words, they were not convinced of the participation of Khayrī Bag in the looting and killing during the Shawwāf Revolt. CGI official documents illustrate that no

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1024 Mosul Documents Center (M.D.C.): Qāʾīmaqāmiyat of Duhok (the Subprefecture or administrative district of Duhok), No.92/Q.S. dated 14 September, 1963, to the Province of Mosul-al-Taḥrīr (top secret). Issue: The Immigration of the Yazidis, doc. 1, p. 1.
1028 The resolution of abolition was numbered 27/2864, see: M.D.C.: The Ministry of Defense, the place of the general military ruler, No.19/1382, dated 4 July, 1964 (clandestine and personal), to the Third Customary Military Council. Issue: Ilghāʾ waqīf al-tajāwazāt aql qānūniyya (the Abolition of the Stopping of Legal Tracings), doc. 3, p. 7.
evidence was presented by the prosecution (meaning, the State) to convict him. The opening of the case coincided with the failure of the negotiations between them and the Kurdish Movement and the case was used as a political means to manipulate and usurp the Yazidis for military ends, by making the CGI appear lenient towards the Yazidis.

In his book about the conflict of this period, *Masʿūd Bārzānī*, accused the Yazidis and some Kurdish Muslim groups (the Knights of Ṣalāḥ ad-Dīn al-Ayyūbī) of having aided the Iraqi Army against the Kurdish Movement in the armed conflict on July 13, 1963. However, the information circulated by Barzani (in a note which states) that all the Yazidis sided with the central government was an exaggeration. It also contradicted information in Iraqi official documents which specify that no more than 500 fighters sided with the government at that time. Those same documents also point out Khayrī Beg’s unwavering and uninterrupted support of the Kurdish Movement.

After the government had achieved military victory over the Kurds, temporary stability existed in northern Iraq. Then, the leadership of the first division of the Iraqi Army decided to retry Khayrī Bag claiming that he and the Yazidi princely family had engaged in clandestine meetings with the Kurds, on 4th July, 1964. A warrant for Khayrī Bag’s arrest was issued and the Iraqi police began searching for him. After searching Bāʿadhra and Shaykhān, they ascertained that he had left the town of Bāʿdra on 6th July, 1964 for an unknown destination. Most probably, he joined the Kurdish Movement.

Other close members of the princely family were also put under police surveillance. One classified police report states that, on 7th August, 1964, Fārūq Bag, (a second brother of Mīr Taḥsīn Bag), visited the field commander of the Kurdish Peshmerga (military forces) in Shaykhān, Ḥasū Mīrkhān, who resided in the village of Bisiri which is about 10 Kilometers north of the city of Duhok. This is evidence of the strategy of the princely family (the House of the Yazidi Princedom) at that time, which was to maintain diplomatic relations with both the CGI and the Kurdish Movement.

Official State documents of the period bring two crucial issues regarding the Yazidi to light. The first issue was the recurrence of internal dispute within the Mīr family. The second concerned the national and ethnic identity of the Yazidis, with the emergence of the concept

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1032 This is according to resolution No.13/963 in a secret letter, (report) No. 14/11 dated 1 June, 1964, in: M.D.C.: Republic of Iraq, Ministry of Defense, the military governor’s residence, No. 19/1382, Date: July 4, 1964 (secret and personal), to the customary military junta. Subject: Stop the legal tracks, doc. No. 3, p. 7.
1035 An interview with, Taḥsīn Bag, in Hannover (Germany) on 10 June, 2016.
of the Yazidi as (Arab) Umayyads, a notion that was previously unheard of, in Iraq. Both the division within the princely family as well as the controversy within Yazidi community about their ethnic heritage caused long-term internal conflicts within the minority.

Yazidi affairs remained relatively stable during the reign of ‘Abd al-Karim Qasim. However, the feud between the children of Ismā’īl Bag and Prince Mīr Taḥṣīn Bag reemerged during the era of ‘Abd al-Salām ‘Ārif. The feud then took on a political dimension, especially after ‘Ārif’s connection to the Kurdish Movement. Because of the politics in Iraq, therefore, the two brothers Muʾāwiya and Bāyazīd became active in two different fields. Muʾāwiya demanded their rights to the income and the privileges of the princely family and his brother, Bāyazīd, presented himself as founder of a Yazidi political movement, the first such movement in the history of the Iraqi Yazidis.

The question should be raised, however, as to why the feud was rekindled at this time and why it evolved into such a multi-faceted affair. Most importantly, Bāyazīd’s movement, which adopted a political dimension, resulted in an identity and national affiliation among the Yazidis that continues to affect events to date. It remains uncertain whether the Iraqi government and its institutions had a role in inciting the disparaging politics of the two princes or whether they were merely motivated by personal interests.

Muʾāwiya, who called himself Mīr Muʾāwiya al-Umayyad, began his political activities by submitting a petition for an inquiry to the authorities, claiming that Khayrī Bag, the brother of Taḥṣīn Bag, had been released from prison by unlawful means (meaning with bribes). The leadership of the first division of the Iraqi Army denied the allegations of Muʾāwiya al-Umayyad and claimed that Khayrī Bag had been released to gain Yazidi support for the CGI. The army also claimed that he was released on bail estimated at 3000 Dinar, showing that “the picture which had been drawn by the petitioner, Muʾāwiya al-Umayyad in his petition and the way in which it claims that he [Khayrī Bag] was released were invalid. Deep, long-standing grudges between the two parties existed”.

Although government documents dating from 1964 reflect Muʾāwiya al-Umayyad’s allegations, they do not confirm nor deny his claims; the matter remains unclear to date. Similarly, it remains a contentious issue within the princely family.

Muʾāwiya’s efforts did not end there. He continued to request the temple of Lalish and its financial income. He submitted a letter to the Iraqi Ministry of Endowments, accusing Mīr Taḥṣīn of corruption. He also demanded that the Directorate of Endowments seize the temple’s endowments and that responsibility for spending the monies be placed in the hands of an advisory committee made up of Yazidi members. In addition, he called for a general examination of the temple, to ensure that the necessary repairs were made. Muʾāwiya also

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1036 M.D.C. the leadership of the first division, No. A.S/146, dated 26/5/1964, (top secret and personal), to the general military ruler. Issue: The Suspect Khayrī Saʿīd, doc. 3, p. 6. There were disputes, but these were limited and did not develop into grudges and enmity between the two parties.
claimed that the income which Taḥsīn Bag annually received was no less than 16,000 Iraqi Dinar (about the equivalent of about 60 thousand US dollars, according to the value of the Iraqi currency at that time) and that he had been spending it in a manner which was repugnant to the Yazidi religion. He requested that twelve Yazidi leaders and eleven members of the princely family be summoned for questioning by the Provincial Governor of Mosul. He also demanded a statement on the income of the temple between 1940 and 1964.1037

After investigating the issue, the General Directorate of Endowments agreed that it is sufficient that Taḥsīn Bag presents a statement of the income to the Directorate of Endowments and receipts that show that the money was spent on the temple.1038 Although the Directorate of Endowments had previously closed the case via administrative resolution in 1955, the fact that it was reopened can be explained as follows. Either Muʿāwiya took advantage of the political situation for his personal interest, or he was pushed by pro-CGI interests to take legal proceedings against Mīr Taḥsīn Bag which in turn, would mean the leader could be coerced into supporting government opposition to the Kurdish movement. The case could also have been used as an instrument for making the Yazidi leader discourage or forbid his people from joining the Armed Kurdish Movement. Such manipulation of the princely family to weaken Yazidi support for the Kurdish cause became evident later, when the government used the arrest and subsequent release of Khayrī Bag to this end.

The existence of a political party behind Prince Muʿāwiya’s actions is indicated in official documents which state that Muʿāwiya al-Umawī was granted authority to establish a light military unit and that the government provided him with weapons to aid the army,1039 similar to the units of the Knights of Ṣalāḥ ad-Dīn al-Ayyūbī of the Kurdish clans and the Knights of al-Walid for the Arab clans, which were deployed in battle in the Kurdish region. Thus, it is obvious that the establishment of the Yazidi militias was driven by the government and not by political factions within Yazidi community.

8.3.1.2 The “Arab Call” and the idea of the Yazidi Umayyads

The Arab Call (al-Daʿwa al-Arabiya) came from Bāyazīd Ismāʿīl, who referred to himself as Prince Mīr Bāyazīd al-ʿUmawī (the Umayyad), and declared that the Yazidis ethnic heritage is Arab Umayyad. This theory is considered one of the paradoxes in the history of the Yazidis in contemporary Iraq, because, in one way or another, it coloured the general and the elitist opinion in Iraq about the religious and national affiliations of the Yazidis. The theory also became the grounds upon which the CGI involved the Yazidi in internal conflicts.

1039 M.D.C. the Leadership of the Fourth Division (general staff), No.33/1548, dated 7 November, 1964, (clandestine), to the general military ruler. Issue: A Questionnaire, doc. 10, p. 34.
After he established his movement, Bāyazīd submitted an official request on October 18, 1964 to the Iraqi president, ʿAbd al-Salām ʿĀrif and to the Egyptian President Jamāl ʿAbd al- Nāṣir. In it, he requested support for his movement and he called for the pan-Arabism of the Umayyads to reinstate the Yazidis to their Arab ethno-nationality. Given the importance of this historical document, it will be analyzed here in detail and considered with respect to the circumstances of the movement and its political dimensions.

“The tribes of the Yazidi Umayyads were known by the Yazidi community, and ignorance reached an extent that it was about to lose its Arab character. I started the Arab Call in these isolated tribes (which lost their Arab identity), and I gave them the name of their Umayyad ancestors, who brought al-Andalus as a territory to our Arab World. I collected the Umayyad volunteers in 1956 to assist our Egyptian brothers on the day of the vicious tripartite assault on the Suez Canal, and the authorities did not allow us [to fight alongside them] then. A library for the Arab Movement had been established in Baghdad, which achieved the following:

1. It brought back three Yazidi tribes to their ancient Arab origin which are:
   a. The Tribe of al-Haskān-whose president was Shaykh Khalaf al-Nāṣir.
   b. The Tribe of al-Qayrān-whose president was Shaykh Ismāʿīl al-Khiḍr.
   c. The Tribe of Banī Khālid-whose president was Samīr Āghā Rasu Qūlū.

2. It presented the Arab identity of the Umayyads and defined their ancient Arab origin, and raised the national awareness in our tribes which spread from the north of Mosul to the city of Aleppo in the Northern province [Syria].

3. It thwarted the attempts to make the Umayyad clans to join a specific side (non-Arab) and closed the offices of propaganda which were working against the Arab nationality in the regions of Shaykhān and Sinjar.

4. We presented the Umayyad fighters to support our dauntless army in clearing up the north, gave martyrs and made the enemies lose twice as much. We also exterminated every activity against Arab nationality through the Umayyad regions connecting the north of Iraq with the Northern Province. In addition, our Arab Call is based on a principle and belief in the establishment of an Arab community that believes in unity, freedom, and socialism. We also prepared the Umayyad clans for national duties, exterminating the colonizers, supporting the Arab armies to wipe off Israel

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1040 Suez Canal Crisis also named “Tripartite Aggression” by Arabs countries.
1041 The role of some of these Yazidi leaders will be examined in brief herein within the context of the Yazidi revolt against the central government in Sinjar from 1963 to 1966.
1042 This seems to be a reference to the Kurds, because summoning of the Yazidis began after the Kurdish Armed Movement opened offices and organizational centers in the Yazidi regions (especially in Shaykhān) and circulated propaganda about the Yazidi’s affiliation to the Kurdish ethnic group. A number of the Yazidis joined them.
1043 The term “Arab unity” here harmonises with the aspirations and the slogans of the Arab rightist national currents and parties in the Arab World, especially the slogans of the Ba’th Party and the Nasserists in reference to their project of Arab Union.
from the Arab map in the Day of Resurrection and making the Umayyad tribes an Arab force in the north of the Arab World as a symbol for the first union and knights for the greater union. During the three liberal revolts, we achieved great success and advancement, which held promise for the national goals in those regions and for support in the ignorant social milieu. Our national responsibilities as Umayyads became binding after we had brought three tribes to Arabism.

As the [fate of the Yazidi] is central to the future of the country and to the steadfastness of our future Arab generations, it is imperative that [those in power] provide support for the return of two hundred thousand Umayyad citizens (whose Arabism is lost) to their Umayyad nationality and their ancient Arab origin. (Signed:) Bāyazīd al-Umawīʾ, Founder of the Arab Movement for the Umayyads.1044

It is obvious from the text of this document that it was written during a period when Iraq was experiencing great changes in the consolidation of national identities, Arab and Kurdish alike. Notably, this was the first time in Iraq that the issue of the relationship of the Yazidis to the ethno-national identity of the two larger groups was raised.

Despite the scarcity of evidence about the involvement of governmental institutions in supporting this movement, whether there were personal interests involved in it, or whether it was caused by specific political parties, the opportune timing of the declaration betrays cunning and intelligence, as the post-coup period of 1963 was a period of conflict and nationalism. Moreover, the declaration was in line with the aspirations of the national movements in the region, whether in the Arab countries which were calling for Arab national unity or the Kurdish, which called for political autonomy. In addition, the request mentions historical events such as the Umayyad in al-Andalus (the Iberian peninsula), which indicates that its author had abundant knowledge of Islamic and Arab history and of the various political developments and conflicts in Iraq and the region.1045

Personal motives cannot be outruled in the dispute over within the princely family, especially as Bāyazīd came to be known by his de facto position as Prince. However, at the same time, it cannot be set denied that political currents may have encouraged Bāyazīd to take this position, particularly the Arab national current.1046 These currents negotiated with the Kurdish

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1044 Bāyazīd al-ʾUmawī Prince of the Yazidi Umayyads: To the Reverend Mr. President of the Republic and Through the Reverend Minister of the Interior, Subject: Supporting the Arab Call in the Yazidi Umayyads. Date: 18 October, 1964. See the original text of the document in Appendices, figure 2. 8 and its translation, figure 2. 10.

1045 It seems that Bāyazīd’s request was specially aimed at Sunni Arab nationalists, since the Umayyads had a very bad reputation among the Shiʿī. In Iraq, the Umayyad view of history was a very controversial public issue, which reached a highpoint with the Nusuli affair in the late 1920s. On the discussions among Arab authors about the Umayyads and the Nusuli affair cf. Werner Ende: Arabische Nation und islamische Geschichte. Die Umayyaden im Urteil arabischer Autoren des 20. Jahrhunderts. Wiesbaden 1977. pp. 132-145.

1046 A Kurdish researcher states that after the increase in the Kurdish political activity in Sinjar, the Iraqi authorities started thinking seriously about Arabizing the region and undermining KDP control in the region.
Movement during the post-coup period, and discussed granting a kind of self-rule for the Kurds, which meant that the future of the Yazidi regions might be taken into consideration in future negotiations. Therefore, many Arab authors who wrote about the origin of the Yazidi followed the Arabic and Islamic ideology regarding the Yazidi religion and reported that Yazidis were Muslims. Later, they would claim that the Yazidi had broken away from Islam and that they are therefore an apostate group.

In order to advance the crystallization of the idea of the Yazidi Umayyad Movement, a number of Arab writers in Iraq circulated books and articles in which they adopted the Islamic and Arab ideological line in dealing with the Yazidi religion, deriving the name of the community from the Umayyad Caliph Yazīd ibn Mu‘āwiya and tracing it back to the Umayyad Shaykh ʿAdī ibn Musāfir. They came to the conclusion that the Yazidis were Muslims who joined an apostate group and split away from Islam. The works of these writers (Aḥmad Taymūr Pāshā, ʿAbbās al-ʿAzzāwī, ʿAbd al-Razzāq al-Ḥasanī, and Ṣadīq al-Damalūjī),1048 were used by some political parties in Iraq to “bring the Yazidi back to Islam and Arabism”. Consequently, the Umayyad idea adopted by the Prince Bāyazīd and Prince Muʿāwiya may have been influenced by the writings of these Arab writers, especially since they were the first printed (and broadly circulated) Arabic books on the Yazidis.

Bāyazīd’s petition was transferred to the Iraqi Ministry of Defense and to the General Military Ruler for consideration. The ministry sent the petition to the province of Mosul and the leader of the Fourth Division of the Iraqi Army, requesting a statement on its content and a second statement on their own proposals regarding Bāyazīd’s movement.1049 The leadership of the Fourth Division replied as follows:

Hereinafter we will see in Yazīdkhān Bag al-Yazīdī [i.e. Bāyazīd] the person, which is the subject of research of your above-mentioned writing. So please consider the following:

1. The person referred to [Bāyazīd] is wily, and the reason behind presenting this petition is to gain the sympathy of the government and its officials.

They appointed Bāyazīd to this end to deny his Kurdish origin and claim that the Yazidis are Arabs and Umayyads. Bāyazīd received financial support from President ʿAbd al-Salām to finance his activity. See: ʿAbd al-Fattāḥ ʿAlī Yaḥyā al-Būtānī: Wathāʾiq ʿan al-Ḥaraka al-Qawmiyya al-Kurdiyya al-Tahārriyya Mulla ʿAbd al-Tarīkhīya wa Dirāsāt Awaliyya (Documents on the Kurdish Liberal National Movement: Historical Notes and Preliminary Studies). Erbil: Mūkryānī Instituti for Publication 2001, p. 444.

1047 Most Arab writers stated that the Yazidi are an Islamic group that belongs to the Umayyad Yazīd ibn Muʿāwiya and the Umayyad Sheikh ʿAdī ibn Musāfir. See for example: Pāshā: Op. Cit., p. 45; ʿAzzāwī: Tārīkh al-Yazīdiyya..., pp. 7-8, 81-82; Ḥasanī: al-Yazīdīyyūn..., p. 20; and Damalūjī: al-Yazīdiyya..., pp. 73-114, 164-179.

1048 See: Ibid.

1049 M.D.C.: The Ministry of Defense, the general military ruler, No.10777, dated 5 November, 1964, to the province of Mosul and the leader of the fourth division, doc. 10, p. 32.

1050 M.D.C.: The Leadership of the Fourth Division (the general staff), No. A.S/33/1548, dated 7 November, 1964 (clandestine), to the general military ruler. Issue: A Questionnaire, doc. 10, p. 34.
2. He is the brother of Muʿāwiya al-Umawī, who misused government weapons he received when he joined the first light unit of the army.\textsuperscript{1051}

The Province of Mosul supported the reply of the Fourth Division leadership. In addition, one leader noted that “[Bāyazīd al-Umawī] is competing over the leadership of the Yazidi community”.\textsuperscript{1052} This means that they established a connection between his movement and his personal ambitions for leadership.

A dismissive reply from the leader of the army division and the Governor of Mosul Province containing allegations against Bāyazīd saw him submit his petition anew to the President of Egypt, Jamāl ʿAbd al-Nāṣir,\textsuperscript{1053} and to the Iraqi President ʿAbd al-Salām ʿĀrif in an effort to gain support for his movement.

In response to the petition, the Secret Intelligence Directorate in the Iraqi Ministry of the Interior had reports drawn up on it and presented proposals to aid Bāyazīd’s movement. However, Mosul reaffirmed its opposition in its reply to the Ministry of the Interior and Secret Intelligence.\textsuperscript{1054} Investigations were carried out by the governors to acquire more information on the matter. The chief of the Sinjar District presented a report, based on the information gathered from their special sources, showing that the Yazidis “do not trust this person or even his brother at any time”. It further stated that he [Bāyazīd] used his religious duties to further the Arabization of the Yazidi. It also claimed that there was no support for his request in the Yazidi milieu and that all the Yazidis consider what Bāyazīd was doing as a kind of disloyalty to the Yazidi beliefs to which they adhere. The report concluded by describing all the Yazidis as follows: “they [the Yazidis] are like chameleons; they change their colours to go with the flow,”\textsuperscript{1055} in other words, they change their attitudes according to the political developments and circumstances. There is an element of truth to this analysis, since their political attitudes were constantly changing in an effort to protect their interests and their safety as a minority.

\textsuperscript{1051} In the same year, when the government equipped Muʿāwiya’s military unit with weapons, the latter sold those weapons and escaped to Turkey. From an interview with Ḥarbī Muʿāwiya (the son of Muʿāwiya) in Erbil on 14 December, 2016.

\textsuperscript{1052} M.D.C.: The Province of Mosul, No. Q.S/2618, dated 12 November, 1964 (clandestine), to the general military staff. Issue: \textit{A Statement of Reading…}, doc. 10, p. 35.

\textsuperscript{1053} A hand-written document signed by Bāyazīd al-ʿUmawī. It is addressed to the Egyptian and the Iraqi presidents. It is similar in content to the previous document, with some differences in the expressions used, and dates back to 7 November, 1964, doc. 12, p. 42. For more details about the text of these documents, see the Arabic translated text in: Appendices, Figure 2.9.


In addition, the detailed report\textsuperscript{1056} of Qāʾīmaqāmīyat\textsuperscript{1057} (Subprefecture) of Sinjar stated that:

1. The petitioner [Bāyazīd] or any of his people [the Yazidis] did not offer martyrs to ensure the Arabization of Iraq. They did not even organize any movement, Arab, liberal, national whose aim is unity.
2. The Yazidis, who Bāyazīd claims to be his supporters, did not volunteer to join the army and mix with the Arab masses who believe in unity, freedom, and socialism. The petitioner has no clannish or religious position that enables him to mix the Yazidi with the Arab National Movement. He represents merely a negligible number. The small number who joined the knights with his brother Muʿāwiya Ismāʾīl Bag did so for financial reasons and to escape the charges [Military and financial].
3. We are not sure whether the petitioner has any temporal or religious responsibility in this region [Sinjar].\textsuperscript{1058}

Some facts can be deduced from the security reports as follows:

1. The official institutions of the country such as the Ministry of the Interior and the local administrations had no prior knowledge of Bāyazīd’s political actions, which precludes that these institutions played a role in the formation of this movement.
2. It is interesting to note that all of the Yazidis kept away from any Arab-nationalist activity until the date of signing the report (1964), which suggests that these reports were written in Sinjar, the largest Yazidi center in Iraq.
3. Although the report confirms that the brothers Bāyazīd and Muʿāwiya had no religious or worldly responsibility in Sinjar or even in the Yazidi milieu, they did actually have some support from the leaders of the clans in Sinjar who backed their movement and activities. The majority of those who joined al-Fursān (the Knights unit) of the army, headed by Muʿāwiya, were from Sinjar.

After these reports have been submitted by the Province of Mosul to the Secret Intelligence Directorate in the Ministry of the Interior,\textsuperscript{1059} doubt was cast over Bāyazīd’s petition and his purported call for the Arabization of the Yazidis, which brought the Ministry of the Interior to consider the evidence surrounding the issue. This led to unprecedented large-scale secret investigations on the Yazidi which were carried out by the State into the origins and the ethno-national identity of the Yazidi.

\textsuperscript{1057} Qāʾīmaqāmīyat is an Ottoman term that refers in Iraq to the subprefectures or administrative districts of governorate; the Qāʾīmaqām is the District Chief of the subprefecture.
8.3.2. Investigating the Origin of the Yazidis and their Ethno-National Identity

The Yazidi Umayyad Call led the Iraqi government to commence investigations into the identity of the Yazidi. The investigations commenced in 1965 after Bāyazid’s second (and last) petition and lasted until the end of 1966. Consequently, (and despite conflicting information), the Yazidis were deemed Arab by the authorities, a historical precedent which formed the basis of subsequent government policy on the Yazidi.

The Ministry of the Interior\(^{1060}\) submitted a request to the Mudīrīyat al-tasjīl w-al-ahwāl al-ʿama (Directorate of the Registration of General Status)\(^{1061}\) to investigate the origin of the nationality of the Yazidis. The latter directorate requested all the districts where the Yazidis were located to question the chieftains of the Yazidis in Iraq about their ethno-nationality. It stated that:

“due to the necessity of pausing at the origin of the nationality of the Yazidi, who dwell at many places in your province [Mosul], we ask you to make the necessary calls to heads of this ṭāʾifa to establish the facts and to deeply scrutinize this special subject, to assert the reality of the nationality to which the Yazidi belong, to confirm that it is such and to inform us of the results of your investigations along with your additional consideration, as soon as possible”.\(^ {1062}\)

The official request was presented to the following districts of Summayl, Sinjar, Shaykhān and Zākhū.\(^ {1063}\) Thereafter, each province presented its report about the investigations independently. Despite significant information mentioned in these reports, they contained paradoxical information regarding the origin and the national affiliation of the Yazidis.

In the report of Duhok, from the letter of Summayl, it is stated that:

“Based on our contact with the Yazidis, and according to our indirect inquiries to some leaders, we have reached the conclusion that the Yazidis (in Iraq) are Arabs [this means that the Yazidi ethno-nationality is Arab], and that the traditions and the inclinations of the majority of its subjects reflect Arab traditions. However, their identity mixed with the Kurds because of their close proximity to them, similar to the Arab Muslims or Arab Christians. The Yazidiyya is no more than a belief, but the nationality is Arab and that is based on much evidence. As a result, we wish to


\(^{1061}\) This is a state institution. The function of it is to grant citizenship status to Iraqi citizens. It also has security functions.


mention that Shaykh ʿAdī is an Arab and Umayyad and that the Yazidis imitate this Shaykh in everything and embrace his principles. Also, Shaykh Shams ad-Dīn and Shaykh Muḥammad1064 and before them, their ancestor, Shaykh ʿAdī is the Umayyad and Yazīd ibn Muʿāwiya; is an Arab Qurayshi. From what we have heard from some of the chieftains of the Yazīdi ṭāʾifa of the province [of Summayl], as well as the fact that history mentions that they are Arabs, there is also evidence…that the Yazidis were travelers [nomads], therefore, we can deduce that they are not Kurds”.

The report concluded that:

“from our observations, we can absolutely be certain that the Yazidis, in their origin, and until this day, display Arab characteristics in their traditions in food, costumes [traditional clothing] and other things. Since they are a minority (this is the situation of the minorities) some of them may divert from the traditions of Arabs in eating habits and due to the duality of the language and their proximity to the Kurdish region”.1065

In the report by the Chief of the District of Zākhū, the Arab origin of the Yazidi is also confirmed. It stated that:

“The history of the Yazidi dates back to the early 5th century A.H., to the Umayyad Shaykh ʿAdī bin Musāfir, whose pedigree goes back to Marwān bin al-Ḥakam who

1064 There are several shrines to Shaykh-Shams or Sh-i-shmis (as pronounced by the Yazidi) in the Yazidi regions. He is considered the God of the Sun in Yazidi belief. During sunrise and sunset, the Yazidis mention him in their prayers. A number of shrines to Shaykh Maḥmād, or Sh-i-mahmā, (as pronounced by the Yazidis) are also located in various Yazidi regions.


moved away from the mountain of Hakkārī at first to Shaykhān, and then to Lalish, where he was buried in 555 AH [1161 CE]. In addition, the Yazidis remained loyal to him and the people of that region and those in Sinjar imitated him. Based on our inquiries made with some chieftains of the Yazidis such as Shaykh Saʿīd Shaykh Ḥiḍr, the current chieftain of Sinjar [1966], and other Shaykhs, we have come to the conclusion that the Yazidis are Arabs that adhere to Arab traditions in relation to food and costumes, except for a small number of them who are similar to Kurds”.1067

While the report of Shaykhān mentioned completely different and paradoxical information about the reports of the other provinces, the most significant was the following:

“When carrying out the investigations and the personal meetings with some leaders of the Yazids that dwell the region of our province, especially Taḥṣīn Saʿīd, the general leader of the tāʿifa and its prince, and the Bāba-Shaykh, the religious head of the Yazidis and when enlarging upon the subject, based on what they have said, we note that the origin of the community is in the Kurdish regions of Northern Iraq. Thus, the nationality of its members is considered Kurdish. This also applies to those who dwell in the north of Iraq currently and those who have left Iraq to other countries. The Shaykhs of this community whose shrines are scattered throughout several villages of Shaykhān and others, such as Shaykh Shamas, ʿAbdī-Rash and Pīr-Khūshābā are considered the Shaykhs of the community in past eras (by the Yazidi people). Similarly, the immigration of Shaykh ʿAdī, who is the Umayyad ʿAdī Bin Musāfir, from Damascus to Iraq hundreds of years and his residency in the north of Iraq, where the shrine of the Valley of Lalish is located within the district of this province, did not change the reality that the adherents of Yazidiyya basically belong to the Kurdish ethno-nationality. The devoutness and the character of Shaykh ʿAdī enabled him to dominate the followers of the community and the aforementioned Shaykhs before him were guarded and glorified by him. They also consider ʿAdī bin Musāfir one of the successors of Yazīd ibn Muʿāwiyya and his followers, the latter being considered one of the guardians of Allah. This is what we found out from Bāba Shaykh in person. In addition, the religious leader informed us that the Yazidis who originated abroad, especially in Damascus, during the Umayyad Era are originally Arabs. This concerns the (ethno-nationality of the community), whereas in regard to religion, the aforementioned tāʿīfa has its own special rites and traditions. In addition, they are divided into a number of castes [Shaykh, Pir and Murid]; each has its own code of

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social behavior, such as the prohibition of marriage between members of different castes.”

Despite the vast amount of information in the reports about Yazidi national identity, some were based on Yazidi religious figures, and on tracing their origins to the Arabs and the Umayyad. Accordingly, they asserted that the Yazidi heritage is Arab. However, the last report (the report of Shaykhān) contradicts the others, in that it denies that the Yazidis in Iraq are Arabs, proclaiming that they are Kurdish. Nevertheless, based on the words of Bāba-Shaykh who stated that some Yazidis originated from abroad, (particularly from Damascus during the Umayyad Era) it can be concluded that they are originally Arabs. Bāba-Shaykh is mistaken, however. The Yazidis in Turkey and Syria are similar to the Yazidis of Iraq in that they all speak Kurmānjī. Bāba-Shaykh may have meant that the Yazidis who speak Baḥzāni Arabic (which means they are non-Kurmanjī speakers), are Arabs. He may have used language to determine national identity. If so, what he says is true: There are Yazidis in the towns of Baʾshīqa and Baḥzāni who do not speak Kurmānjī Kurdish, rather, they speak a special accent that is close to the dialects of Levantine Arabic. They may have been the Yazidis to whom Bāba Shaykh referred and may be considered of Arab origin.

It is worth mentioning that during the transfer of a copy of the letter which accompanied the last report to the Ministry of the Interior by the Province of Mosul, the administration gave its opinion and contradicted the outcome of its inquiry, by claiming that the Yazidi nationality is Arab, as follows:

“We authenticate the copy of the book of the Qāʾīmaqāmīyat of Shaykhān Nomber…, which includes the information about the national identity of the Yazidis who proved to be of Arab origin, which is clear in the books of history, even if Taḥsīn and his people do not confess the truth”.

From all the preceding we can conclude that Mīr Taḥsīn Bag and the Spiritual Councils, when interrogated, did not proclaim that the Yazidi were Arabs. They also did not claim that the Yazidis were of Kurdish origin. Rather, they asserted that the origin of the Yazidi is the north of Iraq, meaning Kurdistan. According to the investigators, they asserted that the Yazidi nationality is Kurdish, because the Yazidi originated in Kurdistan, geographically.

Due to lack of information about the Yazidi, the CGI was uncertain about the origin of the Yazidi identity, whether they are Kurds or Arabs, until they ordered these investigations to be carried out. The notion that the Yazidi could be an independent ethno-nationality with no relation to the Arab or Kurdish nationality was never entertained throughout the course of the

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investigation, nor thereafter. It also bears mentioning that these report contradictory information. Whereas most of the reports asserted that Yazidis are Arabs, the report from Shaykhān asserted that the Yazidi are Kurdish. It is noteworthy that these reports did not explore the subject in depth. They did not touch upon the issue of religious rites and language used by the Yazidis, for example. Most of the Yazidi religious holy texts are recited in Kurmānjī.1070

As yet, the true ethno-nationality of the Yazidi is unknown, not least because political circumstances effect or influence opinions and some perspectives on the matter are not always taken into consideration. Resolving the matter would require in-depth anthropologic or scientific study that would include a general questionnaire to the Yazidis themselves. This could only be carried out in a context in which democracy, security and freedom would be guaranteed and where the participants would be secure in the knowledge that they would not have to endure negative consequences for participating. Such safety and freedom of expression was non-existent in the political landscape in Iraq in the 1960s. It is hardly surprising therefore, that the Yazidi who took part in the government inquiries were tentative rather than concrete in their answers. Equally, it cannot be ruled out that the leaders may have attempted to mislead the CGI by claiming they were Arabs in the hope that the pro-Arab government would exercise leniency towards them.

Despite the government investigations regarding Yazidi national origin, Bāyazīd Ismāʿīl sent another petition to the Iraqi Ministry of the Interior on May 2, 1966,1071 in which he renewed his previous claims that the Yazidi were Umayyads. The Iraqi Ministry of the Interior wanted to close the case, wishing neither to support nor deny the legitimacy of Bāyazīd’s Arab Call. Despite the assertions of the the Province of Mosul administration which claimed the Yazidis were Arabs, the Minstry avoided the issue, focusing instead on the opinion of the leadership of the Fourth Division of the Iraqi Army, which had highlighted the untrustworthiness of Bāyazīd and his brother Muʿāwiya. In the Fourth Division report, doubts were cast on Bāyazīd' and his intentions as follows:

“His claim [Bāyazīd's] and that of his brother Muʿāwiya are for material gain from the government and the members of the Yazidis. His brother, Muʿāwiya, who is running away from justice, opposes the government and is in Turkey to spread false news, is the best example for that. In our opinion, we do not have to distinguish him from the Yazidi members and chieftains because that would give them the opportunity to demand other things in the name of the public interest, who are [Yazidis] away from it. We are, personally [the Province of Mosul], not comfortable with their intentions

1070 The lack of governmental information on Yazidi rituals is most probably related to the Yazidi custom of not practicing these rituals and not reciting religious texts in front of strangers.
because they side with us as long as we are strong. In addition, we cannot rule out their enmity towards the government in times of adverse circumstances.”

Having declared the Yazidi were Arabs, the authorities went on to speak out against cooperating with the two brothers, Muʿāwiya and Bāyazīd. Nevertheless, the brothers continued their activities, heightening them during the Baʿth Party Era in particular.

8.3.3 The Yazidis: Unsettled Political Attitudes among the Parties of the Conflict

Internal conflicts and the constant pressures of being a small, relatively powerless minority surrounded by nationalist and sectarian movements saw the Yazidi submit from time to time to the unstable political attitudes of the parties of the conflict similar to other small and weak minorities within the demographic and political landscape of the country.

To study the nature of the ongoing political instability and Yazidi’s attitudes towards the political developments, it is necessary to refer to Iraqi security studies. Therein, the role of the Yazidi is depicted as that of the political observer, and not the role of the effective agent of action. They usually weighed the circumstances of a given situation in an attempt to strike a certain balance with it. The study asserted that the Yazidi, most of the time, adopt a dual sense of loyalty. When they were courteous to the government, they did not refrain from flattering the Kurdish Movement, for example. Not least, due to the expanse of the region which the Yazidi occupy and the differences in its natural and social circumstances, their political loyalties were often divided. Some of them were loyal to the central State, whereas others supported the Kurdish Movement. A third group of Yazidi can be placed somewhere in between the two.

Government security studies go on to say that “we can say that if the Yazidi feels ease at heart for himself and his beliefs, he would be inclined towards peace and submission and to proclaim his absolute political loyalty to the political party that guarantees him safety and protection”. Because of the multitude of ongoing and ever-changing conflicts in Iraq, the Yazidi were hostile towards the CGI sometimes, while they supported it at other times. This evaluation is true to a greater extent and this interpretation can be said to reflect the political attitudes of many Yazidi towards the political developments in Iraq, quite simply since the minority sought to preserve its interests in a predominantly hostile and periodically dangerous environment. When the Kurdish Movement gained ground in the early 1960’s, for example, the Yazidi prince sided with it, whereas when the government gained control, the Yazidi supported it. When the armed conflict between the Kurdish Movement and the CGI resumed

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1073 The Secretariat of the Presidency (Iraq): General Military Intelligence Service, Psychological Intelligence Section. Issue: Yazidi Personality..., pp. 139-140.
1074 Ibid, p. 140.
in the post-coup period, for example, the prince sided with the CGI. In an official statement on May 1964, he ordered Yazidis who had joined the Kurdish Movement to submit to the CGI authorities through an official document entitled “A Statement to the Members of the Yazidi who joined the Insurgents”:

“I, Mr. Taḥsīn Saʿīd, the President of the Yazidi, call on all members of the Yazidi who joined the insurgents to surrender themselves to the loyal national governmental authorities and make use of the amnesty No. 128 in 1964 within a period of 30 days from the date of this statement. Anyone who does not avail of this [amnesty]…, will be excommunicated. To this end, I sign the statement on 8 May 1965, corresponding with the sixth day of Muḥarram [the first month of Islamic calendar] 1385”.

The issuing of this statement was negotiated by the Iraqi security. Despite the apparent authenticity of the statement, it contains some noticeable indications of CGI involvement, such as the term Fatwa (edict) which was used to describe it. It is well known that there are no religious Fatwas in the social and religious system of the Yazidi. It is evident therefore, that the government wanted to regard it as religious Fatwa, similar to the Islamic Fatwas, to make the issue legitimate. It should also be noted that, despite issuing this announcement as a statement, its content displays characteristics typical of Fatwas and passages such as “…everyone who violates that and do not resign himself to the government, I would deprive them of the amnesty…” which bears a tone very similar to Islamic Fatwas. It also warns of retribution for those who do not comply with it, such as religious prohibition, which means it threatens Yazidis with prohibiting them from practicing their religion.

The proclamation of this penalty is the first hand-written decision to be issued from the center of the Yazidi Princedom. In issuing it, the prince signaled to the Yazidi that he had seized absolute religious and worldly authority over them.

The circumstances behind the statement had a connection with the period of negotiations and the tension in relations between the Kurdish Movement and the CGI which reached stalemate in early March, 1964. Through the negotiations, the CGI passed special laws and resolutions, among them, the general amnesty for the ‘mutineer Kurds’. When fighting resumed between the two parties, it became clear that the prince of the Yazidi had considered

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1076 Signature by: Mīr Taḥsīn Bag bin Saʿīd, the head of the Yazidis. M.D.C.: doc. 13, p. 50 in Kurdish. See: Appendices, Figure 2. 11; Figure 2. 12; and its translation in English in figure 2. 13.
the political situation well. The Kurdish Movement suffered from internal divisions and conflicts\textsuperscript{1080} that led to its weakening and it lost respect in the region, which may have influenced the prince’s decision. It is also possible that the prince may have submitted to pressure from the CGI to issue such a statement.

On the other hand, in a book that was written and published in 1965, an Iraqi military officer ascribed the opposition of a number of social groups and clans in Kurdistan to the Kurdish Movement, to the looting and killing in their regions, which he claimed was carried out by the Kurdish mutineers. As a result, he claimed, many groups and clans sided with the government. Among those who supported the CGI were the Yazidi Muʿāviyya and the Yazidi Taḥṣīn (the prince of Shaykhān), and the Kākāʾi from Kirkuk and Khānaqīn, along with a large number of the Kurdish clan leaders in Mosul.\textsuperscript{1081}

It is worth mentioning that Mīr Taḥṣīn Bag rejoined the Kurdish Movement in 1969. He had an office in Chūmān area which is 170 Kilometres north-east of Erbil. When the Swedish journalist, Tord Wallström, met him there in 1974, the prince told him his reasoning for joining the Kurdish Revolt. He said, “I believe in the principles of the revolt. However, there is no relation between the religion and the revolt. I am Kurdish, and all the Yazidis are Kurdish; this is the reason why I joined this revolt (since it is a Kurdish Revolt)”. The journalist asked whether all the Yazidis support the revolt, to which Prince Taḥṣīn replied: “No, because their joining the revolt is unnecessary. I will not ask them for that, but if I do, at least 95% will join the revolt. By the way, the government executed 20 Yazidis recently in Mosul”.\textsuperscript{1082}

Concerning the character of Mīr Taḥṣīn Bag, the journalist comments that: “The Yazidi Prince is an astonishing blend of ancestral primitivism and modern prosperity. He is a spiritual leader to a concealed religion that dates back to thousands of years that many poor farmers and pastoralists embrace. He himself is quite steadfast and politically conscious”.\textsuperscript{1083}

What is interesting about this interaction is that the accompanying Kurdish interpreter Aḥmād, a student at Baghdad University, who worked for the media arm of the Kurdish Movement, asked the journalist Tord Wallström why he wanted to meet the Yazidi prince, commenting that the prince was an unworthy character.\textsuperscript{1084} Although this was the personal opinion of the interpreter, it can be seen as indicative of the low esteem in which the Yazidi prince was held

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\textsuperscript{1082} Wallström: \textit{Op. Cit.}, pp. 33-34.

\textsuperscript{1083} \textit{Ibid}, p. 34.

\textsuperscript{1084} \textit{Ibid}, p. 34.
by the Sunni Kurds, whether they were involved in the armed struggle or if they were simply part of the broader Sunni community.

8.3.4 The Conflict in Sinjar

Despite the upheavals and the conflicts in Sinjar, the battles between the Kurdish Movement and the CGI during the Monarchy and the era of ‘Abd al-Karim Qasim were not fought on Sinjari territory. After the Kurdish Movement’s revolt in 1961, Sinjar remained neutral territory, which is evidence of its lack of strategic importance at the time. However, Sinjar would become a battleground after the ceasefire between the Kurds and the CGI. The repercussions of this conflict are evident in the official documents of the Iraqi Security.

The wider conflict caused two large Yazidi clans, namely the Haskān and Qayrān to take up arms against one another on June 8, 1964 and for a second time, about a month later, on July 13. This is reflected in government security reports, despite the Sinjar District Chief’s original denial that the case had any relation to politics. The report found that the conflict was linked to one of the clan's support for the Kurdish Movement, while the other supported the CGI. The conflict between the Yazidi clans began during a religious ceremony in Sharfadīn, on August 20, 1964. The incident was described in a report by the Sinjar District Chief at the time which contradicts his original claim that the armed conflict between the Yazidi was not political:

“Khiḍr Ḥassūn and ‘Umar Al-Dawwūd [who are chiefs of the clans of Haskān and Mahirkān], cheered Shūbāsh, [to honour] the name of Mulla Muṣṭafa Bārzānī, in the presence of the people of Shaykh Shīvān [the son of Shaykh Khalaf al-Nāṣir, another chief for the clan of Haskān]. Consequently, Shīvān asked his people to cheer Shūbāsh, [to honour] the name of both the president ‘Abd al-Salām Muḥammad ‘Ārif and Jamāl ‘Abd al-Nāṣir, and [to hail] Arab nationality...Thus, both groups started fighting one another...”

These are generally considered the first direct consequences of the conflict between the CGI and the Kurdish Movement on the peoples of Sinjar, and the instigation of the division of the Yazidi clans into anti-Kurdish and pro-Kurdish camps. The government interfered in this conflict and placed members of the pro-Kurdish faction under surveillance. It also accused a number of the Yazidi leaders of Sinjar of not being loyal to the government and causing riot

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1087 The Sharfadīn ceremony is one of the largest and most important ceremonies that draws thousands to Sinjar.
1088 Shūbāsh or Shabash is a kind of cheering (to honour) that is used by the Yazidis in special ceremonies as a religious symbol and as a sign of respect for a particular figure or character. It is a way of hailing them.
and chaos there. Subsequently, the government exiled them to the city of Amara in southern Iraq, where they were placed under house arrest. However, the authorities would later pardon them, claiming that “the government wants to give them the opportunity to be good citizens, and to truly serve their country”. It is evident that the government was strongly involved in the unrest that swept through Sinjar at this time. It was abitlater that Mīr Taḥsīn Bag issued his statement, called on the Yazidi who had become members of the Armed Kurdish Movement to surrender themselves to the CGI, at a time when the the Kurdish Movement was attempting to expand its political activities in Sinjar.

Despite this unrest and the repercussions of the establishment of Bāyazīd Bag’s Movement, (which many Sinjari Yazidis joined), there was relative peace in Sinjar and in the other Yazidi regions of the conflict between 1964 and 1966, due to negotiations between the Kurdish Movement and the CGI, which led to a temporary ceasefire, from February 10th, 1964 until 15th March 1965. The government had previously declared an amnesty for those who participated in the ‘Kurdish mutineers’ as the CGI called them in Kurdistan. The other reason for the relative peace at this time was political division within the Kurdish Movement. Consequently, its campaign was limited and did not reach Sinjar. The primary reason, however, was the actions and policies of the newly appointed (first) civil government in Iraq at the time, headed by al-Bazzāz.

8.3.5 The Yazidi Insurgence in Sinjar 1966 between the “Problem” of the Military Service and the Kurdish Movement

It is widely known that the history of the Yazidis is marked by rebellion. During the 1930s, the Yazidi rebelled against the government in response to its attempt to impose compulsory conscription on them. The Yazidi rejected compulsory conscription as a violation of their religious principles. However, it is evident that there are other reasons behind the numerous upheavals during the course of Yazidi history, most importantly the systematic, long-term Arabization and Islamisation which was taking place in the Yazidi regions. These practices involved land seizures of Yazidi property, meaning the forced settlement of Arab Muslim clans on Yazidi lands and villages, against the will of the Yazidi people. The Yazidi revolts
against these and other practices often gained a political dimension in line with the emergence of the nationalist movements, for example.

Concerning the issue of the conscription and rejection of it by the Yazidis and the Shi’is in the 1930’s, the Iraqi government passed a law in 1938 that made those who refused conscription to pay reparations to the state. That law remained in place until the era of ‘Abd al-Salām Ārif, who amended it somewhat, from 1963 onwards. Ārif declared the payment of reparation to the State in lieu of military service as null and void. However, some exceptions and exemptions were made for those clans who were willing to establish unofficial militias (called Knights Forces) to support the CGI military on the ground in the Kurdistan region. Consequently, the aforementioned developments led the Yazidis to support and eventually take part in the Kurdish Movement. To gain a true understanding of the matter, the aforementioned factors which led to general insurgency, must be considered alongside their concomitants.

Excluding those who were loyal to Muʿāwiyya or involved in the Bāyazīd Movement, the people of Sinjar were removed from the political pressures that gripped the nation elsewhere. Few Sinjaris were involved in military and political activities. However, the situation changed long-term. After the Iraqi Ministry of Defense announced mandatory conscription, most Sinjari clans refused to join the military, upon which the CGI sought to impose compulsory conscription them by military force. In response, the Yazidis of Sinjar rebelled and fortified themselves there. The government saw the Yazidis’ refusal to yield to forced conscription and their holding of weapons as an uprising against the sovereignty of the CGI and its laws, a view which saw the government and its institutions address the problem by military means.

Led by Saydo Ḥammo Sharo, the president of clan of the Faqīrā, and Murād ʿAṭṭo, the president of the clan of Habābbāt, a part of the Yazidis announced the insurrection on Mount Sinjar, in March 1966. Forfited by Mount Sinjar, the first insurgents were joined by members of most clans of the Yazidis from Sinjar and its adjacent villages. All Yazidis were urged to join the insurrection and “to uphold the principles of the Yazidi religion which forbid them to join the army”. By that, they meant that their religious rites and traditions prevented them from joining the military, as they would be forced to shave their beards, eat

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1095 See: Law No.31 / 1963 which amended to the law of the national defense No.40 / 1938. It became the basis for subsequent amendments. Some years thereafter, the government tried to impose compulsory conscription on the Iraqis. Al-Waqāʾiʿ al-ʿIrāqiyya, Vol. 80, dated 3rd May, 1963.

1096 He is the son of the Yazidi Chief, Ḥammo Sharo in Sinjar who is known for his political role with the British and the Iraqi government in the 1930s.

prohibited food\textsuperscript{1098} and that they would also be forced to remove the \textit{Kharqa} (Garment of Faith),\textsuperscript{1099} a sacred Yazidi costume worn mainly by the clan of the Faqīrā.

The Yazidis requested the government to accept that the Yazidis pay the cash allowance in lieu of military service as before.\textsuperscript{1100} The government refused the Yazidi request and the District Chief of Sinjar asked the government to take the necessary steps against the Yazidi refusal to comply with military conscription.\textsuperscript{1101} In an attempt to contain the situation, the Provincial Governor of Mosul, along with the Chief of Police and the Chief of Security in Mosul, went to Sinjar to ask the Yazidi to submit to the orders of the State and to pay no heed to “prejudiced ones”\textsuperscript{1102} insurgents[, meaning Saydo Ḥammo Sharo, Ḥamad Maṭṭo and their followers who were fortified on the mountain.\textsuperscript{1102} According to security reports, Saydo Ḥammo Sharo sent a delegate to Muṣṭafa Bārzānī, asking for help in their fight against the government.\textsuperscript{1103} This brought an additional political dimension to the situation beyond their resistance to the law of conscription.

The government attempted to find a peaceful end to the hostility by allowing the Yazidi to leave their beards intact and by permitting them to wear the \textit{Kharqa} sacred clothing. However, simultaneously, it threatened the Sinjari Yazidis that if anyone refused to be conscripted, severe punishment would result. In response to this threat, the Yazidis began preparing for a siege, by stockpiling weapons, ammunition, and food. Referring to the government’s Arabization policy, the Yazidi leader, Saydo Ḥammo Sharo warned the Sinjarī Yazidis that the government’s goal was to convert them to Islam.

Initially, according to government estimations, the number of Yazidis who took up arms was about 400. Government efforts to weaken the insurrection were manifold. They imposed an economic embargo on the mountain and carefully monitored any food brought into Sinjar “in order [that it would] not reach the insurgents”.\textsuperscript{1104} In addition, it threatened to give Yazidi villages to other clans, if they left their homes to join the protest.\textsuperscript{1105}

\textsuperscript{1098} Some kinds of food are prohibited according to Yazidi custom, such as lettuce and cabbage.
\textsuperscript{1099} On the \textit{Khirqe}, or Garment of Faith, see: Eszter Spät: \textit{Late Antique Motifs in Yezidi Oral Tradition}. Budapest: PhD thesis, Central European University, Department of Medieval Studies 2009, pp. 106-136.
\textsuperscript{1100} The conscript had to pay 50 Iraqi Dinar as a cash allowance. The law was modified in 1955 to become 100 Iraqi Dinar. See article No.6 in the legislation No.40, which was passed on 20 April, 1938 in: \textit{Al-Waqq‘i‘ al-’Irāqiyya}, Vol. 1932, dated 4th May, 1938.
It is evident that the ‘other clans’ whom the government threatened to instate in the Yazidi villages were Arab Muslims. This was not a new policy, by any means; a number of Arab nomadic clans, mainly from the Shammar tribe, had been settled in Sinjar via government land seizure of Yazidi property between 1918 and 1942. Some estimates place the total number of resettled Arabs during the period at around 123,000. In fact, the number of Arabs settled on Yazidi lands actually outnumbered the entire Yazidi population of Iraq, which was estimated to be around 100,000 people in the 1930s.

The government-led land seizures and enforced settlement of Yazidi property continued. Between 1951 and 1965, approximately Muslims were resettled in 400 villages in southern Sinjar in the al-Haḍr borough, and an additional 174 settlements and villages occurred in central Sinjar in 1965.

The settlement of Muslim nomadic clans in the Yazidi regions led to relentless conflict between the Yazidis and the Muslim settlers. Accordingly, the insurgents made clear that their revolt was not only due to their rejection of military conscription, but also in protest against the government-assisted seizure of sections of their territory by the Muslim clans. Indeed, the Yazidi declared that they would end their insurrection if the seizure of their property were to be discontinued. Due to the grave nature of the situation, the Yazidis requested that a delegation be sent to Baghdad to meet the president and discuss the problem, in the hope that he would issue a decree to resolve the plight of the Yazidi. Their request was denied by the negotiating administrative authorities, however. Thus, the threat of continued settlement along with the economic embargo on supplies reaching the mountain, forced some Yazidis to submit and leave the mountain. Others returned to their villages. As for the fortified few who remained on the mountain, headed by Saydo Ḥammo Sharō and Ḥamad Maṭtō, they did not hand over their weapons; rather, they continued to resist and repeated their request to be allowed to go to Baghdad to discuss the issue with the authorities.
After it became clear to the authorities that the remaining contingent on Mount Sinjar was not going to yield to pressure, the authorities entered negotiations with them. They agreed to allow a delegation to be sent to Baghdad in early May, 1966, a temporary breakthrough which raised hopes among the Yazidi that the forced settlements and the conscription could be resolved.

Meanwhile, the security systems claimed to have unearthed secret correspondence between the fortified contingent in Sinjar and the leaders of the Kurdish Movement. They interpreted this information to mean that the Kurdish Movement intended to incite the Yazidis against the CGI, or to open a new front in Sinjar. This led to the cessation of the negotiations. Some Yazidis were compelled to remain on the mountain and to evacuate their villages entirely. The State schools were closed once again, which was a relatively frequent occurrence at that time. The leaders of the insurgency tried to convince the Yazidis of Sinjar to seek refuge on Mount Sinjar and to refuse any government proposal to join the military. The government intensified the economic sanctions and ordered the people in the adjacent villages not to provide food to the Yazidis on Mount Sinjar. It is worth mentioning that, irrespective of whether the Sinjar insurgents had ties with the Kurdish Movement or not (direct or indirect), the they had no political goals at first. Rather, the issues of conscription and settlement were the sole incentives for the insurgency. Under government pressure, however, they eventually sought the support of the Kurdish Movement. Equally, the protest in Sinjar was an opportunity for the Kurdish Movement to open a new front against the government. Reports indicate that the connection or the coordinator between the leaders of the Sinjar protest and the Kurdish Movement was a Yazidi by the name of Khiḍr Khānkī. A member of the KDP, Khiḍr Khānkī sought to politically organize the Sinjari Yazidi and to convince them to join the Kurdish Movement en masse.

One security report illustrates that he was known to the CGI:

"…We knew that Khiḍr Khānkī, from Shaykhān, [in fact, he is from the Yazidi village of Zaynīya, which belongs to the region of Summayl], who is from the KDP Party..."

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114 He is Khiḍr Findī Maqṣū Khānkī, from the Yazidi village of Zaynīya, which is close to Duhok. He joined the Kurdish Movement and moved to Sinjar after the authorities executed his brother and relatives because of their political activities. Būtānī: Op. Cit., p. 451.
His agent called Saydo Ḥammo Sharo, through Murād Ḥaṭṭo to convince them of joining the KDP Party and incite them to stand against the national government if they insisted on conscripting them... We also knew, from a trusted source, that Saydo Ḥammo Sharo suggested to his people that they dig trenches and vestibules to save the provisions, and organize hammocks and be come fortified in the peaks of the mountain of Sinjar... We knew that Saydo Ḥammo Sharo sent Khāwwāṣ ibn Miḥw to urge the Kurdish clans in Syria to support them...”

Due to the severe tension between the Yazidis in Sinjar and the CGI, the government put the Yazidi prince, Taḥsīn Bag, under permanent surveillance. Secret reports also asserted that Taḥsīn Bag traveled secretly to Sinjar between 8th and 10th of May, 1966, and met the Yazidi leaders without the government’s knowledge. As a result, security investigations into finding out the reasons for his travel ensued. The Security Directorate of Mosul accused Mīr Taḥsīn Bag of protesting against the CGI:

“The Yazidi Taḥsīn claimed that he did not go to Sinjar. Rather, he sent his aunt by his car”

The prince’s aunt, Basī Nāyi Bag lived with her children in the village of Hamdān in Sinjar. Following a visit to Taḥsīn Bag in Shaykhān, she went to Sinjar in the prince’s car. The prince may have used his aunt to exchange information with the Yazidi insurgents and to evaluate the situation in Sinjar.

As the insurgency continued, another round of negotiations were instigated on May 17, 1966 between the administrative and military authorities and the leaders of the Yazidi insurrection.

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1117 M.D.C.: The Fourth Division, the partition of Shaykhān, the province of Mosul, No.471, dated 14/5/1966.
An agreement between the two parties to end the insurrection was reached. In return, the Yazidis made several demands, such as an amnesty, assignment of special costumes - Traditional clothing - and food for them. They also demanded that some Yazidis be granted noncommissioned officer posts.\(^\text{1119}\) The government agreed to these demands, and the leadership of the Fourth Division of the Iraqi Army presented a report to the presidency of the army staff. The report was as follows:

1. The leaders of the Yazidi clans in Sinjar already abstained from sending their two sons on the morning of May 21, 1966. They expressed their loyalty and obedience to the government and their readiness to send conscripts and deliver their fugitives. They were to be established as a special unit that would be trained and administrated by their co-religionists and allowed to observe their prohibitions and traditions [meaning traditional clothing and food].

2. Based on the above said, and in order to make use of this community [ṭāʾifa] which displays spiritedness in fighting and obedience, we hope to be granted approval for the following:
   a. Establishing a special unit of them. In this respect, we would suggest establishing group F4 [small unit] from the members of this community.
   b. Approving that they wear everything that does not oppose their religious rites, including [permitting them to observe their practices in relation to] food too.\(^\text{1120}\)
   c. Accepting those volunteered by the clan chiefs, who are educated and qualified as vice-officers and scribes or fighters, to administrate their training and administrative affairs; that such persons know them and their traditions so that future unrest brought about by those who are ignorant of their traditions or who do not adhere to them, can be avoided.
   d. Getting the approval of exempting them from the crime of being absent from service, similar to those who had been exempted by an amnesty.\(^\text{1121}\)

The pact which was to implement the agreement was to begin on June 20. In return, the government imposed two conditions on the Yazidi in the event that the leaders of the Yazidi clans breached the terms of the agreement. The two conditions were:

First: Each one of them has to pay a fine of 2000 Iraqi Dinar.\(^\text{1122}\)

Second: The government will resort to force to implement the terms of the agreement.


\(^{1120}\) This refers to \textit{Kharga} clothes, which the Yazidi of Sinjar asked to keep during their military service and also to some foods such as lettuce and cabbage, which are prohibited according to Yazidi custom.

\(^{1121}\) M.D.C.: The Leadership of the Fourth Division, No. Sh/11/1036, dated May 28, 1966, to the General Staff Directorate. Issue: Conscripting the Yazidis in Sinjar, doc. 42, p. 181. See the original copy in: Appendices, Figure 2. 18, and its translation in figure 2. 19.

\(^{1122}\) This was a very large sum at the time; in effect, it was a condition which was impossible to fulfill.
The leaders of the Yazidi insurgents made a written commitment to the government to send a thousand fighters to initialize the conscription of the special Yazidi units. Some Yazidi chiefs sent fewer men to the military than they had agreed to, not wishing to fulfill their side of the agreement in full. Under the terms of the pact, the Yazidi chiefs were to send 1000 troops by June 20, 1966. By that date, however, they had sent a mere 102 men, going back on their word and failing to fulfill their obligations according to the pact. Under the ensuing government pressure, the Yazidis regrouped on Mount Sinjar and resumed the insurrection. According to government reports, Saydo Ḥammo Sharo, as leader of the clan of Fuqara’, was responsible for the Yazidi’s failure to fulfill their commitments under the terms of the pact signed by them. Consequently, security reports dated June 16th, 1966, warned about the contempt which some of the clans and villages felt towards the CGI and highlighted their history of not keeping their promises to the government:

“We inform you that the Yazidi, especially the clan of Qayrān, have bad intentions. Furthermore, they do not want to conscript their people under any circumstances, and the majority of them are delaying... They have false intentions towards the government. In other words, they claim that there is no government [meaning they do not recognize the government]”.

According to the terms of the pact, the government had the right to resort to force to enforce the terms of the pact. In addition, those who violated the vows were to be arrested. It is noteworthy that, since the government knew the Yazidis, they did not expect that they would keep their promises completely. Therefore, the government was both cautious and strict on the issue. When the notice period had passed, the government decided to take security and

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military measures against them. On June 19, it published a list of wanted persons\textsuperscript{1130} and ordered the Fourth Division of the Iraqi Army to send military units to Sinjar with 20/6 as the deadline for the attack and arrest of the clan leaders who did not carry out the authorities’ orders.\textsuperscript{1131}

The military and security measures began in Sinjar and a number of Yazidi leaders were arrested on June 28, 1966.\textsuperscript{1132} Some armed conflict took place between squads of the Iraqi Army and armed Yazidi in some villages, hence, the army arrested over 35 armed Yazidis or more. However, a majority of the Yazidi fled into the mountains when the government forces arrived, thereby escaping arrest.\textsuperscript{1133} The violence continued; on July 29, 1966 three Yazidis were killed and hundreds arrested and put in the fourth Iraqi army corps,\textsuperscript{1134} and on July 7, sixty-two others were arrested, their arms and ammunition were confiscated,\textsuperscript{1135} and they were investigated and tried in civil court according to the Iraqi Law of Penalty.\textsuperscript{1136} Many attacks were carried out on both sides. The Yazidis attacked pro-government villages, warned the villagers not to support the government and ordered them to join the insurrection on Mount Sinjar.\textsuperscript{1137} Avoiding the mountainous regions\textsuperscript{1138} due to the harshness of the terrain and its fortified fighters, the army began their surveillance and their military campaign in the plains.

It is worth mentioning that not all the Yazidi of Sinjar joined the insurrection. Rather, were some Yazidi clan leaders proclaimed their support for the government, such as 'Umar al-Dāwūd and his brother Khıdır al-Dāwūd,\textsuperscript{1139} and Khıdır Ḥassūn, for example.\textsuperscript{1140} The insurgents established special groups to target the government supporters. One of these

\textsuperscript{1130} To view the list of the names of those who were to be arrested, see: M.D.C.: Subprefecture of Sinjar, No. 153/Q.S, dated June 19, 1966, to the Police Assistance. Issue: Conscripting the Wanted Men from the Yazidi, doc. 45, p. 218.
\textsuperscript{1139} They are the children of Dāwūd-e-Dāwūd, the chief of the Yazidi insurrection in the 1930s. The anachronism is that they have become supporters of the government.
groups, headed by Murād ʿAṭṭo, kidnapped or assassinated a number of the government supporters. They attacked their villages and accused them of spying for the government. After interrogating them, they made them swear not to provide the government with any information. In addition, some communists (who were also forbidden by the government) joined the Yazidi insurgents on Mount Sinjar. Subsequently, a number of fighters from the Kurdish Movement front joined them. The number of fortified fighters on the mountain was estimated between 800 and 1000, and included fighters from Shaykhān who spoke the Yazidi dialect and wore military clothing. By this time, the insurrection was no longer a mere uprising against conscription and Arabization; it had become a political movement.

It was evident that the Kurdish Movement tried to make use of this insurrection to start a front there. Leaders of the Kurdish Movement made a multitude of promises to the leader of the uprising, Saydo Ḥammo Sharo upon joining the Kurdish Movement. This is reflected in governmental security reports on the matter:

“Ṣālah al-Yūsifī, the representative of Mulla Muṣṭafa Bārzānī, sent a letter to the fugitive Murād ʿAṭṭo in the mountain of Sinjar, prompting him to disobey the government’s orders. He promised him assistance. The letter reached him on July 30, 1966”.

The report cited other documents which stated that

“We knew from another reliable source that a connection was made between an envoy of Mulla Muṣṭafa Bārzānī and Sayd Ḥammo Sharo and Murād ʿAṭṭo more than a month ago, in which Mulla Muṣṭafa promised to provide the other party with a radio station with the necessary detectives, weapons and money in the event that they would perform an insurgency against the government... Because there are tracing squads in Sinjar at present and given the seriousness of the information, we hope that you will do what is necessary to inform the tracing squad in Sinjar to be cautious and restrict the tracing to specific regions which are not responding to the governmental authorities

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1141 Murād ʿAṭṭo appeared in this period as the second leader for the insurrection after Saydo Ḥammo Sharo, and was subsequently wanted by the authorities. See for example: Appendices, Figure 2. 20, and its translation in figure 2. 21.


1144 Ṣāliḥ al-Yūsifī was a well-known Kurdish political and cultural figure in Iraq. He participated in establishing a number of Kurdish political organisations and parties, such as the Kurdistan Socialist Democratic Movement in 1976. He was assassinated in Baghdad in 1981. For more information on him see: Zūzān Ṣāliḥ al-Yūsifī: Ṣāliḥ al-Yūsifī: Safāḥāt min Ḥayātiḥī wa Niḍāliḥī al-Waṭanī maʿa Dīwāniḥī al-Shaʿrī al-Kāmil (Memoirs about his Life and his National Strive with his Complete Poetical Works). Duhok: al-Jazīrī Publications 2009.

and not provoking the other clans which responded to us from the beginning, to inform us about the absentees and terminate the riot before it expands...".1146

Such relations between the leaders of the Yazidi uprising and the Kurdish Movement constituted a danger to the CGI and led to a government attack on the Yazidi rebels as they were in contact with someone who was hostile to the CGI.

The government sent a large additional military force to Sinjar to contain the situation and to arrest the insurgent leaders of the Yazidi clans. A huge force of infantrymen and armored vehicles advanced from Mosul to Sinjar on July 28.1147 Meanwhile, the leadership of the Fourth Division of the army examined the situation in Sinjar and the Yazidi issue with the Province of Mosul. It was concluded that negotiation was preferable to force, so that the situation might remain under control. To this end, a number of military leaders arrived in Sinjar on August 4, 1966.1148 Meanwhile, Mīr Taḥṣīn Bag, along with his brothers, Kayrī Bag and Fārūq Bag, were invited to a meeting where they agreed that Mīr Taḥṣīn Bag should meet Murād ʿAṭṭo in the strait of Dīr al-ʿAṣī, (the main center for the insurgents), to consider the reasons for his ongoing protest and to know whether the insurrection had any connection to the Kurdistan Democratic Party or to the conscription issue.

Prince Mīr Taḥṣīn was assigned to that mission due to his role and status in Yazidi community. The government felt that:

“Taḥṣīn’s orders, since he is the supreme president, are therefore sure to be obeyed. In addition, he can excommunicate any Yazidi, if they do not obey him and his orders; they [the Yazidi community] would not be dealt with at all [if excommunicated]. If Taḥṣīn were committed to ending this problem, it would be preferable; otherwise, [we, the government shall consider him] sympathetic to the insurrection and instrumental to its advancement”.1149

At the same time, the government threatened that it would be harsh on anyone that hindered the return to normalcy. In addition, they stated that they would take intensive measures to terminate potential unrest.1150 Despite the threats, skirmishes, and the occupation of Sinjar, the government aimed to resolve the issue peacefully. This is regarded as a positive point on the
part of the government, as it would not have been difficult for them to arrest the insurgents and occupy the mountain, if they had applied extreme military force. It can be deduced from this, that government did not associate the Yazidi insurrection within the Kurdish issue. At that time, the amnesty for members of the Armed Kurdish Movement1151 was still valid. The Iraqi documents did not include the Yazidis in the amnesty legislation, despite their unwritten conviction that ties existed between the fortified Yazidi of Sinjar and the Kurdish Movement.

Despite the government’s concessions, the fortified insurgents remained on the mountain after accepting the government’s terms. It was not the Kurdish issue, but the seizure of Yazidi lands and villages by Arab clans that caused them to continue their insurrection. Meanwhile, as a show of good faith, the government released some Yazidi clan leaders from prison. In return, however, men who were supposed to serve in the army were to be conscripted.1152

Mīr Taḥsīn Bag went to the strait of Dīr-ʿAṣī valley to meet Murād ʿAṭṭo and the other leaders. Upon Prince Taḥsīn’s return, he denied any connection between the Yazidi insurgents and any political party. However, government reports state that Murād ʿAṭṭo told Prince Taḥsīn of “the impossibility of their returning [to their homes and ending the insurrection, as none of their demands had been met], but that disbanding the Yazidi insurgents would be unavoidable, long term, unless a person from the eastern side [meaning the Kurdish Movement], who was already on standby to offer help in the event of a sit-in,”1153 replied to [the request for help].

The Kurdish Movement had already promised Murād ʿAṭṭo that it would provide the insurgents on Mount Sinjar with weapons. On the unresolved issue of the Yazidi’s refusal to comply with conscription, Mīr Taḥsīn Bag proposed that the government abolish its surveillance activites, and that, rather than having the military arrest the absentees, that they be arrested by the police instead. However, the insurgents did not respond to Mīr Taḥsīn Bag’s order to leave Mount Sinjar and turn themselves in to the police. Instead, they proposed joining the military if they were guaranteed special privileges with their religious customs while serving in the military.1154

It is worth mentioning that Mīr Taḥsīn Bag noted that the leaders of the insurrection were willing to relent, provided they be pardoned and allowed to keep their weapons. The government asked Mīr Taḥsīn Bag about those who joined Murād ʿAṭṭo and his people. He

1151 After the convention of June 29 between the Kurdish Movement and the central government, and in fulfillment of the government’s program of ending the events in the north (meaning the Kurdish Movement), the government declared by law, a general amnesty for the insurgents in the events of the north No.65/1966, on July 28. It exempted everyone who contributed in any way to the said events. It also included an exemption from disciplinary penalties. See: Al-Waqāʾiʿ al-ʿIrāqiyya, Vol. 1292, dated 28th July, 1966.
answered that their number was no less than a thousand, and that all of them were from the Yazidi clans who live within Sinjar. He added that he did not see any of the Yazidi of Shaykhān, contrary to the security information, and that the Arab al-Būmtiwat1155 and the Kurdish Muslim Bābāwāt were represented as well. This proved the existence of non-Yazidi insurgents in the mountain, such as the Kurdish Muslim, mayor of a village in Sinjar, along with six others from his village.1156 These non-Yazidi members of the resistance were communists or supporters of the Kurdish Movement.

The government was not convinced by Prince Taḥṣīn. Rather, they believed that the protest was instigated by the Kurdish Movement, because the Kurdish Movement was in negotiations with the CGI at this time, and it intended to create an autonomous area of self-rule.1157 Therefore, the government did not doubt that the Kurdish Movement would ask them to make Sinjar a part of the Kurdish provinces.1158 This is reflected in a secret correspondence sent by the Subprefecture of Sinjar to the Province of Mosul:

“…the result of the secret investigation and collected information confirm to him that there was a close connection between the Yazidis of the mountain of Sinjar and the people of Mulla Muṣṭafa Bārzānī. He also knew that Murād ‘Aṭṭo sent agents to the insurgents, asking them for a financial and moral support and trained people to fight and create riots. The frequent visits of Khıdır Khânkī, one of the people of Shaykhān, to the mountain of Sinjar and his connecting with Murād ‘Aṭṭo and prompting him to revolt, confirm that there was a relationship between the two parties and that their aim was to expand their scope and demand Sinjar to be made a Kurdish province in the future, after they would gain the privledge and right of decentralized rule [autonomy]…”1159

Accordingly, the Ministry of the Interior was instructed1160 to handle the Sinjar issue, before the end of the ceasefire.1161

1157 The issue of decentralization is related to the statement announced by the NCRC regarding the national rights of the Kurds. It became a basis for negotiations between the two parties. See the text of the statement in: Al-Waqāʾiʿ al-ʿIrāqiyya, Vol. 781, dated 17th March, 1963.
1161 This refers to ceasefire which was agreed on June 29, 1966 between the Kurdish Movement and the central government.
Most importantly, this is the first time the security and official state directorates discussed the future of Sinjar in an administrative manner, when considering the Kurd’s endeavours to ensure that Sinjar be made a Kurdish province. Besides, they connected the insurgency in Sinjar with the decentralization which had been demanded by the Kurds. This indicates that Sinjar, until that date, was not one of the demands of the Kurdish Movement. However, the ongoing sit-in and the actions of the Kurdish Movement made the CGI believe that there was a connection between the Yazidi insurrection and the Kurdish Movement.

During the Monarchical Era, the Kurdish representatives neither requested nor demanded that the Yazidi regions be included in the main Kurdish provinces as defined by them in their memorandum to the government. For example, a number of the Kurdish deputies submitted a memorandum to the British Envoy in 1930, demanding Kirkuk, Sulaymaniyya, Erbil and Duhok to be united. In it, no mention was made of the Yazidi regions of Sinjar and Shaykhān. This makes it apparent that the Kurdish Muslim representatives during the Monarchy did not consider the Yazidis as Kurds, neither nationally or geographically. This remained the case in the decades thereafter.

8.3.5.1 Terminating the Insurgence in Sinjar

In the first round of negotiations, the prince’s attempts to bring an end to the revolt were unsuccessful. As for the government, it was insistent upon terminating it by any means possible. In addition to its economic sanctions and the threat of military force to the Yazidi on Mount Sinjar, the government quickly took measures to negotiate an agreement with them on their demands relating to conscription. It also agreed that, in order to prevent undue hardship on families whose sons were of age to do military service, that no more than one family member would be conscripted at a given time. The eldest male in the family was to enter military service, and the term of military service of all other family members of conscription age was to be postponed until the eldest had completed military service. However, in the process of appearing to reach agreement with the Yazidi insurgents, the government tried to divide them in an effort to gain control over them, long term.

The District Chief of Sinjar sent a letter, threatening Murād ‘Aṭṭo and stating that, if he refused to terminate his insurgency, the government was prepared to take severe measures against them:

“To Murād ‘Aṭṭo: Today, I sent to you Dakkū Khīḍr, asking you to go back to Shahābīya [a village]. Do not stay in Sinjar or gather together there, as that would

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make the government take the most severe measures against you. Disperse the Yazidi contingent and [see that they] come for conscription, as any action that disturbs the security in this region makes the [will of the] government stronger to fight you and your villages. Besides, the weapons that you have are not worth a bullet in the artilleries which their military forces have. Your losses will be great, and you will be the one responsible for the Yazidi catastrophe in Sinjar. Allah (God) does not accept your actions, and most of the Yazidi presidents are supporters of the government. You have to think about the fate of Maharkān and Dāwūd-e-Dāwūd, and that the government is much stronger than they were. I recommend that you and your people go back to your villages. Do not be a reason for bloodshed. The government is determined to follow through on its statement concerning the conscription at any expense. I write this letter to you and have great hope that you will accept my advice”.

In his reply, Murād ʿAṭṭo declared that he was not against the government; however, he accused some leaders of the Yazidi clans, such as ʿUmar Dāwūd-e-Dāwūd and others, of being disloyal to him and to the Yazidi people, for cooperating with the government and dividing the Yazidi. This hints at the influence of personal disputes which came to bear on the uprising.

As the insurgents failed to respond to the government’s threats, the government complied with its demands. Tahsīn Bag returned to Sinjar on August 10, 1966, and informed the Yazidis that the matter had been resolved and that the president had agreed to their demands which were as follows:

1. The clothes, as had been agreed upon; (meaning the Yazidi fighters were allowed to wear their traditional clothes).
2. Preserving the religious rituals.
3. Sustenance, which refers to the conscription of the eldest son in the family if there were more than one. The others would be granted postponement until the first is demobilized.
4. Establishing a military unit to train the soldiers in Sinjar.

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1164 He threatened him and reminded him of what the government did in the thirties to the Yazidi and to Dāwūd-e-Dāwūd.
1165 The letter is dated July 30, 1966. See the text of the statement in: Appendices, Figure 2. 20, and its translation in figure 2. 21.
5. Resolving the issue of the absentees from the military service. The Minister of Defence empowered the Fourth Division as a military unit of the State, and detailed orders were to follow shortly thereafter.

The next day, Taḥsīn Bag met with most Shaykhs and chiefs of Sinjar, in the Divan of the Subprefecture of Sinjar. Soon after, he would meet Murād ʿAṭṭo in Dīr-ʿAṣī. They informed him of the demands which had been agreed to by the officials and the government’s approval of the Yazidi’s terms, provided that they put down their weapons. However, Murād ʿAṭṭo made additional personal demands. These demands were:

1. Assigning a monthly salary for him as the president of Fursān (knights).
2. Appointing thirty people of his followers as Fursān (knights).
3. Assigning a car to him.
4. Giving him a dwelling place.

While his demands may not seem extraordinary at a first glance, they in fact, demeaned him as a president and representative of the people. His demands would also come to be used by the government to create a split between him and his supporters.

Subsequently, Taḥsīn Bag returned to Mosul to discuss the new demands made by Murād ʿAṭṭo.1168 Despite all the attempts and negotiations which took place that granted the Yazidi new rights and privileges, Murād ʿAṭṭo, among others, remained obstinate and refused to respond to the government’s orders. Consequently, the government deduced that continuing to meet demands would strengthen the uprising and weaken other leader’s cooperation with the government. Thus, the government resorted to dividing the insurgents, especially after these new personal demands were made.

Disputes arose between Murād ʿAṭṭo and some of his followers, who considered the conscription issue a religious matter and resisted entering military service on those grounds. However, Murād ʿAṭṭo’s demands served as a warning the insurgent fighters about his personal intentions, which had nothing to do with the welfare of the Yazidi. That, in turn, led to the withdrawal of some clan leaders, such as Ḥajī Rashū Qūlū, who left Mount Sinjar and went back to his village. He waited for the return of Mīr Taḥsīn Bag to Sinjar, hoping that the latter would intercede for him with the authorities.

As this change of perspective among the insurgent Yazidi became apparent, the State security departments made contact with the Yazidi and the armed men in Sinjar in order to deepen the division between Murād ʿAṭṭo and the other presidents, to disperse them and lessen the threat.

which Murād ʿAṭṭo posed to the government. The government’s role in deepening the division is clear in the following:

“We hope to inform the honest Yazidi presidents of Murād ʿAṭṭo’s demands, and [make clear that] that they have no relation to the Yazidi; rather, they are purely personal in an attempt to keep them away from him and make them uphold the government”.

At the same time, the Provincial Governor of Mosul, the Commander of the Ground Forces and an agent of the leader of the Fourth Division went to Sinjar on August 18, 1966. With them, they brought Mīr Taḥṣīn Bag and Bāba-Shaykh along with the leaders of the Yazidi. They recommended the prince and all the present leaders go to Murād ʿAṭṭo and the other insurgents in Dīr-ʿAṣī, and convince him by whatever means necessary, to refrain from revolt and to not force the government authorities to punish them.

The negotiations lasted for five hours and resulted in yet more demands being made by Murat Bag. He sent a letter to the authorities, stating that the reason for his protest was the seizure of Yazidi lands by Arab clans, especially by the clan of Shammar of al-Faddāghah.

The following is a letter which contains many historical references which concern the conflict between the Yazidi and the Arab clans and the seizure of Yazidi property and possessions in Sinjar:

After the statement by the Ministry of the Defense regarding military [conscription], was made public, the Yazidi expressed their concerns on religious and social grounds. They had not previously been involved in the military, and we know that this is a sacred institution and a duty for every Iraqi. However, the [Ministry] statement included all of the community, men both young and old, which meant leaving their families and children without any sustenance. Besides, in enforcing conscription, the government resorted to force and surrounded the villages, spreading fear [among the Yazidi population] killing two from the village of Zirāfkī and injuring two others. Looting also took place. The government squad was led by Officer Arshad Aḥmad Āghā al-Zibārī. Furthermore, some people of Sinjar sent people for conscription who were not involved in the negotiations of the statement, in an attempt to relieve their

1172 It is a branch of the tribe of Sinjar which belongs to the clan of Shammar which came from Najd (Saudi Arabia) to Iraq, see: ʿAzzāwī: Mawsūʾat ʿAshāʾir al-ʿIrāq..., Vol.1, pp.180-187.
relatives of it. We would also inform you that the lands of about 25 villages of the clans of Qayrān, Ḥilīqī and Simūqa were looted and given to Shammar and their leaders, and our people were exposed to other disturbances such as economic siege. For these reasons, our people staged a sit-in on the mountain. Due to Murād ‘Aṭṭo’s sense of responsibility, he started making the insurgents use reason and joined them in order to prevent spontaneous actions from taking place, especially since the government’s program is to regain tranquility among the people and meet the demands of the Yazidis. Besides, we would clarify to you that we have no intention of any insurrection against the government; however, the circumstances which the region has endured and which we stated above prompted the Yazidi to go to the mountain. If the government continues to adopt this policy, our people will leave their regions and go to Syria and Turkey. In the interests of the common good, we kindly request that you find a solution to our plight. We are faithful Iraqis and ready to join the military in pursuance of the following items:

1. For political and social reasons, we want our conscripting center and training in Sinjar, in deference to our habits and traditions.
2. The return of the pillaged lands from the Qayrān, Ḥilīqī and Simūqa to their owners according to the law, which are estimated to total 25 villages.
3. Bringing into action the ministerial program and distributing the lands among the peasants.
4. Issuing an amnesty for those who are in the mountain and putting an end to tracing after they return.
5. The execution of the Fourth Division leadership’s book No. Sh.Ā.’A/H, Ḍ,R: 3/17/1637, August 8, 1966, is to be in cooperation with Murād ‘Aṭṭo, and for this reason, there has to be a center and guards for him in Sinjar.

Your highness is to be fully aware that Murād ‘Aṭṭo cannot convince his people to return without the fulfillment of the terms specified above. Even if he were to accept, without the terms being implemented, a majority of them would leave Iraq to the neighboring countries. We wish the best for our people, Arabs and Kurds.

Signed on behalf of the insurgents in Sinjar, Murād ‘Aṭṭo.1173

The content of this letter highlights a number of facts regarding the reasons for the Yazidi’s insurrection in Sinjar. In addition to the issue of conscription, there was another issue that caused the end the movement which was the seizure of Yazidi lands and villages by the Arab clan of Shammar. The issue was raised at this very time, which gave the movement another

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1173 Through/From the Revered Leader of the Fourth Division, to the Revered Mr. President, ‘Abd al-Salām ‘Ārif and the Revered Prime Minister, Nājī Ṭālib, The Revered Minister of Defense. Document: No.70, p. 379. See the original text of the document in Arabic with translation in: Appendices, Figure 2. 22, and its translation in figure 2. 23.
dimension for which the insurrection started. Thus, the issue of land seizures surpassed that of conscription. By calling for the rights of the Kurds, Murād ‘Aṭṭo presented himself as a political leader, who demanded to resolve the problems of the Yazidi in Sinjar. The letter highlighted issues related to the rights of the Yazidi, which shows Murād ‘Aṭṭo’s political capacity.

Regarding the land seizures, the Iraqi government acknowledged the trespassing of the clan of Shammar onto the Yazidi territory. However, the government played down the wrongdoing on the Arab side of the dispute, claiming that the administrative borders of Ba’āj (a town that is 35 km away from Sinjar) Sinjar had been modified and added that such trespassing is natural between most neighboring villages and between the landowners of adjacent lands. Interestingly, the government circumvented the connection between the trespassing of the Muslim clans and the Yazidi insurrection. To expunge the notion that the seizure of the Yazidi possessions was one of the reasons of the insurrection, the government requested Taḥsīn Bag to make those present (the leaders) swear to stay loyal to the government, obey its orders, not cooperate with Murād ‘Aṭṭo, take his followers from him and leave him alone to bear the consequences.

“Indeed, the swearing took place in front of everyone who was present from the government officials and the Yazidi leaders…We asked the Yazidi Taḥsīn to excommunicate Murād ‘Aṭṭo and those who stay with him. However, [Taḥsīn] did not accept that, claiming that if he did so, and things revert to normal again, it would be difficult to undo it. After many had insisted upon him, he requested time until Sunday August 21, 1966 to make a new attempt to make the insurgents understand the consequences and the likelihood of prohibition, but they insisted upon the insurrection, thus, their excommunication is unavoidable”.

8.3.5.2 Convention of 21 August, 1966

A resolution to the crisis was reached on August 21, 1966 after Mīr Taḥsīn Bag, Bāba-Shaykh and other spiritual leaders of the Yazidi went to Murād ‘Aṭṭo in Dīr-‘Aṣī valley to warn the insurgents to either return to their villages and obey the government after it provided them with promises and allowances, or they would be prohibited from returning by Taḥsīn Bag, and that the government would punish them, with no chance for reprieve. Therefore, the

1174 According to the document, the editors of this letter were the teachers, Shaykh Ṣabrī and Mīkhā, who were wanted by the government and were accused of communism and of joining the insurrection led by Murād ‘Aṭṭo in Sinjar. See: M.D.C.: The Province of Mosul, No. Q.S/2682, dated 19 August, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: The Movements of Murād ‘Aṭṭo and the Yazidi and the Situation in Sinjar, doc. 70, p. 378.

insurgents were forced to submit to Mīr Taḥsīn Bag. When the latter returned, he requested a pardon on behalf of the insurgents.

The Iraqi Minister of Defense granted the pardons. They agreed upon:

1. Opening an infantrymen training center in Sinjar.
2. Conscripting only one person to every family.
3. Being allowed to perform their religious rites when training.
4. For the administrative demands concerning the Yazidi, they can be solved. The government promised to solve them as soon as possible.

The Province of Mosul proposed rewarding the spiritual leaders with 200 Iraqi Dinar for their role in resolving the issue. In addition, it proposed to give Murād ʿAṭṭo a financial reward of 100 Dinar, as well as giving a financial reward of about 300 Dinar to the leaders of the Yazidi clans that had supported the government.

There are three possible reasons for such lenient treatment on the part of the government. The first could be the desire to prevent the massacres of religious minorities in the thirties from being repeated. The second was probably the knowledge of the nature of the Yazidi community and its insistence upon defending its land and religious rights. The third could have been a strategy to diminishing the appeal of the Kurdish Movement and prevent it from expanding into Sinjar and opening a front there.

As the chief of the insurgents, Murād ʿAṭṭo met with the Minister of Defense in Mosul on the same day, August 21. After holding negotiations, they agreed to fulfill Yazidi demands in Sinjar, in return for an end to the hostilities. The most important issues addressed in the new agreement were the distribution of arable land to the poor and the establishment of firm borders between the Shammar and Yazidi clans in the districts of Ḥaḍar and Sinjar to prevent trespassing. A new issue with a religious dimension had also been added to the agreement, namely the making of marriage contracts between Yazidis by a Yazidi clergyman, which, forthwith, was to be attended by two mayors and witnesses. The contract was to be confirmed by the spiritual head of the community, then registered at court and the civil registration departments.

1177 The administrative demands here refer to the land seizures carried out by Arab clans on Yazidi property.
1179 The name of Imām for the Yazidi clergyman was used in the documents, similar to the name for Muslims. However, there is no post or the name of Imām in the Yazidi religion.
The issue of marriage contracts was raised for the first time in the documents of the government during this period, which indicates that the case of civil status law, passed in 1964\textsuperscript{1181} had created new challenges for the Yazidi in relation to marriage. As a result, the issue was included in the scope of the Yazidi demands. Moreover, the government vowed to try to establish a legal framework for the marriage contract, so that marriages would take place according to Yazidi custom and be registered in the courts and the official departments thereafter, so that, in future, Yazidis would not be registered as Muslims in the official records. This indicates that the rights of the Yazidi rights had been infringed upon in this way.

After agreement had been reached, Murād ‘Aṭṭo went to Sinjar and Dīr-‘Aṣī, where most insurgents were located and told them to return to their villages, as an announcement to signal the end of the insurrection.\textsuperscript{1182} In order that the agreement of August 21, 1966 be fully implemented, a meeting was held in Sinjar on August 28 in which the Yazidi leaders asked the government to fulfill all their demands, the most important of which were twofold, namely (1) the issue of a marriage contract by the confirmation of the spiritual president, then the registration of the contract in the civil courts without the presence of the husband or wife before the special judge, considering that this document is sufficient. After that the marriage is to be registered in the departments of the civil status in conformity with regulations;\textsuperscript{1183} and (2) the distribution of arable land in Sinjar.\textsuperscript{1184}

The Province of Mosul officially requested the Iraqi Ministry of the Interior to have the Ministry of Justice pass the necessary legislation to meet the Yazidi demands regarding marriage contracts, since it was essential for the sake of the common good, the religious circumstances surrounding the issue, and the Yazidi rites and traditions.\textsuperscript{1185} Despite the inexistence of evidence or sources which confirm that the government passed any regulations to this regard, it can be assumed that the practice of registering Yazidi marriage contracts in court (meaning recognizing them by law) did not begin until the Ba‘th Era, which changed the law of courts in the 1970s and made it compulsory for the marriages of all Iraqis to be registered in the civil courts.

\textsuperscript{1181} For the suffering endured by the minorities under this law, see, pp. 180-184 of this dissertation.
Regarding the land distribution issue, the Ministry of Agriculture adopted the necessary procedures for the distribution of land in Sinjar, on September 16, 1966, and allocated agricultural land to some Yazidis for farming and dwelling purposes.

An examination of the trespassing issue found both parties guilty, stating that:

“Some farmers from the Yazidi clans trespassed over the lands of Shammar in Baʿāj town. The clans of Shammar also trespassed on Yazidi lands in Sinjar. Therefore, we hope that the District Chief of Sinjar will eliminate the trespassing by the Yazidi over the lands of Shammar and that they vow not to repeat it again”.

What is notable in the letter of the District Chief of Baʿāj was that both parties were acknowledged as guilty, but its references to future behavior referred only to the Yazidi, which hints at the government's partiality towards the Arab tribes. It should be noted therefore that, rather than a dispute between clans, the land seizures were, in fact, directly connected to the agendas of the CGI.

The committee of inquiry in Sinjar also stated that the Yazidi trespassed over a distance of over 300 Dunam on to the lands of Shammar in the region between the villages of Tal-Sāqī and Tal-Um-Raṣīf. Similarly, it also stated that the Shammar trespassed over an area of Yazidi lands of about 1500 Dunam or 2500 sq. meters in size, in the adjacent area of the village of Tal-Abū- ākiya.

The District Chief of Sinjar stated that the Yazidi from the clan of Qayrān were still exiled from their villages in this area, and that these lands “are being made use of by the [Arab clans]”. Regarding Murād ʿAṭṭo’s request that 25 Yazidi villages that were taken over by the Shammar be returned to the Yazidi, the committee denied the fact in its report. It is evident that the land seizures took place in waves after the arrival of the Arab nomadic tribes to the settled Yazidi region. It should be noted that this territory is the Yazidis ancestral and current home, whereas the Arab tribes who seized lands there, were nomadic tribes that spread gradually in the regions, aided by the governments of the region.

1188 In Iraq, the dunam is 2,500 square metres. Ibrahim M. Al-Shawi: Glimpse of Iraq, the country, the people and occupation. www.lulu.com, 2006, p.160.
1191 Ibid.
Not only did Ḥamad Maṭṭo demand that Yazidi lands be returned to them. Another Yazidi chief, named Ḥajī Mīrzā Khalīl, one of the heads of the clan of Qayrān, submitted a petition to the leadership of the Fourth Division regarding the seizure of their lands by the Arabs clans. Based on Ḥajī Mīrzā Khalīl’s request, the District Chief of Sinjar asked the province of Baʿāj to prioritize the issue, and not allow for any seizure of their and work to eliminate all trespassing. The most important thing, in this case, is that the government assigned great importance to this issue raised by Murād ʿAṭṭo. When the issue acquired a legal dimension and the government took the necessary procedures, the situation in Sinjar calmed considerably. As a result, the District Chief of Sinjar responded positively to the Yazidi request to end the economic sanctions. The request was formulated as follows:

“Since things went back to normal again, we hope that you [the District Chief of Sinjar] accept to allow us to have sugar, tea, grains and sheep in our province”.

Consequently, the government ended the economic siege over Sinjar and replied:

“Based on what you have shown and because things went back to normal again in your province, we accept to eliminate the economic sanctions… at present”.

A training center was opened in Sinjar to train the Yazidi soldiers, a diplomatic event with an extravagant military parade was held which was attended by 100 Yazidi leaders who were invited to lunch in Sinjar. It is evident that this was an attempt to create mutual trust between the two parties.

Fearing a repeat of the 1964 Sharfadīn dispute, however, the government did not completely withdraw its military units from Mount Sinjar. Rather, it kept an additional military force there until the end of Sharfadīn holiday on August 3, 1966. A number of the Yazidi were gradually conscripted, despite the fact that they did not fully abide by the military terms and attendance requirements, whereas others prolonged the process of conscription. However, that did not lead to another insurgency. At the same time, Murād ʿAṭṭo and the other leaders came under surveillance. According to security reports, relations did not cease between Murād ʿAṭṭo and the Kurdish Movement at this time. In addition, the latter prompted the Yazidi in Sinjar to

1192 Ibid, doc. 87, p. 419.
continue their insurgency against the government. However, the situation remained calm despite the attempts of both parties (meaning the government and the Kurdish Movement) to press on the Yazidis in Sinjar to further their aims in their conflicts with one another.

8.3.6 The Prospective Dimensions of the Yazidi “Insurgence” Movement

The Yazidi insurrection in Sinjar had other consequences, namely it made the CGI aware of purging insurgency within the Yazidi minority and of gaining control of the Yazidi as a whole. Consequently, the government began its surveillance operation on the Yazidi in Mosul along the following lines:

1. Their leaders and the extent of their power, their dwelling places and the personal relationships.
2. The other provinces and villages where a number of them live.
3. An approximation of the number of weapons that they own.
4. The Knights leaders [the pro-militias] and the number of armed men and the extent of their support for the national authority and their relationship with the insurgents [The Kurdish Movement], the number of the governmental weapons which they have and the personal weapons which belong to them.
5. The differences between them and the Arab clans.

The detailed nature of the information which the government sought to collect on the Yazidi serves as an indication of its future plans to dominate and manipulate them. Indeed, during the Ba’th Era, extensive procedures were put in place to implement the government’s Arabization policy in the Yazidi areas. As previously outlined, this was done by settling Arab clans on Yazidi lands (which led to Islamisation in those areas). In addition, the registration of the Yazidi population as Arabs was also an instrument of the government’s Arabization policy.


This part deals with the historical dimensions of political developments in Iraq in relation to religious minorities in the post-1968 era, the impact of which still prevails. This is evident in two key areas, namely the political sphere and the judiciary, both of which can be traced throughout the Ba’thist period (1968-2003), and subsequently, from post-2003 until the present. Many of the laws that were put in place in 1958-1968 have remained in effect in Iraq and the Kurdistan region. Despite amendments to some of their articles, many laws are still used to exploit religious minorities in matters of marriage and conversion to Islam. In addition, political developments have continued along the same lines as in previous eras, whereby many religious minorities continue to experience state-led discrimination, persecution and forced demographic change.

Chapter 9: Rights of Religious Minorities and Legal Reform

9.1 The Law of Civil Status No.65/1972

When the Ba’th Party came to power in 1968 it addressed the matter of the Registration of Civil Status Law No. 189/1964 and in 1972, the Law of Civil Status No. 65/1972 was passed. It should be noted that this law, rather than reforming the basis for court decisions in such matters, upheld the tenets of Islamic personal status law based on traditional Islamic jurisprudence.

Article 20, paragraph 2 of the Law of Civil Status No. 65/1972 makes legal provision for religious conversion and states that all non-Muslims have the right to convert to any religion. Article 21, paragraph 2 states that persons who convert to another religion are allowed to change their first name in deference to the religion to which they convert (meaning those converting to Christianity may, by law, assume a Christian first name, for example). Paragraph 3 refers to the children of those who convert. It states that, in the event that a parent converts to Islam, their children (those who are under 18) are automatically registered as Muslim under the law.

When a married person converts to Islam, the only form of legal precedent available exists in Islamic law. In other words, if a married woman converts to Islam, it is not possible for the

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1202 This means changing the name of the person who converted to Islam to a new name in the civil records and the Iraqi courts. An example of which is changing the names which hold religious or identity connotations which are not Islamic, such as Puṭrus, Hannā, Rashī, Khūdidā, etc. to names that hold Arab and Islamic connotation such as Muhammad, ‘Alī, Hussayn, Quḥṭān, etc.
marriage to continue with her non-Muslim husband, unless he also converts to Islam. In such cases (depending on the previous marriage contract before her conversion to Islam) the judge proposes that the husband converts to Islam. If the husband agrees, the judge acknowledges their marriage as valid. If the husband refuses to convert to Islam, the judge separates them and annuls the marriage, because a Muslim woman is not permitted to marry a non-Muslim man, neither is a woman permitted to remain married to a non-Muslim after she has converted to Islam.

Many such cases have taken place in the Iraqi courts with respect to Christians, Yazidis, Sabean-Mandaeans and other religions and have often lead to the disintegration of families. Such was the case of a Christian man who filed a lawsuit in a court in Mosul after refusing to be separated from his wife. When he court ruled against him, the lawsuit was transferred to the court of cassation. However, this court ruled that “After deliberation and scrutiny, the court of personal status in Mosul issued decision No. 96/5526 on 11 September, 1996 which separates the plaintiff (…) and her Christian husband (…) because she declared herself Muslim and the defendant stayed with her, since it is not possible for a Muslim woman to stay in a marriage contract with a non-Muslim”. Accordingly, the court annulled the marriage.

With regard to paragraph 2 which states that the religion of children depends on the parent who converted to Islam, this issue continues to cause great concern and feelings of discrimination. It also causes problems within the religious minorities themselves. The Iraqi judiciary remains divided on the interpretation of this law and there are two legal opinions on how the matter is to be handled. The first states that it is the right of the child whose parent converted to Islam, to revert back to his/her original religion, provided that the child meets the conditions for being allowed to apply for same; the applicant must have reached the age of 18, be of sound mind and under no constraint or undue influence. Under this interpretation of the law, a Christian woman who wanted to convert back to Christianity to marry a Christian man instituted legal proceedings in the Iraqi court to revert to her original religion. In this case, the court ruled in her favour, having established that she had converted to Islam when she was underage as one of her parents had converted to Islam, and, and after she reached maturity, she chose to return to her original religion which is Christianity.

1203 (…) Here, the names of the parties to the case have been omitted.
1205 Even after 2003 the personal status laws and regulations still remain in place, and continue to prevent the conversion of Muslims to other religions. Equally, they require the automatic conversion of minor children to Islam if one of their parents converts to Islam in Iraq and the KRI. In the KRI, for example, several cases of Christian single parent families have been affected by the conversion policy, which applies to all religious minorities. In some cases, the Christian parent fled with their minor children to avoid the automatic conversion of their children to Islam. See: USDOS: 2014 Report on International Religious Freedom - Iraq, 14 October 2015. Retrieved on January 07, 2017 from http://www.ecoi.net/local_link/313315/437664_en.html.
When an application to revert to a non-Muslim religion is denied by the court, the case is invariably transferred to the court of cassation. This can be observed in the following case:

The government institution for producing documents of identification that reflect civil status and the Mudiriyyat al-jinsiyya wa-l-aḥwāl al-madaniyya (the Directorate of Nationality and Civil Status) in the city of Mosul refused to change the religious identity of a Christian woman on her identity card. One of her parents had converted to Islam when she was underage. Upon reaching maturity she decided to revert to Christianity and applied to the courts for same. The court ruled in her favour. However, the case was transferred to the court of cassation on 8 May, 1985 which overruled the previous ruling under the pretext that the plaintiff was born in 1965. The court argued that, as the lawsuit had been brought four years after the woman reached maturity, her right to revert was recinded. It is worth mentioning that this law did not allow those who were born after one of the parents embraced Islam to convert back to his/her original religion on the grounds that he/she was born to a Muslim father or mother.

The second interpretation states that a person who is underage who embraced Islam due to one of his/her parents conversion to that religion is not permitted to revert to his/her original religion after reaching maturity as this is deemed prevarication, which is not permitted under Islamic law.

This interpretation has prevailed in many of the minorities’ lawsuits. For instance, a Sabean-Mandaean plaintiff (S. A. L) whose parent converted to Islam when she was ten years old, went to court upon reaching maturity to change her religion (as specified in her records) from Muslim to Sabean-Mandaean, as she wished to revert to her original religion. However, the court of cassation refused to authorize the official change of religion. The court of cassation based its decision on Islamic law, which in turn was based on Quranic verses, Sunnah, and the consensus of jurists.

It is noteworthy that the case was opened in 1988 and continued until 1994, ending with the ruling that she be denied conversion and remained Muslim. Then, the plaintiff presented her lawsuit at the court of Baiya‘ in Baghdad. The court of cassation ruling against her was

1207 The court of personal status in Mosul, decision No. 373/984, on August 26, 1984.
1208 The court reached its decision and thereby rejected the request of the Latin Church in Mosul to the court, which confirmed that the plaintiff had been practicing the Christian faith since 1980. The court’s decision was based on the plaintiff’s failure to bring the case to court within the allowed legal period (meaning in the years after she had reached 18 years of age). The court of cassation threw the case out of court. See No. 324/ first case/ 85/ 86 on 21 September, 1986, in the decisions of justice, No. 3-4, Baghdad-1986, pp. 101-103.
1209 The initials of the name of the plaintiff.
upheld, forbidding her to convert to her original Sabean-Mandaean religion in 14/2/2000.1212 In similar cases attempts by members of Iraqi religious minorities to return to their natal religion after one of their parents had converted to Islam have been rejected.

Upon examining these court rulings, it becomes apparent that the Iraqi courts were inclined towards the first legal interpretation from 1964 to 1988 which permitted that children of Muslim converts revert to their original non-Muslim religion upon reaching maturity. However, after 1988, the general opinion of the Iraqi courts shifted towards the second opinion (which rejected the return of such persons to their non-Muslim religion). This may be related to the so-called ‘faith campaign’1213 during the first and the second Gulf War. The campaign propagated religious feeling of Muslims in Iraq during the wars with the Islamic Republic of Iran 1980-1988, and with the United States and the western countries 1991-2003, which negatively and directly affected the religious minorities.

It is evident that the judiciary’s handling of personal and civil status matters such as marriage, inheritance and converting to Islam, as well as its laws and legal practices pertaining to same were based on the Islamic law. This serves to refute many studies which claim that the Iraqi judiciary during the Republican period was secular. In addition, it should be noted that any secularist awareness which may have found expression in legal deliberations over individual cases was confined to the social elite and was never brought to bear on the outcome of such cases. Furthermore, secular thinking was the privilege of the political and social elite and did not permeate other layers of Iraqi society.

In Iraq, the apparent secularism at State level during the period cloaked the deep collective religious awareness of the social majorities and of key decision-makers in State institutions. The feigned adoption of secular thought was a mere instrument that enabled political parties to stay in power. Rather than becoming more secular, most government bodies and State institutions (and the judiciary in particular) did quite the opposite; they upheld the constitutional article which stipulates that the main religion of the country is Islam. This extended to the recognition of the rights of the religious minorities by those in power. Although minority rites were embedded in the constitution, rather than being applied in practice, they would continue to exist only in theory. This also served to underpin, if not strengthen the stereotypes of religious minorities in the social and formal circles at the echelons of Iraqi society.

To consolidate and preserve their position of privilege, the nationalist currents in Iraq manipulated Islamic heritage, identity and the Islamic law to their advantage. When these currents seized power, they managed the country according to their doctrinal interests. They

changed the laws in the country as political circumstances. This is particularly apparent in the period of the two ʿĀrifīs and the Iraqi Baʿth Party. Although secularism was sometimes used as a means of achieving interior equilibrium, and of strengthening the political system and supporting the ruling elite, it remained merely a theoretical phenomenon in Iraq.

9.2 Judicial Rights in the Iraqi Courts

During the Baʿth period and after, the Iraqi laws which did not allow for any member of the minorities who are non-Ahl al-kitāb to become judges or prosecutors in the Iraqi courts was abolished and replaced by new laws that permitted non-Muslims to become judges and prosecutors.

In 1979, law No.159/1979 on public prosecution was passed. According to the first item of article 41, those who are appointed to the public prosecution body, must be Iraqi by birth, married, and a graduate of the Institute of Judges. Although the law of judicial institute and the law of public prosecution did not state religious background as a condition for those willing to teach in the judicial institute or be appointed in the public prosecution, no non-Muslim minorities would become judges or public prosecutors, with the exception of a small number of Christians, presumably since they are People-of-the-Book and thus members of a revealed religion.

After the Second Gulf War in 1991 and the establishment of an autonomous Kurdish administration in the Kurdistan Region of Iraq, members of the religious minorities requested that the authorities of the Kurdistan Region to produce a law that would allow them to become members of the judiciary according to law No. 159/1979. Such a law has yet to be passed in the Kurdistan Region, although other amendments to the law have been made to date.

On 21st of February 2008, the Office of the President of the Republic of Iraq, Jalāl Ṭalibānī, the leader of PUK Party, presented a proposal to the cabinet of the Kurdistan Region that Yazidi graduates of the Faculty of Law should be allowed to hold the position of judge. After submitting his request to the council of judiciary in the Kurdistan Region, the council resolved that they have nothing against receiving applications for appointments to courts of the region if there is a need for that. Accordingly, some of the quasi-secular Kurdish parties appointed

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1216 Paragraph No.1 of article 41 of the aforementioned law was amended in 2007. The amendment related to conditions for marriage. Thereafter, the KRI ceased reforming the legislation entirely and the exclusion of members of the non-Ahl al-kitāb minorities from the judiciary has remained in force to date. See: Kurdistan Waqāʿi’iʿ Gazette, Vol. 71, dated 29th July, 2007.

a number of Christians and Yazidis to the committees of public prosecution after the council of judiciary in the Kurdistan Region permitted their appointment in principle. However, in practice, non-Muslim judges were not allowed to preside over legal cases. Although they were appointed to the courts as judges, in practice, their role was limited to that of state prosecutor in criminal cases. This could have been a strategy by the political parties to weaken the demands of the religious minorities by appearing to grant them.

It is important to note that personal and civil status law pertaining to religious minorities in Iraq is lacking to date, especially for those who are not ‘People-of-the-Book’. In an effort to rectify the situation, a group of Iraqi Yazidi living in Germany raised the issue of a new personal statute law for the Yazidi minority in 2008 and published a draft of 18 articles on civil matters such as marriage, inheritance, divorce which could be used as the basis for new legislation that would serve the rights of the Yazidis in these areas. Some time thereafter in Iraq, the Yazidi established a committee to prepare a draft proposal for a new Yazidi personal statute law. This was presented to the parliament of the Kurdistan Region in 2012. However, no action was taken by the KRI parliament on the matter thereafter.

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1218 Two Yazidi judges were appointed in the courts of the city of Sulaymaniyya by order of the previous Iraqi President Jalāl Ṭāllabānī. Three were appointed as state prosecutors for criminal cases to the courts of the City of Duhok.


Chapter 10: Socio-political Developments and Religious Minorities

10.1 Jews: The Second Farhūd and the Final Escape

The Jews experienced relative leniency on the part of the State after the Baʿthists assumed power. The improvement was marked by the government’s passing some new legislation such as No. 86/ 1969 which abolished law No. 64/ 1967 and law No. 10/ 1968, which monitored and managed the funds of the denationalized Jews. Nevertheless, many other laws remained in force which can be considered instruments of the State’s enmity towards the Jewish community.

The initial leniency of the Baʿth Government towards other internal political movements and towards minorities in general the early years of its reign was a consolidation technique. After the Baʿth Government had consolidated its power, its policy towards the Jews and other minorities shifted; the former leniency was replaced with a policy of persecution and incitment to hatred. The public hanging of Jews in the public squares of Baghdad and other cities became commonplace. This policy forced many of the Jews to leave Iraq, and by the mid 1970’s, only a tenth of the population heretofore remained in the country.

In 1969, the government began its policy of persecution by convicting dozens of Jews of spying for Israel. Subsequently, nine people were publicly executed by the State in Al-Tahrīr Square in Baghdad. The trials were broadcasted on national television. In a response to the executions, Israel accused the government of Iraq of oppressing the Jews with political propaganda, as it had falsely claimed that the Iraqi Jews were working for Israeli State intelligence.

With respect to Baʿth Government’s attitude towards the Jews, one of the leaders of the Baʿth Party at that time, Lieutenant General Hardān al-Tikrīṭī confirmed in his memoirs that Iraqi Jews were secretly allowed to return to Iraq. He mentioned, for instance, that when Aḥmad Ḥasan al-Bakr became president, Iraq allowed the Iraqi Jews who had already been exiled to Israel at that time, to return to Iraq. This development was the result of a clandestine agreement forged in Paris after the coup of July 30, 1968 between Michel ʿAflaq on the part of Baʿth Party and Lord Saif, (an Arab Israeli and the Dean of Zionism in London) on the

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1224 To view information on Hardān al-Tikrīṭī and his memoirs, see: ʿAbd-ullah Ṭāhir al-Tikrīṭī: Mudhakarāt Ḥardān ʿAbd al-Ghafār Tikrīṭī (The memoirs of Hardān ʿAbd al-Ghafār Tikrīṭī). Published on August 1st, 1971, in which he revealed many secrets he learned from his time as a confidante of the Iraqi President de jure, Aḥmad Ḥasan al-Bakr. For this reason, he was assassinated in Kuwait by the Iraqi Secret Service.
1225 Michel ʿAflaq (9 January, 1910 - 23 June, 1989) is one of the establishers and theorizers of the Arab Socialist Baʿth Party.
part of Israel. They reached an agreement that allowed the Iraqi Jews to immigrate to Israel via Cyprus. Hardān al-Tikrītī stated that:

“A month after the Coup of 30th July, on 29th August 1968, we agreed that Israel would not attack our army or Iraq, provided that the Iraqi army does not participate in any attack against Israel or even deter any attack against Jordan and that Iraqi Jews be allowed to immigrate to Israel through Cyprus. This agreement was made between us and Israel through Ḥaifo, and Lord Saiff, in the city of Paris. This agreement was abided by the two parties until [1971]. In addition, president Bakr, in an official statement, gave the rights of citizenship to the Jewish community, including the right to emmigrate from Iraq, to Israel”.1226

No document or interview has ever been found to confirm this information. Moreover, it appears unlikely that the same government that had arrested and executed the Jews on a large scale since 1969 would then allow them to leave or return. Nevertheless, this interpretation is inconclusive. Even if such a clandestine pact had been made between the two parties, the arrests and executions may have served as a political tool through which the Iraqi government could apply pressure on Israel, by showing that it would retaliate against the Jews inside Iraq, if Israel did not keep its part of the bargain. Although the apparent leniency of the Baʿth government and the notion of a possible clandestine return of Jews who were previously exiled from the country may seem positive, it should be remembered that many Jews who left Iraq spoke widely of the discrimination and oppression experienced by their people there.

The desire to prevent this history from being forgotten remains evident. Recently, a documentary film entitled “Shadow in Baghdad,” was produced. Directed by the Israeli, Duki Dror, the film recounts the adventures of a Jewish woman, Linda, and her search for her father, Yaʿqūb Ḥaifa, who was kidnapped and disappeared in 1972. The narrator speaks about how the family was broken apart after their escape from Iraq during the period of widespread State targeting of the Iraqi Jews after the defeat of the Arabs in 1967. In an attempt to come to terms with the loss of her father, Linda tries to uncover the reasons why her father was killed. He “used to help people, regardless of their sect. He was neither Zionist nor rich,” she claimed.1227

Arbitrariness in the overall treatment of the Jews by the government is also evident elsewhere. While State recognition of Jewish religious holidays remained intact, for example,1228 after the war of 6th October, 1973 (between some Arab countries and Israel in which Iraq

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1226 Tikrīf: ibid, pp. 1-4, 10.
participated) the Jews were exposed to severe oppression by the Directorate of General Security in Baghdad. Jewish parents whose children had left Iraq were questioned and they were imprisoned. In such a case, Salīm al- Баşūn1230 was called for by the security, for example. According to him, if his Iraqi friends had not interceded, his fate would have been very uncertain indeed. Subsequently, he and his wife escaped from Iraq.1231 In 1973 alone, 47 Jews disappeared.1232 Samīr Qashqūsh1233 and six of his family were among those killed. None of their bodies have ever been recovered.

These State killings of Jewish citizens were part of the policy of denationalizing Jewish students who were studying abroad. Their passports were not renewed; thus, they became refugees in the countries where they studied. In addition, political detainees who had previously been released, were also denationalized, even some Jews who were opposed to Zionism.1234

By 1975, after the oppression, the random killings, and the assassinations of the Jews on the part of the State (which was followed by the eventual exodus of the remaining Jews from Iraq) the government had successfully consolidated its power. Thereafter, the government began to address many internal issues relating to minorities. To this end, the Iraqi Revolutionary Command Council (RCC)1235 adopted the following resolution on 26th of November, 1975:

1233 For information on the Qashqoush family and dozens of Jews who were arrested and killed by the secret police, See: Benjamin: Op. Cit., pp. 257-258.
1235 During the Baʿth period, the government undermined the pervious constitution, creating a shift of power away from the constitution and the judiciary towards the Revolutionary Command Council (RCC). This council became the single supreme power of both the executive and the legislature of State.
1. Iraqi Jews who left Iraq after 1948 are hereby entitled to return.
2. All Iraqi Jews returning to Iraq under this resolution shall enjoy all lawful rights of Iraqi Citizens under law.
3. The Iraqi Government shall guarantee the returning Jews full constitutional rights.

When this decision is evaluated in context, it is evident that it was not passed out of goodwill on the part of the government towards the Jews or due to a change of its policies based on principle in relation to them. Rather, the decision came on foot of a proposal made by The Palestinian Liberation Organization (PLO) to Arab countries in the Middle East that they allow the Jews who had previously exiled these countries to return to their homes. Iraq was the first country passing the necessary legislation in line with this policy. Although a small number of Jews did return, the whole matter was a political ploy. In light of the Jews’ experiences of Iraqi government oppression, it was unlikely from the outset that a large number would return, particularly at a time when the government was at the peak of its strength.

All of the aforementioned events led to the end of the most ancient recognised minority in Iraq. It had begun with a wave of emigration in response to the law of denationalization in 1951, and culminated in a second wave during the reign of the Ba’th Party between 1969 and 1973, which can be called the “Last Farhūd”. In its wake, every Jew who could leave Iraq, did so. Fewer than 10 Jews remained in Baghdad, and none were known to live in other parts of the country. After 2003, some people in Iraq claimed to be of Jewish origin, some of whom may be Jews who embraced Islam out of fear.

There are some reports that suggest a Jewish community of about ten to twenty Jews remain, but there is no Rabbi in Iraq. Furthermore, whatever community may be left is living in certain isolation, most likely in or around Baghdad or in the KRI. Some of the remaining Jews in Baghdad lamented that Jews in Baghdad had had no meeting place since the Ma’īr Ṭāwiq synagogue, the last in the city, which was closed in 2003, after it became too dangerous to gather there openly. According to some reports, the situation of Jews in Iraq after the US occupation in 2003 worsened significantly. Similarly, such reports claim that, given the

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ongoing climate of religious intolerance and extremism, Jews in Iraq continue to be at risk of harassment, discrimination, and persecution for mainly religious reasons.\textsuperscript{1242}

According to Israeli statistics, the total number of Jews who left Iraq for Israel between 1948 and 1986 was 129,400,\textsuperscript{1243} the rest of whom immigrated to other countries. The subsequent Iraqi government used the funds of those Jews which were confiscated by the General Secretariat of FJF for its own ends. Information from the final statement of the conference of the Iraqi-Jewish Association, produced on 4 April, 1987 in New York is helpful: “The Iraqi Jews owe the reestablishment of their community to two main factors, firstly, the law of denationalizing the Iraqi Jews that allowed them to emigrate from Iraq in 1950. The second is Masʿūd Bārzānī\textsuperscript{1244} [who was the head of the Kurdish Secret Service (\textit{Pārāštīn}), and the current president of the Kurdistan Region of Iraq who saved the lives of more than five thousands Jewish from year 1970 to 1973”\textsuperscript{1245}.

\textbf{10.2 Re-forging the Case of the Iraqi Christians}

When the Ba'ath Party assumed power, it initially sought to mend internal issues and to achieve political stability by negotiating with the Kurds and coercing the minorities into separating from the Kurdish Movement. The government started a dialogue about the problems and issues affecting all minorities. It passed a resolution that allowed the Jews to return and sought to appease the Christians by renaming Mosul according to its ancient Assyrian name, the Province of Nineveh.\textsuperscript{1246} It also passed a number of resolutions and decrees pertaining to minorities, such as resolution \textit{No.124/1970} which exempted the Christian churches and the synagogues from the water and electricity fees.\textsuperscript{1247} Then, the government extended an official invitation to the Assyrian leader, Mar Sham'un Eshai,\textsuperscript{1248} to visit Iraq.

On April 24, 1970 - no more than a month-and-a-half after the pact of March 11 had been made with the Kurds – the Assyrian leader was warmly received. Official representatives of the country attended the reception, along with leaders of the Christian sects and a representative of the Vatican in Baghdad. The occasion was covered by media. Subsequently, the Assyrian leader was received by the president, Aḥmad Ḥasan al-Bakr. The Patriarch’s nationality (of which he had previously been stripped, before he was banished from the

\begin{footnotes}
\footnotetext[1242]{Joshua Castellino, Kathleena A. Cavanaugh: \textit{Minority Rights in the Middle East}. Oxford: Oxford University Press 2013, p. 219.}
\footnotetext[1243]{Courbage, Philippe Fargues: \textit{Op. Cit.}, p. 272.}
\footnotetext[1244]{They mean the facilitate to the process of smuggling them illegally out of Iraq through Kurdish areas.}
\footnotetext[1248]{He was a leader of the Assyrian Movement. He exiled and denationalized immediately after the state-led Assyrian massacre of 1933.}
\end{footnotes}
country) and recognition of his religious position among the Assyrians and the Christians was also restored.

On April 30th, 1970 the Iraqi president passed decree No. 414/ 1970, reinstated his Iraqi nationality and dropped all previous proceedings against him and on the following day, the Iraqi president passed a resolution that appointed the Patriarch, Mar Shamʿun Eshai as supreme leader of the Assyrians in Iraq.1249 This benevolence on the part of the Iraqi government towards the Assyrian leader and his people came only a month after a pact had been made with the Kurds, which demonstrates the government’s strategic attempts to gain the trust of the Christians and separate them from Kurdish leftist currents, in order to consolidate its own authority.

The government’s crowning achievement was a series of resolutions and laws that were particular to the Christians, such as the *Law of the Assyrian āʾifa in Iraq No.78/ 1971*.1250 The government stated that, with this law, it aimed to grant the “Iraqi Assyrian āʾifa their religious freedom to worship”.1251 This law ordered that the monies, endowments, churches, schools and the other affairs of the community were to be managed by its elected committees by members of the sect’s churches.

To achieve this, in 1971, the regulations of the Assyrian central administrative committee were passed. This legislation granted the Christians legal mechanisms for electing their representatives and managing their social and religious affairs within Iraq.1252 It was followed by a resolution by the RCC No.251/ 1972 which granted rights to Iraqi citizens who speak the Syriac language, meaning the Syriacs, Assyrians, and Chaldeans.1253 It was followed by a law which granted official recognition to the Syriac language.1254 Law No.82/ 19721255 is considered one of the most important pieces of legislation in the history of contemporary Iraq, as it recognized the cultural rights of Christians and opened up new vistas for the Christians to

1252 To view these regulations, see: *al-Waqāʾ iʿal-Irāqiyya*, Vol. 2035, dated 21st August, 1971. This legislation became the basis for dealing with different Christian sects in Iraq. For example, regulations of the central committee of the Eastern Assyrian church that follow the ancient apostolic church of al-Jāniliqīya (Catholicos) in Iraq were issued thereafter in 1978 (No 1/1978). This provided for the establishment of committees and for the appointment of a spiritual president (meaning patriarch) of the church by presidential decree, along with other regulations, such as the management of the church’s elections. Retrieved on 12 April, 2016 from [http://wiki.dorar-aliraq.net/iraqilaws/law/18144.html](http://wiki.dorar-aliraq.net/iraqilaws/law/18144.html); similar regulations for the Armenian Orthodox No.4/ 1978 were passed to amend prior legislation No.87/ 1963 relating to the sect, along with an addendum to the fifth article. Retrieved on 12 April, 2016 from [http://wiki.dorar-aliraq.net/iraqilaws/law/17806.html](http://wiki.dorar-aliraq.net/iraqilaws/law/17806.html).
1254 It is an academic institute whose mission is to be a consultative scientific reference for the ancient Syriac language and literature in education in general. It also publishes in the language through the Faculty of Arts at the University of Baghdad.

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present more demands to the Iraqi government, the most prominent of which was their demand for autonomy, similar to that which was granted to the Kurds.

That was followed by another resolution, namely No.972 on 28th of December, 1972, which declared a general amnesty for all of the so-called crimes committed by the Assyrians in connection with their movement’s revolt in 1933. It also restored the Iraqi nationality to those who had had their citizenship revoked for participating in that movement. Procedures were also put in place to facilitate the return for those Christians who wished to return to Iraq.  

Despite these State policies, the government failed to gain Mar Sham‘un’s allegiance and to manipulate him for its own agendas. After his return to the United States, he rejected subsequent invitations to visit Iraq, replying that he could not “give his people false promises,” a statement which clearly denotes his refusal to submit to the authority’s will.  

This setback saw the government attempt to gain the allegiance of another Christian leader thereafter, namely Malik Yąqū Malik Ismail, who had been one of the main leaders of the Assyrian Movement in the 1930s. As he had also been denationalized and banished from Iraq, the government pardoned him in 1973 along with many other Christians who had been denationalized in 1933. In addition, he was invited to visit Iraq, and upon his return in 1973, he was officially appointed head of the Assyrians in Iraq, meaning he effectively replaced Mar Sham‘un. His return was heralded by a series of interviews with the party and government officials.  

The RCC also passed a resolution on September 13, 1972 on creating and redrawing the borders inside the administrative units and on gathering the national minorities within these units. The resolution was discussed with the new leader of the Assyrians, Malik Yąqū. He agreed that this resolution be applied to the Christian regions of northern Iraq. It should be noted that, in some cases, the redrawing of the borders by the RCC for the purpose of delineating and reducing minority territories encroached onto areas which the government had granted to Kurdistan on March 11 of the same year. It is evident that the government established a parallel agreement that it could use against the Kurdish Movement to destabilize future Kurdish autonomy. They also cut out areas they had previously zoned as Kurdish during the talks with them. The government’s intentions to undermine Kurdish autonomy also

1257 On November 6, 1975, the Patriarch of the Church of the East, Mar Eshai Shim‘un Eshai was gunned down by an Assyrian, David Malik Ismail, in San Jose, California, USA. Earlier, the late Patriarch had made public his rejection of the idea of the Assyrian Universal Alliance that he return to Iraq to live, and to support the political alliance there in its struggle for an independent state. See: Māṭṭīf (Bārmaff): Op. Cit., pp. 173-174; Shbīrā: Op. Cit., p. 38; Petrosian: “Assyrian in Iraq”, Caucasian Centre for Iranian Studies, Yerevan, Iran and the Caucasus, 10.1, Brill, Leiden, 2006, p. 122.
1260 To view the text of the resolution, see: Salloum: al-Masīḥiyyūn fī al-ʿIrāq..., pp. 600-605.
became particularly apparent when it requested that the Assyrian leader establish armed forces to protect the newly-granted Assyrian region from Kurdish attacks.

The sudden death of Yāqū in December 1974 - his death was suspicious - seemingly prompted the government of Mosul to communicate with the elite of the Christians abroad, especially the AUA, who presented proposals for self-rule in Kurdistan in the same year. They demanded changes be made to some of the articles of the pact and named it “The Project of Self-Rule of The Region of Kurdistan and the Assyrian Region. The establishment of the Assyrian region was intended for those who speak the Syriac language, namely both the Syriacs and the Assyrians. They also proposed to name the region - an area which is highly-populated by Chaldean, Assyrian and Syriac Christians - the Assyrian Autonomous Region. Geographically speaking, this was to include the current plain of Nineveh, where the Christians are located in a large number of villages. Some of these villages are shared with the Kurds in KRI.

The intentions of the CGI in its dealings with the Christians were neither genuine, nor honourable. In practice, the government did not represent nor did it genuinely pursue the establishment of the Christian self-rule in a meaningful way, rather, it tried to co-opt Christian leaders and to weaken the Christian political movement and in turn, to jeopardize Kurdish autonomy.

In effect, the government put an end to Christian cooperation and involvement with the Kurdish Movement and simultaneously diminished the demands made by the Kurds, by beginning a parallel project for self-rule with them. The deaths of the two most famous Christian leaders, the sudden death of Malik Yāqū Malik in 1974 and the killing of Mar Shamʿun in 1975 along with the killing and assassination of a number of Christian leaders and clergymen at that time effectively silenced the Christians. These policies made evident that the regime’s claims of establishing a harmonious unified nationhood that encompasses all minorities in Iraq were a farce. Although the government negotiated with the Kurds on self-rule on the one hand and promised the Christians political and cultural rights on the other, the period of negotiation was short-lived. Furthermore, the political and cultural rights which the government had promised were not put into practice. Rather, they were hollow distractions that allowed the government to consolidate its authority. After it had attained this, no serious action was taken to grant rights to Christians and to other religious minorities.

Christian aspirations of being granted rights or of achieving self-rule were quashed by and large, after Iraq and Iran signed the 1975 Algiers Agreement (commonly known as the Algiers Accord) which weakened the Armed Kurdish Movement.

Some clergymen were killed, such as the priest Mar Yūlāhā. He was poisoned in the General Directorate of Security in 1972. Bishop Qrīyāqūs Mūsīs, the Bishop of the Diocese of ‘Ammādiyya in 1973 and others also died in the same way. To view the names of those who were killed, see: Salloum: al-Masūḥīyyūn fī al-ʿIrāq..., p. 498.
After the signing of the Algiers Agreement on June 13, 1975, however, both Iran and Israel withdrew their support for the Kurdish rebellion.
developments soon became evident. The armed conflict between the Kurdish Movement and the CGI in Kurdistan and northern Iraq resumed, followed by mass migration from the Christian and Yazidi villages in the region. Some of these villages were demolished and others were subjected to systematic Arabization.\textsuperscript{1264}

Christian political activity was banned until 1979, when the first Christian political organization, the Assyrian Democratic Movement, (ADM) was established in Iraq. Armed struggle between Kurdistan and the CGI resumed three years later, in 1982. Both authorities now share the new Iraqi government institutions that were established after 2003. Although many organizations and Christian movements were founded in Iraq in the 1990’s, they remained divided due to disparaging nationalist ideologies and political theories.

Despite the non-existence of formal statistics regarding the exact number of Christians who emigrated after the occupation of Iraq in 2003, statistics of the UNHCR provide an insight into how many Christians sought to leave Iraq indefinitely: Between October 2003 and March 2005, about 36\% of the emigration applications submitted were submitted by Christians.\textsuperscript{1265} This was mainly due to the targeting, attacks, and threats that occurred after 2003. Similarly, as a result of ISIS’s occupation of Mosul in 2014, Christians fled Iraq in their thousands.

According to table 3.1,\textsuperscript{1266} the Christian population of Iraq decreased steadily from the end of World War II until the Second Gulf War in 1991. The extreme fall in their number after the Third Gulf War in 2003 is probably due to their constant targeting by extremist religious groups. Furthermore, the emergence of political Islam in its two divisions, namely Sunni and Shi’i and the increase of radical Islamic groups such as ISIS in Iraq and Syria has also had a negative impact on the Christian population in both countries.

At the time of writing, three main Christian political organizations exist in Iraq and Iraqi Kurdistan. These political organizations are based on ethno-nationalism, namely the Assyrian and Chaldean organizations.\textsuperscript{1267} A third political organization calls for the unification of the two aforementioned organizations, and is called the Organization of the Assyrian, Syriac, and Chaldean Council. Pro-Kurdish and pro-Arab parties also exist. It is worth mentioning that after 1992, the parliament of the Kurdistan region dedicated five parliament quota seats to the Christian minority. Out of the three quota seats that are guaranteed to Christians as a religious minority in the Iraqi parliament, two have been held by pro-Kurdish representatives since 2012.\textsuperscript{1268}

\textsuperscript{1265} UN High Commissioner for Refugees (UNHCR): \textit{Background Information on the Situation of Non-Muslim Religious Minorities in Iraq}. BO Berlin: October 1, 2005, pp. 3-5.
\textsuperscript{1266} See: Table 3.1: “The Christian Population in Iraq from 1914 to 2003”.
\textsuperscript{1267} According to some studies, nationalist feeling started to take root among the Christians. For example, see the following study on the crystallization of nationalist feeling in Chaldean community: Râbi: \textit{Op. Cit.}, pp. 51-54.
\textsuperscript{1268} On the political participation of Christians in Iraq, see: Salloum, Saad Salah and Majid Hassan: \textit{Op. Cit.}, pp. 9-16.
In addition to the killings, assassinations and the targeting of their churches which Christians are currently being forced to endure, they also face social disintegration. Furthermore, Islamisation in which their lands and homes are seized from them remains widespread. On March 25, 2015, in an attempt to address the problem, a number of Christian deputies in the Iraqi Kurdistan Parliament (IKP) submitted a file that documented the transgressions and the enforced demographic change occurring in Christian villages to the Presidency of the Kurdistan Regional Government KRG. The file stated that the illegal seizure and settlement on Christian property by Muslims in Duhok, Zâkhū, ‘Ammâdiyya, Akri and other towns and villages had been ongoing since 1991. The file was submitted to the government along with a petition which was signed by nine Christian political parties demanding that the property be returned to its original owners.

Other Christian villages were similarly affected by land seizures under Islamisation, such as the town of ‘Ankâwā, north of Erbil. Similarly, villages in the disputed regions were also affected, mainly after they came under the power of the military and security services of the Kurdish government in 2003.

To address the problem, a conference was held in Erbil and Barṭala (a Christian town) on November 23 and 24, 2013. There, documents were presented that illustrated the amount of encroachment that had taken place in the Christian regions, including the decision to build a mosque amongst Christian houses with tacit government approval. That accusation was firmly established by the social and economic committee of the United Nations in its resolution on the forced demographic change of Christian areas in the Kurdistan region in its 13th and 14th articles, where it demanded an end be put to these illegal settlements.

1271 See the document in: Appendices, Figure 2. 24, and its translation in figure 2. 25.
1272 See the request in: Appendices, Figure 2. 26, ans its translation in figure 2. 7.
1273 See the documents in: Appendices, Figure 2. 28, and its translation in figure 2. 29; Translation of the Directorate of Sunni Endowment of Nineveh Governorate on the allocation a plot of land in Ḥamdānīya in figure 2. 30.
1274 UN: E/C.12/IRQ/CO/4, Economic and Social Council, Distr.: General 27 October 2015, *Land disputes in the Kurdistan Region*, article 1, paragraph 3: “The Committee is concerned about the persistence of land disputes between Assyrians and the Kurdistan Regional Government, and that lands belonging to Assyrians were frequently expropriated for investment purposes. The Committee is also concerned that judicial decisions to return such lands to Assyrians were not systematically enforced.” Article 14: “The Committee recommends that the State party take measures to resolve land disputes between Assyrians and the Kurdistan Regional Government, and put an end to illegal expropriation of Assyrian lands without compensation or the provision of alternative accommodation. It also calls on the State party to ensure that judicial decisions ordering the return of lands to Assyrians are enforced. The Committee draws the State party’s attention to its general comment No.7 (1997) on forced evictions.
10.3 Yazidis: Ethno-National Identity Conflicts and Continuous Demographic Change

10.3.1 The Renewed Controversy over Yazidi Identity

When the Ba‘th Party firmly established its power in 1968, their authority officially recognized the Umayyad (Arab) Call in its “Umayyad Office” which was located in Bāb Sharqī in Baghdad. That recognition was practically explained in 1972 by the Umayyad Office as follows:

“The Yazidi ṭāʾifa inland and abroad responds to the call of nationalism and wishes to preserve itself [as a distinct community] on the basis of two main principles: “Umayyad nationality and Yazidi faith.”

Subsequently, the government recognized Yazidi religious holidays. The new law of official holidays was passed and four religious holidays per year were dedicated to them. Similarly, other religions were granted religious holidays under the new legislation. The Umayyad office continued to exist officially in Iraq until 1981. In the same year, all religious communities which were officially recognized in Iraq were listed by law. In this new law, the official name of the Yazidi ṭāʾifa name was changed to the ‘Yazidi Umayyad Cult’.

Mutual distrust between the Yazidis and the government remained. Mīr Taḥsīn Bag was accused of participating in a conspiracy against Saddam Hussein, for example, (probably because of his joining the Kurdish Movement in 1969), which caused him to flee to Britain in the 1970s. Nevertheless, the office of al-Daʿwa al-Umawīya (the Umayyad Call) became a link between the government and the Yazidi. The government appointed Bāyazīd as government representative of the Yazidis, and passed a special decree in April 1980 that officially made him president and prince of the Yazidis. Bāyazīd remained in office until his death on June 13, 1981. Shortly after his death, Prince Mīr Taḥsīn Bag returned to Iraq, after having being pardoned by Saddam Hussein.

To consolidate the issue of the Yazidi Umayyad ethno-national identity in the Iraqi mentality and to make use of the minority politically, the authorities made several secret and limitedly circulated intelligence studies on the Yazidi population. The General Military Intelligence Service, Psychological Intelligence Section which was given the task of studying the

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1275 Al-Maktab al-Umawī (The Umayyad Office), a special report, the Members of the Umayyad Call in Baghdad, in 1972.
1278 An interview with Urūbā Bāyazīd Ismāʿīl Bag in Germany on 24 January, 2016.
1279 An interview with Mīr Taḥsīn Bag, in Hanover (Germany) on 10 June, 2016.
psychology of Iraqi communities, conducted a special study on the Yazidi Personality in 1970s and 1980s. This study sought to discover the general laws governing Yazidi behavior as drawn from their minority-specific culture, in order to learn whether it was possible for the authorities to make use of them and to eliminate the influence or control of the Kurdish Army Movement on the Yazidi population, as the Kurdish Army Movement was officially described as recalcitrant and as an internal and external enemy of the State. The intention behind this study was to understand the Yazidi psyche to enable the Yazidi (a harmonized and isolated religion and community) to be penetrated.

The study stated that the Yazidi minority is not a separate identity with a religious or ethnic idiosyncracies, rather, it is part of a larger ethno-national Arab identity. It also stated that “the Yazidi’s character is a result of the interaction of the Yazidis among themselves which is a sub-culture with the original civilization, meaning Arab civilization”. The study also entailed the analysis of the physical features of the Yazidi people. In it, hair and eye color were categorized and the ecological order of Yazidi and their social and religious system was examined. In its final section, the study identified characteristics of the Yazidi personality and deemed the Yazidis a closed community. It highlighted specific behavioral characteristics such as very homogeneous behavior and general social cohesion which was said to stem from the Yazidi religion.

In another secret study of the General Military Intelligence Service on Kurdish clans in Iraq, a section reported the findings of the study on the Yazidi population. Although this study classified the Yazidis as an Ashīra (a clan), in it, they were sometimes referred to as a Jamā’a (a group), and at other times they were called a ā’ifa (a community). The study asserted that, because of the nature of their remote and mountainous regions and the constant attacks on them, its members had great capacity for fighting, and were well versed in guerrilla warfare in particular. The study estimated their numbers of population to be 140,000 people. It also estimated their abilities and loyalty to the authorities as follows: “Their fighting capability is good, and the way of their fighting is clannish”. In addition, the study accused Mīr Taḥṣīn Bag of cooperating with the Kurdish Movement. It also pointed out the loyalty of the Yazidi clans to the CGI. The reference to Taḥṣīn Bag’s support of the Kurds denotes that the study was performed in the late 1970s.

General opinion towards the Yazidi, both at State level and within Iraqi society at large became increasingly negative, not least due to Bāyazīd’s Umayyad Call. Iraqi Muslims, in

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1280 The Secretariat of the Presidency (Iraq): General Military Intelligence Service, Psychological Intelligence Section: Yazidi Personality. Military Print Directorate, undated, (secret and limitedly circulated).
1284 Ibid, p. 118.
1285 Ibid, p. 118.
particular, came to consider the Yazidi as followers of Yazīd ibn Muʿāwiyya, which angered the Shiʿis. They also considered them a heretical Islamic group, which angered the Sunnis. In a politically-motivated move that would also incite hostility towards them among the Shiʿi, the Iraqi government emphasized a possible connection between the Yazidi and Yazīd ibn Muʿāwiyya ibn abī Sufyān1286 (the second caliph of the Umayyad caliphate who ruled for three years, from 60 to 64 HA/ 680 to 683 CE). The question of Yazidi identity saw both the Iraqi and the Kurdish leadership claim the minority as its own, with the CGI claiming that the Yazidi were Arab Iraqi on the one hand, and the Kurdish Movement claiming they were ethnically Kurdish on the other. This was also the case in times of crisis, especially during the military campaigns against the Shiʿi in the south and against the Kurds in the north in the early 1990s as a result of the second Gulf War.

It goes without saying that the apparent legitimacy of the central authorities depended on the nationalist theories propagated by the Arab Movement and Umayyad of the Yazidi. From its very beginning, the alleged Umayyad origin of the Yazidi became a device which national currents in government used to further its own interests. The government purposely used the Yazidi for its political gains and in internal conflicts between the Sunni, Shiʿi, and Kurds. In 1991, because of the repercussions of the Second Gulf War, a wave of uprisings against the CGI took place in Kurdistan in the north and in the Shiʿi cities in the south.

The authorities resorted to sectarianism to repress the rebellion and brought in some fighters from the Sunni cities in central Iraq to quash it. The government also spread a rumor that it was bringing Yazidi fighters from the north to the predominantly Shiʿi regions in the south of Iraq, as they are historical enemies of the Shiʿi, it claimed.1287 The rumour incited much anger and hatred among the Shiʿi against the Yazidi. After the American Occupation of Iraq in 2003, many Shiʿi leaders called for the Yazidi to be punished for their role in oppressing the South and shedding the blood of the Shiʿi in Karbala, Diwaniyya, and Nāṣiriyya. They claimed that the Yazidi had become involved in the massacres in Karbala in 1991 as they considered it a means of attaining an Arab, ethno-national identity.1288

Yazidi involvement in the suppression of the uprisings in the north and south was exaggerated. Behind the exaggerated reports was the attempt by the government to engender

1286 See: ʿAbd al-Razāq al-Ḥasanī who stated that he is certain that the Yazidi believe in Yazīd ibn Muʿāwiyya; this angered the Shiʿi in Iraq and turned them against the Yazidi. His book was also published in Persian. See: al-Yazīdiya…., pp. 14-20.
1287 Kanan Makiya stated that “The soldiers deployed in the attack on Najaf and in southern Iraq, appear to have been selected from Sunni towns…, and from Yazidi community, a tiny sect based in northern Iraq which has a history of conflict with Shiʿa Muslims”. See: Cruelty and Silence: War, Tyranny, Uprising, and the Arab World. New York, London: Library of Congress Cataloging in Publication Data, w. w. Norton and Company 1993, p. 97.
sectarianism by claiming that the Yazīd Umayyad Army had progressed towards the southern regions to shell the sacred Shiʿi cities of Najaf and Karbala, in the name of the Yazidi community. In truth, in 1991, the government clothed units of the Iraqi Republican Guard in traditional Yazidi clothing before the IRG units marched on An Najaf and Karbala and on the other Shiʿi cities in which the uprising was taking place. The same deceit was used in the north of Iraq against the Kurds after the south was crushed. That deceit caused the notion that the Yazidi were oppressors of the Shiʿi and Kurds to take root in the Iraqi mentality.

The purpose behind the deception was purely political. A minority with a mere population of 150,000 people compared to an estimated Iraqi population of 22 million (according to figures in 1997), the significance of the Yazidi within the military can only be described as minor at best. Similar to other Iraqi groups, the Yazidi are compelled to serve in Iraqi Army due to the law of conscription. Although the Yazidi fought alongside the Kurds in the revolt in Kurdistan, in terms of sheer number, under no circumstances could they have suppressed the uprisings in the Shiʿi and Kurdish regions in March 1991. From a military perspective, therefore, it would have been strategically disadvantageous, if not negligent, of the government to deploy the Yazidi forces alone in quelling the revolt in the south.

By cloaking its own regiments in Yazidi garb before they went into battle, the government was able to divert attention away from the role it played in targeting the Shiʿi holy shrines. Perhaps the (chiefly Sunni) government also saw it as a way of deflecting growing Shiʿi hostility away from itself and onto another ‘Arab’ group.

Irrespective of the precise motives behind its propaganda exercises and perfidious actions, these were simple means by which the government could manipulate the relationships of the doctrinal and religious groups in Iraq and to control them all in the process. It should be noted that the Iraqi Intelligence Service had a special Directorate, M40 the Directorate of Opposition Group Activities, for targeting opposition groups in such a manner. Section M40/6 focussed on the Yazidis, Sabean-Mandaean, and Assyrians to this end.

10.3.2 Yazidis from Kurdish Political and Religious Perspective

In its hundred-year history, the Kurdish Movement had no ‘Yazidi policy’ as such, neither did it clearly and officially express its opinion on the ethno-national identity of the Yazidi. This changed however, in 1991, when the president of the KDP announced that the Yazidis are

1290 The statistic of 1977 estimated them to be over a hundred thousand people (102,191), whereas the statistic of 1997 estimated them to be over two hundred thousand people (205,379). See: Jumhūrīyat al-ʿIrāq: Wathāʾiq al-ʾitīḥādīya al-ʿuliyya (The Republic of Iraq: The Documents of the Supreme Federal Court). Baghdad, No. 11/ federal/ 2010, p. 3.
“pure Kurdish”, stressing his refusal to impose any identity upon the Yazidi “because they are Kurds”. This claim was supported by the three main Kurdish political parties, the KDP, the PUK, and the PKK. Such grounds were geographical, in that the regions where the Yazidi live are located within the Kurdish areas. Secondly, they were linguistic, as the religious texts and prayers of the Yazidis are in the Kurdish language. They were also historical, since the original religion of the Kurds, before the majority of them converted to Islam, was Yazidism or Zoroastrianism. The three main Kurdish political parties also claimed that the Yazidi are Zoroastrian, a claim which was accepted by the Turkish Yazidi, but rejected entirely by the Iraqi Yazidi. Although the claim was controversial at best, the Kurdish parties continued to propagate it as part of their political programme.

It should be remembered that the ethno-national identity of the Yazidi has yet to be determined. In other words, it remains a personal choice for Yazidis, as to whether they identify themselves as Kurds or Arabs, or as an independent ethno-nationality of their own. Furthermore, various determinants of identity such as religion do not serve to strengthen the concept of a single Yazidi identity. By contrast, religion provides the main pillar of the dynamism of social life for the Kurdish Sunni majority and is probably the strongest determinant of their identity. In turn, the significant religious difference between the two peoples is an obstacle to the concept of the Yazidi being considered (and considering themselves) ethnic Kurds.

The Yazidis fear the increasing growth of political and fundamentalist Islam in KRI. They also fear the discrimination and disdain which the majority of Muslim Kurds harbor towards them, which does not greatly differ from the Arab Muslim opinion of them. This remains a cause for concern among the Yazidi, which leads them to turn inwards within their minority and isolate themselves from the mainstream of non-Yazidi community.

The long history of oppression inflicted upon them by the various government powers and political forces surrounding them, and by the Muslim Kurds in particular, has seen the Yazidi slow to respond to calls for Kurdish or Arab unity in recent times, and reluctant to involve themselves in the formation of an Iraqi or a Kurdish Nation State. The general consensus among the Yazidi at the time of writing is that, given the lack of political, social and

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1292 This announcement came after the failure of the negotiations between the Kurdish Movement and the central government in 1991; after the Second Gulf War. From a recorded video speech by Masʿūd Bārzānī, President of the KDP before the Yazidi masses of Khānki town on October 24, 1991.

1293 Although these grounds seem plausible, the claim itself (which disregards counterargument) is an attempt by the KDP, PUK, and the PKK is more likely an attempt to advance Kurdish nationalism rather than to foster a pluralist society.

constitutional openness necessary for the creation of a multicultural society (based on proportional representation, popular legitimacy and constructive power-sharing), that a shared nationhood with Kurdish and Arabs Muslim is far from view.

A number of Kurdish writers have published works in which they present the Yazidi as a defected and perverted offshoot of Islam. Some such writers were leaders in the Kurdish Movement. Among them, for example, was Mulla Ḥamdī al-Salafī. He wrote a book with a Kurdish Salafī bent, about the character of Shaykh Ādī, in which he claims that Yazidism is an inimical belief that perverted orthodox Islam. Similarly, other Kurdish writers, such as Anas Dūskī, Āzād Simū, and Farsad Marʾī among others, who belong to religious currents such as the Kurdish Muslim Brotherhood adopted the same approach to Yazidis, more or less. Needless to say, such slander and defamation of the Yazidi and their religion has had a severe impact on the collective memory of the Yazidi, which also, no doubt, influences their sense of identity and how they define it.

10.3.3 Attempts to Resist Islamisation via Demographic Changes

In an attempt to combat Arabization, the Yazidis refused to leave their lands, which sometimes led to violent altercations between the Yazidi and the government and the Arab nomads too. The first armed conflicts took place between the local police and the Yazidi peasants during the Baʿth Era, on July 2, 1972, in the village of Grī-Ẓarkā, north of Sinjar. The death of a policeman during this conflict caused the government to completely surround the region with military and police. Other such conflicts occurred, one of which resulted in the death of the District Chief of Sinjar Ghānm Aḥmad, the local police chief, and two others, after which the government began a military campaign in Sinjar. The campaign which also involved the shelling of Yazidi villages caused people to flee to the mountains. In turn, fighting began in earnest. The campaign continued until August 1973 and by the time it had come to an end, it had caused the death of many civilians, the destruction of many villages and the displacement of thousands. It should be noted that no political entity saw its way to voice condemnation of the government’s actions during the campaign.


Events in Sinjar in the early 1970s saw the government create comprehensive strategies (in the seventies and eighties) to enforce demographic change in the Yazidi regions in Iraq. Many Yazidi villages were demolished in Sinjar and Shaykhān.1298

People were gathered in villages, known as Mujamaʿāt ‘communities’. Arabs, on the other hand, were settled in many Yazidi villages. The motivations on the part of the government behind these actions can be said to be as follows: (1) to dominate the Yazidi village populations and to deter them from creating any possible insurgency in the future; (2) to prevent the Yazidi regions from engaging in any prospective negotiations with the Kurdish Movement, as these regions were geographically located in the disputed areas (3) to hinder the development of social cohesion among the peoples in the region, as this would make them more resistant to government manipulation and interference.

In the 1980s, long with the demolishing of their villages, the Yazidi population and those who joined the ICP and the Kurdish Movement in particular, were often arrested or banished from the disputed areas. In the CGI’s ethnic cleansing campaigns known as “Anfāl”,1299 hundreds of Yazidis and Christians were killed along with Kurds. Not only did the Iraqi government change the ethno-national identity of religious minorities to Arab ethnic identity, it also passed new legislation under which the Iraqis of Arab ethno-nationality were unable to change their ethno-nationality No. 850/ 1988.1300 Also, the Iraqi Revolution Command Council (RCC) issued resolution No.199/2001 which give the right to Iraqis to change their ethno-nationality to Arab ethno-national.1301

There are many clandestine documents about the policies of the government and the development of Arabization in the disputed areas, for example, a document entitled “The General Frame for the Plan in the Northern Areas”,1302 dated 1993. Therein, the methods applied in the Arabization of the northern areas are explained in detail. Part of the campaign addressed Mosul and those areas adjacent to Kurdish territory (the disputed areas) and the Kurdistan region. Paragraph A of the plan states that:

1301 See the resolution under the following link. Retrieved on 16 October, 2016 from http://wiki.dorar-aliraq.net/iraiqlaws/law/17938.html.
“For handling these areas, the mechanisms of Arabization are to be made use of in Kirkuk, and special priority [is to be paid] to consolidating the ‘Arabness’ of the Yazidi”.1303

Giving special priority to “consolidating the ‘Arabness’ of the Yazidi” meant that members of the Yazidi community who confessed their Arab ethnicity and those who did not have connections to the Kurdish Movement in particular, would not be persecuted under the policy.

It is worth mentioning that after 1991, the Yazidi areas were divided between the Central Iraq and Kurdistan; the regions around Duhok became part of Kurdistan, whereas most other Yazidi areas remained under the control of the central authorities, until 2003.1304 After the American Occupation of Iraq, the Yazidi were exposed to many attacks and kidappings and hundreds of Yazidi would lose their lives due to religious discrimination.1305 The 2007 bombing, considered the largest and most deadly attack to have taken place in Iraq during the Occupation, caused the death of hundreds of the Yazidi and the (almost complete) demolition of Sībā-shikhidir and Gir-ʿizir.1306 On August 3-10, 2014, ISIS occupied Sinjar and the other Yazidi villages in the Plain of Nineveh,1307 killing thousands of women, men, and children.

In addition to the processes of Arabization and Islamisation by the central authorities, the other Yazidi regions which became under the control of KRI since 1991 were subjected to “Kurd-Sunnification” within the framework of Kurdistans Kurdification policy.1308 This is evident in the following example: The province of Shaykhān constituted a historical center for the Yazidi,1309 and the Yazidi constituted about 90% of the population prior to the American Occupation of Iraq. After it Shaykhān came under Kurdish control, land and processions were seized, practically uninterrupted for a period of 2003. Demographic change was also enforced, in which about 80% had been Islamized until the present (2017).1310 Claiming that on the no ethnic differences between the Yazidi and the Kurds exist, enforced Kurdification remains

1306 Suicide truck bombings targeting Yazidis near the northern town of Sinjar in August killed as many as 500 people, the worst single attack since 2003, Human Right Watch, World report 2008, Washington: Events of 2007, p. 479.
1307 PAX for peace: After ISIS: Perspectives of displaced communities from Ninewa on return to Iraq’s disputed territory. Colophon: Report has been produced with the financial assistance of the European Union June 2015, pp. 52-53.
1308 This term is used to denote the policy of enforcing demographic change on areas in which religious minorities reside for example, similar to the Arabization, Jewdization, and Turkization policies and practices of various governments and political currents. However, the term Kurdification has a stronger religious dimension than the others.
1310 Mir Taḥṣīn Bag also spoke to US officials about this problem. See: https://wikileaks.org/plusd/cables/08BAGHDAD3776_a.html.
ongoing in Yazidi territories. As a result, Shaykhān’s Yazidi presence has dwindled to almost nothing. A number of Yazidi representatives and dignitaries filed a grievance to the executive parties in Shaykhān on August 12, 2015, demanding an end to the enforced demographic changes (meaning Kurdification) in their towns and villages. Mukhtars (headman) and representatives from 12 Yazidi villages of Mahat requested the Mayoralty of Shaykhān and the office of the KDP to intervene in the issue of Yazidi land seizures, and to stop confiscating agricultural lands and houses that fall administratively within the Yazidi town of Mahat.

Similar situations are commonplace in other Yazidi villages under the pretext of expanding settlement areas. The “Duhok Master Plan” project, for example, which is currently being implemented, has undertaken to annex the lands of Shāriyā and the towns of Khānki to Duhok. Shāriyā and the towns of Khānki are well-known Yazidi centers which are relatively unique in that they have produced cultural and political elites. Despite widespread opposition to this measure among the Yazidi, who fear demographic changes and the Islamisation of their areas, the “Duhok Master Plan” is ongoing. If it continues, the Yazidi people and their unique culture will cease to exist in Shāriyā and the towns of Khānki.

Religious discrimination, ethnic cleansing and enforced demographic change are the main reasons for the mass emigration of Yazidis to other countries. Other reasons exist, however. Since 2003, human rights abuses, successive incidents and crimes against the Yazidi have taken place in KRI, the most significant being the systematic kidnapping of a number of underage girls by Kurdish-Sunni Muslim young men. Although such kidnapping, raping, forced marriage and enforced conversion to Islam of underaged Yazidi girls by ISIS has become the focus of press reports in recent years, the practice has been commonplace within conventional Muslim community since 1991 and continues to date.

On February 15, 2007, hundreds of Sunni Kurds attacked the Yazidi towns of Bā’adra and Shaykhān, where the Yazidi Prince and Yazidi leaders live. The attack was carried out with the help and support of some Kurdish police officers in the city. The attackers destroyed, demolished, and burned the Yazidi temple of Mand, along with cultural centers, cars, shops and other Yazidi property and possessions. They shot aimlessly into houses and at people and demanded that the Yazidi evacuate the area and leave the country. They called for Jīhād (holy war) against the Yazidi. One day later, these Sunni Kurds beheaded a Yazidi woman, a mother of four children. The Yazidi in Shaykhān and surrounding villages were locked themselves

1311 See: the request document in: Appendices, Figure 2. 31; Figure 2. 32, ans translation in figures 2. 33; 2. 34.
1312 The whereabouts of underage girls who have been kidnapped and forced to marry their Muslim kidnappers is seldom known to their families, as they are usually taken elsewhere by their kidnappers. If their families manage to locate them, the girls are forbidden to return to their families by law, as they are considered Muslim under Sharia, once they have been married to a Muslim. Renouncing Islam is forbidden under Sharia. These young women, therefore, are not permitted to return to their families due to their forced conversion to Islam. Cf: chapter 5, section 5.1.4; chapter 6, sections 6.2, 6.2.1, 6.2.2.
into their houses. Systematic attacks by the Sunni Kurds also took place in Zākhū and Duhok that included the burning of a large number of Christian and Yazidi shops, along with special hotels. These attacks were inspired and mobilized by Muslim clergymen in 2011. Those attacks have not been independently investigated. Neither have the results of any investigations been reviewed nor has any action been taken on the findings to date.

Religiosity among Kurdish Sunni has greatly increased and several new mosques are being built throughout the region. Moreover, many of these mosques have become centers of extremist thought, spreading sectarianism and jihadism and promoting violence in general, and violence against the Yazidi and the other minorities in particular.

Such hate propaganda and incitement to violence is constant and widely publicized, even in the media. However, the phenomenon is going entirely unchecked by the authorities; by all accounts none of the perpetrators are being placed under surveillance, no legal investigations are being carried out, and no criminal charges are being pressed.

An example of the growing religious fundamentalism and the escalating discrimination all over Iraq, is “The Law of the Iraqi National Card” which was passed in the Iraqi parliament on October 27, 2015. Article 26 of the law requires that underage children be registered as Muslims in the event that either of the parents converts to Islam. This legislation hinders the religious freedom of non-Muslims in the country. It was passed without any rejection by the political parties in the Iraqi parliament, except for representatives of the Christians, the Yazidi, and Sabean-Mandaeans. During the parliamentary debate, all the secular and Kurdish members of parliament remained completely silent on the issue. Across the whole political...
spectrum in Iraq and Kurdistan, it would appear that no-one (apart from the minorities themselves) is interested in the welfare of religious minorities, nor in upholding their human rights.

10.4. Sabean-Mandaeans: From an Organized Minority to Threatened Existence and Identity

Although the recognition of granting religious holidays to religions which are non-\textit{Ahl al-kitāb} had been abolished during the era of the ‘Ārif brothers, during the Ba’th Era, special legislation was passed that abolished that law. In addition, new legislation \textit{No.110 in 1972} was also passed which granted the religious holidays of Sabean-Mandaeans State recognition.

As for the official organization of their affairs, despite their demands during the monarchy for the establishment of a Spiritual Council similar to other religions, they remained without officially recognized organizations until 2002, when three councils were established for them as follows:

1. \textit{Al-Majlis al-Rūḥānī} (The Spiritual Council) which consists of clergymen and takes care of religious affairs. It is chaired by the head of the Sabean-Mandaeans’ communities in Iraq and the world, Gnsbera Sattār Jabbār al-Ḥilw.

2. \textit{Majlis al-ʿumūm} (The House of Commons), which consists of representatives of each family or clan, who are freely and directly elected by their families. Similar to a parliament, the mandate of this House is to legislate and supervise.

3. \textit{Majils al-Shuʿūn} (The Council of Affairs), which is exclusively elected by the House of Commons via free and direct voting. It manages the everyday affairs of Sabean-Mandaeans through many various divisions or units.

These councils make the Sabean-Mandaeans one of the most organized and socially united minorities. Although they have no political party to represent them as an ethno-religious minority in the government institutions, the permanent constitution of 2005 mentioned them and officially recognized their religion. They were granted a quota seat in the Council of

\begin{footnotesize}
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\item[1319] According to the first law \textit{No.49/ 1973} had been issued. Paragraph G specifies four official holidays which are two days for the Greater Bairam, one day for the Lesser Bairam, two days for the Creator, Banjah, one day for the birthday of the Prophet Yahiya (Wahba Yamānā). See: \textit{Al-Waqāʾi’ al-ʿIrāqiyya}, Vol. 2244, dated 7th May, 1973.
\item[1320] From an interview with Gnsbera (Rīsh-shama) Sattār Jabbār al-Ḥilw in Baghdad-Iraq on January 15, 2017. He was born in 1965 and has been the head of the Sabean-Mandaean community in Iraq and worldwide since 2002. He resides in Baghdad.
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Baghdad for the period 2008 to 2012 and were also granted a quota seat in the Iraqi parliament from 2010-2014. Subsequently, they held the office of the General Directorate in the Ministry of Religious Endowments. What distinguishes the Sabean-Mandaeans from other religious minorities is the fact that they hold internal elections within their religious community for their quota seats. Furthermore, it is considered the right of the three presidential councils of the religion to supervise the process and nominate any person for high ranking positions in the Iraqi State institutions. 1322

Since 2003, the Sabean-Mandaeans, similar to other non-Muslim minorities, have been targeted by extremist Islamic groups. They have been subjected to threats, kidnappings and killings. There are also reports of forced conversions to Islam and some Sabean-Mandaeans have reportedly been killed for refusing to do so. 1323 In addition to targeted violence perpetrated against Sabean-Mandaeans, the community has also suffered from social marginalization and religious discrimination. 1324 Reportedly, Sabean-Mandaeans women have been pressured to marry outside of their faith in contradiction of their own religious customs and have been pressured to convert to Islam. 1325 In response to such coercion, Sabean-Mandaeans women have recently begun to emigrate to other countries. A small minority is dispersed among different western countries. This creates a serious problem for the future of the Sabean-Mandaeans and poses a threat to their unique religious identity long-term.

10.5 Kākāʾis: From Domestic Conflict to Distinctive Religious Identity

In a clandestine security study for the General Directorate of Military Secret Service, 1326 the Kākāʾi were classed as a Kurdish clan characterized by the Kākāʾi doctrine, the origin of which was an old prosperous religious organization in Kurdistan. 1327 Rather than recognizing them as a religious community, the study claimed they were merely a Kurdish clan. In it, Jamal Sayid Khalil, the head of the Kākāʾi clan was mentioned along with his membership of

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1322 About the political participation of the Sabean-Mandaeans in Iraq after 2003, see: Sa’ad Saloum, Saad Salah and Majid Hassan: Op. Cit., pp. 41-44.
1326 In this study, the Kurdish Movement was accused by the CGI of working with Iran and Israel. The CGI branded the Kurdish Movement an “agent pocket,” meaning a subversive intelligence movement working under cover inside Iraq on the part of another state. The Secretariat of the Presidency (Iraq): General Military Intelligence Service. Kurdish Clans in Iraq, Military Print Directorate, undated UD, (secret), p. 137.
the Kurdish Movement from 1970 to 1979. The study estimated their population at 6,000.\textsuperscript{1328} It evaluated their fighting abilities as good, and noted that they respected authority.\textsuperscript{1329}

Since 2003, armed groups have subjected the Kākāʾi to threats, kidnappings and assassinations.\textsuperscript{1330} Muslim religious leaders in Kirkuk have allegedly told their followers not to purchase anything from “infidel” Kākāʾi shop owners. For fear of persecution, therefore, the Kākāʾi reportedly hide their identity in public.\textsuperscript{1331} Furthermore,\textsuperscript{1332} the Kākāʾi have not been recognized as an independent religion, therefore they are not represented in the Iraqi governing council. Unlike other religious minorities, they do not have a quota seat which is peculiar to the religious minorities in the Iraqi parliaments and the KRI.\textsuperscript{1333} The participation of the Kākāʾi in State institutions has been very limited, although they did have one minister, Falak-ad-Dīn Kākāʾi who has held various offices of State since the 1990s, the last of which was as Minister of Culture on behalf of the KDP in the KRG. He died in 2013.

Reference to the Kākāʾi as a formation or religion in the permanent Iraqi constitution in 2005 was omitted. Similarly, no reference was made to them in the articles of the proposed constitution of the Kurdistan Region, despite demands made by some educated people that their religion be listed in the constitution of the District.\textsuperscript{1334} Kākāʾi representation in the Ministry of Endowments and Religious Affairs and their inclusion in legislation pertaining to the rights of the minorities in the District has also been called for. However, to date, the Kākāʾis have neither attained these goals nor have they formed a political party. Official recognition of Kākāʾi, therefore, remains very limited.

After 2003, some of the Kākāʾi sought to establish a political party. The then Minister of Culture in the KRG of 2007, Falak-ad-Dīn Kākāʾi, who regarded himself as their representative in the parliament and the government of the Kurdistan Region of Iraq, advised them not to pursue that aim, on the grounds that it could become a means with which outside

\textsuperscript{1328} This is the first time that reference is made to the population of the Kākāʾi. Their population had not appeared in any census that took place in Iraq prior to this document.
\textsuperscript{1330} The worst attack against the Kākāʾi was recorded in November 2009, when a (parked) car bomb reportedly targeted civilians near a shrine holy to the Kākāʾi religion in one of the crowded marketplaces in central Kirkuk. The bomb reportedly killed six civilian and injured another eight. US Department of State, 2009 Country Reports on Human Rights Practices-Iraq, 11 March, 2010. Retrieved on 7 january, 2017 from http://www.refworld.org/docid/4b9e52ea6e.html.
\textsuperscript{1332} About the political participation of the Kākāʾi in Iraq after 2003, see: Saad Salloum, Saad Salah and Majid Hassan (eds.): \textit{Political Participation of Minorities in Iraq}, Raport 2, Heartlan Alliance International & MCMD, Baghdad, 2015, pp. 37-40.
\textsuperscript{1333} From an interview with Hāshim Kākāʾi in Kirkuk on 25 December, 2016.
influences could create division within the Kākāʾi community. Nevertheless, parties did emerge. Naturally, the existence of a Kākāʾi political party meant declaring their faith and independent identity, either blatantly or by default. No Kākāʾi party per se emerged, except for the Kākāʾi in the city of Ḥalabjā who declared that they embrace a faith independent of Islam. In doing so, they became entitled to a quota seat in the city of Ḥalabjā in 2015, a development which was met with strong disapproval on the part of the Islamic parties. It is, however, the first time that a section of the Kākāʾi declared itself an independent religion. For the rest of the Kākāʾi community, the situation remained unchanged, however. They still live in secret and their leaders have yet to make themselves known outside of their own community.

One unusual aspect of the Kākāʾi community is that it is divided into two groups, one which affiliates itself with Islam (which is mostly made up of Kākāʾi chieftains and tribes’ people) and a second (comprised of educated Kākāʾi elites) which sees Kākāʾism as a standalone independent religion, the origins of which lie in Mithraism and similar belief systems. This division can be considered a form of identity crisis within the Kākāʾi community as a whole, one which became apparent after 2003, when the latter group began to seek formal recognition of their religious identity as Kākāʾi. The former group, on the other hand, strongly opposed them and issued a number of statements declaring their affiliation with Islam and ’Alawīs.

In a press conference held in 2014, Sayyid Raḥīm ’Azīṃ Ḥasan, Kākāʾīς’, a spiritual mentor in Iraq, stressed the necessity to oppose those attempting to disconnect Kākāʾi from Islam. These statements were made public after he, along with other Kākāʾi leaders in Kirkuk, met with the Union of Islamic Scholars. Some Kākāʾi claim that such official statements along those lines from within the Kākāʾi community are due to fear of the Islamic environment in which the Kākāʾi find themselves.

On November 20th, 2016, the Kākāʾi’ Aghā (leader) presented a document to the Iraqi and Kurdistan regional governments. Signed by more than 20 Mukhātrs (Mayors) and village chiefs and representing approximately 18,000 Kākāʾi, it demanded the rights of the Kākāʾi be recognised as a Muslim minority, similar to the ’Alawī. They also called for the Kākāʾi’

1336 An interview with Akū Shāwīs, in Ḥalabja-KRI on 27 December, 2016. He is the representative of the Kākāʾi quota in the Ḥalabja Provincial Council; Salloum, Saad Salah and Majid Hassan: Political Participation of Minorities in Iraq, pp. 39-40.
1337 From a press conference held on 7 September, 2014, by Kākāʾi spiritual mentors and chieftains in Kirkuk, with the Union of Islamic Scholars. Published in a number of TV channels and YouTube on 8-9 September, 2014, retrieved on 10 March, 2017 from https://www.youtube.com/watch?v=btchY7053zU; https://www.youtube.com/watch?v=IaG9ydFwHM.
movement that aims to separate Kākāʾi from Islam, to be officially banned. Some Kākāʾi’ who consider themselves Muslim have also joined the Shiʿi forces against ISIS. The People's Mobilization Forces of Iraq (Shiʿi) has formed a so-called Popular Mobilization Unit of Kākāʾi in the region of Kirkuk, which consists of more than 500 fighters.

10.6 Bahaʾis: From Prohibition to Cautious Freedom

As part of its policy to quash the Bahaʾi in Iraq, the government passed law No.105/1970 banning Bahaʾi books and leaflets. All the sect’s documents, papers, records, books and the other items which were impounded by the State were taken to State security centers and placed under lock and key. Law No.105/1970 also increased the penalties against anyone who carried out any activity associated with the Bahaʾi, be it endorsing, publicizing, or joining a Bahaʾi group or body, or propagating Bahaʾi thinking. Those charged with practicing the Bahaʾi faith, engaging in community activity or having any relation with them whatsoever, were sentenced to ten years in prison.

Many Bahaʾis were arrested under law No.105/1970 after the so-called “Revolutionary Court” charged them with Bahaʾi activity. Some of those charged were also convicted of being associated with the Zionist Movement and of spying for foreign countries. The Directorate of Personal Status, No. 358 dated 24th of July, 1975, ordered all records of personal status of the Bahaʾi to be frozen, which meant that marriage contracts, or appointments for the Bahaʾi could not be registered. Similarly, no personal status identity cards, birth certificates, or passports could be issued to them. This ensured that they would be unable to attend schools, to sell or buy property or to attend to any civil matter that required an identity card.

To avoid being accused of Zionism and to reduce danger to their personal safety at the hands of State persecution, the Bahaʾis were compelled to change their religion and convert to Islam.
Under the regulation No. 358, the Baha’i were forced to register themselves (and therefore be identified) as Muslims, and to have ‘their’ Muslim religion entered on their nationality identity card. In present-day Iraq, the problem of non-representation of the Baha’i still exists, and many Baha’i citizens remain registered as Muslims.

In 1978, a warrant was issued for the release of a number of incarcerated Baha’i, five of whom were female, namely Aq̱bāl Munir al-Waƙīl, Kawākib Ḥusayn al-.Fatlāwī, Nidā’ Na’mat Šabūr, Fāṭīma ‘Abd al-Razzāq and Warqā’ ‘Abd al-Razzāq. The Interior Minister ʿIzzat Ibrāhīm al-Dūrī met with some of the Baha’i, after which he requested that they be released and returned to their people. However, they remained in prison, despite the ministry’s decision to release them, on the grounds that the universal principles and the ideology of the Baha’i faith, which the State considered a dogma, could gain support within Iraqi society if they were to be released. It was feared that Baha’i thinking could therefore undermine Ba’thist ideology and with it, the authority of the government.

The penalties for being Baha’i intensified after Saddam Hussein became president. Another law, No. 141/ 1979, was passed to amend the law of prohibition of 1970. Similarly, another article was also added, which stated that those who violated articles one two and three of the aforementioned law were to be sentenced to life imprisonment, or to a shorter sentence, (usually fifteen years). Moreover, the punishment in the case of a second violation was extended to execution.1347

To justify prohibiting the Baha’i in Iraq, the security services accused the Baha’i of having associated with Zionism and of having attacked, defamed and misinterpreted Islam. However, the Iraqi government did not consider the Baha’i a religion or doctrine per se. Rather, they saw the Baha’i as Al-Kufār, meaning infidels on various grounds. These were the prophecy of Baha Allah, and the Baha’i’s claim that the words of God descended from heaven to him, their fasting for a mere nineteen days (rather than thirty in the Muslim tradition) for Ramadān, for example.

Other Baha’i practices were also considered by the government as evidence of their being infidels, such as praying without prostration, and praying three times a day rather than five. Similarly, their practice of passing on inheritances equally to males and females does not comply with Islamic law. They were also considered infidels by the government for changing Qibla [the direction Muslims turn to, when praying[,] from the Ka’ba in Mecca to the house in

1345 An interview with ʿUqayīl ʿAbd al-Wāḥid in Duhok in 07 December, 2016; an interview with Muḥammad ʿAlāʾaddīn in Duhok in 05 January, 2016.
1346 An interview with Muḥammad ʿAlāʾaddīn in Duhok in 05 January, 2016.
the district of Sheykh Bashār next to Karkh in Baghdad, which is called the Kaʿba of the Bahaʾi (to where the Bahaʾi go on pilgrimage).1348

Government action against minorities such as the Bahaʾi came after it had changed the law of the temporary constitution, limiting their ability to practice their faiths and to live according to their particular ethnic and religious idiosyncracies. Given the grave deterioration of minority rights, the Bahaʾis were forced to either practice their religion secretly and isolate themselves from the rest of Iraqi society, or leave the country entirely. Those who stayed were cut off from the rest of society and from fellow Bahaʾi is outside of Iraq, and in time, they developed an identity peculiar to them.

After 2003, however, due to the new political developments, the Bahaʾi came out of hiding and began to proclaim their religious identity publicly. They requested that their religion be granted official recognition by the State, as it had not been listed in the permanent constitution. The Bahaʾi did not request anything that would give them political advantage, nor did they demand to be represented in parliament or in the political institutions.1349 After the escalation and spread of Islamic extremism in Iraq, many sought refuges in cities in Kurdistan or abroad. Their population is unknown, as there are no statistics that estimate their number in Iraq.

It should be noted that, at the time of writing, the Bahaʾi have not yet been officially recognized as a religion by the CGI in Baghdad. However, they received approval from the KRG to form a Regional Council of the Bahaʾi is in the Kurdistan Region RCBK in Erbil in 2006. In addition, two plots of land in Sulaymaniyya and Duhok1350 were allocated to them as burial grounds. The Kurdistan Region’s Ministry of Endowment and Religious Affairs recently announced that it is to enter negotiations with voluntary representatives of the Jewish, Zoroastrian, Kākāʾian and Bahaʾi communities.1351 Subsequent reports indicate that the KRG has approved the ministry’s new procedure, and that the Jewish representative has since been commenced working in this capacity. There is no indication to date, however, of whether the Bahaʾi representative has been appointed.

1349 An interview with ʿUqayīl Ṭāḥīb in Erbil on December 7, 2016; An interview with Karml ʿUqayīl ʿAbd al-Wāḥid in Duhok on January 4, 2017. She is a Bahaʾi activist in the field of human rights, and she is interested in the minorities in Iraq. A former resident of Baghdad, she now lives in Duhok.
1350 An interview with Muḥammad ʿAlī ʿaddān in Duhok on 5 January, 2016.
In this chapter, it can be concluded that the internal developments in Iraq, especially the sectarian, ideological and ethnic conflicts became complex and chronic among the majorities (Shi‘i Arab, Sunni Arab, and Kurds) as confessionalism spread. When nationalist currents representing a specific community came to power, the government authorities became imbued with its ideologies and perspectives which in turn affected all of the other groups. Consequently, that had negative repercussions on the religious minorities, despite the attempts of some of them to strike a balance in their loyalties and affiliations, in the interests of preserving their threatened existence. This led some minorities such as the Christians and the Yazidis to try to consolidate their identity culturally, as they were unable to do so politically. Towards the end, however, they too aspired to create an independent ethno-national identity. Similarly, the evolution of the religious minorities’ ethno-national identity was characterized by internal politics more than any other factor, as religion and belief are the primary factors for identity formation in Iraqi communities. In Monarchical Iraq, the religious minorities resisted getting involved in any political organizations and armed movements whose ideologies were ethno-nationalist. Later on, in the Republican Eras and since the 1960s in particular, however, their attitudes changed. This was brought about by the exacerbation of the conflict between the CGI and Kurdish movement, particularly in the so-called Disputed Areas.
11. Conclusions and Recommendations

11.1 Conclusions

Having considered the historical contexts of the religious minorities in Iraq alongside internal political developments, it becomes apparent that all political bodies have failed to adequately address the concerns of the religious minorities. This is true of the various political entities and forms of governance throughout the history of the region, be they feudalist, monarchical, communist, socialist or ethno-nationalist, as it is true of the religious fundamentalism of the present.

There were evident signs of the emergence of the nationalist or religious right, during and after the post-colonial period. The Islamic world, and Iraq, in particular, saw the spread of certain political and religious concepts of a rightist bent. Religion entered politics, for example, and many Muslim Shiʿi (Daʿwa Party) and Sunni (Muslim Brotherhood) organizations emerged. The author argues that the current situation in Iraq is a result of past historical accumulations, and the failure of any government, national or liberal, to safeguard rights and address deep-seated issues in Iraq, including those concerning the country’s minorities.

The basis upon which the Iraqi State was founded was highly unfavourable. Britain, in its control of Mandate Iraq oversaw the establishment of the state institutions and contributed to the creation of the Iraqi Basic Law, which bound Iraq together on the basis of religion. This became the basis for all subsequent Iraqi legislation and would hinder the development of a state or constitution based on democracy or equality. Despite the State’s claim that it was secular, it relied on Islamic identity as an instrument of consolidating government power during the Republican Eras and ensured that the Muslim majority, specifically, the Sunni Arab Muslims, were granted a disproportionately privileged position over the religious minorities. This was evident in most Iraqi legislation, laws and constitutions. It proved to be detrimental to the State as a whole, as it ensured that the minorities were excluded, which in turn, hindered the development of stability within the State. The root cause of these developments, it bears repeating, can be found in the constitution which states that Islam is the official religion of the State.

By giving pre-eminence to the questions and hypotheses outlined in the introduction, this study aimed to investigate the reality of minorities and their existence in Iraq, of the problems they face, the origins of these problems and their ultimate consequences, both in the present and in the foreseeable future. Beginning with a background history of the minorities throughout the two periods of the mandate and post-Independence Monarchical Iraq, a basis was provided upon which discrimination and persecution under law could be examined and understood thereafter.
It is apparent that some Iraqi religious minorities managed to achieve economic, cultural, and political gains during the Monarchical Era because of their religious distinctiveness. Those who were able to do so, such as the Christians and the Jews, assumed a particular status in the country. This status was related to their being regarded as ‘People-of-the-Book’, a status that aided them in their quest for legal rights. Their pursuit of legal rights was somewhat successful for two main reasons: Both the Jews and Christians were under western protection and had been members of the Ottoman’s *Millet* System, which had allowed them to open schools and assume strategic positions in trade. Such privileges, however, were not extended to those other religious minorities such as the Yazidis and Sabean-Mandaean, for example, as they were not considered ‘People-of-the-Book’.

With regard to the constitution and to legal rights, the new State adopted Islam as “the official religion of the State”, thus intertwining Islam and Iraqi national identity. This would affect all religious minorities during the Monarchical and Republican eras. When the Iraqi Basic Law of 1925 was instituted, the government declared that religious minorities were Iraqi citizens and granted parliamentary and constitutional rights to some of the minorities. The ‘People-of-the-Book’ were allowed to establish their own religious courts and were assigned seats in parliament, based on a quota system. In addition, some of the religious holidays of other religions who are non-*Ahl al-kitāb* were recognized, such as the Sabean-Mandaean’s religious holidays, for example. The Yazidi and the Baha’i were allowed to establish spiritual councils and assemblies. However, they were not allowed to establish special courts, unlike the ‘People-of-the-Book’. Similarly, the official recognition of some of the religious minorities by the government and the granting of rights to them during given periods, such as the Monarchical Era, for example, did not improve their overall situation, nor did it end their suffering. Legal discrimination remained commonplace; laws that upheld their rights were not effectuated in practice. In fact, their rights were abused by successive governments, the official religious establishment, and society at large. Various governments and political currents utilized Islam and the Islamic socio-religious milieu as a way of gaining widespread support at the grassroots level of Iraqi society. As a means of unifying the masses this also entailed their inciting hatred towards minorities within Iraqi society in general. Governments, moreover, were careful not to be seen to oppose the Islamic socio-religious milieu. This governmental collusion with Muslim community and its Islamic leaders, along with their periodical manipulation of same, led to far-reaching policies of discrimination and the detrimental oppression and persecution of whole segments of Iraqi society.

Chapter 4 then traced the history of discrimination and the persecution of religious minorities after Iraq gained its independence in 1932, and the oppression endured by the Christians, Yazidis and Jews in particular, which also had a grave impact on their future in Modern Iraq. In the public inquiries into the massacres of Christians in 1933, the Yazidis in 1935 and the Jews after 1941, (all of which remain on historical record), little resolve could be gained, as the facts were distorted in an attempt to whitewash the severity of the massacres and disavow the culpability of the State.
Although religious minorities may have differed from each other from time to time in terms of prosperity and relative stability, the collective history of the Iraqi minorities has been a precarious one. Within just a few years, a community could have its prosperous and stable existence shattered and could find itself the victim of sudden violence, poverty, internal displacement and forced deportation. The Iraqi Jewish minority, for example, enjoyed much success in the early decades of the Monarchical Iraq and the British Mandate Era (1921-1932). Nevertheless, they were subjected to persecution, oppression and displacement as a consequence of the Arab nationalist movement of May 1941. This also applies to other minorities such as Christians and Yazidis, who were subjected to horrific massacres by the Iraqi army in the 1930s and 1940s.

In the case of the Christians, although their demands for independence continued from the latter period of Ottoman rule into Monarchical Iraq, the Iraqi government harshly repressed this movement during the Monarchical era. Their persecution also had an additional historical dimension; both Britain and France had vowed to establish a state for them before and after the establishment of Iraq, meaning that they would be granted protection and freedom in a similar manner to other peoples that became nations after the fall of the Ottoman empire. Neither Britain nor France would do so, however. Had such a state been created, it would have limited Iraqi territory, as the areas proposed for the Christian enclave such as the Plain of Nineveh, belonged to the greater Mosul district, which acceded to Iraq after 1926. The Christian’s aspirations, however, conflicted with British interests in Iraq. To make matters worse, when Iraq was granted its independence, none of the powers or the fledgling State guaranteed the protection of minorities. Therefore, the broken promises of a Christian state and the lack of protection for minorities led to the tragedy of 1933 and the subsequent exile of most Christian leaders from Iraq.

As for the Yazidis, they initially refused to submit to the government of the Monarchy. They, too, pushed for rights, yet internal developments would force them to accept and recognize the new Iraqi state founded by Britain. Their eventual consent would gain them neither rights nor protection long-term, however. To make matters worse, the post-independence period saw the enforcement of compulsory conscription and the seizure and resettlement of Muslim clans on Yazidi lands. Subsequently, the Yazidis rebelled against the CGI, a rebellion that would be quashed by military force in 1935. The government-assisted seizure of Yazidi lands by Muslim clans would continue until the late 1940’s.

The suffering of the Jews clearly began after Iraq obtained its independence for a variety of reasons. The two primary reasons behind the increase of persecution were the rise and spread of ethno-nationalist pan-Arabist thought in Iraq, and the actions of the Zionist movement abroad. The latter had direct repercussions for Iraqi Jews, despite the fact that the Zionist movement found only little support in the Iraqi Jewish milieu until after the catastrophe of the Farhūd of 1941. The latter, along with the laws that were enacted against them thereafter,
impelled the majority of the Jews to leave Iraq. Those who remained would endure further discrimination and oppression thereafter.

This chapter pointed out how the distortion of facts by the authorities to serve its own interests and its reliance on inaccurate information in its inquiries and its decision-making was commonplace. Consequently, the massacres of the minorities (as well as what occurred during and after them) remained largely concealed and unknown. This can be attributed to the unfavorable manner in which the Iraqi State was established, and the negative role of its political elites in the politics and policies of the country.

It can be said that it is the political elites who bear the greatest responsibility for the policies and practices of discrimination against the minorities and the innumerable (hitherto unpunished) crimes committed against them which began in the 1930s and continued into the 1970s. Equally, some of the Iraqi Muslims that targeted and murdered the Jews of Iraq cannot be exonerated for these heinous crimes, irrespective of influencing factors such as the influence of Nazi propaganda of warring factions the developments and events of the World War II, the Palestinian situation and the activities of the Zionist movement abroad. The state-condoned persecution and murder of its minorities during this forty-year period were influential in the forced mass migration from Iraq that was characteristic of the period and which remained ongoing, even after the law of denationalization was rescinded in March 1951.

Part III examined the eventful period of transition between the monarchical era and the second republic era. Chapter 5 therein investigated attempts made during the first Republican era (1958-1963) to create a new political atmosphere, which caused many minority communities to feel a sense of great relief, as they were finally granted official recognition, their religious holidays were acknowledged, and new laws concerning them (some positive and some negative) were enacted, such as the Personal Status Law 188/ 1959. On the whole, the period is generally considered something of a ‘golden era’ by all Iraqi minorities, although no collective political or intellectual unity encompassing all Iraqi communities and political currents existed at the time. In spite of President Qasim’s attempts to achieve unity, political support for him did not extend beyond leftist currents. The religious and ethno-nationalist currents that opposed him - and the Pan-Arabists in particular - would lead the coup against him. Having carved a niche for themselves between the Islamists and the Nationalists, their attempts to bridge the aforementioned politically, would have direct repercussions on the minorities thereafter.

The chapter 6 illustrated that the second Republican Era (1963-1968) began with the intensification of ethnic, religious and cultural tensions. This fed into the discriminatory policy formation and negative practices of the State in its interaction with religious minorities.

Although his confessional-political orientation was not explicit, the policy of ‘Ārif’ and his government illustrated an ethno-sectarian dimension which was based on Arabic national chauvinism. This is also true of the governments that succeeded him, with the exception of the
al-Bazzāz government. The Arabic national chauvinism of these governments led to the emergence of ethno-religious currents in Iraq such as the Islamic Party, the public Muslim Brotherhood, and the Islamic al-Da’wa Party, which became one of the biggest Shi‘i opposition parties after 2003.

Chapter 6, on a more positive note, also illustrated that a reduction in the pressure on all minorities in the mid-1960s occurred. This can be ascribed to the establishment of the first civil government in Iraq, which was led by ʿAbd al-Rahmān al-Bazzāz from 1965 to 1966, who is generally known for his endeavors to solve Iraq’s interior and exterior problems. His short period of rule reflected positively on all parties across the various Iraqi communities. Al-Bazzāz tried to establish a party system, democratic multiplicity, freedom of the press, and a permanent constitution. He also worked to resolve the Kurdish issue, the problems with Iran, and military dominance within the State. However, his endeavours to reform the country saw a military bloc emerge against him, and he was forced to resign in 1966.

Part IV established that some historical, political and religious incentives lay behind the policies and ideological trends of the conflicting parties in Iraq in their dealings with the country’s religious minorities. In both the Arab and Kurdish movements, a common ground of shared ethno-national identity, a shared history, religion (and, to some extent, a shared culture) lacked between the core of these movements and the religious minorities. Despite the attempts made by the political parties in the conflict to press some religious minorities, either via coercion or under duress, to adopt the prescribed ethno-national identity of the movement, it soon became clear that such efforts were fruitless. In fact, this pressure had the opposite effect, and some minorities became politically mobilized in response to such pressures. Consequently, they established authorities, political parties, corporations and civil organizations of their own, in an effort to protect themselves and to maintain their identity and culture. This unity soon angered the main political parties, who swiftly began to dismantle the social structure of the minorities’ communities (especially the self-secluded religious minorities, such as the Yazidi) in order to control them. When their attempts failed, the parties accused some of the minorities of Zionist affiliation, of aiding the colonialists, or similar accusations meant to belittle or destroy them (as can be seen in the cases of the Baha’is, Christians or Jews). Confronted with the targeting, the accusations of treason and of being a ‘fifth column,’ along with the government’s inactivity and its complete failure in its duty to protect them from domestic violence culminated in the exodus of these Iraqi religious minorities from their country of origin. Chapter 7 showed that the Scattered Religious Minorities (SRM), - Jews, Sabean-Mandaeans and Baha’is - were treated differently from other groups and were oppressed and persecuted to a greater or lesser extent. The Jews’ property was confiscated by the State and many of them were killed or they were forced to emigrate. The Baha’i community centres were closed and their religion was officially banned, whereas some leniency of sorts was displayed towards the Sabean-Mandaeans. Chapter 8 analysed the history of the Geographically-Concentrated Religious Minorities (GCRM), the Kākā’is, Christians and Yazidis, and a number of additional observations were made. Firstly,
the territories in the disputed areas where the GCRMs dwell, constitute an open battlefield between the CGI and the Kurdish movement. In addition, the religious minorities who dwell in these areas are the weakest in this ethno-national conflict, as they are politically, socially and geographically disadvantaged. This has made them vulnerable, and has more or less forced them to become involved in such battles in an effort to survive. Secondly, these religious minorities are, to a greater extent, cut off from the outside world, since they are geographically surrounded by robust local Islamic communities with a strong propensity to armed violence.

The Kākāʾi are an exception to the aforementioned scenario in that their involvement in the conflict was on ethnic grounds, and not on the basis of religion. The Iraqi government did not consider them an independent religion in Iraq, rather, they were considered Kurdish clans. They were manipulated by both sides of the central government and by the Kurdish movement in the Iraqi-Kurdish conflict, as all sides sought to use them in various ways, simply to further their own goals. The Kākāʾi remains to be recognized as an independent religion, constitutionally and legally, both in Iraq and in the Kurdistan Region of Iraq KRI.

Regarding the Christians, the government stripped them of many of their rights and dissolved the religious courts peculiar to them. Subsequently, relations between the Kurdish community and the Christian minority deteriorated, which saw the Christians enter the political battlefield anew. Many Christian civilians were forced to leave their homes, becoming either internally displaced, or finding themselves to flee the country indefinitely. The oppression of Christians at this time caused some external reverberations, which saw the Vatican take a public stance on the issue. Thereafter, during the Republican Eras of Iraq, the Christians resumed their political and military activity, in an attempt to return to normality. However, mass waves of Christian emigration ensued nevertheless, and were followed by those of the Yazidis and the other minorities. The emigration rate among Christians has increased steadily since the 1960’s. Current statistics show that the Christian population in Iraq has fallen by over 50%, having decreased from more than a million to less than half a million.

In the case of the Yazidi, domestic developments led to divisions within the community and revived deep-seated divisions between members of the princely family. The house of the Yazidi principedom split into two competing factions, this led to competing affiliations with those involved in the broader nationalist conflict. In addition, the Arab call for the Yazidi Umayyad was founded, which called for the Yazidis to return to the Arab ethno-national identity. In return, the other faction, including the prince of the Yazidi, joined the Kurdish Movement, at least periodically. This schism within the Yazidi community prompted the government to investigate the essence of the Yazidi ethno-nationality. Their investigations concluded that the Yazidis belong to the Arab origin.

The demographic Islamisation of the Yazidi regions by Arab clans (in addition to other objective factors) led to a new armed movement in Sinjar, which forced the government to negotiate and accept some of the rebellion leaders’ conditions, such as (temporarily)
addressing the trespassing of some Arab clans. The rebellion and contrasting Yazidi outlooks caused the government to study the Yazidi in order to control them in the future. A majority of the strategies developed by the government in this period would be carried out in the subsequent eras.

The Yazidi Insurgence in Sinjar 1966 and its prehistory in some of the sections of chapter 8 constitutes the most important part of this study, since it provides with extremely valuable insights into the negotiation process between the Central government, the Yazidi leadership and the Yazidi insurgents who sympathized with the Kurdish National movement. The documents analyzed by the author show that the CGI made enormous efforts to win over the Yazidis and that it was ultimately successful. The Yazidis, therefore, were able to press several of their demands during the negotiations with the government.

The final part V brought the perspective dimension of the development policies towards religious minorities after the second republic. This part demonstrated the policies enacted by the ‘Ārif brothers which later became the basis for much legislation passed during the subsequent Baʿth Era, from 1968 to 2003. Such policy also laid the groundwork for the government’s Arabization attempts for its attempts to dismantle the minorities’ social structure, and to force an Arab ethno-national identity on them. Similar policies were also adopted by the Kurdish nationalist parties after 1991 in particular, in their attempts to stir up conflict and destroy what remained of the internal harmony of those minorities. All of the aforementioned ultimately led many of those affected to flee Iraq.

During the Ottoman Era and after the foundation of the Iraqi State, the Yazidis experienced widespread and ongoing oppression. Whereas during the Ottoman period, the oppressors were the Ottoman authorities and the local Kurdish emirates, during the Iraqi period, the persecutors were the legitimate authorities in Iraq, and in the Province of Kurdistan. In addition, the Yazidis were willingly or unwillingly pushed onto the political scene during the 1960s. Their identity would even become a matter of debate, some having claimed that the Yazidi are a heterodox Islamic group.

Presently, the fate of the Yazidi as a religious minority and as a people is highly uncertain. Their exodus from Iraq, which began in 1991, is still ongoing, and, similar to the Jews and the Christians, there are indications that they will never return. Among the remaining religious minorities in Iraq, there is a growing atmosphere of fear, which has only intensified since the end of the Second Gulf War. This has been exacerbated by the so-called ‘Faith Campaigns’, which have resulted in the compulsory closure of clubs, nightclubs and alcohol shops. In addition to the hitherto unequalled proliferation of newly-built mosques under the ‘Faith Campaigns’ Salafi and Wahhabi thought has taken hold in Iraq. This has contributed to the demise of the secular nationalism previously enjoyed by Iraq under Saddam Hussein’s rule in the 1970s ‘80s.

1352 The religious minorities owned all of these clubs and shops because Iraqi law prohibits Muslims to work in them as they sell alcohol.
In general, increasing ethno-religious fanaticism in Iraq has socially isolated all the religious minorities almost entirely, a situation which came to a head after the repercussions of the Third Gulf War. The pressure exerted by the authorities on the religious minorities reached a peak at this time. All of this has had a substantial impact on the country in a number of ways. A ‘brain drain’ from the country is ridding it of its professionals, economists, doctors, and others in the scientific and academic professionals who have abandoned Iraq en masse. This is particularly evident within the Jewish minority. At the beginning of the U.S. occupation, only about a dozen Jews were left in Iraq. This part pointed out that (1) the pressure placed on the minorities to assume the ethno-national identity of the major political currents prompted some minorities to try to establish an ethno-national identity of their own, which in some cases, led to nation-building endeavours. This is evident in the Christian case and more recently, in the case of the Yazidi. (2) Despite the policies of discrimination and the pressure to adopt and ethno-nationalist identity, few minorities felt any sense of mutual destiny with either of the conflicting powers, due to religious and ethnic differences. These circumstances brought about huge waves of emigration. In turn, those minority areas lost their demographic identity, which was replaced by the Islamic one, in the course of enforced demographic Islamisation. Hence, in spite of some minorities shared geographical location, especially in the Nineveh Plain, they have yet to create a unified province or to make use of the articles of the Iraqi permanent constitution of 2005, which permits the establishment of administration bodies of self-rule.

In conclusion, it seems fair to say that the policies of discrimination in Iraq assumed many forms, such as legislation and governmental or administrative acts that caused division and discrimination. These policies of discrimination affected all segments of Iraqi society. Comparatively speaking, however, religious minorities who were already suffering at the hands of the majorities bore a disproportionately heavy share of the burden of religious stigmatization and discrimination policies. This has created a form of shared collective memory, which is characterized by a prevailing sense of alienation and social inequality. It has also brought about the emergence of detrimental stereotypes, all of which are common to all non-Muslim minorities in Iraq. Importantly, as this study makes clear, the religious minorities were not only affected by political currents, but also by social and religious currents. The political and civil culture of the dominating powers and national movements as exemplified in the activities of the ruling system and the State institutions remained largely unchanged since independence. Furthermore, religious and sectarian belonging became a criterion around which political, social and religious powers centered.

No single political, social or religious current nor political party in Iraq has shown itself capable of establishing a Nation State. Neither have such entities succeeded in integrating the Iraqi communities to achieve equality and to contain the ethnic, religious and cultural variety

in the country. Rather, their sectarian policies have caused the religious minorities to distance themselves from political life and avoid participation in State institutions and government.

If proportional representation had been assured by virtue of population (meaning the quota system), rather than by political affiliation, the political upheaval and civil unrest witnessed during most of the 20th century in Iraq could have been prevented. However, as recent Iraqi history illustrates, the deep-rooted nature of divisions within Iraqi society as a whole, and the lack of mutual trust between the different sections of society has made the current, long-term conflict inevitable. This, in turn, has had remarkably repercussions for the peoples of Iraq and has fragmented all communities in an unprecedented manner in the process. As a result, the sectarian and confessional issue soon became apparent in post Ba’thist Iraq. Indeed, all the grave developments that are taking place in Iraq at the time of writing can be attributed to the actions or inaction of past regimes in Iraq.

It can be concluded that the exposure of religious minorities to discrimination and targeting policies during Monarchical Iraq after the first occupation brought about futuristic dystopian political dimensions and impacts which became apparent after the second occupation of Iraq in 2003. In turn, as a corollary consequence, these political dimensions and impacts have emerged as the primary cause for the ultimate demise of the remaining religious minorities. Subsequently, Iraq has been turned into a unilateral religious state that is currently dominated by three large Muslim communities.

The persecution of the Jews ended with their exile from Iraq after the two Fahrūd’s, the First Fahru’d (1941-1952), and the Second, which took place between 1968 and 1973. Similarly, Christians were subjected to ongoing discrimination and persecution, on the other hand, were oppressed between the massacres of 1933 to 1963. This began with a massacre which took place in 1933 and continued until a second wave of persecution which began in 1963 and lasted until 2003, when they were harshly targeted and forced to exile en masse from Iraq. The Yazidi also suffered similar pressure, especially between 1935 and 1946 and again after 1963. Their territories were seized by the CGI from 1921 until 1991, and by the KRI from 1991 until the time of writing.

History is repeating itself in Iraq at present. Similar to the forced exodus of the Iraqi Jews from Iraq which peaked in the 1950s and the persecution which preceded it, the rest of the non-Muslim minorities in Iraq are currently enduring a similar fate. The current tragedy began when Iraqi minorities were systematically targeted by Islamic groups, the most recent of which was the ISIS invasion of Sinjar and the Plain of Nineveh, in an attack on Christians and Yazidi which is recognised internationally as systematic genocide. In July 2014, ISIS seized control of the Mosul Governorate and expelled the Christians from the city, after having forced them to pay Jiziyya (an Islamic yearly tax historically levied on non-Muslim minorities by Islamic States). Subsequently, ISIS turned its attention to the Yazidi, killing thousands of them in Sinjar and capturing many women and children, many of whom they later sold on the sex slave trade. This operation was executed by ISIS with the active participation of the
Muslim villages around Sinjar, whose inhabitants collaborated with the kidnappers and colluded in forcing the minorities to convert to Islam and to pay *Jiziyya*, or leave the city, as they did with Christians in Mosul. Other minorities, such as the Sabean-Mandeans, Baha’is, Kākā’is and others are enduring a similar fate; their people are still fleeing Iraq to this day.

All of the above denotes that the process of demographic Islamisation of the religious minorities is still ongoing. In this respect, the policies of Arabization and Kurdification in Iraq and the KRI can be said to have supplanted that of Ottomanization, all of which will probably culminate in detrimental demographic change, of which extermination of the minorities in the future cannot be ruled out.

The capacity of the survivors living in exile to maintain their culture and identity varies. Jews who have exiled to Israel have, to some extent, found relative peace in a society in which they could integrate. Christians are also likely to integrate into the largely Christian countries to which they emigrate. Similarly, the Baha’i, as members of a world religion, may find themselves in a position, by and large, to keep their religious identity intact. By contrast, however, the Yazidi, Sabean-Mandeans and Kākā’i are more susceptible to experiencing deterioration or loss of identity in the countries where they seek refuge, especially in the western world.

11.2 Recommendations

If the Central Government of Iraq (CGI) and Kurdistan Region of Iraq (KRI) or the international community does not move to protect Iraqi minorities, this will mark the end of their existence in Iraq. It is the duty, legally and otherwise, of the CGI and the KRI to ensure that the minorities are able to survive. For this duty to be fulfilled, a systematic effort to protect the minorities must be made. If either the CGI or the KRI are unable or unwilling to do so, the international community and the United Nations have a responsibility to ensure that the minorities are protected. This requires that steps be taken to ensure the safety and protect the rights of minorities in times of conflict via legal, institutional, political and social means.

1. It is not sufficient that minority rights are enshrined in the constitutions and laws of the CGI and KRI. Rather, these rights must be upheld in practice by the judiciary and by the State, so that they might become norms and values within the collective consciousness of Iraqi society. There is no true separation of religion and government in Iraq. Furthermore, the majorities who dominate the country and maintain the status quo remain under the control of their religious institutions. Such institutions rule according to Sharia, which makes little or no provision for the rights of adherents to other religions. Consequently, there is no freedom or
equality available to the religious minorities. This is the reality in Iraq, as it is true of most other regimes in the Middle East and the Islamic world.  

Strong civil and state institutions must be established and religious interventionism and sectarianism must be combated in Iraq and in the Middle East in general. To date, religious interventionism and sectarianism remain the dominating and effective force on the community and the primary obstacle to the establishment of an inclusive, functioning civil society. Thus, religion should be separated from politics and not allowed to intervene in state institutions.

2. The terms and conditions of the Iraqi permanent constitution in 2005 and the proposed draft of the constitution of the Province of Kurdistan in 2011 must be brought into effect to protect the religious minorities. The governments of Baghdad and Erbil must amend the current constitution and the laws springing from it that are no less than detrimental to the continued existence of the minorities, even if some of these amendments oppose the Islamic Sharia. This should be accompanied by enacting pieces of legislation, policies and administrative measures in an effort to promote and guarantee the essential equality of all, regardless of their social, cultural, economic, political, sexual and religious orientation. Legislation must concern itself with combating discrimination, social elimination and marginalization, in the interests of the welfare of all Iraqi communities.

3. The resolutions of the United Nations regarding the protection of minorities should be enacted. This must include the statement of 1992 and the articles relating to the freedom of belief and religion.

4. The majorities must cease to impose their own respective identities upon the minorities and on other weaker groups. The majorities must also cease their attempts to suffuse the identities of the minorities with their own idiosyncrasies. This is central to upholding the rights of the religious minorities and providing the necessary support for them, as they work to maintain their identities, cultures and customs in a hitherto historically hostile environment. It should also include allowing the minorities the right to practice their religions and establish their own civil and political organizations.

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1354 Most countries and regimes of the Middle East, including Turkey, Iran, Egypt and others, raised secular and national emblems in the past, however, all of them failed and returned to the symbols of religion, Islam and faith despite the reforms which were undertaken in the state institutions. This was accompanied by the tendency in most Islamic communities towards an increase in devoutness, which can be said to promote fundamentalism.

5. The unrecognized religious minorities such as Kākāʾi, Bahaʾi and Zoroastrian must be recognized and afforded legal protection by the State.

6. All Iraqi communities must be guaranteed participation in government and this should also apply to all other administrative institutions. This includes granting quota seats to the minorities in all political institutions according to their population size, so that undue political intervention the part of the dominating powers can be kept in check.

7. It is necessary to end the processes of "demographic Islamisation" in minority areas. Equally, a system should be put in place to ensure that the minorities can regain their areas and properties.

8. The religious minorities should be the first to whom infrastructural and development aid is granted of the KRI and the CGI government to combat the adverse poverty and disadvantage in these communities. In the interests of social justice and long-term stability is also necessary that they are provided with financial and moral support by the KRI and the CGI governments so that they may rebuild their places of worship, and foster education and development within their communities.

9. As the Iraqi constitution of 2005 provides for the establishment of federal and local administrations, the minorities should be allocated centers and cities in peaceful geographical areas. This could be implemented by granting the minorities of the disputed areas and the Nineveh Plain their own province that could include the Yazidis, Christians, Kākāʾis and other minorities.

10. On the social level, serious initiatives should be taken to address controversy between religions and to enhance the rapport among the groups, along with the doctrinal and religious minorities. A ban on hate speech should be put into effect, for without it, no peaceful coexistence between the different groups is possible.

11. Radical reform is needed to address the religious hatred of non-Muslims that exists in the educational curricula. New curricula and educational directives that highlight and call for peaceful coexistence, forgiveness and accepting others, should be developed and introduced into the education system at all levels.

1356 See: Article 125 “under the title of local administration” of Iraqi State Constitution of 2005.
Appendices

I Maps, Documents and Images

I.1 Maps

Figure 1.1 Distribution of Religious and Ethnic Groups

Source: This map was produced by the Directorate of Intelligence of the CIA: Iraq: A Handbook, a reference aid, (Secret), copy 228, December 1982, p. 6. (Approved for release on 06 December, 2007: CIA-RDP06T00412R000201160001-0). In the interests of visual clarity, the colors denoting the Baha’i and Kákä’i of the disputed territories have been adjusted.
Figure 1. 2 Ethnographical map of the disputed territory compiled by the Commission, according to the latest statistics drawn up by the Government of Iraq in September 1924.

Figure 1. Map compiled according to the ethnographical map submitted by the British Government to the League of Nations in September, 1924

Figure 1.4 This map illustrates the winter quarters [sic], routes of migration, and summer quarters of Kurdish nomads. It should be noted that it shows the Kākāʾi areas as Kurdish, (dated 1924)

**Figure 1.** Disputed Territories claimed by the KRI as mentioned in article No.140 of the Iraqi Constitution of 2005

1.2 Documents

Figure 2. 1 Translation of the law of Regulating the Religious Court of the Christian and “Mosaic” [Jewish] Ţā’ifa, No.32 / 1947

(Translation from Al Waqayi! Al 'Iraqiyyah No.2509 dated 6th August, 1947).


After reference to Article 23 (Amended) of the Organic Law, with the approval of the Senate and the Chamber of Deputies, and by virtue of the power vested in us, We hereby order the enactment of the following law on behalf of His Royal Highness the Regent.

CHAPTER I - GENERAL PROVISIONS.

Article 1. The religious courts of the Christian and Jewish Communities, provided for in Article 2, shall be organized in accordance with the provisions contained in this law.

Article 2. There shall be set up, according to needs, a Community Court and a Community Bench of Cassation for each of the following communities:

(1) The Catholics, of the various rites.
(2) The Armenian Orthodox.
(3) The Orthodox Jacobites.
(4) The Jews.

Article 3. Subject to the provisions contained in Articles 4 and 171-

(1) Community Courts and their respective Benches of Cassation shall be composed of three members of the clergy from the community to which the Court is assigned. To each Court, or Bench an adequate number of reserve members from the said community shall be appointed.

(2) The religious head in each community, when he has been appointed by Royal Irada, shall be considered as President of the Bench of Cassation ex officio. Notwithstanding this, the President of this Bench may be appointed from among the other clergymen of the community, should the public interest so require

/ Article 4.
Article 4. Legal experts from outside the clergy may become members.

Article 5. The President and the original and reserve members must be of Iraqi nationality, have completed their 30th year, be of good character and reputation, and not have been convicted for a non-political crime or misdemeanour derogatory to honour.

Article 6.

(1) The Presidents and original and reserve members shall be appointed by Royal Irada, and for a period of three years. They may be relieved of their appointments within this period by Royal Irada.

(2) The Presidents and members shall be chosen from lists of nominations drawn up by the Community's General Council set up in accordance with the provisions of the law, or prepared by the religious head of a community or rite which has no council. These lists shall be forwarded to the Minister of Justice at least four months prior to the termination of the period of three years, or within a month following the appointment's becoming vacant, should any vacancy occur.

Article 7.

(1) Every Community shall have a Communal Court and a Bench of Cassation at Bagdad. The Minister of Justice may, by Royal Irada, make the headquarters of the Court or Bench in another city.

(2) Should the public interest so require Community Courts may be set up in other cities by a decision of the Council of Ministers and a Royal Irada.

Article 8.

(1) Communal Courts and Benches of Cassation shall hold their sittings in a place to be determined by the Minister of Justice.

(2) Should the Courts of a Community multiply, the Minister
Minister of Justice shall determine the district of competence of each court by a notification to be published by him in the Official Gazette.

**Article 9.** The Presidents and Members of Courts and Benches of Cassation shall be granted allowances to be determined by a decision of the Council of Ministers. A reserve member shall receive the pay of the original member during the latter's absence.

**Article 10.**

1. If a member of a Court or a Bench absents himself he shall be replaced by a reserve member to be delegated by the Head of the Committee, subject always to the provisions of Article 17.

2. If the President absents himself, he shall be replaced by the oldest member.

**Article 11.** The Minister of Justice shall appoint the requisite officials and employees for the Community Courts and Benches of Cassation in accordance with the provisions of the Civil Service Law. These officials and employees shall be under the President of the Court or the Bench. For administrative purposes they shall be under the Head of the Judicial District within which the Court is situated, and shall be subject to all laws applicable to State officials.

**Article 12.** Community Courts and Benches shall deal with the following cases involving Iraqi citizens belonging to the Community to which a Court is assigned:

Marriage, dowry, divorce, separation and maintenance, except for matters falling within the competence of the civil courts.

**Article 13.** Community Courts and Benches of Cassation shall apply the principles of Sharia procedure to cases falling within their competence, until such time as a special law is issued.

**Article 14.** The Minister of Justice is empowered to
have full supervision and control over all Communal Courts and Benches of Cassation. He may delegate such judges and inspectors as he may see fit to inspect them, call for any case to examine it, issue instructions for the keeping of registers and accounts and take such measures as he may see fit for the proper progress of work in these Courts and Benches.

Article 15. None other than members of the Bar Association may be briefed for litigants and plead before communal courts and benches of cassation, unless provision for the contrary is made.

Article 16. Communal courts and benches of cassation shall collect fees in respect of cases falling within their competence in accordance with the Court Fees Law, and these fees are to be credited as State revenue.

CHAPTER II - SPECIAL AND TEMPORARY PROVISIONS.

Article 17.

(1) To the Catholic Community Court shall be appointed one member from each of the Latin, Chaldean, Syrian, Greek and Armenian rites. However, membership may be confined to one or more of these rites if the number of parishioners of the other rites is small in the place in which the Court is constituted. The decision in this shall lie with the Minister of Justice.

(2) This court shall consist of three members, including at least one member of the rite to which both litigants belong, in the event of their following the same rite. If the litigants belong to different rites, the court shall consist of one member from the rite to which the plaintiff belongs, one member from the rite to which the defendant belongs, and one member from a third rite to be selected by the Head of the Judicial District within eight days from the date on which application is made to him.
The presidency shall go to this third member.

(3) The spiritual heads of the five Catholic rites shall be members of the Community Bench of Cassation, after their appointment by Royal Irada. The Bench shall be constituted in accordance with the provisions mentioned in the preceding clause. Its presidency shall go to the oldest bishop.

Article 18. In the event of the Communal Courts or Benches of Cassation failing to try a case, the Minister of Justice may refer the case, should the public interest so require, to the competent civil court for the issue of a decision thereon, in accordance with the provisions of Clauses 11, 13, 16 and 17 of the Courts Proclamation.

Article 19.

(1) Every community should place on record in the Arabic language the jurisprudential texts and principles applied to all cases referred to in Article 12, and should publish these texts and principles, with the knowledge of the Ministry of Justice, within six months from the date of the coming into force of this law.

(2) If publication is not effected within the said period, the Minister of Justice may allow the community a further period of six months. On the expiry of this period he may apply the provisions of the preceding article.

Article 20. With the exception of the communities for which courts and benches are constituted in accordance with the provisions of this law, the civil courts shall continue to be competent to consider cases of personal status relating to individuals belonging to the various Non-Muslim communities, in accordance with the provisions determined in the Courts Proclamation.

Article 21. Article 7 of the Armenian Orthodox Community Law No. 70 of 1931, Article 14 of the Jewish Community
Community Law No. 77 of 1931, and every provision contravening the provisions of this law shall be cancelled.

**Article 22.** This law shall come into force three months from the date of its publication in the Official Gazette.

**Article 23.** The Minister of Justice is charged with the execution of this law.

Done at Bagdad this 27th day of Sha’ban, 1366, and the 16th day of July, 1947.

Regency Council:
Abdul Aziz al Qassab
Muhammad al Sadr
Abdul Mahdi

Jamal Baban
Minister of Justice.

Salih Jabra
Prime Minister.

Figure 2. 2 Qāʾīmaqāmīyat (Subprefecture) of Duhok Provence: Nivijin Izidiyyān (The Yazidi Prayers) pamphlet

Source: CKS: The Center for Kurdish Studies, Research and Documents Preserving, University of Duhok. No. 15/ 241.
Figure 2. 3 Translation of the prohibition of the Nivijin Izidiyyān (The Yazidi Prayers) pamphlet

Qāʿīmaqāmīyat (Subprefecture) of Duhok Provence

Editings

No: 1672

Date: 2 Muḥarram 1352 AH

26 April 1933

To/ The Directors of Provinces and Heads of Departments

Subject/ Nivijin Izidiyyān (The Yazidi Prayers) pamphlet

We confirm receipt of your letter, No. 1155, dated March 16, 1933.

Please tighten the controls to prevent the entry of Nivêjên Êzidiyan pamphlet, which is issued and printed by al-Taraqī in Damascus, and confiscate all copies found of the said pamphlet.

Qāʿīmaqāmīyat (Subprefecture) of Duhok Provence
Figure 2.4 The Security Department of Mosul: The Seriousness of the Split among Muslims and Christians in Mosul

Source: Mudīdiriyat Amin al-Mūsil (Mosul Security Department), No. 739, Q.S 1444. Date: May 21, 1960, preserved in the Center for Kurdish Studies, Research and Documents Archive, Duhok University, No. 70/287.
Figure 2. 5 Translation of the Seriousness of the Split among Muslims and Christians in Mosul

Republic of Iraq, The security department of Mosul
No. 735 Q.S/ 1444
dated in 17.5.1960.
To/ The Province of Mosul (Top Secret and Confidential)
Subject/ The Seriousness of the Split among Muslims and Christians in Mosul
Q.S/1329 on 10 May, 1960:

We feel and so does everyone who lives in Mosul that the mutual hatred among Christians and Muslims is increasing and that a split is apparent, meaning the feeling of loyalty and love between the two parties has disappeared. That can therefore be regarded as a sign of danger, one which may have dire consequences for the two groups in the first opportunity which may be the reason for lighting the raging fire, especially in the hearts of Muslims. The reasons behind this separation, hatred and the feeling of revenge on the Christians are:

The reasons:

When well-known incidents took place in Mosul, some Christians stood by the chaotic actions which were carried out by a group of Muslims against the people of Mosul. On the other hand, some of the Christians actually partook in the actions of the anarchists, and that such action created the real reason behind the spirit of hatred against the Christians and the seeking of revenge on them. In addition, the atrocity of the crime committed by the group of (Talkif) increased the separation and the feeling of hatred which became deeply-rooted in the hearts of the people of Mosul towards Christians. Therefore, Christians themselves, along with those wise Christians, sensed the very danger of the fault committed by some of their number that displayed destructive and chaotic characteristics against the people of Mosul, during the known incidents. The guilt displayed by a group of Christians during those incidents made them unstable and worried; they started feeling the danger which was latent in the hearts of those who were affected by the damage caused by that group.

Dealing with the situation:

We can say of the Provincial Governor of Mosul that the Sentencing and punishment of the Talkif criminals publicly would generate calm among the people of Mosul and decrease the tensions which have been growing steadily since the revolt.

Khalīl Ibrāhīm al-Nuʿaymī

Director of the Security of Mosul Brigade
Figure 2.6 Jewish Community in Iraq, 1964

When Andre Potvin, the Canadian Charge d'Affaires at Beirut, was here last week he asked me for my help in answering one or two Consular inquiries from Ottawa. I would be grateful if you would let him have (on a confidential basis) the following replies to a questionnaire he produced on Iraqi Jews (as regards immigration to Canada):

(a) the approximate number of Jews in Iraq;
(b) estimated number who would wish to emigrate;
(c) what pressure, if any, are the Jews subject to, and are other minority groups subject to the same pressure?
(d) is the Jewish community fairly equitably distributed through the various economic levels throughout the population as a whole?

2. (a) According to the 1967 census there were then 116,836 Jews in Iraq. There are now, according to the latest statistics, a total of 3,073, made up of 1,072 men, 998 women and 1,023 children.

(b) At a rough guess 80% of the above total would wish to leave Iraq to take up permanent residence in other countries (not necessarily Canada, although Canada is much sought after by those Iraqi Jews who inquire about immigration prospects at this Consular Section).

(c) This is a lengthy story going back over the past 20 years, which have seen the Iraqi Jewish population reduced by emigration, largely to Israel, from around 920,000 to just over 30,000. The Jews have been progressively squeezed out of the Civil Service and armed forces and out of all state-controlled commercial enterprises. Under the present regime the pressure was somewhat relaxed but was immediately renewed with the advent of the Baath in February of last year and intensified under the present regime. The nationalisation on July 4th, 1964, of the foreign banks and insurance companies and of some foreign firms will reduce further the employment prospects of Iraqi Jews. Since about March of this year (1965) a complete ban on Iraqi Jews leaving the country was imposed and still operates. Although some Iraqi Jews with whom this Consular Section have had visas dealings in recent months have been hopeful that the ban would be lifted in October or November, it appears from information obtained from responsible quarters that the Government intends to maintain the ban indefinitely. It is suggested that the new Minister of Interior will be more severe on the Jews than his predecessor and that he argues there is no justification for allowing Iraqi Jews to leave the country while the Israelis deny justice to Palestinian Arabs.

The Christian minorities in Iraq (mainly Assyrians, Chaldeans and Armenians) are now under similar pressure to the Jews and have grown progressively more apprehensive of their future in the country since early this year.

Res. R.C.B. Smidley, Req.  
British Embassy  
Beirut.
In the past six months some 2,000 inquiries from Christians have been received at this Consular Section about immigration (mainly as regards Australia as it is generally believed among them that they have little prospect of being accepted for Canada at present). The nationalisation laws of July 1946 referred to above, have caused increased anxiety among Christians about their future employment in Iraq and resulted in a corresponding increase in applications for emigration.

(a) The Iraqi Jewish population is now largely restricted to the self-employed merchant class, although there are a few Jewish professional men still practising, e.g. as doctors and lawyers.

(b) I am forwarding this letter to John Little in Harefield to Baldwin of Consular Department, to Burton of Eastern Department and to Mallett of Passport Control Department.

(W.J. Bridges)

When Andre Potvin, the Canadian Charge ‘Affaires at Beirut was here last week, he asked me for my help in answering one or two Consular inquiries from Ottawa I would be grateful if you would let him have (on a confidential basis) the following replies to a questionnaire he provided on Iraqi Jews (as regards immigration to Canada):

a) The appropriate number of Jews in Iraq?
b) Estimated number who would wish to immigrate?
c) What pressure, if any, are the Jews subject to, and are other authority groups subject to the same pressure?
d) Is the Jews community fairly equitably distributed at the various economic levels throughout the population as a whole?

Answers

a) According to the 1947 consensus there were then 116,856 Jews in Iraq. There are now, according to the latest estimate total of 3, 095 made up of 1, 072 men, 998 women and 1,025 children.
b) At the rough estimate 80% of above total want to immigrate permanently to other countries (not necessarily Canada although Canada is much sought after by those Iraqi Jews who inquire about immigration prospects at the consulate section)
c) This is a lengthy story going back over the past 20 years, which have seen the Iraqi Jewish population reduced by emigration, largely to Israel from around 120000 to just over 3000. The Jews have been progressively squeezed out of the civil service and armed forces and out of all Muslim controlled commercial enterprises. Under the Qasim regime the pressure was somewhat relaxed, but was immediately renewed with the advent of Ba’th on February of last year and intensified under the present regime. The nationalization July 14, 1964 of the foreign banks and insurance companies and of some foreign firms will reduce further the employment prospects of Iraqi Jews. Since

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1357 This letter has been copied from an English version.
about March of this year (1964) a complete ban on Iraqi Jews leaving the country was imposed and still operates. Although these Iraqi Jews with whom this consular section have had visa dealing in recent months have been hopeful that the ban would be lifted in October or November, it appeared from information obtained from responsible quarters that the government intends to maintain the ban indefinitely. It is suggested that the new minister of interior will be more severe on the Jews than the predecessor and that he argues there is no justification for allowing Iraqi Jews to leave the country while the Israelis deny justice to Palestinians Arabs.

The Christian minorities in Iraq (mainly Assyrians, Chaldeans and Armenians) are now under similar pressure to the Jews and have grown progressively more apprehensive of their future in the country since early this year.

R.G.B Smedley, …

British Embassy, Beirut Confidential / in the ………

In the past six months some 2,000 inquiries from Christians have been received at this Consular Section about immigration (mainly as regards Australia as it is generally believed among thus that they have little prospect of being accepted for Canada at present). The nationalization laws of July 14, referred to above, have amised increased anxiety among Chrisitians about their future employment in Iraq and reflected in a correspending increase in applications for emigration.

d) The Iraqi Jewish population is now largely restricted to the self-employed merchant class, although there are a few Jewish professional men still practicing e.g. as doctors and lawyers.

3. I am copping this letter to John Little in Basra [Baṣrah], to Baldwin of Consular Department, to Burtan of Kastern Department and to Mallett of Passport Control Department.

(F. J. Bradshaw)
Figure 2. 8 Letter from Bāyazīd al-Umaywī to the President of the Republic: Subject: Supporting the Arab Call in the Yazidi Umayyad
Figure 2.9 Letter from Bāyazīd al-Umawī To the Reverend Mr. President Jamāl ʿAbd al-Nāṣir, To the Reverend Mr. President ʿAbd al-Salām ʿĀrif. Subject: Supporting the Arab Call in the Yazidi Umayyad

In the name of Allah, most gracious, most merciful

Bāyazīd al-Umawī (the Umayyad Bayazīd)

Prince of the Yazidi Umayyad

To the Reverend Mr. President of the Republic

Through the Reverend Mr. Interior Minister

Subject: Supporting the Arab Call in the Yazidi Umayyad

The tribes of the Yazidi Umayyads were known by the Yazidi community, and ignorance reached an extent that it was about to lose its Arab character. I started the Arab Call in these isolated tribes (which lost their Arab identity), and I gave them the name of their Umayyad ancestors, who brought al-Andalus as a territory to our Arab World. I collected the Umayyad volunteers in 1956 to assist our Egyptian brothers on the day of the vicious tripartite assault on the Suez Canal and the authorities did not allow us [to fight alongside them] then. A library for the Arab Movement had been established in Baghdad, which achieved the following:

1. It brought back three Yazidi tribes to their ancient Arab origin which are:
   A. The Tribe of al-Haskān-whose president was Shaykh Khalaf al-Nāṣir.
   B. The Tribe of al-Qayrān-whose president was Shaykh Ismā'īl al-Khiḍr.
   C. The Tribe of Banī Khālid-whose president was Samīr Āghā Rashū Qūlū.

2. It presented the Arab identity of the Umayyads and defined their ancient Arab origin, and raised the national awareness in our tribes which spread from the north of Mosul to the city of Aleppo in the Northern province [Syria].

3. It thwarted the attempts to make the Umayyad clans to join a specific side (non-Arab) and closed the offices of propaganda which were working against the Arab nationality in the regions of Shaykhān and Sinjar.

4. We presented the Umayyad fighters to support our dauntless army in clearing up the north, gave martyrs and made the enemies lose twice as much. We also exterminated every activity against Arab nationality through the Umayyad regions connecting the north of Iraq with the Northern province. In addition, our Arab Call is based on a principle and belief in the establishment of an Arab community that believes in unity, freedom, and socialism. We also prepared the Umayyad clans for national duties, exterminating the colonizers, supporting the Arab armies to wipe off Israel from the Arab map in the Day of Resurrection and making the Umayyad
tribes an Arab force in the north of the Arab World as a symbol for the first union and knights for the greater union.

During the three liberal revolts, we achieved great success and advancement, which held promise for the national goals in those regions and in the ignorant social milieu.

Our national responsibilities as Umayyads became binding after we had brought three tribes to Arabism.

When the mission awareness was closely related to the future of the country and our Arab steadfast generations, that entails the caution of the ones responsible for it and aiding those involved in warning two hundred thousand Umayyad citizens (whose pan-Arab is lost) and bringing them back to their nationality and ancient Arab origin.

Best Regards,

Bāyazīd the Umayyad

The Founder of the Arab Movement for the Umayyad

A Copy for the Chief of Army Staff
Figure 2. 11 Statement from Mīr Mr. Taḥsīn Saʿīd to the Members of the Yazidi who joined the insurgents (in Kurdish)

Source: M.D.C: Signature: Mīr Taḥsīn Bag bin Saʿīd, the President of the Yazidi, doc.13, p. 50.
Figure 2. 12 Statement from Mīr Mr. Taḥsīn Saʿīd to the Members of the Yazidi who oined the insurgents (in Arabic)
A Statement to the Members of the Yazidi who joined the insurgents

I, Mr. Taḥsīn Saʿīd, the President of the Yazidi, call on all members of the Yazidi who joined the insurgents to surrender themselves to the loyal national governmental authorities and make use of the amnesty No. 128 in 1964 within a period of 30 days from the date of this statement. Anyone who violates this, [amnesty]...will be excommunicated. For that, I sign the statement on 8 May 1965, corresponding with the sixth day of Muḥarram [the first month of Islamic calendar] 1385.

Signed by

Taḥsīn Saʿīd Bag

President of the Yazidi community
Figure 2. 14 The Directorate of the Security of Mosul: Fatwa

In the name of God the merciful and compassionate

Republic of Iraq

The Directorate of the Security of Mosul

No. Q.S/ 2636

Date: 18 May, 1965

To/ the province of Mosul

Subject/ Fatwa

Further to our letter Q.S / 2516 on 5 November, 1965 we provide hereto the fatwa declared by Taḥṣīn Saʿīd Bag, the head of Yazidi community. Issued onon August 5, 1965, to the Yazidi community who joined the recalcitrant [Kurdish movement]

Fath-allah Muḥammad ‘Alī

The Director of the Security of Mosul

Attachments1

CC to:

The General Directorate of the Security

The Directorate of the Police of Mosul

5/18
Figure 2. 16 The Province of Mosul, The Yazidi Ethno-Nationality

Figure 2. 17 Translation of the Ethno-Nationality of the Yazidi

In the name of God the merciful and compassionate
Republic of Iraq
Internal Ministry
The General Directorate of Recording the Personal Status
Directorate of Technical Division (clandestine).
No: 719
Date: 29 November, 1965
To/ the province of Mosul
To/ The Ethno-Nationality of the Yazidi

Subject: The Yazidi ethno-Nationality

Due to the necessity of pausing at the origin of the nationality of the Yazidi, who dwell at many places in your province [Mosul], we ask you to make the necessary calls to presidents of this community to establish the facts and to deeply scrutinize this special subject, to assert the reality of the nationality to which the Yazidi belong, to confirm that it is such and to inform us of the results of your investigations along with your additional consideration, as soon as possible.

Amīn al-Hīlālī
The General Directorate of Recording the Personal Status

CC to: Internal Ministry
Figure 2. 18 The leadership of the Fourth Division of the Iraqi Army: Conscripting the Yazidis in Sinjar

Source: M.D.C.: The leadership of the fourth division, No. Sh/11/1036, on 28 May 1966, to the general staff directorate on conscripting the Yazidi in Sinjar, doc.42, p. 181.
The leadership of the Fourth Division Administrative

No: Sh, 11/1036

Date: 28 May, 1966

To: the presidency of the army staff

Subject: Conscripting the Yazidis in Sinjar

1. The presidents of the Yazidi’s clans in Sinjar already abstained from sending their twoos on the morning of May 21, 1966. They expressed their loyalty and obedience to the government and their readiness to send conscripts and deliver their fugitives. They were to be established as a special unit that would be trained and administrated by their co-religionists and allowed to observe their prohibitions and traditions [meaning traditional clothing and food].

2. Based on the above, and in order to make use of this community which displays spiritedness in fighting and obedience, we hope to be granted approval for the following:
   a. Establishing a special unit of them. In this respect, we would suggest establishing group F4 [small unit] from the members of this community.
   b. Approving that they wear everything that does not oppose their religious rites, including [permitting them to observe their practices in relation to] food too.
   c. Accepting the volunteering of the presidents of the clans who hold the preparatory degree as vice-officers and writers or fighters to administrate their training and administrative affairs, to know them and their traditions and for the possibility of some provocations in case they were administered by people who are ignorant of their traditions.
   d. Getting the approval of exempting them from the crime of being absent from service, similar to those who had been exempted by an amnesty.

Brigadier General Yūnis Ṭaha `Atār Bāshī
Commander of the Fourth Division
CC to:
The Army Chief of Staff
Administrative matters Department
Directorate of Military mobilization
General Directorate of conscription
Figure 2. 20 A letter from the District Chief of Sinjar to Murād ʿAṭṭo 30.07.1966

Figure 2. 21 Translation of the letter from the District Chief of Sinjar To Murād Ḍatto

Today, I sent to you Dakkū Khiḍr, asking you to go back to Shahābīya [a village], not staying in Sinjar or getting together there because that would make the government take the most intensive measures against you, and for the Yazidi to disperse that congregation and come for conscription because any action that disturbs the security in this region makes the government stronger to fight you and your villages. Besides, the weapons that you have are not worth a bullet of the artilleries which they military forces have. Your losses will be great, and you will be the one responsible for the calamity of the Yazidi in Sinjar. Allah (God) does not accept your actions, and most of the Yazidi presidents are supporters for the government. You have to think about the fate of Maharkān and Dāwūd-e-Dāwūd, and that the government is far away stronger than that. I recommend that you go back to your village and people along with the latter. Do not be a reason for bloodshed. The government is determined to execute its statement concerning the conscription at any expense. I write this letter to you and have great hope that you get at my advice”.

The District Chief of Sinjar (Qāʿīmaqām)

30 July, 1966
Figure 2. 22 Letter from Murād ʿAṭṭī through the Reverend Leader of the Fourth Division

Source: M.D.C: Doc. No.70, p. 379.
Through the Reverend Leader of the Fourth Division:

To: The Reverend Mr. President, ‘Abd al-Salām ‘Ārif
the Reverend Prime Minister, Nājī Ṭālib

The Reverend Minister of Defense

After the issuance of the statement of the Ministry of the Defense regarding the military, the Yazidi expressed their worry for religious and social reasons. They had not already been involved in the military, and we know that this is a sacred institution and a duty for every Iraqi. However, the statement included all the community, young and old men, which means leaving their families and children without any sustenance. Besides, in applying the statement of conscription, the government resorted to force and surrounded the villages, spread fear and killed two from the village of Zaraphi and injured two others. Looting took place, and the governmental squad was headed by officer Arshad Āghā Al-Zibari. Furthermore, some people of Sinjar advanced people for conscription who were not involved in the statement in an attempt to free their relatives from that. We would also inform you that the lands of about 25 villages from the clans of Qayrān, Hulaiki and Samūqa were looted and given to Shammar and their presidents, and our people were exposed to other disturbances such as the economic siege. For these reasons, our people staged a sit-in in the mountain, and due to the feeling of Murād ‘Aṭṭo of responsibility, he started making the insurgents use reason and joined them in order for spontaneous actions not to take place, especially that the government’s program is to regain tranquility among the people and meeting the demands of the Kurds. Besides, we would clarify to you that we have no intention of any insurgence against the government; however, the circumstances which the region went through and which we stated above prompted the Yazidi to go to the mountain. If the government continued adopting this policy our people will leave their regions and go to Syria and Turkey. With observance to the commonweal, we wish their sovereignty to resolve our problem. We are faithful Iraqis and ready to join the military in pursuance to the following items:

1. For political and social reasons, we want our conscripting center and training in Sinjar, with respect to our habits and traditions
2. Giving back the pillaged lands from Qayrān, Hulaiki and Samoka which are estimated to be 25 villages their owners according to the laws
3. Bringing into action the ministerial program and distributing the lands among the peasants
4. Issuing an amnesty for those who are in the mountain and stopping tracing them after they come back
5. The execution of the Fourth Division leadership’s book No. Sh A E/H, D R 3/17/1937, August 8, 1966 is to be in cooperation with Murād ‘Aṭṭo, and there has to be a center and guards for him in Sinjar for this reason

Your highness is to be fully aware that Murād ‘Aṭṭo cannot convince his people of going back without carrying out the terms mentioned above. Even in case he accepts going back without that, a big number of them will leave Iraq to the neighboring countries. We wish the best for our people Arabs and Kurds. Signature on behalf of the insurgents in Sinjar, Murād ‘Aṭṭo.
Figure 2. The Presidency of the Parliament of Kurdistan Region of Iraq. The trespassing [land seizures] over the villages of our Chaldean, Syriac and Assyrian people in Duhok Governorate

To/ The Presidency of the Parliament of Kurdistan Region of Iraq.

Greetings,

Subject/ the trespassing [land seizures] over the villages of our Chaldean, Syriac and Assyrian people in Duhok Governorate

The undersigned are the political parties and bodies: we support the efforts of the representatives of our people in the parliament of the region [KRI] of the lists [political groups and parties] of the Chaldean, Syriac and Assyrian assemblage, al-Rāfīdayyin [Two Rivers (Mesopotamia)], and Abnā` al-Nahrayyin [the people of Mesopotamia], to handle and treatment of the confirmed and documented trespassing in the attached file, which still take place over a massive number of the villages and towns of the Chaldean, Syriac and Assyrian people in Duhok. Such trespassing took place since the period of the former regime [Ba‘th] before 1991. However, they are still unhandled until the present. Others occurred after the latter date and still some are taking place at present. There are many cases, for which some resolutions had been passed that demand resolving the trespassing and injustice, handling them and restoring them to their owners, whether they were the committees resolutions or the different administrative, agricultural authorities. However, they had not been executed.

The cases, referred to in this file, only include the ones that have documents and demands that were filed by ones asking for solution, hoping that the esteemed presidency and parliament give much importance to the matter and putting the mechanisms and ways of handling it and restoring the rights of to their legal owners.

Regards,

the Chaldean, Syriac, Assyrian People's Assembly, Shams al-Dīn Gūgīrs Zīyā. [President]
the Democratic Bayt Nahrayyin [Two Rivers (Mesopotamia)] Party, Rūmīyū Hakkārī. [President]
the Chaldean National Council, Samīr ‘Azū Dāwūd. [Secretary]
the Syriac Assemblage Movement, Anwar Matī Hīdāyā. [Secretary]
the Assyrian National Party, ‘Ammānū’il Khūshābā Yūkhannā. [Secretary-general]
the Chaldean Democratic Platform, Sa‘īd Yāqū Shāmāyā. [President]
National Bayt Nahrayyin [Two Rivers (Mesopotamia)] Union, Joseph Jacob Matī. [President]
the Democratic Warkaa List, Joseph Ṣalīqā Sabī. [President]
the Bayt Nahrayyin [Two Rivers (Mesopotamia)] People's Existence, Galāwīj Shābā Ḥajjī. [President]
Figure 2. 26 Letter with a list of parties (Chaldean, Syriac, Assyrian, Abna’ al-Nahrayyin, al-Rāfidayyin) on the case of the demographic changes affecting "Chaldeans, Syriacs and Assyrians" in Duhok

Figure 2. 27 Translation of the case of the demographic changes in "Chaldeans, Syriacs and Assyrians" in Duhok

Kurdistan Parliament-Iraq

General Directorate of Divan

Directorate of Parliament Affairs

No: 4/3/1405

Date: 25 March, 2015

Attached to our letter is a list of parties (Chaldean, Syriac, Assyrian, Abnaʾ al-Nahrayyin, al-Rāfidayyin) in connection with (the case of the demographic changes in "Chaldeans, Syriacs and Assyrians" in Duhok) for following-up and executing the necessary investigations pursuant to the law.

Regards,

Yūṣif Muḥammad Ṣādiq

The President of the Parliament of Kurdistan-Iraq

Copy to:

- Office of the Parliament President
- Office of the Parliament Vice-President
- Committees of Administration of Parliament Affairs
- The list of the Christian parties (Chaldean, Syriac, Assyrian, Abnaʾ al-Nahrayyin, al-Rāfidayyin), for information
Figure 2. 28 This document illustrates the decision to build a mosque amongs Christian houses in Barţala (a Christian town) with tacit government approval

Figure 2. 29 Translation of the building of a mosque amongst Christian houses in Barṭala / Ḥamdānīya (a Christian town)

IN THE NAME OF GOD MOST GRACIOUS, THE MOST MERCIFUL

Republic of Iraq
Directorate of the Shiite Endowment

Ref: 3/1/11/1198
Date: 27/7/2009

To/ Directorate of Nineveh Municipalities

Subject: allocation a plot of land to construct a mosque

May God’s peace, mercy, and blessings be upon you

Please approve the allocation of a plot of land in the center of the Hamdaniya’s district to construct a mosque and as requested by the faithful brothers and the absence of any mosque of the followers of the people of the house (Ahlul Bait) in this district for purpose of public service interest ... With appreciations.

Ali Woaly Ahmed Al-Haidari
Director of Shiite Endowment /
2009/7/27

CC:/
Islamic establishments / for following with appreciations
IN THE NAME OF GOD MOST GRACIOUS, THE MOST MERCIFUL

Republic of Iraq

Directorate of Sunni Endowment of Nineveh Governorate

Ref: 3/4981
Date: 3/8/2009

To/ Directorate of Municipalities of Nineveh Governorate
Subject: allocation a plot of land

Please approve allocation of a suitable plot of land in Hamdanya's District for a purpose of constructing a mosque on it by Mr. Hussein Ali Said and on his own account and provide us with a copy of document and Property Map after allocation...With appreciations.

Abu Bakar Kanaan Bashir
Director of the Sunni Endowment/ Nineveh /
3/8/2009

CC:/
Directorate of Hamdanya's Municipality / of same purpose above
Engineering / with Primitives
Mr. Hasin Ali Saies / for following
Figure 2. 31 Request from the Mukhtārs (Headmen) of Mahat Town and the Villages Councils to the Mayoralty of Shaykhān District

Source: Private Collections.
Figure 2. The names of the Mukhtars (Headmen) of Mahat Town and the Villages Councils

Source: Private Collections.
Figure 2. 33 Translation of the request from the Mukhtārs (Headmen) of Mahat Town and the Villages Councils to the Mayoralty of Shaykhān District

To/ The Mayoralty of Shaykhān District
Subject: Assistance

On August 8th, 2015, Mahat Town Council convened with the Mukhtārs (Headmen) and dignitaries representing 12 villages about the issue of sale and purchase of Yazidi agricultural land and houses, which caused the Yazidi much trouble. The meeting was held in the Hall of Mām-Rashā village.

To address this problem, we found that it was in our interest to convene a meeting for the representatives of people from Mahat and sign an agreement, which was legally binding for all parties to the agreement and which included the following articles:

After the meeting ended, it was decided that:
1. No one is allowed to sell or buy agricultural land unbeknown to Mukhtar or the Council of that village.
2. No one is permitted to sell or rent his house unbeknown to Mukhtārs or the Council of that village.
3. After the agreement of August 21, 2015, if anyone sells agricultural land or his/her house without the signatures and seals of approval of the Mukhtar and the Council of the village, the deed of sale shall be deemed null and void.
4. It was decided that the administration of Shaykhān District and Zilkan Sub-district be notified in order for them to support and help implement these resolutions.

With respect,

Directorate of Zilkān Subdistrict
**Figure 2. 34** Translation of the names of the Mukhtārs (Headmen) of Mahat Town and the Villages Councils

Below are the names of the Mukhtārs of Mahat and the Villages Councils:

<table>
<thead>
<tr>
<th>No.</th>
<th>Village/Location</th>
<th>Headmen</th>
<th>Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gūndi Mahati (Mahat Village)</td>
<td>ʿAlī Alīyās Haydar</td>
<td>Alīyās Ḥajī Alīyās</td>
</tr>
<tr>
<td>2</td>
<td>Mām-Rashān (Mām-Rashān Village)</td>
<td>Ḥaydar</td>
<td>Alīyās Ḥajī Alīyās</td>
</tr>
<tr>
<td>3</td>
<td>Gūndi Dūla-Ḥajīr (Dūla-Ḥajīr Village)</td>
<td>Kānīwār Farmān Simū</td>
<td>Khuḍr Simū Shīnū</td>
</tr>
<tr>
<td>4</td>
<td>Mūsakā (Mūsakā Village)</td>
<td>ʿĪdū Alīyās Murād</td>
<td>Hādī Rashū ʾĀūdī</td>
</tr>
<tr>
<td>5</td>
<td>Maḥmūdā (Maḥmūda Village)</td>
<td>Alīyās Khalaf Rashū</td>
<td>Khuḍr Kini Nāfkhūsh</td>
</tr>
<tr>
<td>6</td>
<td>Mūqublā-Mazin (Mūqublā-Mazin Village)</td>
<td>Zirār Dāwūd Sītū</td>
<td>Ḥammo Sulaymān Ḥammo</td>
</tr>
<tr>
<td>7</td>
<td>Muqublā-Pichīk (Muqublā-Pichīk Village)</td>
<td>Qūchī Gundū Khuḍr</td>
<td>Lāsū Kachal Lāsū</td>
</tr>
<tr>
<td>8</td>
<td>Jarwāna (Jarwāna Village)</td>
<td>Khayrī Kirit ʿAlū</td>
<td>Khayrī Ḥajī Murād</td>
</tr>
<tr>
<td>9</td>
<td>Bāqasri (Bāqasri Village)</td>
<td>Akram Qāso Khudidā</td>
<td>Sulaymān ʿAlī Alīyās</td>
</tr>
<tr>
<td>10</td>
<td>Bitnārī (Bitnārī Village)</td>
<td>Ḥasan Jundī Ḥasan</td>
<td>Khalaf Nāfkhūsh Mādū</td>
</tr>
<tr>
<td>11</td>
<td>Grr-Khāliṣ (Grr-Khāliṣ Village)</td>
<td>Khalāt Alīyās Ja fo</td>
<td>Shīno Alīyās ʿAlī</td>
</tr>
<tr>
<td>12</td>
<td>Kandāla (Kandāla Village)</td>
<td>Saʿīd ʿAlī Rashīd</td>
<td>Naʿmān Khirū Mīrzā</td>
</tr>
</tbody>
</table>
I.3 Image

**Figure 3.** A new document on Farhūd massacre in Iraq, this picture shows the Jews watching from above in their homes as they see Muslims carrying daggers in 1941.

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Erklärung gemäß § 9 (3) der Promotionsordnung der Fakultäten Humanwissenschaften und Geistes- und Kulturwissenschaften

Ich erkläre, dass ich die vorgelegte Dissertation selbständig angefertigt, dabei keine anderen Hilfsmittel als die im Quellen- und Literaturverzeichnis genannten benutzt, alle aus Quellen und Literatur, einschließlich des Internets, wörtlich oder sinngemäß entnommenen Stellen als solche kenntlich gemacht und auch die Fundstellen einzeln nachgewiesen habe.

Bamberg, den 1st of September, 2017