

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, Sabeen-Mandaeen, and Kākā'ī 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 Baha'ī, 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, Baha'ī, and Sabeen-Mandaeans. In chapter eight, the focus shifts to the geographically-concentrated religious minorities (GCRM). This chapter deals with three religious minorities: the Kākā'ī, 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 Kākā'is, 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 tentatively 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 Sabeen-Mandaean, Baha’i, Kākā’i and others have suffered a similar fate and are currently fleeing Iraq.

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List of Abbreviations

ADM	Assyrian Democratic Movement.
AH	After <i>Hijrah</i> . This the reference used in the Islamic calendar.
AUA	Assyrian Universal Alliance.
C. O.	Colonial Office Files, Public Record Office, London.
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 <i>cōnfer</i> meaning compare, imperative of compare.
CGI	Central Government of Iraq.
CIA	Central Intelligence Agency.
CKS	The Center for Kurdish Studies, Research and Documents Preserving [Beşikçi 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 <i>Et alii</i> , meaning and others English: et alii and its forms and derivatives.
F. O.	Foreign Office Files, Public Record Office, London.
FJF	General Secretariat of Directorate for Frozen of Jews’ Funds
GCRM	Geographically-Concentrated Religious Minorities.
HRW	Human Right Watch.
Ibid	Abbreviation for the Latin <i>Ibidem</i> , 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 <i>Opus Citatum</i> , meaning the work cited. Refers to the reference listed earlier by the same author or source and previous reference.
PKK	<i>Partiya Karkerên Kurdistanê</i> (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.
W. O.	War Office Files, Public Record Office, London.

List of Transcription

The transliteration style of the International Journal of Middle East Studies (IJMES)¹ 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 پ (p), چ (ch), ژ (zh), گ (g). In reference to words that require such consonants, Persian characters are used. This also applies to some vowels in Kurdish such as ۆ (o) whereby the Latin alphabet is applied spleacilly for Yazidi names like Ғammo, 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 *ṭā'ifa* which does not appear in the aforementioned dictionary is written in italics, whereas sharia, which is listed therein, is written in normal typeface.

Character	English	Character	English
ء	'	ظ	z
ا	ā	ع	'
ب	b	غ	gh
پ*	p	ف	f
ت	t	ق	q
ث	th	ك	k
ج	j	گ*	g
چ*	ch	ل	l
ح	ḥ	م	m
خ	kh	ن	n
د	d	ه	h
ذ	dh	و	w// ū// (o**)
ر	r	ي	y// ī
ز	z	ة	a
ژ*	zh	ي	iyy
س	s	و	uww
ش	sh	-	u
ص	ṣ	-	a
ض	ḍ	-	i
ط	ṭ	ال	al- and -l-

¹ IJMES transliteration system for Arabic, Persian, and Turkish, retrived 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”.*²

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 Shi‘i 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 as Faylīs, Shabak and Turkmen, are ethno-doctrinal communities that follow either Sunni or Shi‘i doctrine. The religious minorities make up other groups which include: the Jews, Christians, Yazidis,⁵ Sabeans-Mandaeans, Baha’is, Kākā’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

² This illustrates the religious tolerance once shared by clerics of the three main religions in Iraq in 1930s. *Habazbus Magazine*. Baghdad, No.229, dated 10th November 1936, quoted by F. O. 371/20016, in a document entitled *Jewish Incidents*, which was extracted from the weekly magazine, *Habazbuz*, 10 November 1936, in: Alan de L. Rush and Jane Priestland (eds.): *Records of Iraq 1914-1966*, Wilts, UK: Archive Editions Limited 2001, Vol. 7: 1932-1936, p. 645.

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.

⁴ For more on this term, see the Iraqi Constitution of 2005. Available online, retrieved on 26 December, 2016 from http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf.

⁵ Sometimes the spelling ‘Yezidi’ is used in English. Similarly, ‘Êzidi’, which is based on Yazidi Kurmānjî 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.

history.⁶ 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,⁷ 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 interpretations⁸ 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.⁹ Therefore, the potential challenges to statehood posed by various religious

⁶ Regarding this issue in Iraqi communities, see the speech of the King Fayṣal I, in: 'Abd al-Razzāq al-Ḥasanī: *Tārīkh al-'Irāq al-sīyāsī al-ḥadīth* (modern political history of Iraq). Beirut: Dār al-rāfidayyin for publications 2008, Vol. 1, pp. 9-12.

⁷ The primary 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 Ba'ṯ 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 'Alī: *Mawqif ḥizb al-ba'ṯ al-'Arabī al-ishtirākī min al-aqalliyyāt fī-al-waṭan al-'Arabī* (the Arab Socialist Ba'ṯ 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 Ba'ṯ 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 Iraqs (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 Shi'i, Sunni and Kurds in Iraq, yet the religious minorities' issues in the Republican Era have rarely been addressed in independent

Mylonas: *The Politics of Nation-Building: Making Co-Nationals, Refugees, and Minorities*. Cambridge: Cambridge University Press 2012.

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 Shi'as*. Boulder 1992.

¹¹ The terms "majority and majorities" are used in this dissertation to refer to the three main groups in Iraq (Shi'is, 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.¹² 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 Attar¹³ and ‘Adnān Zayān Farḥān¹⁴ 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 Fuccaro¹⁵ which focuses on the Yazidi of Sinjar during the British Mandate Era and is based on British documents. In addition, Eszter Spät¹⁶ 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 Alexander¹⁷ who concentrated on the suffering of the Jews in Iraq and Sa‘d Salmān ‘Abd-ullah al-Mashhadānī,¹⁸ 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;¹⁹ R. S. Stafford²⁰ and Jurjīs Fath

¹² *Rechte religiöser Minderheiten in der irakischen Verfassung*. PhD. Dissertation. Frankfurt: Frankfurt am Main University, 2012.

¹³ *The Minorities of Iraq during the Period of the Mandate, 1920-1932*. PhD. dissertation. Columbia: Columbia University, Political Science, international law and relations 1967.

¹⁴ *Al-Sīyāsa al-Briṭāniya tijāh al-Aqālīyāt al-Dīniya, 1914-1941* (The British Policy towards Religious Minorities in Iraq 1914-1941). PhD. dissertation, Faculty of Humanities, University of Duhok 2009.

¹⁵ *Aspects of the Social and Political History of the Yazidi Enclave of Jabal Sinjar (Iraq) under the British Mandate, 1919-1932*. PhD. dissertation, Durham: Centre for Middle Eastern and Islamic Studies, University of Durham 1994.

¹⁶ *Late Antique Motifs in Yazidi Oral Tradition. Budapest*. PhD thesis, Central European University, Department of Medieval Studies 2009.

¹⁷ *The Jews of Baghdad and Zionism: 1920-1948*, M.A. thesis, Faculty of Oriental Studies, University of Oxford 2011.

¹⁸ *Mawqif Ṣahāfat al-Aḥzāb al-‘Irāqiyya al-‘Alaniyya min al-Nashāt al-Ṣahyūnī fī-l-‘Irāq 1922-1952* (The overt attitude of the press of the Iraqi parties towards Zionist activity in Iraq), Baghdad: PhD. dissertation, College of Arts, University of Baghdad, 2000.

¹⁹ *Reforging a Forgotten History: Iraq and the Assyrians in the Twentieth Century*. Edinburgh: Edinburgh University Press Ltd 2015.

²⁰ *The Tragedy of the Assyrian Minority in Iraq*. London: Kegan Paul 2004.

Allāh.²¹ 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 Shibliak;²² Hayyim J. Cohen,²³ 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,²⁴ 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,²⁵ C. J. Edmonds²⁶ and E. S. Drower,²⁷ 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,²⁸ Rashīd al-Khayyūn²⁹ and Sa'ad Salloum (ed.),³⁰ 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 studies³¹ also springs from the fact that they covered important aspects and that they reflect new and different attitudes.

²¹ *Na arāt fī al-Qawmīya al-‘Arabīya Maddan wa-Jazran ḥatta al-‘ām 1970: Tārīkhan wa-Taḥlīlan: Aḍwā’ ‘alaa al-Qaḍīya al- shūrīya, madhābiḥ b 1933* (An outlook on the ebb and flow of Arab Nationalism up to 1970, History and analysis, with insights into the Assyrian Question and the August 1933 Massacres). Erbil: Arās Press and Publisher 2004. Vol. 1-5.

²² *Iraqi Jews: A History of a Mass Exodus*. London: Saqi Books 2005.

²³ *The Jews of the Middle East 1860-1972*. Jerusalem: Israel Universities Press, Keter publishing house 1973.

²⁴ *Al-Nashāt al-Ṣahyūnī fī al-‘Irāq 1914-1952* (Zionist activity in Iraq). Baghdad: Dār al-Rashīd for Publication 1980.

²⁵ *Al-Kākā’iyya: Dirāsa Anthrūpūlūjiyya li al-ḥayāt al-ijtimā’iyya*, (The Kākā’i: An anthropological study of [their] society), ed.1, Erbil 2007.

²⁶ *Kurds, Turks and Arabs. Politics, Travel and Research in North-Eastern Iraq, 1919 – 1925*. London, New York, Toronto: Oxford University Press 1957.

²⁷ *The Mandaeans of Iraq and Iran, their Cults, Customs, Magic, Legends, and Folklore*. Oxford: The Clarendon press 1937

²⁸ *The Old Social Classes and the Revolutionary Movements of Iraq: A Study of Iraq’s Old Landed and Commercial Classes and of its Communists, Ba’thists and Free Officers*. New Jersey: Princeton University Press 1982.

²⁹ *Al-Adyān wa al-Madhāhib bi -l- ‘Irāq* (Religions and Doctrines in Iraq; its Past and Present), Dubai: al-Mesbar studies and research center 2016, Vol. 1, 3.

³⁰ *Minorities in Iraq: Memory, Identity and Challenges*. Baghdad-Beirut: Masarat for Cultural and Media development 2013.

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, Sabeen-Mandaeans, Kākā'is and Baha'is. Based on historical data and in light of current developments,³² 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,³³ as well as other

³² Cf. Elizabeth Ferris, Kimberly Stoltz: "Minorities, Displacement and Iraq's Future", *Project on Internal Displacement*, The Brookings Institution, University of Bern, December 2008, pp. 7-18, Retrieved on 22 May, 2015 from https://www.brookings.edu/wp-content/uploads/2016/06/1223_minorities_ferris.pdf; Frances Harrison: "Christians besieged in Iraq", *BBC News*. Retrieved on 18 March, 2012 from http://news.bbc.co.uk/2/hi/middle_east/7295145.stm.

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 "Dā'sh") in

documents from the Jewish archive³⁴ 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.³⁵

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

that city. The volume of material photocopied by the author includes most of the documents in the archive. To date, the fate of this archive is still obscure, as the city of Mosul is still under ISIS control at present.

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 minorities³⁶ 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.

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 idiosyncrasies³⁷ 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, Sabeen-Mandaeans, the Kākā'i and the Baha'i, are introduced and information regarding their background, history, geographic location, beliefs, population size and way of life is provided.

³⁷ 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-kitāb*³⁹ such as the Yazidis, Sabeian-Mandaeans, Baha’is and Kākā’is.

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 Sabeian-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 Sabeians and *Magūs* (also referred to as ‘Fire worshippers’ or Zoroastrians not in the Quran). There is only one instance in which the Sabeians 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 Sabeians 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 Sabeians were mentioned twice in *Sura* 2: 62, and *Sura* 5: 69. Although some Islamic scholars consider Sabeians 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 Sabeian-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.⁴⁰ 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 'Ārifis (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 Ba'ṯh 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

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)⁴¹ under the second Republican era. This chapter describes three scattered religious minorities throughout Iraq: the Jews, Baha'i, and Sabeen-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 Sabeen-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'ath 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).⁴² This chapter deals with three religious minorities: the Kākā'i, Christians and Yazidis who dwell in a region known as the disputed areas⁴³ between the two parties of the

⁴¹ SRM means dispersed or scattered religious minorities who are living among Muslim communities in big cities in Iraq.

⁴² 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.

⁴³ 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.

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 Kākā'is, 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-qaḍiyya al-Yazīdiyya 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*⁴⁴ 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-Waqā'i' Al-'Irāqiyya* (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

⁴⁴ Alan de L. Rush and Jane Priestland (eds.): *Records of Iraq 1914-1966*, Vol. 1-15, Wilts, UK: Archive Editions Limited 2001.

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 *Dalīl al-Jumhūriyya al-‘Irāqiyya l-Sanat 1960* (The Directory of the Republican Iraq in 1960)⁴⁵ 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-Shakhṣiyya al-Yazīdiyya*⁴⁶ and a special study on Kurdish Clans in Iraq.⁴⁷ 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*,

⁴⁵ It was released under the auspices of al-‘Irshād Ministry, which was approved by the Ministerial Council on 17 December, 1960. Edited by: Maḥmūd Fahmy Darwīsh, Muṣṭafā Jawād, Aḥmad Sūsa.

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).

⁴⁷ The Secretariat of the Presidency (Iraq): General Military Intelligence Service: *Kurdish Clans in Iraq*. Military Print Directorate, undated, (secret).

<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. Khuḍīr Salīm al-Baṣūn 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 Shimū'īl Mūriḥ (Sami)⁴⁹ and Mīr Baṣrī.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.

⁴⁸ *Shāri' al-Dhikrayāt: 'ām ḥāfil li-nihāyat al-ʿaqd al-awwal min hayātī*, (Memories Street: An Eventful Year until the End of the First Decade of my Life). Published in: <http://elaph.com>; <http://www.akhbaar.org/home/2013/7/150761.html>

⁴⁹ *Yahūd al-ʿIrāq: Dhikrayāt wa-Suijūn* (the Jews of Iraq: Memories and Sorrows). Hayfā: Maktabat Kulu Shay' for Publications 2012.

⁵⁰ *Rihlat il-umr min dīfāf Dijla ilā wādī al-Thīmas: Dhikrayāt wa-khawāṭir* (Life Journey from the Tigris to the Valley of Thames, Memories and Ideas). Jerusalem: Publications of Association of Jewish Academics from Iraq, 1992.

⁵¹ Cf. James Lindemann Nelson: "Phenomenology as Feminist Methodology: Explicating Interviews." In: K. Carter and C. Spitzak: *Doing Research on Women's Communication: Perspectives on Theory and Method*, edited. Norwood: NJ: Ablex 1989, p. 224.

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.

⁵³ Cf. Michael Quinn Patton: *Qualitative Evaluation and Research Methods*. Newbury Park: CA. Sage 1990, pp. 283-284.

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.⁵⁴ 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.⁵⁵ 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

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.

⁵⁵ For example, see: Ivo Pospíšil: “Majorities and Minorities in Enlargement and Integration II”, in: *The Protection of National Minorities and the Concept of Minority in the EU Law*, a paper presented at the ECPR 3rd Pan-European Conference. Istanbul: Bilgi University 21 – 23 September, 2006. Retrieved on 15 March, 2014 from <http://www.jhubc.it/ecpr-istanbul/virtualpaperroom/008.pdf>.

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.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.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,⁵⁸ when the group constitutes less than half of the population of the State,⁵⁹ such as

⁵⁶ Simpson and J. Milton Yinger: *Op. Cit.*, p. 9, 10; Tajfel: *Op. Cit.*, p. 309.

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.): *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.): *Ibid*, pp. 194-202.

⁵⁸ See: G. rare Cornu: *Mu'jam al-musṭṭalahāt al-qānūniya* (Glossary of legal terms). Tr. by: Maṣṣūr al-Qāḍī. Beirut: University Corporation for Studies and Publishing and Distribution, 1998, Vol. 2, p. 1283.

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.⁶⁰ 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 Kākā'i, 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 Shi'i, Sunni and Kurds who, after reaching a political consensus in 2003, divided the authority of State among themselves⁶¹ 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, Shi'i and Kurd), both in a sectarianism and nationalism sense.⁶² The remainder of minorities in Iraq are religious minorities. These are the Jewish, Christian, Yazidi, Sabeian-Mandaeen, Kākā'i and Baha'i communities.

According to the numeric criterion, Shi'i 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,⁶³ 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).⁶⁴

⁶⁰ Cf. Sherko Kirmanj: *Identity and Nation in Iraq*. London: British Cataloguing in Publication Data 2013, pp. 22-25, 44-47.

⁶¹ Quotas and political consensus have ensured that high government offices are divided among the three majorities (Shi'i, Sunni and Kurdish) along agreed lines. Since 2003, as the Shi'i are the largest group, the Prime Minister of the CGI has always been Shi'i, 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 Shi'i doctrine whereas others are Sunni. Similarly, The Faylī are Shi'i 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 'Alawīs 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.

⁶⁴ 'Abd al-Salām Ibrāhīm Baghdādī: *al-Waḥda al-waṭaniyya wa mushkilat al-aqallīyāt ad-dīniyya fī Afrīqīya* (National Unity and the Problem of Minorities in Africa). Beirut: The Arab Unity Center for Studies 1993, p. 85.

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'ī,⁶⁵ 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.⁶⁶

Not all numerical minorities are necessarily oppressed, and not necessarily all majorities are unfair towards minorities, however.⁶⁷ 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.⁶⁸ 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.⁶⁹ 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.⁷⁰ 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,⁷¹ 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

⁶⁵ Vali Nasr: “*When the Shiites Rise*”, Foreign Affairs, Vol. 85, No. 4 (Jul.- Aug., 2006). pp. 58-71, 73-74. Retrieved on 5 January, 2014 from <http://www.jstor.org/stable/20032041>.

⁶⁶ Whereas Iraq was controlled by the Sunni minority between 1921 and 2003, the balance of power shifted thereafter and the Shi'ī gained control of the state. They continue to maintain power to date.

⁶⁷ Ibrāhīm Sa'ad al-Dīn: *Ta'ammulāt fī Mas'alat al-aqallīyāt* (Contemplations on the question of minorities). Cairo: Ibn khaldūn for publishing 1996, p. 28.

⁶⁸ Baghdādī: *Op. Cit.*, p. 83.

⁶⁹ Sha'bān al-Ṭāhir al-Aswad: *Qaḍāyā al-aqallīyāt bayna al-'uzal wa-al-'Indīmāj* (Minority issues between segregation and integration). Cairo: al-Dār al-Maṣriyya al-Lubnāniyya for Publications 2003, pp. 15-16.

⁷⁰ For a deeper analysis of this criterion, see: Fredrik Barth: *Ethnic Groups and Boundaries-The Social Organization of Culture Difference*. Boston: Little, Brown and Company 1969, pp. 9-38; Harald Eidheim: “When Ethnic Identity is a Social Stigma”, in: Fredrik Barth (ed.): *Ethnic Groups and Boundaries, The Social Organization of Culture Difference*. Long Grove, Illinois: Waveland Press, INC 1969, pp. 39-56.

⁷¹ This categorizes all Iraqi religious minorities in terms of race, identity and national origin.

language”.⁷² 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.⁷³ 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 numerative 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-social⁷⁴ 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”.⁷⁵ 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- ā’ifa* (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

⁷² Laurant Chabry [Lūrānt Shābrī], Anne Chabry [‘Anī Shāabrī]: *Sīyāsa wa-‘aqalīyāt fī-l-sharq al-‘adna* (Policy and Minorities in the Orient- Politique ej Minorites au Proche-Orient) Tr. From French by: Dhūqān Qarqūṭ. Cairo: Madbūlī Library for Printing 2008, p. 6.

⁷³ Muḥammad Jabr al-Sayyid: *Fikrat al-aqallīyāt fī-al-qānūn al-dawlī wa-al-sharī’a al-’islāmiyya* (The idea of minorities in international law and Islamic law). Alexandria: Dār al-Ma’ārif for publications 1990, p. 91.

⁷⁴ To understand this theory in this respect cf: Henri Tajfel: *Op. Cit.*; item: “Social Psychology of Intergroup Relations”, in: *Annual Review of Psychology*, 1982. Vol. 33, pp. 1-39. Downloaded from, www.annualreviews.org. Access provided by WIB6009 - Universitätsbibliothek Bamberg on 02/27/17. For personal use only.

⁷⁵ Francesco Capotorti: *Study on the Rights of Person belonging to Ethnic, Religious and Linguistic Minorities*, New York: United Nations Publications 1979, p. 96.

term ‘*Mukawwināt*’ (components)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.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 ethno-nationality in terms of population, and are concentrated mainly in northern Iraq (Kurdistan Region).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,

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”.

⁷⁷ See Distribution of Religious and Ethnic Groups in: Appendices, Figure.1. 1.

⁷⁸ Kirmanj: *Op. Cit.*, pp. 5-7.

Chaldeans, Armenians, and Faylī and are distributed throughout the whole of Iraq. Faylīs are Shi‘i in their belief and are considered Kurds, ethnically-speaking. However, they are closer to Shi‘i 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 Alevis 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 Ba‘th era.⁷⁹ 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 Shi‘i 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 Shi‘ism of Persia, and that they have a strong relationship with the Islamic mystic *Bektashis* and *Kizilbash* movements.⁸⁰ 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, Sabeen-Mandaean, Kākā’i and Baha’i 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, Başrah, ‘Amāra, 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.

⁷⁹ For more information, see: Sa‘d Bashīr Iskandar: *al-Kurd al-Faylīyūn wa ḥizb al-Ba‘th 1963-2003* (the Faylī Kurds and Ba‘th Party 1963-2003). Sulaymaniyya: publications of the awareness and thought office of the Patriotic Union of Kurdistan PUK 2005.

⁸⁰ For more details about Shabak cf: Matti Moosa: *Extremist Shiites: The Ghulat Sects*. New York: Syracuse University Press 1988, pp. 1-9.

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.⁸¹ The Kākā'i reside mainly in the disputed area, and in Kirkuk and Dāqūq,⁸² in particular.

Other religious minorities are located throughout southern Iraq such as the Sabean-Mandaeans, whereas the location of the Baha'i - 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.⁸³ 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.⁸⁴ Others find Islam (as a religion)⁸⁵ 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 nationality⁸⁶ 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,

⁸¹ See: Ethnographical map of the contested territory, in: Appendices, Figure 1. 2; Figure 1. 3.

⁸² See: Map showing the Kākā'i areas as a Kurdish tribe, herein: Appendices, Figure 1. 4.

⁸³ See, for example: Siân Jones and Paul Graves-Brown: "Archaeology and Cultural Identity in Europe", in: Paul Graves-Brown, Siân Jones, and Clive Gamble (eds.): *Cultural Identity and Archaeology - The Construction of European Communities*, London, New York: Routledge 1996, pp. 1-19; Chielozona Eze: *The Dilemma of Ethnic Identity: Alain Locke's Vision of Transcultural Societies*. New York: The Edwin Mellen Press Ltd 2006, pp. 110-112, 188-191.

⁸⁴ Most Arab and Nationalist parties, especially the Arab Socialist Ba'ath 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 Ba'ath party ideology, see: Rakiah Dawud-al-Kayssi: *Iraq Under Saddam Husayn and the Ba'ath Party*. Glasgow: PhD. Thesis, Faculty of Arts, University of Glasgow 1998, pp. 49-67.

⁸⁵ Cf: Amartya Sen: *Identity and Violence-The Illusion of Destiny*. London: Published in Penguin Books, 2007, pp. 75-79.

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 force⁸⁸ 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,⁹⁰ whereas less attention shall be paid to the ethnic determinants of individual groups.

Most religious minorities in Iraq share a mutually-agreed independent religious identity⁹¹ 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.

⁸⁷ The Iraqi Jews sought to substantiate and preserve their identity in the spheres of economics and publishing. See: Khālida Hātim 'Alwān al-Dulaymī: *al-Rīwā'īyyūn al-'Irāqīyyūn al-Yahūd* (The Iraqi Jews Narratives), Baghdad: PhD. thesis, College of Arts, University of Baghdad 2014, pp. 24 – 29

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.

⁹¹ See: Nukhba mina al-Baḥithīn al-'Irāqīyyn (An Elite of Iraqi Researchers): *al-Muwāṭana wa-al-Huwiyya al-Waṭaniyya* (Nationality and National Identity). Baghdad: Publication of the Institute of Research and Cultural Development 2008, pp. 22, 27, 142.

⁹² Religious identity here does not refer to the denominational or the ideological dimension

⁹³ See: Dulaymī: *Op. Cit.*, p. 25.

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.⁹⁴ 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,⁹⁵ 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 Assyrian⁹⁶ and Chaldean movements, for example. However, this does not seek to negate the unique traits of of the various Christian⁹⁷ denominations.⁹⁸ 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,⁹⁹ 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.¹⁰⁰

⁹⁴ The new political identity of the Jews that emerged in the form of the Zionist Movement at the end of the 19th century was a reaction to antisemitism in Europe. See introduction of: Willemien Otten and Theo Salemink: “Religious Identity and the Problem of Historical Foundation”, *The Foundational Character of Authoritative Sources in the History of Christianity and Judaism*. Boston: Brill Leiden 2004, pp. 18-19.

⁹⁵ Officially, there were 14 Christian *tāʾifa* (groups or churches) in Iraq in 1981 according to the law of religious dominations No.32 / 1981. *Al-Waqāʾiʿ al-ʿIrāqīyya*, Vol. 2876, dated 18th January, 1982.

⁹⁶ See, for example, the work of the Assyriologist, Simo Parpola: “Assyrian Identity in Ancient Time and Today”, cited October, 19, 2006, pp. 7-18. Retrieved on 28 Feb. 2014 from www.aina.org/articles/assyrianidentity.pdf.

⁹⁷ Erica McClure: *Language and Identity in the Assyrian Diaspora. Identity, and Language Communities*. Studies in the Linguistic Sciences 31:1, Spring- 2001, pp. 107-116.

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.

⁹⁹ Artur Boháč: “Assyrian Ethnic Identity in a Globalizing World”, in: *Beyond Globalisation: Exploring the Limits of Globalisation in the Regional Context* (conference proceedings). Ostrava: University of Ostrava Czech Republic 2010, pp. 67-72. Retrieved on 18 Jan 2014 from <http://conference.osu.eu/globalization/publ/08-bohac.pdf>.

¹⁰⁰ Ara Bedlian, “Christians in Iraq: Decreased Numbers and Immigration Challenges”, in Saʿad Salloum, (ed.), *Minorities in Iraq*, p. 60.

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.¹⁰¹ 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)¹⁰² 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 Sabeian-Mandaeans and Kākā'i (excluding the Baha'i, 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 memory¹⁰³ 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.¹⁰⁴

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.

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 Yazidi Oral Tradition in Iraqi Kurdistan* by Christina Allison: Curzon Press 2001, pp. 215-258.

¹⁰³ What occurred to the Christian, Jewish and Yazidi in Monarchial 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.

¹⁰⁴ Concerning the Jews, see: Ishāq Bār-Mūshiyyah: *al-Khurūj min al-'Irāq* (Departure from Iraq). Jerusalem: Publications of the Sephardic community of Jerusalem-Qudus 1975, p. 482.

Constituents of linguistic and cultural identity in any society can be seen as being formed from historical and daily interaction;¹⁰⁵ 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.¹⁰⁶ Meanwhile, some scholars¹⁰⁷ 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.¹⁰⁸

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.¹⁰⁹ 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

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.

¹⁰⁶ Eric Davis: *Memories of State, Politics, History, and Collective Identity in Modern Iraq*. Berkeley, Los Angeles, London: University of California Press 2005, p. 89.

¹⁰⁷ See: Joel Beinin: *The Dispersion of Egyptian Jewry - Culture, Politics, and the Formation of a Modern Diaspora*. California: The University of California Press 1998, pp. 4-65.

¹⁰⁸ Cf. *Ibid*, pp. 4-65.

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.

Şāsūn Shilūmū, died alongside him. The ICP and the leftist currents offered refuge to the Jewish youth and other minorities from racial and religious discrimination.¹¹⁰ 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.

¹¹⁰ Bār-Mūshiyyah: *Op. Cit.*, p. 399.

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

¹¹¹ Marion Woolfson: *Prophets in Babylon, Jews in the Arab World*. London-Boston: Faber and Faber Ltd 1980, pp. 28-30, 32; Aḥmad Sūsa: *Malāmiḥ min al-Tārīkh al-Qadīm li-Yahūd al-'Irāq* (Features of the ancient history of the Jews of Iraq). Beirut: Arab Institution for Studies and Publishing 2001, pp. 26-27.

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'.¹¹² 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.¹¹³

The third wave occurred in the early Islamic period, the most significant of which was initiated by Caliph 'Umar ibn al-Khaṭāb in the 17th century.¹¹⁴ After the advent of Islam to Iraq and Syria, Arab Jewish tribes were displaced from the Arabian Peninsula and forced to leave it indefinitely.¹¹⁵

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,¹¹⁶ who oversaw the affairs of the community, the educational system of society, the religious court, and other social and religious rituals.¹¹⁷

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

¹¹² H. W. F. Saggs: *The Greatness That Was Babylon: A Sketch of the Ancient Civilization of the Tigris-Euphrates Valley*. New American Library 1968, pp. 67-68.

¹¹³ Ya'qūb Yūsuf Kūriyyah: *Yahūd al-'Irāq, tārikhahūm, aḥwālahūm, hijratihum* (Iraq's Jews. their history, their situation, their migration). Beirut: Dār al-ahliyya for publication and distribution 1997, p. 7.

¹¹⁴ Woolfson: *Op. Cit.*, pp. 42-43; for more information on these campaigns, see: Yūsuf Rizq Allāh Ghanīmah: *Nuzhat al-mushtāq fī tārikh Yahūd al-'Irāq* (A nostalgic trip into the history of the Jews of Iraq). London: Dār al-warrāq for publications 1997, pp. 58-76.

¹¹⁵ Isrā'īl Wilfinsūn: *Tārikh al-Yahūd fī bilād al-'Arab fī al-jāhiliyya wa-ṣadr al-'Islam*. Egypt: al-'i'fīmād printing 1927, pp. 175-186.

¹¹⁶ Kūriyyah: *Op. Cit.*, pp. 20-22.

¹¹⁷ Shmuel Moreh: "Jews: Forced Exodus and the End of the Dream of Return", in: Sa'ad Salloum (ed.): *Minorities in Iraq: Memory, Identity and Challenges*. Baghdad- Beirut: Masarat for Cultural and Media development 2013, p. 43.

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, *Walī* in Arabic), such as Sāsūn Ḥākhām Ḥasqīl in Baghdad and Ma'īr 'Abd 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, 'Ezra Alyāhū Kubī, and Alyāhū 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%,

¹¹⁸ Sylvia G. Haim: "Aspects of Jewish Life in Baghdad under the Monarchy", in: *Middle Eastern Studies*, Vol. 12, No. 2, May 1976, p. 190.p. 190.

¹¹⁹ Elie Kedourie and H. D. S.: "The Jews of Baghdad in 1910", in: *Middle Eastern Studies*, Vol. 7, No. 3, Issued on October 1971, p. 358.

¹²⁰ Batatu: *Op. Cit.*, pp. 244-260.

¹²¹ See: Introduction of: Yona Sabar: *The folk literature of the Kurdistan Jews: An Anthology*. New Haven: Yale University press 1982.

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 Baṣra 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 60,000¹²⁵ 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

¹²² Kedourie and H. D. S.: *Op. Cit.*, p. 358.

¹²³ ‘Alī ‘Abd al-Qādir ‘Abd al-Wāhid al-‘Ubayyidī: *al-Nashāt al-Ṣihyūnī fī al-‘Irāq 1921-1952* (the Zionist Activity in Iraq 1921-1952). Baghdad: MA thesis, College of Arts, University of Baghdad 1994, pp. 15-16.

¹²⁴ ‘Abd al-Razzāq al-Hilālī: *Tārīkh al-ta‘līm fī al-‘Irāq khilāl al-‘ahd al-‘Uthmānī 1638-1917* (The history of education in Iraq during the Ottoman Era). Baghdad: al-Ma‘ārif Printing 1959, p. 210.

¹²⁵ F. O. 800/214, Foreign Office report, unsigned, Turkey in Europe and Asia”, 22 October 1917, in: Rush and Priestland: *Op. Cit.*, Vol. 1: 1914-1918, pp. 675–686.

¹²⁶ F. O. 371/15308, Map showing distribution of races and religions, undated, in: Rush and Priestland: *Ibid*, Vol. 6: 1930-1932, pp. 596–597; 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: c.400 1925, VII. No. 4, pp. 76–77.

¹²⁷ Air 23/806, Secret report, Appendix "A", entitled "the Jews of Iraq", 9 July 1934, in: Rush and Priestland: *Ibid*, Vol. 7: 1932-1936, p. 629.

¹²⁸ Christoph Baumor: *The Church of the East: An Illustrated History of Assyrian Christianity*, London: 2006, p. 14-15.

in Parthian Empire in the 1st century CE of Christianity. Very little is known about the early Christians in Iraq,¹²⁹ 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.¹³⁰

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 Nestorian¹³¹ church which split from the Syriac Orthodox Church in the mid-15th century.¹³² 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 political¹³³ 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 *tā'ifas* 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 unmistakable 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

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 Arbā'īla (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.

¹³⁰ Rafā'īl Bābū Ishāq: *Tārīkh naṣāra al- 'Irāq 100-2006 M* (The history of the Nestorians of Iraq 100-2006 CE.). Aleppo: Qudmus Company for Publication 2008, p. 26.

¹³¹ For an in-depth account of the the history of the Nestorian church from its inception until the end of World War 1, see: Aubrez R. Vine: *The Nestorian Churches: A Concise History of Nestorian Christianity in Asia from the Persian Schism to the Modern Assyrians*. London: Independent Press, LTD 1937, pp. 17-93.

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

¹³³ Zayā Kānūn: *Al-Halaqa al-mafqūda fī tārīkh al-Athūrīyyin (al-Ashūrīyyin)* (The missing point in the history of the Assyrians). Chicago: Oscar Productions Inc. for Printing 1997, pp. 169-175.

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 *tā'ifas* 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. 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 Shi'i 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.¹³⁴ Still, others believe them to be a mixture of

¹³⁴ Many Kurdish historians such as Muḥammad 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-Mā'ī: *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 Iraq¹³⁶ 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 'Ammādiyya, Barwārī Bālā, Nirwa and Rikān, as far as the Iranian border to the east. They are divided into several tribes, including the Tiyarī, Giūliū, Takhūma, and Bāz.¹⁴⁰ The religious leader of the Assyrian Church of the East is referred to as Mar Shim'un after the Church's first Patriarch. The Mar Shim'un 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 Shim'un (1437-1476)

¹³⁵ Mehrdad R. Izady: *The Kurds: A Concise handbook*. Washington, London: Crane Russak, Taylor & Francis International publishers 1992, pp. 163-164; Şadiq al-Damalūjī: *Imārat Bahdīnān al-kurdiyya aw-'imārat al-'Ammādiyya* (the Emirate of Kurdish Bahdīnān or 'Ammādiyya Emirate). Duhok: Khabbāt Printing House 2000, p. 106.

¹³⁶ Adam H. Becker, Revival and Awakening: *American Evangelical Missionaries in Iran and the Origins of Assyrian Nationalism*. Chicago: University of Chicago Press 2015; Rīyāq Rashīd Nājī al-Ḥaydarī: *al-Athūrīyyūn fī-al-'Irāq 1918-1936* (Assyrians in Iraq 1918-1936). Cairo: al-Jablāwī Printing House 1977, p. 37.

¹³⁷ Austen Henry layard: *Ninevah and its Remains*. Paris: 1850, pp. 1-2, 81-82.

¹³⁸ Lūqā Zūdū: *Al-Mas'ala al-Kurdiyya wa-al-qawmīyyat al-'unşuriya fī-al-'Irāq* (The Kurdish issue and racist ethno-nationalist groups in Iraq). Beirut: 1969, pp. 161-162; Ishaq: *Op. Cit.*, p. 26; Henry Field: *The anthropology of Iraq*. USA: Part 11, N.8, Kurdistan 1952, p. 56.

¹³⁹ Several theories exist on the origin of the Assyrian and Chaldean Christians, the majority of which require deeper study. Some theories are flawed in that they are based on a one-dimensional perspective of events, whereas other theories are, in essence, mere opinions and personal impressions, many of which reflect national bias on the part of their proponents. Thus, the ethnic origin of these groups remains unclear.

¹⁴⁰ Yūsif Mālak Khawshābā: *Haqīqat al-aḥdāth al-Ashūriyya al-mu'aşara* (The Truth about the Modern Assyrian Events), Baghdad: al-Adīb Printing House 2001, p. 1.

¹⁴¹ M.Y.A. Lilian: *Assyrians of the Van District during the Rule of the Ottoman Turks*. Tehran: 1986, pp. 7-8.

to his family. The dissenting bishops met in Erbil and elected Shim'un 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 Church¹⁴² in 1553.¹⁴³ Thereafter, membership of the Chaldean Church increased steadily, especially after the intensification of its missionary activity in the seventeenth¹⁴⁴ 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 Rāphā'īl 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.¹⁴⁵ 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, Talasquf, Barṭalah, Ba'shīqa 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.¹⁴⁶

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

¹⁴² Harry Charles Luke: *Mosul and its Minorities*. London: 1925, p. 95; Salah R. Sonyel: *The Assyrians of Turkey victims of major power policy*. Ankara: 2001. p. 9-10; Bahnām Abū al-Ṣūf (Prof. Dr.): *al-Judhūr al-tā' rīkhīya li-l-tā' īfatayn al-Athūriyya wa-al-Kildān* (the Historical Roots for the Assyrian and the Chaldeans). Baghdad: Bābil-Babylon Gazette, Vol. 10, dated 21.3.1999.

¹⁴³ Chabry, and Anne Chabry: *Op. Cit*, p. 370; Adī Shīr: *Tārīkh Kald wa-Ashūr* (the History of Chaldeans and Assyrians). Beirut: The Catholic Printing House 1913, Vol. 2, pp. 129-133.

¹⁴⁴ 'Imād 'Abd al-Salām Ra'ūf: *al-Mūṣul fī-al-'Ahd al-'Uthmānī: Fatrat al-Ḥukm al-Maḥallī 1726-1834* (Mosul during the Ottoman Era: The Local Ruling 1726-1834). Najaf: al-Adīb Printing House 1975, p. 328.

¹⁴⁵ Bahnām Abū al-Ṣūf (Prof. Dr.): *Judhūr al-Ashūriyyin aw-al-Athūriyyin min-ḥamalāt al-Madhhab al-Naṣṭūrī* (The roots of the Nestorian Assyrians). Baghdad: Bābil-Babylon Gazette, third part, Vol. 32.3.1999.

¹⁴⁶ Gabriel Oussani: "The Modern Chaldeans", *Journal of the American Oriental Society*, Vol. 22, 1901, p. 81; W.C.F. Wilson: "Northern Iraq and its Peoples", *Journal of the Central Royal Asian Society*, Vol. 34, Pt. 2, April, 1937, pp. 294; 'Imād Ghānim al-Rubay'ī: *Mūjaz Tārīkh ahālī Naynawa* (A Brief History of the People of Nineveh). Mosul: 1999, pp. 252-253.

They are known as Jacobites¹⁴⁷ 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”.¹⁴⁸ 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.¹⁴⁹ 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.¹⁵⁰ 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

¹⁴⁷ The Syriac Orthodox Church is also referred to as the Jacobite Church. This name came to be applied to the Syriac Monophysites after a long period of ecclesiastical disagreement which ended in the Chaldean schism. Bishop Jacob Bardaeus, after which the Jacobites are named, saved the church from near extinction. This church is like the Coptic Church (Monophysites). Both churches which grew out of the schism (the Syriac Orthodox and the Syriac Catholic Churches) are very similar. John Gwynn (ed.): *Remnants of the Later Syriac Versions of the Bible*. Eugene (Oregon): Wipf and stock Publisher 1909, p. xxvii.

¹⁴⁸ Yūsif Mālāk: *al-Khīyāna al-Briṭānīya li-al-Ashūrīyyn* (The British Betrayal of the Assyrians). Tr. by: The Assyrian Democratic Movement ADM. PPNI: PNI. 1985, pp. 76-87.

¹⁴⁹ ‘Abd al-‘Azīz Sulaymān Nauwwār: *Tārīkh al-‘Irāq al-Ḥadīth min nihāyat ḥukūm Dāwwūd Pāshā ila nihāyat ḥukūm Miḍḥat Pāshā* (The History of Modern Iraq from the End of Dāwwūd Pāshā Ruling until the End of Miḍḥat Pāshā Ruling). Cairo: Dār al-Kitāb al-‘Arabī (The Arab Writer Printing House) 1968, pp. 302-305.

¹⁵⁰ Darren L. Logan: A Remnant Remaining: Armenians amid Northern Iraq's Christian Minority. Iran & the Caucasus, Vol. 14, No. 1 (2010), p. 144, Brill, retrieved on 20 February, 2017 from <http://www.jstor.org/stable/25703837>; Hūrī ‘Azāzīyān: *al-Jāliyat al-Arminīya fī-al-Bilād al-‘Arabīyah: Sūrīyah, Lubnān, al-‘Irāq, Filastīn, al-Urdun, Miṣr...* (Armenian Colonies in the Arab Countries, Syria, Lebanon, Iraq, Palestine, Jordan...). Lattakia: Dār al-Ḥiwār for Publishing and Distribution 1993, pp. 97-98.

example.¹⁵¹ 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.¹⁵²

The numbers of Christians in the Ottoman Iraq was estimated at 8,366 in 1907.¹⁵³ British data estimated their number at 60,000 in 1917, whereas other data estimated their number at 62,225 in Mosul Province alone, in 1921.¹⁵⁴ 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.¹⁵⁵ In the statistics of 1934, they were 97,000 persons whereas the total Iraqi population was estimated at 3,380,533 persons.¹⁵⁶

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.

¹⁵¹ CIA: Current Intelligence Weekly Summary, Office of Current Intelligence, (Confidential). OCI No. 2275/60, 19 May, 1960, pp. 10-11. (Approved for release 27/06/2008: CIA-RDP79-00927A002700080001-6).

¹⁵² For more details about Christian Churches and populations cf: Bärbel Dümmler: "Zur aktuellen Situation der Christen im Irak", Begründet von Hermenegild M. Biedermann (ed.): *Ostkirchliche Studien*. Würzburg: Augustinus-Verlag, Bend 47-48, 1998/ 99, pp. 111-119.

¹⁵³ Kemal H. Karpat: *Ottoman Population: Demographic and Social 1830-1914*. London: University Wisconsin Press, 1985, pp. 168-169.

¹⁵⁴ Fuat Dunder: "Statistiquo" *British Use of Statistics in the Iraqi Kurdish Question (1919-1932)*. Brandeis University: Crown Center for Middle East Studies, Crown Paper No. 7, 2012, p. 22; According to the League of Nations report, their number was 61, 300 in 1925, see: League of Nations: *Question of the frontier between Turkey and Iraq...*, pp. 76-77.

¹⁵⁵ Ṭaha al-Hāshimī: *Gughrāfiyat al- 'Irāq al-Thānawīya* (The Subsidiary Geography of Iraq). Baghdad: Dankūr Modern Printing House 1938, p. 79.

¹⁵⁶ Iraqi National Library and Archive INLA: Baghdad: The Ministry of the Interior Documents, No. 8430/32050, entitled *The General Registration*, December 1941, doc. No. 6, p. 16.

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,¹⁵⁷ 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 Ādī¹⁵⁸ or ‘Adī 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 Dāsīnī.¹⁵⁹ 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 Dāsīnī actually refer to the Yazidi prior to the reign of Shaykh Ādī. A Yazidi Principdom 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 Dāsīnī until the middle of the 19th century, such as Mīr Husayn Bag Dāsīnī,¹⁶⁰ Mīr ‘Alī Bag Dāsīnī. 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: Dāsīnīs (Hakkārī-Turkey), Mahmūdīs (Lake Urumiya-Iran), Dūnbilīs (Khūshāb-northeast Iran), Khālītīs (around Batman-Turkey), Biciyānīs (Slivān-western Duhok/KRI)¹⁶¹ and Bakhtīs. The three most important Yazidi tribes in the fifteenth and sixteenth centuries mentioned by Sharaf-Khān were the Dāsīnīs, Mahmūdīs and Dūnbilīs. The Dāsīnīs, who were originally from the region of Shaykhān, occupied the region northeast of Mosul and south-west of ‘Amidiyya in northern Iraq and Kurdistan Region. The Dāsīnī tribe and name have remained Yazidi to date.¹⁶² The Christians of Iraq, with their Syriac and new Aramaic

¹⁵⁷ Kāzm Ḥabīb: *al-‘Izīdiyya Diyāna tuqāwim nawā’ib al-zaman* (Yazidis: a religion fighting calamities of time). Erbil: Ārās for publications 2003, pp. 30-55; Khalīl Jundī: *al-‘Izīdiyya wa-l-‘imtiḥān al-ṣa’ib* (Yazidism and the Tough Exam). Erbil: Ārās for Publications 2008, pp. 25-37.

¹⁵⁸ I use the name of ‘Adī in this form Ādī as Yazidis pronounce it in their own language.

¹⁵⁹ Muḥammad ibn Aḥmad Munshī’ al-Baghdādī: *al-: Riḥlat al-Munshī’ al-Baghdādī 1822* (Travel of al-Munshī’ al-Baghdādī). Tr. from Persian to Arabic by: ‘Abbās al-‘Azzāwī. Baghdad: Sharikat al-Tijāra wa-al-Ṭibā‘a al-Maḥdūda for Publication 1948, pp. 77-78; Thomas Bois: *The Kurds*, Tr. from the French by: Prof. M.W.M Welland. Beirut: Khayāt Book and Publishing Company S.A.L, 1966, p. 87; Izady: *Op. Cit.*, p. 153; *The Encyclopaedia of Islam*, Leiden Brill, 2012, Vol. 11, p. 313.

¹⁶⁰ The *Dāsīnīyāns* 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 Shi‘i Kurds allied to Shāh Ismā‘īl Safavi. After capturing Baghdad, Sultan Suleiman executed the Shi‘i emir of Erbil and Kirkuk and appointed in his place a Yazidi prince, Mīr Husayn Bag Dāsīnī, to govern *Sūrānī* fieldom (today Soran is a district of the Erbil governorate). See: Birgül Açıkyıldız: *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.

¹⁶² Açıkyıldız: *Op. Cit.*, pp. 48-49.

languages, call the Yazidis Dasināyā.¹⁶³ 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 dīyā* for example, Izī, a ‘God incarnate’ is mentioned and it is said that this is God’s greatest name:

The original text in Kurmānjî:

*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 me¹⁶⁵ or “I, created by God” in Kurmānjî 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-Daiasna, 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 Artaxerxes 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 *Amashaspends* (Angels) who

¹⁶³ On the origin of the word Dāsin and that of the Yazidi religion, see: ‘Abd al-Raḥmān Mizūrī: *Tāj al-‘rifīn ‘Uday Bin Musāfir al-Kurdī al-Hakkārī laysa ‘Uawīyyan* (the Kurdish, the Hakkārī, Tāj al-‘Ārifīn ‘Uday Bin Musāfir is not Umayyad). Berlin: Hāwībūn Center for Kurdish Studies and Publication 2004, pp. 35-48.

¹⁶⁴ An interview with Yazidi Cleric, Marwān Bābīrī in Oldenburg on 8 March, 2015.

¹⁶⁵ *Ibid*; an interview with Shaykh ‘Alū Khalaf in Duhok on 25 December, 2016.

¹⁶⁶ Donald N. Wilber: *Iran: Past and Present*. Princeton, New Jersey: Princeton University Press 1955, pp. 23-24.

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 Khusraw Anushirvan and Yazdanbakhsh, an official of Hurmizd IV, or Yazdagerd III,¹⁶⁸ the last king of the Sassanid Empire.

As for the name *al-‘Adawiyya*, 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-‘Adawiyya*, however, refers to those who follow Shaykh Ādī mysticism *ṭarīqa* or “spiritual path”,¹⁷⁰ similar to the followers of *Qādiriyya ṭarīqa* which is ascribed to *Shaykh ‘Abd 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-Izīdī*¹⁷¹ to express themselves as a people and a religious community. This is a name that distinguishes them from others.¹⁷² The name *Izidiyātī* (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 Mitra 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* (Mithraism in Iran, India and Rome). Tehran: Khūrshīd Afārīn (1382), p. 177.

¹⁶⁸ See: Michael G. Morony: *Iraq after the Muslim Conquest*. New Jersey: Gorgias Press 2005, pp. 286-287.

¹⁶⁹ Ḥamdī ‘Abd al-Majīd al-Salāfi, Ṭaḥsīn Ibrāhīm al-Dūsī: *I’ṭiqād ahl al-Sunna wa-l-Jamā‘a li-Tāj al-‘ārifiṇ ḥujjat al-Islām al-Shaykh ‘Adī bin Musāfir al-Umawī al-Hakkārī 467- 555 AH*. Medina: Maṭba‘at al-Ghurabā’ 1998, p. 7-13.

¹⁷⁰ To discuss more about *al-‘Adawiyya* and relation between Yazidi and Islam see: Philip G. Kreyenbroek, Khalil Jindī Rashow: *God and Sheikh Adī Are Perfect: Sacred Poems and Religious Narratives from the Yazidi Tradition*. Wiesbaden: Harrassowitz Verlag 2005, Band 9, pp. 4-5; Philip G. Kreyenbroek: *Yezidism- its Background, Observances, and Textual Tradition*. Lewiston/Queenston/Lampeter: Edwin Mellen Press 1995, Vol. 62, pp. 27-35.

¹⁷¹ *Millat* or *Millet* 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 Maneckji 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 nationalism¹⁷³ and includes their values and nationhood heritage.

The second stage: The second stage began in the 12th 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 20th 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,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,¹⁷⁵ Shaykh (*Shīkh*)¹⁷⁶ and Murīd (*Mirīd*).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 Ba‘adra in Shaykhān territory. The spiritual leader of the Yazidis in the world is known as Bāba-Shaykh (*Babe-sh-i-kh*)¹⁷⁸ and he resides in the city of ‘Ayn-Sifni also in Shaykhān territory.

¹⁷³ Cf. Amir Hassanpour: “The Making of Kurdish Identity: Pre-20th Century Historical and Literary Discourses” in: Abbas Vali (ed.): *Essays on the Origins of Kurdish Nationalism*. Costa Mesa, CA: Mazda 2003, p.130.

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: *Cultural Globalization and Language Education*. New Haven and London: Yale University Press 2008, p. 16.

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.

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

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

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 *Ikhtiyārī Margahī*, meaning the one who is chosen by the Yazidi Principdom. Shaykh Ismā‘īl Ḥajī held this position from 1919 until 1923, Ḥajī Shaykhkī from 1923 until 1954, and Ḥajī Ismā‘īl 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, Baḥzāni and Ba‘shīqah, and other villages in the Nineveh Plain.¹⁷⁹ 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).¹⁸⁰ 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.¹⁸¹

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.¹⁸² By contrast, according to the last census of the Iraqi government of 1922-1924, their number had reached 26,257.¹⁸³

The main economic activities of the Yazidi community in Iraq are agricultural, with the cultivation of olives, figs, wheat, barley, and livestock, especially sheep.¹⁸⁴

2.4 Sabean-Mandaeans

Sabean¹⁸⁵-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,

Alīyās Ḥajī Shaykī held this position between 1977 and 1995 and Khatū Ismā‘īl has held it since 1995. From an interview with ‘Idū Bāba-Shaykh in Oldenburg, Germany on 18th January, 2017.

¹⁷⁹ For more information on Yazidi towns and villages in Iraq in Monarchical Era, See: Giuseppe Furlani: “The Yezidi Villages in Northern ‘Irāq”, on *Royal Asiatic Society of Great Britain and Ireland*. Cambridge: Cambridge University Press. No. 3 Jul. 1937, pp. 483-491.

¹⁸⁰ Kreyenbroek, P. G.: “Yezidi”, *The Encyclopaedia of Islam*. E. Bosworth, E. Van Donzel, W. P. Heinrichs (eds.). Vol. 11, Leiden Brill 2002, pp. 313-315.

¹⁸¹ Nelida Fuccaro: *The Other Kurds, Yazidis in Colonial Iraq*. London, New York: I.B. Tauris & Co Ltd 1999, p. 9.

¹⁸² C. O. 730/13125, Letter from Agha Petros to the High Commissioner for Mesopotamia, 28 December, 1920; Dundar: *Op. Cit.*, pp. 22, 43.

¹⁸³ League of Nations: *Question of the Frontier between Turkey and Iraq...*, pp. 76-77; Jurjīs Faṭḥ-Allāh: *Yaqdat al-Kurd, tārikh siyāsī, 1900-1925* (Awakening of Kurds, A Political History). Erbil: Ārās for publications 2002, p. 535.

¹⁸⁴ Shākir Kḥiṣbāk: *al-‘Irāq al-Shimālī* (Northern Iraq). Baghdad: Shafaq printing 1973, p. 187.

which means baptism in Aramaic, after one of their most important religious rites, immersion in flowing water.

“Sabeans” is derived from the Aramaic verb *Sābi’a* that means tintured or baptized in the Aramaic Mandaean language. The word Mandaean is attributed to the Aramaic verb “*yada-ada*” which means to know, thus, Sabean-Mandaeans means the tintured, baptized people who know about God and monotheism.¹⁸⁶ Many researchers support this view,¹⁸⁷ including the Sabean-Mandaeans researcher *Ghaḏbān 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”.¹⁸⁸

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.¹⁸⁹ 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”.¹⁹⁰

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.¹⁹¹

Sabean-Mandaeans have a social system and legislation of their own. They live in semi-isolation and are an endogamous community.¹⁹² 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

¹⁸⁵ On the differences between the Sabeans as mentioned in the Qur’an and Sabeans who dwelled in the Ḥarrān region, see Michel Tardieu: “Sabieans Coraniques et Sabiens de Harran”, in: *Journal Asiatique*, Vol. 274, 1986, pp. 1-44 (in French); David Pingree: “The Ṣābiāns of Ḥarrān and the Classical Tradition”, *International Journal of the Classical Tradition*, Vol. 9, No. 1, summer 2002, pp. 8-35.

¹⁸⁶ Raad Jabbar Saleh: “Sabian Mandaeans: A Millennial Culture at Stake”, in: Sa’ad Sallom (ed.), *Minorities in Iraq...*, p. 79.

¹⁸⁷ See the introduction by the translators from English to Arabic of the following: al-Līdī Drāwar: *al-Ṣābi’a al-Mandā’iyyun* (The Mandaeans of Iraq and Iran). Tr. by: Na’īm Badawī and Ghaḏbān al-Rūmī. Baghdad: Dār al-Mada’ for Culture and Publishing, p. 8.

¹⁸⁸ Ghaḏbān al-Rūmī: *al-Ṣābi’a al-Mandā’iyyun* (the Sabean-Mandaeans). Baghdad: Dār al-Ḥurrīya for Printing and Publishing, *the Journal of al-Turāth al-Sha’bī*, No. 10. 1973, p. 9.

¹⁸⁹ Mundhir ‘Abd al-Majīd al-Badrī: *Jughrāfiyyat al-aqallīyāt al-dīniya fīl-al-‘Irāq* (The geography of religious minorities in Iraq). Baghdad: MA thesis, College of Arts, University of Baghdad 1975, p. 43.

¹⁹⁰ *Ibid*, p. 44.

¹⁹¹ *Al-dalīl al-‘Irāqī ar-rasmī l-sanat 1936: Op. Cit.*, p. 740.

¹⁹² Shākir Muṣṭafa Salīm: *al-Chabāyysh* (its name of a village in the south of Iraq in the Areas of marshlands Marshes). Baghdad: al-‘Ānī for printing 1970. p. 168.

sacred book of Kanzza Rabba.¹⁹³ The second highest cast is Rīsh-Dāma or Rīsh-Shama, meaning secular head of the community. The highest caste is the Rabbānī. According to Sabeian-Mandaean belief, no human has reached the Rabbānī caste, except for the Prophet Yaḥiyā. The clergy has many functions relating to aspects of the social and religious life of this minority.¹⁹⁴

The Sabeian-Mandaeans live in several cities, particularly in southern Iraq, mainly in ‘Amārah, Nāširīya, Baṣrah, Sūq al-Shīyūkh, Qal‘at Ṣālah, Kūt, Diwaniyya, and Baghdad, and in the north in Mosul, Kirkuk, and Pishtguwwa and Mandalī province on the Iraqi border with Iran.¹⁹⁵ According to the census of April 1932, the number of Sabeian-Mandaeans in Iraq was 4,805. The census of June 1953 claims their number to be 5,432 persons.¹⁹⁶

2.5 Kākā’i

The Kākā’i are considered by many scholars to be one of the oldest Kurdish syncretic religions in existence. However, the majority of the Kākā’i consider their religion a direct descendant of Mithraism and Zoroastrianism they practice their religious rituals in secret¹⁹⁷ as they have found themselves at risk from either the State or the surrounding communities throughout their history. Much mystery and ambiguity surrounds the Kākā’i and a clear doctrine is difficult to establish, as their religious teachings have never been published comprehensively.¹⁹⁸ Still, some authors claim they are an Islamic group that recognizes the divinity or godhead of Imam Ali, a viewpoint which has led the Kākā’i to be considered *Ghulāt*¹⁹⁹ meaning dissidents by Shi‘i Islam. The term *Ghulāt* literally means “exaggerators,” and is used to refer to those who (from a Shi‘i perspective) overestimate the status of the

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-Ṣābi‘a al-Mandā’iyyūn* (The Sabeian-Mandaeans), Tr. from Persian to Arabic by: Jābir Aḥmad, Beirut: Dār al-Kunūz al-Adabīya for publications 1997, pp. 34-48, 85-177.

¹⁹⁴ For more details on the social and religious life of the Sabeian-Mandaeans, see: E. S. Drower: *The Mandaeans of Iraq and Iran, their Cults, Customs, Magic, Legends, and Folklore*. Oxford: the Clarendon press 1937.

¹⁹⁵ *Al-dalīl al-‘Irāqī ar-rasmī l-sanat 1936* (Iraqi official Guide of 1936). Baghdad: Dangūr printing 1936, p. 739.

¹⁹⁶ The Iraqi census of April 1932 specifies the following figures: Mosul, 15; Kirkuk, 7; Baghdad, 244; Kūt, 51; Diwaniyah, 39; Ramādiyyah, 8; Baṣrah, 738; ‘Amārah, 1,972; Muntafīq, 1,731. The census of June 1935 specifies the following figures: Baṣrah, 783; Baghdad 125, Ramādiyya 5, Diyāla 13, Diwaniyya 31, ‘Amāra 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 Kākā’i 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 Kākā’i is the main focus herein. It should be noted however, that the classification of the Kākā’i as a syncretic religion is not universally agreed. The majority of the Kākā’i believe that their religion is a direct descendant of Mithraism and Zoroastrianism.

¹⁹⁸ Martin van Bruinessen: “Veneration of Satan among the Ahl-e Haqq of the Gūrān Region”, in: *Fritillaria Kurdica, Bulletin of Kurdish Studies, Institute of Oriental Studies, Jagielloian*. Kraów: University National Science Center Kraów, No. 3-4, 2014, p. 7.

¹⁹⁹ On the concept of *Golāt*, see <http://www.iranicaonline.org/articles/golat>, retrieved on 28 April, 2014.

Imams by attributing divine qualities to them.²⁰⁰ The majority of the Kākā'i in Iraq and the Yārisān in Iran reject this perspective. They believe in reincarnation, meaning the Imam Ali to whom the Shi'i refer, is not the same Ali in whom they believe.²⁰¹

The Kākā'i 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 Kākā'i in Iraq, they are called the Yārisān or Ahl-i Haqq "*The People of the Truth*"²⁰² in Iran.²⁰³ Although the Kākā'i are commonly referred to as 'Alī-'Illāhī, meaning "those who deify Imam Ali" by other religions and communities and by Muslims in particular, they themselves consider the term 'Alī-'Illāhī 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.²⁰⁴

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

Sultān Ishāq Isī Barzinjī,²⁰⁵ is considered the founder of the modern Kākā'i and is believed by his followers to have been a reincarnation of Bābākhūshīn, the true founder of the faith.²⁰⁶

²⁰⁰ For example, see: 'Abbās al-'Azzāwī: *al-Kākā'īyya fī-l-tārīkh* (The Kākā'i in History). Baghdad: Trade Printing Co., Ltd. 1949, pp. 106-108.

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

²⁰² Michiel Leezenberg: "The Kakais or Ahl-I Haqq", in: Krisztina Kehl-Bodrogi, Barbara Kellner-Heinkele and Anke Otter-Beaujean (eds.): *Syncretistic Religious Communities in the Near East*: New York, Köln: Brill, Leiden 1997, Volume LXXVI, p. 166.

²⁰³ For more information on the Ahl-e Haqq (Yārisān) in Iran, see: M. Reza Hamzeh'ee: *The Yaresan: A Sociological, Historical and Religio-historical Study of a Kurdish Community*. Berlin: Klaus Schwarz Verlag 1990, pp. 1-279; Philip G. Kreyenbroek: "The Yāresān of Kurdistan", in: Khana Omarkhali (ed.): *Religious Minorities in Kurdistan Beyond the Mainstream*. Wiesbaden: Harrassowitz Verlag 2014, pp. 3-11.

²⁰⁴ Ziba Mir-Hosseini: "Breaking the Seal: The New Face of the Ahl-e Haqq", in Krisztina Kehl-Bodrogi, Barbara Kellner-Heinkele and Anke Otter-Beaujean (eds.): *Op. Cit.*, p. 175.

²⁰⁵ He is known as Ishāk or Souhak. He was born in 671 AH/ 1272-1273 CE, in the village of Barzinja in the Ḥalabja area in Iraqi Kurdistan. He studied wisdom, philosophy, and literature at Baghdad and Damascus, and returned to Shahrazūr and Hawrāmān, and renewed the Kākā'i religion. For more information on this topic, see: Karīm Najim Khudhr al-Shwānī: *al-Kākā'īyya: 'Uṣūluhā wa- 'Aqā'iduhā* (Kaka'ism: Its origins and beliefs). Baghdad: MA thesis, College of Islamic Sharia, University of Baghdad 1989, pp. 53-54.

The Kākā'i believe in what is termed as *Dūn-a-Dūn* in Kurdish Gūrānī, and *Tanāsukh* or *Hulūl* 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 Ishāq, the founder of their religion. The Kākā'i believe after 'thousands' of transmigrations of the soul not just within the Kākā'i 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.²⁰⁷ In general, it can be said that the Kākā'i belief system is a kind of the anthropomorphic variation of the Creator.

A certain similarity between the Kākā'i faith and Christianity in terms of doctrine and ritual²⁰⁸ has been drawn by Anastās Mārī al-Karmalī,²⁰⁹ who interprets the term Kākā'i as a Kurdish word of Persian origin, meaning brother, and also links it to the Aramaic term Kākā'is, which means brother-in-doctrine. By contrast, the Iraqi historian 'Abbās al-'Azzāwī linked the Kākā'i 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 Kākā'i and Islam, stating that the Kākā'i stemmed from the Muslim Sufi orders of Suhrawardiyya, Ishāqiyya and Baktāshiyya.²¹⁰ Another perspective on the origin of the Kākā'i from the Russian orientalist Vladimir Minorsky links the Kākā'i'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 *Sar'anjām*, the sacred and holy book of the Ahl-i-haqq in 1911.²¹¹ The texts, such as the *Kalām-i Sar'anjām*, (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 Kākā'i.

Similar to other religious minorities in Iraq, written sources on the Kākā'i 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 Kākā'i, their origins and religious rituals is mere speculation. Al-'Azzāwī's treatise on the Kākā'i, 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 Kākā'i doctrine

²⁰⁶ Fū'ad Ḥamma Khūrshīd: *Taqrīr al-'Istikhbārāt al-Brīṭāniyya 'an-al-'Ashā'ir al-Kurdiyya* (British intelligence report on Kurdish tribes), Baghdad: al-Ḥawādith Press 1979, p. 89.

²⁰⁷ From an interview with Hāshim Kākā'i in Kirkuk-Iraq, on 25th December, 2016.

²⁰⁸ Rashīd al-Khayyūn: *al-Adyān wa al-Madhāhib bi -l- 'Irāq* (Religions and Doctrines in Iraq; its Past and Present), Dubai: Al-Mesbar Studies and Research Center 2016, Vol. 3, p. 87.

²⁰⁹ Gūrgīs 'Auwwād: *al-Ab Anastās Mārī al-Karmal: ḥayātuhu wa-mu'allafātihi* (1866-1947). Baghdad: al-'Anī, printed in 1966.

²¹⁰ 'Azzāwī: *Al-Kākā'iyya fi-l-tārīkh...*, pp. 4-24, 124-125.

²¹¹ B. F. F. Vladimir Minorsky: *al-Akrād: Mul āt wa-'Inṭibā'āt*. Tr. from Russian into Arabic by: Ma'rūf Khaznadār. Beirut: Dār il-Kutub for Publications 1987, pp. 81-84; For more academic sources on Yārisān see: Jean During: "A Critical Survey on Ahl-e Haqq Studies in Europe and Iran", in: Tord Olsson, Elisabeth Özelalga and Catharina Raudvere (eds.), *Alevi Identity, Cultural, Religious and Social Perspectives*. Istanbul: Swedish Research Institute, Istanbul; Vol. 8, 1998, Taylor & Francis e-Library 2005, pp. 125-148.

through the reincarnation process, which is central to their faith. It is worth mentioning that lack of clarity on the Kākā'i in the field is compounded by the existence of competing and mutually incompatible cosmological views within the Kākā'i community itself and that primary sources from within Kākā'i community are very few. Nevertheless, information can be gleaned from the Kākā'i themselves, especially in regard to the term Kākā'i. The meaning of Kākā'i theologically and linguistically means brotherhood and mutual respect and its origins can be found in Kākā'i oral history.

According to Kākā'i 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, bikêshe!" (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 Kākā'i have taken their name. Therefore, it is most likely that word Kākā'i means "elder brother" and it is in this sense that it is used in the Kākā'i 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 Kākā'i 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 Ismā'il the son of Ibrāhīm:

The original text in Gūrānī:

*Ibrāhīm na sar
Baqāy dawri dīn yārīm kaft na sar
Ibrāhīm bīyānim farzand azar
Btm shkast dā bīm wa bīghambar
Kākām Yādigār Ismā'il bīyānī*

The translation and description of the text:

*I have been incarnated from Ibrahim,
From the very beginning into the prophet Ibrahim,
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 Ismail,*

²¹² The word *Sayyid* means Master. Usually the *Sayyid* according to Kākā'i 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.

²¹³ Edmonds: *Op. Cit.*, p. 185.

²¹⁴ Sadīq Būrrakay (Safī Zādah): *Mijūwī wījayyī Kūrdī* (The history of Kurdish literature). Erbil: 'Ārās for Publications 2008, Vol- 1, (in Kurdish language), text No. 2, p. 181, text No. 4, p. 182, text No. 5, p. 183, text No. 4, p. 187.

²¹⁵ Kākā Yādgār, (Kākā meaning brother) and Bāba Yādgār (Bāba meaning father), are two key figures in the Kākā'i belief system and in their heritage.

*Sarish bī wa rāy ḥaq wa qūrbānī.*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 Kākā'ī means "the elder brother", a term which is often used to recall all other members of the Kākā'ī religion to insure the high respect and joint affiliation among members of the Kākā'ī and to express fellowship between the members of the group. The roots of the Kākā'ī are attributed to the era of Sultān Ishāq, according to some Kākā'ī scriptures. This is also reflected in Kākā'ī oral mythology.

The structure of Kākā'ī community employs a caste system of a social and religious nature, which is divided into six spiritual and social castes. Marriage in Kākā'ī 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 Kākā'ī 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 *Mūrīd* (Disciple/ Aspirant) or member of the public.²¹⁷ Expertise in religious doctrine lies with the *Kalāmkhwans*, who may come from any of these classes.²¹⁸

The Kākā'ī 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 Safīda and Maṭrād in Erbil; in Kupaṛlū, 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.²¹⁹ In general, the Kākā'ī 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 Ṭūzkhūrmātū and as far as Hījā Town in the west. Most of the Kākā'ī in Iraq reside in the town of Ṭāwūk in the province of Kirkuk, and the area between the Khānaqīn and Qasir-Shirīn on the Iraqi-Iranian border.²²⁰ To date, no proper census of the Kākā'ī population in Iraq 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 Kākā'ī population was estimated at about 20,000 inhabitants in 1920.²²¹

The main economic activity of the Kākā'ī is agriculture and animal husbandry, along with cottage industries and handicrafts²²² as their community is predominantly rural. Most of

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

²¹⁷ For more information on this topic, see: Harzānī: *Op. Cit.*, pp. 55-69.

²¹⁸ See: Leezenberg: *Op. Cit.*, pp. 166-167.

²¹⁹ Edmonds: *Op. Cit.*, pp. 194-195.

²²⁰ Khūrshīd: *Op. Cit.*, pp. 89-90.

²²¹ Khayyūn: *Al-Adyān wa al-Madhāhib...*, Vol. 3, p. 115.

²²² Harzānī: *Op. Cit.*, pp. 138-161.

Kākā'i 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 Baha'i

The Baha'i 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 Baha'i faith,²²³ rather, it seeks to establish the history of the Baha'i as a religious minority in Iraq from a political perspective.

The origins of Bābīsm and the Baha'i faith is Shaykhīsm,²²⁴ named after Shaykh Aḥmad Aḥsā'ī, who studied in Karbala, Najaf, Baghdad and Kāzimiyya 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 Shi'i 'Ulama' (scholars) and students in Iraq became his followers. Another central figure in the Baha'i religion in Iraq was Ṭāhira Qurrat al-'Ayn,²²⁵ a prominent female figure among the Bābīs. She was described by the Iraqi sociologist, 'Alī al-Wardī as follows: "I think in any case, that Qurrat al 'Ayn 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

²²³ Several writers have addressed the topic of the Baha'i objectively, perhaps the most prominent being William S. Hatcher and James Douglas Martin: *The Bahá'í Faith: The Emerging Global Religion*. Illinois: Bahá'í Publishing 2002; Moojan Momen: *Baha'u'llah: A Short Biography*. Oxford: Oneworld Publications 2007; Shoghi Effendi: *God Passes By*. 2006. eBook, retrieved on 23 April, 2015 from http://sourceware.mirrors.tds.net/pub/gutenberg.org/1/January_9/2/7/19275/19275-pdf.pdf.

²²⁴ *Shaykhīyya* takes its name from Shaykh Aḥmad Aḥsā'ī (1753-1823/1826), who studied in Karbala' (the Shi'i 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-Rashfī (1795-1843), during whose leadership the *Shaykhī* movement was known as *Kashfīyya* ('irfān/ Gnostic). After al-Rashfī died in 1843, the group split into three groups, one of which was led by Mulla Husayn Bushrū'ī who claimed that the promised one was the Bāb that is Sayyid 'Alī Muḥammad Shīrāzī. For more information on the history of this case, see: Muḥammad 'Abd al-Ḥamīd Ḥamad: *al-Bahā'īyya: wilādat dīn jadīd* (Baha'ism: the birth of a new religion). Damascus: Dār al-Ṭalī'a al-Jadīd for publishing 2006, pp. 220-226; 'Alī al-Wardī: *Lamaḥāt ijtīmā'iyya min-Tārīkh al-'Irāq al-Ḥadīth 1831-1872* (Social Aspects of Iraqi Modern History). Baghdad: al-'Irshād printing 1971, Vol. 2, pp. 130-137; For more details on the biography of advisors to these groups, see: 'Amir al-Najjār: *al-Bahā'īyya wa-judhūrahā al-Bābīyya* (Baha'ism and its roots in Bābīsm). Egypt: al-'Aīn 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 Shi'i, similar to Najaf in Iran 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: *Tahiriḥ: 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/Tahiriḥ/Life%20of%20Tahiriḥ%20\(Martha%20Root\)%5B64%5D.pdf](http://www.paintdrawer.co.uk/david/folders/Research/Bahai/Tahiriḥ/Life%20of%20Tahiriḥ%20(Martha%20Root)%5B64%5D.pdf); 'Alī al-Wardī: *Hākadhā Qatalū Qūrrat al-'Aīn* (They killed Qūrrat al-'Aīn like that). Köln: al-Jamal publications 1997, pp. 5-69.

even have been declared the greatest woman of the 20th century!”²²⁶ Ṭāhira Qurrat al-‘Ayn 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-Sharī‘a*. 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.²²⁷ Bābīsm paved the way for the emergence of the Baha’i 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 conference²²⁸ in Iran.²²⁹

The founder of Bābīsm Sayyid ‘Alī 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 1850.²³⁰ In 1853, the Iranian government deported the Bāb’s followers to Baghdad. Among them was Mirzā Ḥusayn ‘Alī Nūrī al-Māzindarānī (1817-1892), known under the honorific title of “Baha’u’llah,” in the company of his brother Yaḥyā who was known as “Ṣubḥ al-Azal”. The “Baha’u’llah,” Mirzā Husayn ‘Alī al-Māzindarānī, 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 Baha’i.²³¹ This house was destroyed after the foundation of the modern Iraq State and turned into the Husayniyya, a Shi‘i mosque.²³²

Baha’u’llah, the founder of the Baha’i 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 Baha’i known as the Raḍwān is celebrated every year from April 21 until May 2 in commemoration of Baha’u’llah’s religious call.²³³

²²⁶ Root: *Ibid*, p. 69; Wardī: *Lamahāt ijtīmā‘iyya min...*, Vol. 2, p. 190.

²²⁷ Root: *Op. Cit*, p. 69.

²²⁸ What happened in this conference is considered a declaration of a separate form of Islam, see: Momen: *Op. Cit.*, pp. 16-19.

²²⁹ Wardī: *Lamahāt ijtīmā‘iyya min...*, Vol. 2, p. 179; Khayyūn: *al-Adyān wa al-Madhāhib...*, Vol. 1, p. 586.

²³⁰ Momen: *Op. Cit.*, p. 23; Wardī: *Lamahāt ijtīmā‘iyya min ...*, Vol. 2, p. 186.

²³¹ Shoghi Effendi: *Op. Cit.*, p. 172.

²³² ‘Abd al-Razzāq al-Ḥasanī: *al-Bābiyyūn wa-al-Bahā’iyyūn fī ḥādirihim wa-māḍīhim* (The Bābis and Baha’is in the past and present). Ṣaydā (Sidon): maṭba‘at al-‘irfān printing 1957, pp. 62-65; Wardī: *Lamahāt ijtīmā‘iyya min ...*, Vol. 2, p. 292.

²³³ Tārīkh al-Amir fī al-‘Irāq (The History of the ‘Baha’i’ cause in Iraq: a document about the history of the Baha’is in Iraq), (Unpublished), p.5; Sa‘ad Salūm: “al-Bahā’iyyūn wa-ad-dawwla al-‘Irāqīya” (the Baha’is and

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 Yahyā “*Ṣubḥ al-Azal*”, both of whom considered themselves Bāb's successor, which led to a split within the Bābīs into two groups, the followers of Baha'u'llah and Azalīs, and the followers of *Ṣubḥ 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 Ṣubḥ 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-Baiyān* were written by the Bāb. Other sacred writings are also attributed to Baha'u'llah, such as *Kitāb al-'Iqān/ The Book of Certitude*, and *al-Kitāb 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.

Iraq: Reconsideration of the History of the Baha'is Community in Iraq,). Baghdad: *al-Mada Press*, No. 3324, March, 2015, p. 16.

²³⁴ Wardī: *Lamḥāt ijtimā'iyya min ...*, Vol. 2, pp. 225-226, 233-234; Badrī: *Op. Cit.*, pp. 105-106.

²³⁵ 'Abbās al-'Azzāwī: *Tārīkh al-'Irāq bayna iḥtilālayn* (the history of Iraq between the two occupations). Baghdad: Trade and Printing Co., Ltd. 1955. Vol. 7, pp. 73-75.

²³⁶ See: Ḥasanī: *al-Bābiyyūn wa-al-Bahā'iyyūn...*; 'Abd al-Mun'im Aḥmad al-Namir, al-Naḥla al-Laḳīṭa: *al-bābiyya wa-al-Bahā'iyya, tārīkh wa-wathā'iq* (Bābism and Baha'ism. History and documents). Cairo: Islamic Heritage Library (no date of issue); 'A'isha 'Abd al-Raḥmān “Bint al-Shāṭi'”: *Qirā'a fī-wathā'iq al-Bahā'iya* (Read in the documents of the Baha'i). Cairo: al-Ahrām Center, 1986.

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

²³⁷ Fādhil Husayn, *'Abd al-Wahāb al-Qaysī and 'Abd al-Amīr Muḥammad Amīn: Tārīkh al-'Irāq al-mu'aṣr*, (the modern history of Iraq). Baghdad: Baghdad University Press 1980, pp. 12-13.

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-Hāshimī to become Iraq's first King. In August 23rd, 1921²³⁹ 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.

²³⁸ For Article 22 (Mandates) of the covenant of the League of Nations see: Jacob Coleman Hurewitz: *Diplomacy in the Near and Middle East*. Princeton: van Nostrand, 1956, Vol. 2, pp. 61-62.

²³⁹ Elie Kedourie: *England and the Middle East, The Destruction of the Ottoman Empire 1914- 1921*. London: The Harvester press limited 1978, pp. 206-207.

²⁴⁰ W. A. Wigram: *The Assyrians and their Neighbours*. London: G. BELL & SONS 1929, pp. 212-215; Sonyel: *Op. Cit.*, pp. 89-109.

²⁴¹ Ismāʿīl Bag Chol: *al-Yazīdiyya 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.

²⁴² F. O. 371/4177/111181, the clan of the Assyrians before the conference of the preliminaries of peace in Paris, summer, 1919; David Barsum Perley: *Whither Christian missions?* New York: C. A. M., 1945, p. 434.

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 Tanzīmāt (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 Fayṣal 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.

²⁴⁶ For King Fayṣal's speech, see: Najdat Fathī Ṣafwat: *Mudhakkirāt Ja'far al-'Askarī* (a memorandum of Ja'far al-'Askarī). London: Dār al-Salām for publication 1988, pp. 2-9.

²⁴⁷ Attar: *Op. Cit.*, p. 7.

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/ 1917²⁴⁹

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*,²⁵⁰ 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 17²⁵¹ 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 Law²⁵² 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 (ṭā'ifas) in Iraq. Thereby special laws and jurisprudence were enacted for these groups. Consequently, the Iraqi Basic Law 1925 and the decree-law of ṭā'ifas *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 Jews²⁵³ in Iraq.

²⁴⁹ Court statement No.6 year 1917, passed on October 28th, 1917 in Baghdad, signed by Lieutenant-General, Sir William Raine Marshall (1865–1939), the leader of the British Army. See: Jum'a Sa'dūn al-Rubay'ī: *Aḥkām al-aḥwāl al-shakhṣiyya li-al-ṭawā'if ghayr al-'islāmīya fī al-'Irāq* (Personal Law for non-Muslim Communities in Iraq). Baghdad: al-Jahīz Press 1995, pp. 302-310.

²⁵⁰ Rubay'ī: *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: Rubay'ī: *ibid*, pp. 306-307.

²⁵² See: The Iraqi Basic Law in: A Compilation of Iraqi Constitutions and Comparative Studies of International Human Rights Standards. New York: DePaul University College of Law, Boyd Printing Company, Inc 2005, pp. 9-31.

²⁵³ Items: 75, 76, 77, 78, 79 and 80 of the Iraqi Basic Law 1925, *ibid*, pp. 22-23.

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 freedom²⁵⁸ 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.

²⁵⁵ Article 13 of the Iraqi Basic Law. See: Iraqi Constitution March 21, 1925, pp. 1-2; *A compilation of Iraqi constitutions...*, p. 10.

²⁵⁶ See: Article 6 of the Iraqi Basic Law: *ibid*, p. 9.

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: Kāzīm Ḥabīb: *al-Izīdiyya dīyāna 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.²⁵⁹ 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,²⁶⁰ lay (corporeal) councils,²⁶¹ and general councils.²⁶²

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.

²⁵⁹ Cf: Kāzīm Ḥabīb: *al-Yahūd wa-al-Mūwāṭana al-'Irāqīyya aw, Miḥnat Yahūd al-'Irāq bayna al-asr al-jā'ir wa-al-tahjīr al-qasrī al ghādir* (Jews and Iraqi citizenship). Sulaimaniya: Ḥamdī Foundation Publishing 2006, p. 87.

²⁶⁰ *Al-Majlis al-Rūḥānī* (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-'Umūm* (The House of Commons or The General Council) is a kind of general parliament for the community. It includes the president of the ṭā'ifa 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 ṭā'ifa 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-'Irāqīyya 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] *Ṭā'ifa* No. 77 in 1931²⁶³

By the consent of the king of Iraq, the houses of the notables and parliamentarians, the *Law of the Israeli ā'ifa* 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 Baṣra, Baghdad and Mosul under specific conditions and legal items.²⁶⁴ It is also worth noting that the enforcement of the *Law of the Israeli ā'ifa* 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 *ā'ifa'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 *Ṭā'ifa's* Law to be implemented in practice along the aforementioned lines. Thus, the Legislation of the Israeli *ā'ifa* No. 36 was passed in 1931.

3.2.2.1.2 The Legislation of the Israeli *Ṭā'ifa* No. 36/ 1931²⁶⁵

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

²⁶³ Iraqi Jewish Archive IJA # 962: *Majmū'a: Qānūn al- ā'ifa al-Isrā'īliya Raqm (77) li-Sana 1931* (Israeli [Jewish] Laws No. 77, 1931). Baghdad 1932, pp. 2-11; The Official Gazette of Iraq-*al-Waqā'i 'al-'Irāqīyya*, Vol. 989, 1st June, 1931.

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 ā'ifa* No. 36, 1931. Baghdad: 1932, pp. 2-12.

²⁶⁵ IJA # 962: *Ni ām al- ā'ifa al-Isrā'īliyya Raqm 36 li-Sanat 1931*. Baghdad 1932, pp. 13-26; *al-Waqā'i 'al-'Irāqīyya*, Vol. 1065, dated 16th October, 1931.

province²⁶⁶ 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 *Ṭā'ifa* No. 70/ 1931:²⁶⁷

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

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 *Ṭā'ifa* No.9/ 1932²⁶⁸

This law and its items were published according to article 17 of the *Ṭā'ifa*'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] *Ṭā'ifas* No.32 / 1947²⁶⁹

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.

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

²⁶⁷ Published in: *al-Waqā'i' al-'Irāqīyya*, Vol. 984, dated 23 May, 1931.

²⁶⁸ This legislation was published in The Official Gazette of Iraq-*al-Waqā'i' al-'Irāqīyya*, Vol. 1093, dated February 25, 1932.

²⁶⁹ *Al-Waqā'i' al-'Irāqīyya*, 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 *tā'ifas* passed in 1947, instructions of law and juristic rules of the *tā'ifa* of Syriac Orthodox were passed to under 48 legal articles. All of which had been put according to the religious doctrines of the *tā'ifa*.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 *Wathā'iq tārikhiya Kaldāniya* (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.

²⁷¹ *Al-Waqā'i' al-'Irāqiyya*, Vol. 2831, 5th May, 1950.

²⁷² Rāfā'īl Bābū Ishāq: *Tārikh naṣāra al-'Irāq 100-2006* (the History of the Christians of Iraq 100-2006). Beirut: Qadmus for Publication and Distribution 2008, p. 175.

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 Ismā'īl Bag Chol²⁷³ who lived in Sinjar and Sa'īd Bag and his mother, Mayān Khātūn, who lived in Shaykhān.²⁷⁴ A British report in 1917²⁷⁵ considered Ḥammo Sharo²⁷⁶ and Dāwūd-e Dāwūd²⁷⁷ the worldly heads of the Yazidi in Sinjar and saw Shaykh 'Alī as the spiritual head of the Yazidi in Shaykhān, whereas Ismā'īl 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 principedom to be established based on the Basic Law of Iraq.

The Yazidis' leaders requested on multiple occasions a Yazidi²⁷⁸ 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.²⁷⁹ 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.²⁸⁰

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

²⁷³ Ismā'īl 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. Şadiq al-Damalūjī: *al-Yazīdiyya* (Yazidis). Mosul: al-'Itihād 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: 'Abdo Khudidā Shingālī: *Ḥammo Sharo wa-dawrihī al-sīyāsī* (Ḥammo Sharo and his political role). Erbil: *Arabic Gūlān 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.

²⁷⁸ See the text of documents for establishing a Yazidi spiritual council and the official reply of the Iraqi government to same, in: Khalīl Jundī: *al-'Izīdiyya wa-al-'imtiḥān al-ṣa'ib* (The Yazidi and the Hard Test). Erbil: Ārās House for Publishing 2008, pp. 135–139.

²⁷⁹ Fuccaro: *The Other Kurds...*, pp. 141-142.

²⁸⁰ 'Amir Sulṭān Qādir Muṣṭafā al-'Ishāqī: *al-'Irāq wa-'Iṣbat al-'Umam 1920-1939* (Iraq and the League of Nations 1920–1939). Mosul: MA thesis, Faculty of Education, University of Mosul 2000, p. 86.

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-Mandaeans

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-Mandaeans 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 holidays²⁸¹ and exemption from military service for the spiritual presidents of the community, as their religion demands non-violence.²⁸²

Sabean-Mandaeans 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 Kākā'i

The Kākā'i 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,²⁸³ until after the American invasion in 2003.

3.2.3.4 Baha'i

When the Associations and Unions Law of 1922²⁸⁴ and the Iraqi Basic Law of 1925 were passed, the Baha'i became an acknowledged religion in Monarchical Iraq. The Iraqi Basic Law recognized the freedom of religions and beliefs, which gave the Baha'i an opportunity to form their spiritual councils (the National Spiritual Assemblies and Local Spiritual Assemblies).²⁸⁵ They established an official head office in Ḥaydar Khāna in Baghdad for the

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).

²⁸² The text of the request is published in the *Journal of fāq Mandā'īyya*, Vol. 11, Baghdad, 1999, p. 13.

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: 'Abd al-Razzāq al-Ḥasanī: *Tārīkh al-Wazārāt al-'Irāqīyya* (The history of Iraqi ministries). Ṣaydā-Beirut: al-'Irfān for Printing 1953, Vol. 1, p. 80.

²⁸⁵ This organizations was a kind of national board for the Iraqi Baha'i.

practice of their religious rituals and for social activities. The Baha'i called this office *Ha'irat al-Quds*²⁸⁶ (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 Qaṣābjī.²⁸⁷ 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 21/23th 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 *tā'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.²⁸⁸ 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.²⁸⁹

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.²⁹⁰ 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.

²⁸⁶ NSA: "Maḥaṭṭāt muhimma fī masīrat al-Dīn al-Bahā'ī fī al-'Irāq" (Important Milestones in the Course of the Bahai's Religion in Iraq). Mosul: *Zahrāt Nīsān Magazine*, Vol. 27, July 2006, p. 17; Ali Ahmad Rasheed: "Baha'is: Religious Minority in the Shadow", in: Sa'ad Salloum (ed.): *Religious Minorities in Iraq...*, pp. 95-96.

²⁸⁷ Sa'ad Sallūm: "al-Bahā'iyūn fī al-'Irāq al-Malakī" (Baha'is in Monarchical Iraq: Reconsideration of the History of the Baha'is Community in Iraq). Baghdad: *al-Mada Press*, Vol. 3328, April 4th 2015, Pt. 3, p. 14.

²⁸⁸ Rif'a 'Abd al-Razzāq Muḥammad: "Bayt Bahullāh fī Maḥalat al-Shaykh Bashār" (House of Bahau'llah in the district of Shaykh Bashār). Baghdad: *An Appendix of the Iraqi Memory* in: *al-Mada Newspaper*, issue: November 7th 2010; Rasheed: *Op. Cit.*, p. 96.

²⁸⁹ Sa'ad Sallūm: *al-Bahā'iyūn fī al-'Irāq al-Malakī...*, Pt. 3, p. 14.

²⁹⁰ C. O. 730/12259, Acting High Commissioner, Baghdad, to King Faisal, undated, Draft of Proposed Letter, in: Rush and Priestland: *Op. Cit.*, Vol. 4: 1925-1927, pp. 393-395; C. O. 730/12259, Telegram from the Acting High Commissioner, Baghdad, to the Colonial Secretary, 30th July, 1927, in: Rush and Priestland: *Ibid*, Vol. 4: 1925-1927, p. 396.

Although the Court of Mandates criticised the Iraqi judiciary²⁹¹ 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;²⁹² however, the Shi'i *Waqf* demolished it and built a *Husaynīya*²⁹³ 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 1924.²⁹⁴ A total of one hundred candidates were elected to parliament, 4 members of which were Jews and 4 were Christians.²⁹⁵ 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)²⁹⁶ They were given four seats, the allocation of which is illustrated in the tables that follow herein.²⁹⁷ 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

²⁹¹ Attar: *Op. Cit.*, pp. 110-113; Ḥasanī: *al-Bābiyyūn wa-al-Bahā'iyyūn fī...*, pp. 122-123; Khayyūn: *al-Adyān wa-al-Madhāhib...*, Vol. 1, pp. 605.

²⁹² *Al-Waqā' i' al-'Irāqīyya*, Vol. 4224, dated 26th December, 2011.

²⁹³ Khayyūn: *al-Adyān wa-al-Madhāhib...*, Vol. 1, pp. 605-607.

²⁹⁴ Iraq National Library and Archives INLA: The royal court files. File number J June, 2, sequence 268/311, Election Law of the Iraqi Foundation Board in 1921- 1923, document No.26, pp. 44-45.

²⁹⁵ For more information on the Jews and Christians who were elected and on their role in the Iraqi Foundation Board, see: Ministry of Justice: *Mudhakkirāt al-majlis al-ta'sīsī al-'Irāqī* (Memorandum of Iraqi Foundation Board). Baghdad: Dār al-Salām Printing 1924, Vol. 2, pp. 135-139; Mīr Baṣrī: *I'lām al-Yahūd fī-al-'Irāq al-ḥadīth* (Jewish pioneers in modern Iraq). London: Dār al-Warrāq for publications 2006, pp. 91-92, 120, 125- 126; Zayd 'Adnān Najī: *Aqālīyāt al-'Irāq fī al-'ahd al-malakī: Dirāsa* (Minorities in the monarchy: A study of the representation of minorities in the Iraq parliament). Beirut and Ontario: al-Rāfidayn and Opus publishers 2015, p. 71.

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 minorities²⁹⁸ who represent themselves in the Iraqi Chamber of Deputies.”²⁹⁹ 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.³⁰⁰

Some Members of the Chamber of Deputies MCDs objected to this decision. A representative from Mosul, Amjad al-‘Ummarī³⁰¹ presented a report³⁰² 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-‘Ummarī’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

<i>Table 1.1: Members of ICD from religious minorities in the years 1925-1946</i>		
Iraqi states	Jews	Christians
Baṣra	1	1
Baghdad	2	1
Mosul	1	2

As for other religious minorities such as Yazidis, Sabeen-Mandaeans, Baha’i and Kākā’i, 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.

³⁰¹ Born in Mosul in 1882, Amjad al-‘Ummarī studied at the Dominican Fathers School and High School in Mosul. He worked in several areas before being elected deputy of the Iraqi Foundation Board in 1924. He was appointed Mayor of the Dulaym Brigade (Anbār Governorate) in November 1924, and was appointed Mayor of the ‘Amāra Municipality in November, 1928. He was elected deputy to the ICD from August, 1935 to November 1946. He died on June 30, 1953. See: Mīr Baṣrī: *A’lām al-sīyāsa fī al-‘Irāq al-ḥadīth* (Pioneers of politics in modern Iraq), London: Dār al-Ḥikma for Publications 2005, Vol. 2, p. 415.

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.³⁰³ The second seat (during the twelfth election cycle on June 21, 1948 - June 30, 1952) was held by Barakāt Nāṣir.³⁰⁴ Khiḍr khudidā Ḥammo³⁰⁵ 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

<i>Members of ICD from religious minorities in the year 1947</i>			
Iraqi states	Jews	Christians	Yazidis
Baṣra	1	1	_*
Baghdad	3	1	_*
Mosul	1	4	1
* 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

<i>Members of ICD from religious minorities in the years 1948-1952</i>			
Iraqi states	Jews	Christians	Yazidis
Baṣra	_*	_*	_*
Baghdad	2	3	_*
Mosul	1	2	1
* no seat in ICD			
** no seat in ICD because there was no population of that particular group in those regions			

Table 1. 4 Shows the members of ICD from religious minorities in the years 1952-1958

<i>Members of ICD from religious minorities in the years 1952-1958</i>			
Iraqi states	Jews	Christians	Yazidis
Baṣra	_*	_*	_**
Baghdad	_*	2	_**
Mosul	_*	3	1
* no seat in ICD			
** no seat in ICD because there was no population of that particular group in those regions			

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.

³⁰⁵ Aḥmad Ḥamad Amīn 'Umar: *Andāme Kurdakānī Anjūmanī Nūynarānī 'Irāqī la rūjgārī Pāshāyatīdā 1925-1958* (Kurdish deputies in the ICD in the Monarchical period). Erbil: Shahāb Printing 2007, p. 50. (Kurdish).

It should be remembered that the deputies disagreed over the minorities' parliamentary seats despite the existence of Article No. 36. Amjad al-'Ummarī 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-Mandaean be elected from 'Amāra city and Muntafik township.³⁰⁶ This was rejected by some members of the ICD, including Zāmil al-Manā', the Deputy of Muntafik municipality who claimed that the Sabean-Mandaeans had no rights of representation.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.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 1921,³⁰⁹ 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

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.

³⁰⁷ *Ibid*, p. 1270.

³⁰⁸ *Ibid*, p. 1266.

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 country'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,³¹⁰ the Yazidi, and Sabeen-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,³¹¹ 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 claimed to be the 'protectors of the Christians' and to a lesser extent, that of other minorities. However, this was a deeply self-interested claim by 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".³¹² 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.³¹³

³¹⁰ Tom Nieuwenhuis: *Politics and Society in Early Modern Iraq*. London: 1982, p. 72.

³¹¹ Ismail Ayddingun and Esra Dardagan: "Rethinking the Jewish Communal Apartment in the Ottoman Communal Building", *Middle Eastern Studies*, Vol. 42, No. 2, March, 2006, pp. 320-327.

³¹² For information on British interests, see: E. L. Cutts: *Christians under the Crescent in Asia*. London: 1877, pp. 1-2; John Joseph: *The Nestorians and their Muslim Neighbors*. New Jersey: 1961, p. 52; Şalah Khudhr Muḥammad: *al-Diblūmāsīyyūn al-Barīṭānīyyūn fī al-ʿIrāq 1831-1914: dirāsa tārikhiyya* (The British Diplomats in Iraq 1831-1914: A historical study). Baghdad: Dār al-Shuʿūn al-Thaqāfiya al-ʿĀmmaḥ-The House of Cultural Affairs 2005, p. 221.

³¹³ Saʿad Bashīr Iskandar: *Qiyām al-Ni ʾām al-Imārātī fī Kurdistān wa-suqūṭuh: mā bayna muntasṣaf al-qurn al-ʾashir wa-muntasṣif al-qurn al-tāsiʿ ʾashar* (The establishment of the Emirate System in Kurdistan and its

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.³¹⁴ A massacres of Christians in the years 1843 and 1846 by the Kurdish Botān Emirate prince, Mīr Badrkhān Bag would follow.³¹⁵ 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 Assyria³¹⁶ or establish a common entity (independent autonomy) with the Armenians and Kurds.³¹⁷ 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 Shim'un Benyamin XXI (1887-1918) in March 1918, by Simkū Agha

downfall between the mid-tenth and the mid-nineteenth centuries). Sulaymaniyya: Jīn Center for Publications 2008, p. 227.

³¹⁴ See: Joseph: *Op. Cit.*, pp. 57, 61-62, 100; Sonyel: *Op. Cit.*, pp. 29-31.

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.

³¹⁶ F. O. 371/4198, Report by B. Nikitine, dated 9th November 1918.

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 Qaimaqam 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,³¹⁹ 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 Shim‘un XXII Paulos³²³ 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

³¹⁸ Yāsīn Khālīd Sardashtī: *Ṣafahāt min tārikh Athūrīy Kūrdistān Ibān al-Ḥarb al-‘ lamīya al- la* (Pages from the History of the Assyrians of Kurdistan during World War I: a historical investigation into the assassination of the Assyrian chief, Binyamin Mar Shim‘un, based on historical texts). Duhok: Khabbāt Printing House 1999, pp. 38-39.

³¹⁹ Ḥaydarī: *Op. Cit.*, pp. 101-102.

³²⁰ The Geographer: *Office of the Geographer, Bureau of Intelligence and Research, International Boundary study*, No.94, December 30, 1969, Jordan -Syria Boundary (Country Codes: JO-SY), p. 8, retrieved on 09 August 2014, from <http://archive.law.fsu.edu/library/collection/LimitsinSeas/IBS094.pdf>.

³²¹ Stafford: *Op. Cit.*, pp. 80-81.

³²² On the administrative system and the authority of Mar Shim‘un, see: Hirmis Aboona: *Assyrians, Kurds, and Ottomans: Intercommunal Relations on the Periphery of the Ottoman Empire*. New York: Cambria Press 2008, pp. 32-35.

³²³ Mar Shim‘un XXII Paulos succeeded his brother, Mar Shim‘un Benyamin after the latter was assassinated in 1918. He died in 1920 after a period of illness at the Ba‘qūba 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 Sham‘un Eshai. For more information about Surma Khānum, see: Klir Wībil Ya‘qūb: *Surma Khānum (1883-1975): fī Qalb al-‘i‘šār al-ladhī ajtāha Bilād ma-bayna al-Nahrayn* (Surma Khānum (1883-1975): in the heart of the hurricane that is Mesopotamia). Tr. From French by: Nāfī‘ Tūsā: Baghdad: Atlas Company Printing 2011.

³²⁵ F. O. 371/4177/43736 and 57001, from the Political Officer to Baghdad, letter dated 11th March, 1919; also, see: Sonyel: *Op. Cit.*, p. 134.

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.³²⁷ Most probably, he envisaged France as the source of protection, because the latter had previously promised to begin “establishing a Chaldean-Assyrian country”³²⁸ 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,³²⁹ 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 *ṭā'ifas* and Yazidi in Mosul under his auspices. He asked the Yazidi to support his project, especially those in the mountains of Sinjar.³³⁰ 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 Mosul³³¹ 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 Christians³³² 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 Levy³³³ 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 Shim'un Eshai XXIII³³⁴ (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

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.

³²⁸ Georges Dubois: *La question Assyro-Chaldéenne: études et notes: novembre et décembre 1920, janvier 1921*. Paris: Impr. H printing 1921, pp. 21-38.

³²⁹ Dubois: *Ibid*, pp. 5-6.

³³⁰ Fuccaro: *The Other Kurds...*, pp. 157-158.

³³¹ J. Gilbert Browne: *The Iraqi Levies, 1915-1932*. London: Royal United Service Institution 1932, p. 15.

³³² C.O: Iraq, Report on Iraq Administration October 1920-March-1922 His Majesty's Stationary Office, London, 1922, p. 104; Stafford: *The Tragedy of the Assyrian...*, pp. 63-64.

³³³ Levy is local forces, for more information about the Iraqi Levies, See: Browne: *Op. Cit*.

³³⁴ His Holiness, Mar Eshai Shimun XXIII, by The Committee of the 50th Anniversary of the Patriarchate of Mar Eshai Shimun XXI2. Printed in Chicago, Illinois USA on June 27, 1970. Retrieved on 28 September, 2015 from <http://www.atour.com/people/20080516a.html>.

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 Ba‘qūba 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 Shim‘un 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 Shim‘un Eshai and Surmā Khānum. It also prompted the Anglo-Iraqi government to recognize Mar Shim‘un 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.

³³⁶ F. O. 371/16894, draft by Mr Ward for the High Commissioner, Baghdad in 1933, “Historical summary of development of the Assyrian question, Patr. I, 1914 - 1925”, in: Rush and Priestland: *Op. Cit.*, Vol. 3: 1914-1925, pp. 497-498.

³³⁷ F. O. 406/75.223, Annex II. The Assyrians as Soldiers, p. 213.

³³⁸ Colonial Office C. O.: Iraq Report on Iraq Administration October, 1920 to March, 1922. *Op. Cit.*, pp. 102, 110; C. O., Report on Iraq Administration, April, 1922 to March, 1923, His Majesty’s Stationary Office, London, 1924, pp. 35-36, 52.

³³⁹ For more details on this agreement, see: C. O., Special Report By His Majesty’s Government in the United Kingdom of Great Britain and Northern Ireland to the Council of the League of Nations on the progress of Iraq during the period 1920 - 1931, His Majesty’s Stationary Office, London, 1931, pp. 268-269, 271-273.

³⁴⁰ See: F. O. 371/13027, Extract from Intelligence Report No.25, December 5, 1928, in: Rush and Priestland: *Op. Cit.*, Vol. 5: 1928-1930, p. 309; F. O. 371/13769, Memorandum entitled “The Assyrians”, c. 1929, in: Rush and Priestland: *Op. Cit.*, Vol. 5: 1928-1930, pp. 310-319.

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,³⁴¹ and some other British notables such as Captain Antony Hurmzd Rassam, and the British naval officer, Mathew Cup among others.³⁴² 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.³⁴³

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 Committee³⁴⁴ in the name of the Christians, the Jews and the Yazidis whom it also claimed to represent.³⁴⁵

In Iraq, Christian leaders held the Mosul Conference of October 1931, which was attended by Mar Shim'un. 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 Shim'un Eshai presented these demands in a petition to the League of Nations on October 20th, 1931,³⁴⁶ 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

³⁴¹ See: Yūsif Mālik: *Fawāji' al-Intidāb fī Hukūmat al-'Iraq* (The Calamities of Mandate in the Iraqi Government). Damascus: 1932, p. 108.

³⁴² C. O., 730/163/88058/4, x/MO 8533, Telegram from the High Commissioner of Baghdad to the Secretary of State for the Colonies, London, dated 18.6.1932.

³⁴³ C. O., 730/163/88058/4, x/MO 8533; Captain Philip Mumford, “Kurd, Assyrian and Iraq”, *Journal of the Royal Central Asian Society*, Vol. 20, (1)1933, p. 118; Mālik: *Op. Cit.*, pp. 64-65; Farhān: *al-Sīyāsa al-Brīṭāniya tijāh...*, p. 110.

³⁴⁴ C. O., 730/163/88058/4, X/ MO 8533, Telegram from the High Commissioner of Baghdad to the Secretary of State for the Colonies, London, dated 18.6.1932.

³⁴⁵ Khaldun S. Husry: “The Assyrian Affair of 1933,” *International Journal of Middle East Studies*, Vol. 5, No. 2, Pt. 1, April 1974, p. 167.

³⁴⁶ See the Christian petition to the League of Nations in: F. O. 371/16033, Translation of Assyrian petition and memorandum with Appendix, 20 October 1931, in: Rush and Priestland: *Op. Cit.*, Vol. 6: 1930-1932, pp. 572-573.

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

³⁴⁷ Fath-Allāh: *Na arāt fī al-Qawmīya al-‘Arabīyah...*, Vol. 4, pp. 1747-1748.

³⁴⁸ Stafford: *The Tragedy of the Assyrian...*, p. 90.

³⁴⁹ Fath-Allāh: *Na arāt fī al-Qawmīya al-‘Arabīya...*, Vol. 4, p. 1749; Stafford: *The Tragedy of the Assyrian...*, pp. 96-97.

administrative autonomy within Iraq could not be met.³⁵⁰ 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 'Ālī al-Gaylānī³⁵¹ 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.³⁵²

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 1932³⁵³ 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 'Ammādiyya, 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 [Power] and ecclesiastical leadership of the Mar Shim'un should be officially recognized by the Iraqi Government, and Mar Shim'un 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

³⁵⁰ The settlement of the Assyrians: A work of Humanity and Appeasement, Information section, Geneva: 1935. Retrieved on 23 September, 2015 from <http://www.atour.com/government/un/20040404A.html>.

³⁵¹ Rashīd 'Ālī 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 'Abd 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.

³⁵² See: Elie Kedourie: *The Chatham House Version and other Middle-Eastern Studies*. London: C. Tinling and Co. Ltd 1970, p. 246.

³⁵³ Mar Sham'un 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, Shi'i, and even the people of Baṣrah. 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 meeting³⁵⁹ in Baghdad on February 25, 1933, Mar Shim'un attended to discuss Assyrian demands. The participating parties did not reach a specific agreement, and Mar Shim'un rejected the alternative project for resettling the Assyrians.³⁶⁰ Mar Shim'un went to Baghdad

³⁵⁴ See: C. O. 730/ 177/ 96602, X/MO 8533, Telegram from the High Commissioner of Baghdad to the Secretary of State for the Colonies, London, dated 18.6.1932; Stafford: *The Tragedy of the Assyrian...*, pp. 109-110.

³⁵⁵ Stafford: "Iraq and the Problem of the Assyrians", *International Affairs*, Royal Institute of International Affairs 1931-1939, Vol. 13, No.2 Mar.-Apr., 1934, p. 165. Retrieved on 15 October, 2015, from <http://www.jstor.org/stable/pdf/2603135.pdf?refreqid=excelsior%3Ada2a3929a122e51e4e18f5f5029bbe34>.

³⁵⁶ Khaldun S. Husry: "The Assyrian Affair of 1933", *International Journal of Middle East Studies*, Vol. 5, No. 2, Pt. 2, Apr., 1974, pp. 359-360.

³⁵⁷ F. O. 406/75.223. E2048 January, 93, Assyrian Settlement, pp. 206-207; Stafford: "Iraq and the Problem of the Assyrians...", pp. 165-166.

³⁵⁸ Farḥān: *Al-Siyasa al-Briṭāniya tijāh al-aqaliyat al-Dīniya...*, p. 140.

³⁵⁹ For more information on this matter, see: *The settlement of the Assyrians: A work of Humanity and Appeasement*, Information section, Geneva 1935. Retrieved on 22 October 2015 from <http://www.atour.com/government/un/20040404A.html>.

³⁶⁰ Q. B. Mātḥf (Bārmatī): *al- shūrīyūn wa- al-Mas'ala al- shūrīyya* (The Assyrians and the Assyrian issue in the modern period), Tr. by: H. D. A. Damascus: al-Ahālī for Publication and Distribution 1989, pp. 142-143.

again on May 22, 1933 to consider the Christian demands,³⁶¹ 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, Hikmat Sulaymān decided to detain Mar Shim'un in Baghdad for an unspecific period,³⁶² which angered the Christians. Therefore, Yākū Malik Ismā'īl, together with other Christian leaders declared an insurgency. They took hold of a section of the north of Iraq and closed the road between 'Ammādiyya and Duhok.³⁶³

Concerning the terse 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.³⁶⁴

The "Assyrian rioters" (as they were contemptuously labelled by the Iraqi government) assaulted some army officers and Levy soldiers visiting Mar Shim'un regularly in Mosul. Consequently, Mar Shim'un 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 Şidqī³⁶⁵ (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 Shim'un 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 Ismā'īl. Before the clash took place, Britain interfered between the two parties and negotiations started in which Yākū agreed to terminate

³⁶¹ Fath-Allāh: *Na arāt fī al-Qawmīya al-'Arabīya...*, Vol. 4, p. 1771.

³⁶² Husry: *Op. Cit.*, Vol. 5, No. 2 Pt. 1, April 1974, pp. 172-173.

³⁶³ Sonyel: *Op. Cit.*, p. 184; Fath-Allāh: *Na arāt fī al-Qawmīya al-'Arabīya...*, Vol. 4, pp. 1779-1780.

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 Sham'un, in 1933.

³⁶⁵ Bakr Şidqī 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.³⁶⁶ 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*³⁶⁷ newspaper among others,³⁶⁸ 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.³⁶⁹

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.³⁷⁰

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 13³⁷¹ 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”.³⁷² 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.³⁷³ 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,³⁷⁴ he recruited a number of the Arab clans and conscripted militia as a joint

³⁶⁶ Sonyel: *Op. Cit.*, p. 184; Husry: *Op. Cit.*, Pt. 1, p. 173.

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 the Assyrians...*, pp. 151-152.

³⁷¹ F. O. 371/16889, /E5178, Tel. from S. F. Humphrys to the Foreign Office, Baghdad, dated 4 September, 1933.

³⁷² See: Kedourie: *The Chatham House version...*, p. 246.

³⁷³ Kedourie: *Ibid*, pp. 246-247.

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”.³⁷⁵

These military operations continued until August 11. The tribal groups said to have participated in the actions were the Sindī, Gūlī, and Slivānī Kurds; Jubūr, Shammar, and Ḥadīdiya Arabs.³⁷⁶ 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”.³⁷⁷

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 600.³⁷⁸ 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 alive³⁷⁹. 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. Stafford³⁸⁰ mentions sixty “looted” villages in Duhok and Shaykhān and other four in ‘Ammādiyya.³⁸¹

After the massacres, the government adopted various procedures against the Christian leaders such as accusing Mar Shim‘un 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 Shim‘un. The patriarch was exiled to Cyprus on August 18, 1933.³⁸²

In the session of the Council of Ministers, held on August 16, 1933, the resolution of denationalization against Mar Shim‘un Eshai, Dāwūd Mar Shim‘un, Tīyūdūr Mar Shim‘un

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.

³⁷⁶ Yusuf Malek: *The British Betrayal of the Assyrians*. 1936, pp. 118-119. Books Online: Assyrian International News Agency. Retrieved on 14 Jun 2014 from <http://www.aina.org/books/bbota.pdf>.

³⁷⁷ Donabed: *Op. Cit.*, p. 110.

³⁷⁸ Stafford: “*Iraq and the Problem of the Assyrians...*,” p. 175; U.S. National Archives, 890G.4016 Assyrians/53-54; Faṭḥ-Allāh: *Na arāt fī al-Qawmīya al-‘Arabīya...*, Vol. 4, pp. 1890-1893; Farḥān: *Al-Siyasa al-Briṭāniya tijāh al-aqaliyat al-Dīniya...*, pp. 156-157.

³⁷⁹ Donabed: *Op. Cit.*, pp. 109-110.

³⁸⁰ Stafford: *The Tragedy of the Assyrians...*, p. 168.

³⁸¹ About the total number of dead, seen: Donabed: *Op. Cit.*, pp. 112-116.

³⁸² U.S. National Archives Microfilm Publications, T1180, Records of the Department of State relating to the internal affairs of Iraq 1930-1944, Roll 8, file 890 G. 4016 Assyrians/50-55, 1933; Husry: *Op. Cit.*, Pt. 3, p. 355.

and Surmā Khātūn³⁸³ was adopted by special Royal *Irāda* (decree).³⁸⁴ 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 Sidqī, Kamal Atatürk and the prince Ghāzī*”.³⁸⁵ 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.³⁸⁶

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.³⁸⁷

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

³⁸³ See: *The Text of the Denationalization Decree* No.62 in 1933, in: Faṭḥ-Allāh: *Na arāt fī al-Qawmīya al-‘Arabīya...*, Vol. 5, p. 2278.

³⁸⁴ Faṭḥ-Allāh: *Ibid*, p. 2278.

³⁸⁵ Air. 23/656/MX4583. Reports from S.S.O., Mosul to Air Staff Intelligence, No. 144, dated August 19th, 1933.

³⁸⁶ Donabed: *Op. Cit.*, p. 122.

³⁸⁷ For more information on this issue, see: Ḥaydarī: *Op. Cit.*, pp. 431-442; Faṭḥ-Allāh: *Na arāt fī al-Qawmīya al-‘Arabīya...*, Vol. 6, pp. 1844-1849.

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 Ḥabāniyya, eight years later, in May 1941.³⁸⁸ 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”.³⁸⁹

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”.³⁹⁰

On September 19th, 1943, the British Embassy in Baghdad tried to convince Nūrī al-Sa‘īd the Iraqi prime minister, to resettle the Assyrians in Khābūr (north-western Iraq), according to all previous conditions which had been refused by Mar Shim‘un Eshai which was 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 report³⁹¹ illustrated the non-action of the prime minister.³⁹² It appeared that no resettlement of the

³⁸⁸ Cf. ‘Abd al-Majīd Ḥīb al-Qaysī: *al-Tārīkh al-Sīyāsī wa-‘Askarī li-al- thūrīyn fī-al-‘Irāq* (The political and military history of the Assyrians in Iraq). Beirut: al-Dār al-‘Arabiya for Encyclopedias, 2004, pp. 322-323.

³⁸⁹ F. O. 371/52420, Memorandum by Foreign Secretary, London, 26th July, 1946, on the future of the Assyrians in Iraq and Syria, in: Rush and Priestland: *Op. Cit.*, Vol. 10: 1946-1952, p. 609.

³⁹⁰ F. O. 371/52420: *Ibid*, p. 610.

³⁹¹ F. O. 731/35002, Air Vice-Marshal H. V. Champion de Crespigny to the British Ambassador, Baghdad, record of private conversation with HE Prime Minister of Iraq, 26 September 1943, in: Rush and Priestland: *Op. Cit.*, Vol. 9: 1941-1945, pp. 533-534.

³⁹² F. O. 731/35002, Sir K Cornwallis, Baghdad, to Mr J. A. de C Hamilton, 13 Novemebr 1943, in: Rush and Priestland: *Op. Cit.*, Vol. 9: 1941-1945, p. 535; F. O. 731/35002, Air Vice-Marshal H. V. Champion de Crespigny to the Foreign Office, London, 27 December, 1943, in: Rush and Priestland: *Op. Cit.*, Vol. 9: 1941-1945, p. 536.

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 Shim'un 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 nations³⁹³ 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 internal 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

³⁹³ Baumer: *Op. Cit.*, p. 270.

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 massacres³⁹⁴ as well as individual and mass killings and kidnappings,³⁹⁵ 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.³⁹⁶ 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. They were not treated like free non-Muslims or People-of-the-Book.³⁹⁷

The Yazidi are first mentioned in historical sources with the advent of Shaykh Ādī Ibn Musāfir to Lalish valley, the main place of worship in the region of Mount Dāsin³⁹⁸ (505 AH/ 1111 CE).³⁹⁹ The arrival of Shaykh Ādī Ibn Musāfir 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 Şakhar Bin Barakāt (591 AH/1094 CE - 644 AH /1246 CE) who was killed by Atābik (the ruler) of Mosul, Badr al-Dīn Lū'lū' (615 - 656 AH

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

³⁹⁵ On Yazidi captives and slaves see: Majid Hassan Ali, Arshad Ḥamad Miḥū: “Saby al-nisā’ al-Izīdīyāt wa-istib’āduhunna mundhu al-‘ahd al-‘uthmānī 1514 ilā ghazw Dā’ish li-Sinjār 2014” (The Yazidi in Captivity from the Ottoman Empire 1814 to the Invasion of Sinjar by ISIS in 2014.). *Religions Studies Journal*, Bagdad: Bayt al-Hikma, Intellectual Scientific institute, (Accepted for publication on 13 December 2016).

³⁹⁶ The Yazidis had castles, fortresses and centers that withstood Islamic invasions. The most important of them are Dāsin Castles and Bā’adra, and other centers such as Sinjar, Duhok (Dāsin) and Āmad (Dīyār Bakir), see: Aḥmad ibn Yaḥya al-Balādhurī: *Futūḥ al-Buldān* (countries’ conquests). Egypt: Egypt for Printing 1909, p. 327; Şadiq Şafi Zādah: *Tārīkh Kurdū Kurdistan* (The history of Kurds and Kurdistan). Tehran: 1378 Shamsī, p. 668.

³⁹⁷ Muslims dealt with free non-Muslims of *al-Dhimma*, 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.

³⁹⁹ After the death of Shaykh Ādī (558AH /1162 CE), his nephew, Abū Barakāt Ibn Şakhar al-Hakkārī, assumed power over the Yazidi. The son of the latter, Shaykh Ādī II, expanded his power and confronted the Mongols in battle. He was executed by Genghis Khan in 619 AH/ [1223 CE]. See: Sharaf al-Dīn Abū al-Barakāt Ibn al-Mustawfī al-Arbīlī: *Tārīkh Irbīl: nabāhat al-balad al-khāmīl bi-man waradahu min al-amāthil* (Erbil History). Edited by: Sāmī Ibn al-Sayyid Khammās Şaqqār: Baghdad: Dār al-Rashīd for Publications 1979, Vol. 1, p. 114.

/1218 - 1258 CE).⁴⁰⁰ The assassination of Ḥasan 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.⁴⁰¹ 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, Sharfādīn.⁴⁰² However, this was a short-lived triumph as the latter was killed by the Mongols in 652 AH/ 1257 CE.⁴⁰³

The period of calm ushered in by Sharfādīn would end 155 years later, when Jalāl al-Dīn Muḥammad Ibn 'Izz-al-Dīn al-Ḥalwānī (an affiliate of the Shāfi'i School) declared a fatwa that legalized attacks on the Yazidi. Kurdish emirs would react favourably to the fatwa and Prince Mīr 'Izz-la-Dīn Būkhṭī, 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.⁴⁰⁴

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.⁴⁰⁵ The Fatwas issued by Shaykh Abū Sa'ūd al-'Ammādī (1491-1575 CE.) which was made public in 974 AH/ 1567 CE,⁴⁰⁶ and by Malā Ṣāliḥ al-Kurdī al-Hakkārī (980 AH/ 1573 CE),⁴⁰⁷ as well as that of Shaykh 'Abd-allah al-Rabatkī (died in 1159 AH/ 1746 CE),⁴⁰⁸

⁴⁰⁰ Lū' lū' ordered the execution of Yazidi leader and two hundred of his followers. They exhumed the body of Shaykh Ādī and incinerated his bones. See: Douglas Patton: *Badr al-Dīn Lū' lū' Atabeg of Mosul, 1211-1259*. Seattle and London: University of Washington Press 1991, p. 65.

⁴⁰¹ See: Muḥammad bin Shākir bin Aḥmad bin 'Abd al-Raḥmān bin Shākir bin Hārūn bin Shākir Ṣalāḥ ad-Dīn al-Kutubī (Dd 764 AH/ 1363 CE): *Fawāt al-Wafayāt* (the Passing of the Dead). Cairo: 1961), Vol. 1, p. 242; Aḥmad Taymūr Pāshā: *al-Yazīdiyya wa-Mansha' Nahlatihim* (the Yazidi and the Origin of its Faith). Cairo: al-Salafiyya Printing 1347 (1932), p. 36.

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

⁴⁰³ Pāshā: *Op. Cit*, pp. 38-39; Aḥmad: *al-Yazīdiyya...*, Vol. 1, p. 158.

⁴⁰⁴ Taqī al-Dīn Aḥmad Ibn 'Alī al-Maqrīzī (died 845 AH/ 1441-42 CE): *Kitāb al-Sulūk li-ma'rifat duwal al-mulūk* (the Pursuit to Know Kings' Countries). Cairo: Egyptian Public Library 1972, Vol. 4, p. 294; Zīrār Ṣadiq Tawfīq: "al-Qādda wa al-qilā' al-Mamālīk" (Leaders and Fortresses of Mamālīk). Duhok: *Matīn Journal*, No.49, 2006, Vol. 3, p. 108.

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: Sāmī Sa'īd al-Aḥmad: *al-Yazīdiyya, aḥwālulhum wa-mu'taqadātuhum* (The Yazidi: their life and beliefs). Baghdad: University printing 1971, Vol. 1, pp. 27-41.

⁴⁰⁶ For the text of this fatwa, See: Unknown Author: *Three Papers in the beliefs of Yazidi, a manuscript in the library of Saddam for manuscripts*. Baghdad: No.30580, Year. 974 AH. [1566 CE]; Damalūjī: *al-Yazīdiyya...*, pp. 428-432; 'Adnān Zaiyān Farḥān: *al-Kurd al-'īzīdiyūn fī Aqlīm Kurdistan 1800-1918* (The Kurdish Yazidi in Kurdistan region). Sulaymaniyya: Kurdistan Centre for Strategic studies 2004, pp. 278-283.

⁴⁰⁷ Text of *Fatwa* published by Mustafa Dehqan: "The Fatwā of Malā Ṣāliḥ al-Kurdī al-Hakkārī: An Arabic manuscript on the Yazidi Religion", in: *The Journal of Kurdish Studies*, Vol. 6, 2008, pp. 140-162. It is

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,⁴⁰⁹ 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 Mīrzā Bag Dāsīnī over the Province of Mosul (1649-1650).⁴¹⁰ 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.⁴¹¹ 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 Farmāns⁴¹² (edicts) against the Yazidi reached a total of more than 150, according to some sources.⁴¹³ 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.⁴¹⁴ The first official contact between the Yazidis and the British occurred when the Yazidi Chief, Ḥammo Sharo, received a letter on August 1917 from

noticeable that the texts of both Abū Sa'ūd al-'Ammādī and Malā Ṣāliḥ al-Kurdī al-Hakkārī are similar in content, therefore both texts require further investigation.

⁴⁰⁸ For the text of this *fatwa*, See: 'Abbās al-'Azzāwī: *Tārīkh al-Yazīdiyya: aṣīl 'aqīdatihim* (The Yazidi and the Origins of their Belief). Baghdad: Baghdad printing 1935, pp. 84-89.

⁴⁰⁹ See: Austen Henry Layard: *Discovery at Nineveh*. New York: 1854, pp. 177-276; Gorge Percy Badger: *The Nestorians and their Rituals with the Narrative of a Mission of Mesopotamia and Kurdistan from 1842 to 1844*. London: 1852, Vol. 1, p. 133.

⁴¹⁰ 'Abbās al-'Azzāwī: *Tārīkh al-'Irāq bayna al-'Iḥtilālayn* (The History of Iraq between two Occupations). Baghdad: 1953, Vol. 5, pp. 43-44.

⁴¹¹ Damalūjī: *al-Yazīdiyya*..., p. 456.

⁴¹² See some of the Ottoman Farmān texts in: Yurdaer Abca: *Yezidilik ve Osmanlı Yönetiminde Yezidiler*. Eskişehir: Yüksek Lisans Tezi, Sosyal Bilimler Enstitüsü, Eskişehir Osmangazi Üniversitesi 2006, pp. 166-229. (Turkish)

⁴¹³ Dāwūd Murād Khatārī: *Al-Ḥamlāt wa-al-fatāwī 'ala al-Kurd al-'Izīdiyyīn fī al-'Aṣīr al-'thmānī 1513-1918* (Campaigns and fatwas against Yazidi Kurds in the Ottoman Era). Duhok: Spiriz Publications 2010, pp. 58-260.

⁴¹⁴ Ibrāhīm Khalīl Aḥmad: *Wīlāyat al-Mauṣil- Dirāsa fī taṭawwarātihā al-sīyāsīya 1908-1922* (Mosul Province- A Study of its Political Developments 1908-1922). Baghdad: MA thesis, Faculty of Arts, Baghdad University 1975, pp. 185-186.

the British Policy Department in Baghdad, suggesting that he take advantage of the strategic site of Mount Sinjar,⁴¹⁵ 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.⁴¹⁶ The Yazidi refused to comply with the Ottoman 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.⁴¹⁷

When the British forces entered Mosul on November 8th, 1918, they were supported by the Yazidi under the leadership of Ḥammo Sharo and Isma‘īl Bag Chol. In addition, the latter brought Colonel Leachman⁴¹⁸ into Sinjar and showed him that he could take it over from the Ottoman Forces.⁴¹⁹ 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.⁴²⁰ 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.⁴²¹ 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.⁴²² 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.⁴²³ 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 on

⁴¹⁵ John S. Guest: *Survival among the Kurds: A history of the Yezidis*. London and New York: Kegan Paul International 1993, p. 178.

⁴¹⁶ The Yazidis offered refuge to Christian refugees from Armenian, Chaldean, Jacobin and Nestorian communities who fled the first armed Ottoman genocide campaigns against them, which occurred between 1894 and 1916. They also provided refuge to 900 refugees in 1916. See, ‘Arshad Ḥamad Miḥū: *al-Kurd al-Izīdiyyūn fī Kutub al-raḥala al-Briṭāniyyūn min maṭla‘ al-qarn al-tāsi‘ ‘ashar ila nihāyat al-ḥarb al-‘alamiyya al-‘ula* (Kurdish Yazidis in the Books of British Travelers in the Beginning of the 19th Century until the End of World War I). Duhok: MA thesis, Faculty of Arts, Duhok University 2009, p. 60; Fuccaro: *The Other Kurds...*, p. 49.

⁴¹⁷ Chol: *Op. Cit.*, p. 57; Damalūjī: *al-Yazīdiyya...*, pp. 512-513; Aḥmad: *Wilāyat al-Mausil...*, pp. 187-188.

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-Sīyāsa al-Briṭāniya tijāh...*, pp. 77-78.

⁴¹⁹ F. O. 371/4190/8408, letter dated 23th December 1918.

⁴²⁰ Farḥān: *al-Kurd al-‘izīdiyyūn fī Aqlīm Kurdistan...*, p. 183.

⁴²¹ Fuccaro: *The Other Kurds...*, pp. 79-80, 90-91.

⁴²² Guest: *Op. Cit.*, pp. 186-187.

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 Yazid 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 Naşrīya city in

⁴²⁴ 'Ammār Yūsuf 'Abd-allah 'Uwayd al-'Agīdī: *al-Sīyāsa al-Brīṭāniyya tijāh al-'ashā'ir al-'Irāqīyya 1914-1945* (The British Policy towards Iraqi Clans 1914-1945). Mosul: PhD dissertation, Faculty of Education, Mosul University 2002, p. 218; Shingālī: *Op. Cit.*, p. 111; Farhān: *al-Sīyāsa al-Brīṭāniya tijāh...*, pp. 83-84.

⁴²⁵ See: Jurjīs Faṭḥ-Allāh: *Yaqaḍat al-Kurd- Tārīkh sīyāsī 1900-1925* (The Kurd's awakening - political history 1900-1925), Erbil: Ārās Publishing House 2002, pp. 640-646.

⁴²⁶ Nevin Coşar and Sevtap Demirci: "The Mosul Question and the Turkish Republic: Before and after the Frontier Treaty, 1926", *Middle Eastern Studies*, Vol. 42, No. 1 (January, 2006), pp. 51-54.

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.

⁴²⁸ Ernest Main: *Iraq from Mandate to Independence*. London: G. Allen & Unwin Ltd 1935, p. 156.

⁴²⁹ For more details on this case cf: Roger Lescot: *Enquête sur les Yezidid de syrie et du djebel sindjār*. Beyroth: Imprimerie Catholique 1938, pp. 144-184, 191.

South Iraq. He stayed there until 1928,⁴³⁰ when he was allowed to go to Shaykhān, and finally allowed to return to Sinjar on October 20th, 1933.⁴³¹

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 dispute⁴³² 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 Rūhānī* (Spiritual Council)⁴³³ 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.⁴³⁴ Britain ordered the Iraqi government to establish a special committee for enactment, suitable with the rituals and social habits of the Yazidi.⁴³⁵ 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 sanjaqs⁴³⁶ 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

⁴³⁰ For more information see: Fuccaro: *The Other Kurds...*, pp. 95 – 99

⁴³¹ Maḥmūd al-Durrah: *al-Qaḍīya al-Kurdiyya wa-al-qawmiyya al-ʿArabiyya fī maʿrakat al-ʿIrāq* (the Kurdish Case and Arab Nationalism in the battle of Iraq). Beirut: Dār al-ṭalīʿa for Publications 1963, p. 118.

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-ʿIzīdiyya wa al-ʿimtiḥān al-ṣaʿīb...*, pp. 135-139.

⁴³⁴ Fuccaro: *The Other Kurds...*, pp. 141; Guest: *Op. Cit.*, p. 186.

⁴³⁵ Ishāqī: *Op. Cit.*, p. 86.

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 Haqīqat ad-Dīyana al-Yazīdiyya* (Towards Knowing the Truth about Yazidi Religion). Sweden: Rābūn Publishing 1998, p. 122. For more details, see: Peter Nicholas: “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.⁴³⁷ 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 family⁴³⁸ 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 Lalish⁴³⁹ 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 1913.⁴⁴⁰ The princely family agreed that the deceased prince's son Sa'īd, who was twelve years old, should be prince and appointed his mother, Mayān Khātūn, as his regent.⁴⁴¹ 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 Sa'īd Bag 1944, his son, Taḥsīn Bag, succeeded him as prince.⁴⁴² 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 Bāyazīd⁴⁴³ 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

⁴³⁷ 'Abd al-Razzāq al-Ḥasanī: *al-Yazīdiyyūn fī Ḥādirihim wa-Māḏihim* (The Yazidis in their present and past). Baghdad: al-Yaqza al-'Arabīya Library for Publications 1982, p. 91.

⁴³⁸ Chol: *Op. Cit.*, pp. 29-30.

⁴³⁹ *Ibid.*, p. 40.

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 Sa'īd 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 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 Principedom 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 illiteracy⁴⁴⁴ 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.⁴⁴⁵ 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.⁴⁴⁶ 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 *T̄māt* (reforms), 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

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.

⁴⁴⁵ Sebastian Maisel: "Social Change Amidst Terror and Discrimination: Yazidis in the New Iraq", *The Middle East Institute Policy Brief*, No.18 August, 2008, p. 6; Ḥasanī: *al-Yazīdiyyūn...*, p. 94.

⁴⁴⁶ On the beginning of the official education in Kurdistan and Iraq, see: Majid Hassan Ali: *Al-Ḥaraka at-ṭulābiyya al-Kūrdiyya fī al-ʿIrāq 1926-1970* (the Kurdish Students' Movement in Iraq 1926-1970). Duhok: Spiriz Institution for Publication, 2011, pp. 23-30.

period was the predominantly rural character of their community, since most Yazidis lived in villages.⁴⁴⁷

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 Ismā'īl Bag in 1926. His son, 'Abd al-Karīm was the first Yazidi to hold a certificate from the Institute of the House of Teachers in Baghdad.⁴⁴⁸ Then, his daughter, Wansa,⁴⁴⁹ was enrolled at the American School for Girls in Beirut⁴⁵⁰ where she learned English. She returned to Iraq in 1933 to pursue her preparatory studies in Baghdad.⁴⁵¹ Many Yazidis followed in their footsteps, and a few of them entered schools in Sinjar, Ba'shīqa, Baḥzān and Shaykhān. Therefore, Ismā'īl 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.⁴⁵²

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 principedom 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 Mīr Sa'īd Bag and voted unanimously in 1934 that he should be overthrown. Later, they were joined by a section of the Yazidi population in the Walāt-Shaykhān 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.⁴⁵³ However, his deposition was unsuccessful and Mīr Sa'īd

⁴⁴⁷ 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 'Ayn Sifni, Ba'shīqa and Baḥzān. See: Badrī: *Op. Cit.*, p. 223.

⁴⁴⁸ Chol: *Op. Cit.*, p. 72.

⁴⁴⁹ The first educated Yazidi woman was Wansa, a member of the princely family and wife of Mīr Sa'īd Bag, the then ruler of the Yazidis. Maisel: *Op. Cit.*, p. 6.

⁴⁵⁰ Guest: *Op. Cit.*, p. 187.

⁴⁵¹ Sāniḥa Āmīn Zakī: *Dhikrayāt abība 'Irāqīya* (Memoirs of an Iraqi female physician). London: Dār al-Ḥikma for Publications, 2005, pp. 145-146.

⁴⁵² 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: *Op. Cit.*, pp. 21-22.

⁴⁵³ Since the establishment of Iraq, Sinjar had been quasi-independent from the princely family's political influence. At that time, the leaders of Sinjar, Ḥammo Sharo and Dāwūd-e-Dāwūd, asked Ismā'īl Bag to come to Sinjar to be their prince after the latter had restored the "Sanjaq of Sinjar" by a resolution of the court of Mosul.

Bag he remained in power until his death. His son, Taḥsīn 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 Mosul⁴⁵⁴ and called for an investigation into Mīr Taḥsīn's management of the temple of Lalish and his income from it. Since Mīr Taḥsīn 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 Taḥsīn 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 Taḥsīn stood before the Directorate of Endowments, the Ministry decided, after examining the accounts, to close the case⁴⁵⁵ 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.⁴⁵⁶

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 Uday* (Shaykh-Ādī) in district of Shaykhān, doc. 5, p. 15.

⁴⁵⁶ C.O. 730/163/88058/4/X/MO; Farḥān: *al-Sīyāsa al-Brīṭāniya tijāh...*, p. 123.

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 *Nivêjên Êzidiyan* (The Yazidi Prayers)⁴⁵⁸ it was probably the first collection of Yazidi prayers written in the Kūrmānjī 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.

⁴⁵⁷ 'Agīdī: *Op. Cit.*, pp. 220-221.

⁴⁵⁸ Jalādat Badirkhān Baq: *Nivizin 'îzidiyān, Quatre prières authentiques, inédites des kurdes Yézidis*, al-Taraqī Printing, Damascus, 1933.

⁴⁵⁹ See the text of the document of prohibition in: Appendices, figures 2. 2; 2. 3.

⁴⁶⁰ Mālik: *Fawāji 'al-Intidāb...*, p. 44.

⁴⁶¹ Anastāns Mārī Karmalī: *Kitābī Izīdiyakān (Jalwa û Mashfā Rash) wa Bīblūgrāfiyāy Izīdiyātī*. Tr. From French to Kurish By: Najātī 'Abd-allah (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)⁴⁶² was passed. The authorities tried to force the Yazidi to join the army. This was rejected by them.⁴⁶³ A chief of a major Yazidi tribe, Dāwūd-e Dāwūd declared his non-recognition of the Iraqi government⁴⁶⁴ 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, 'Umar Naẓmī, 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.⁴⁶⁵ 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.⁴⁶⁶

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 1936.⁴⁶⁷ The Yazidi leaders were released by Royal Īrāda (Decree), which

⁴⁶² Najdat Faṭḥī Ṣafwat: *al- 'Irāq fī al-wathā'iq al-Brīṭāniyya 1936* (Iraq in the British Documents in 1936). Baṣrāh: the Arabian Gulf Center for Studies 1983, p. 119.

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.

⁴⁶⁴ Damalūjī: *al-Yazīdiyya*..., pp. 226 -227.

⁴⁶⁵ See: Nilda Fuccaro: "Ethnicity, State Formation, and Conscription in Postcolonial Iraq: The Case of the Yazidi Kurds of Jabal Sinjar", in: *International Journal of Middle East Studies*, Vol. 29, No.4 (Nov. 1997), p. 568; Durrah: *Op. Cit.*, pp. 118-119; Farḥān: *al-Sīyāsa al-Brīṭāniya tijāh*..., pp. 166-167.

⁴⁶⁶ F. O. 371/28013/364/ E6286/1419/93 from Mr. Batmen to Mr. Eden, No. 479, Baghdad, September 24, 1936; F. O. 371/20803 X/MO 3176; Air. 23/671, Report by Squardon leader F. L. B. Hebbert, dated 9th November 1936; Nilda Fuccaro: *Ethnicity, State Formation, and Conscription in Postcolonial Iraq*..., pp. 568-569; Najdat Faṭḥī Ṣafwat: *al- 'Irāq fī al-wathā'iq*..., p. 165.

⁴⁶⁷ F. O. 371/28013/364/ E6286/1419/93, from Mr. Batmen to Mr. Eden, No. 479, Baghdad, September 24, 1936; F. O. 371/20803 X/MO 3176; Air. 23/671, Report by Squardon leader F. L. B. Hebbert, dated 9th November 1936.

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 Sharif and Shaykh Khalaf Haskāni.⁴⁶⁸

When the Iraqi government attained victory over the Yazidi Movement, its leader, Dāwūd-i Dāwūd sought refuge in Syria⁴⁶⁹ and settled in Qamishli⁴⁷⁰ 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, ‘Ajīl 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 ‘Abda 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 ‘Ajil 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.

⁴⁶⁹ F. O. 371/ 18949, Extract from R.A.F. Intelligence Summary, Iraq, November 1935, paras 595-605, (Internal security), in: Rush and Priestland: *Op. Cit.*, Vol. 7: 1932-1936, p. 652.

⁴⁷⁰ Farhān: *al-Sīyāsa al-Brīṭāniya tijāh...*, p. 167.

⁴⁷¹ Zuhayr ‘Alī al-Nahās: *Tārīkh al-nashāt al-tijārī fi al-Muṣul bayna al-ḥarbayn al-‘Alamīyatayn 1919-1939* (the history of commercial activity in Mosul between the two World Wars, from 1919 to 1939). Mosul: PhD dissertation, Faculty of Arts, Mosul University, 1995, pp. 194-195.

⁴⁷² The Iraqi government tried to gain the support of the Bedouin tribes of Shammar in 1921 by allowing their leaders to seize land that belonged to the Yazidis north and south of the Sinjar plains. Shākir Khaṣbāk: *al-‘Irāq al-shimālī- Dirāsa li nawāḥiha al-ṭabī‘iyya wa-al-bashariyya* (the Northern Iraq: A Study of its Natural and Human Sides). Baghdad: Shafaq Press 1973, p. 302.

⁴⁷³ F. O. 371/ 18949, Extract from R.A.F. Intelligence Summary, Iraq, November 1935, paras 595-605, (Internal security), in: Rush and Priestland: *Op. Cit.*, Vol. 7: 1932-1936, p. 653.

The government offered nine Yazidi villages to Arab clans in November 1936⁴⁷⁴ 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, Jaḥish 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 exasperated 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, Qā'immaqām, the District Chief of Sinjar, Yūnis 'Abdullah,⁴⁷⁵ 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.⁴⁷⁶ From British official documents, it is clear that the British recognized the government's partiality towards the nomadic Arabs when Ṣafūk, Shaykh of Shammar, was awarded title to Yazidi lands.⁴⁷⁷ 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.⁴⁷⁸

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,⁴⁷⁹ 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

⁴⁷⁴ F. O. 371/20803 X/MO 3176; Fuccaro: *Ethnicity, State Formation...*, pp. 573-574.

⁴⁷⁵ Ḥasanī: *Tārīkh al-Wazārāt...*, Baghdad: Dār al-shu'ūn al-thaqāfiya al-'ama 1988, Vol. 6, pp. 37-38.

⁴⁷⁶ F. O. 624/29, No.325, British Embassy, Baghdad: Yezidis.

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 Qā'immaqām (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 Qā'immaqām (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 Qā'immaqām. 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

⁴⁸⁰ For more details about those letters see: F.O 325/22/42, British Embassy, Baghdad, 23 August, 1942; F.O. 325/27/42, British Embassy Baghdad, 31st October 1942.

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/MO 9807, 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 School*⁴⁸⁶ on November 14th, 1917.⁴⁸⁷

⁴⁸³ Yūsif Ma’īr: *Khalf al-Ṣaḥrā’*: *Qīssat al-Ḥaraka al-Sirriyya al- ā’i’īya fī-al- ‘Irāq* (Behind the desert: the story of the clandestine advance guard movement in Iraq. Tr. From Hebrew to Arabic by: Ḥilmy ‘Abd al-Karīm al-Zughbī. Baghdad: The Palestinian Studies Center (limited circulation), 1976, pp. 16-17.

⁴⁸⁴ Ghanīmah: *Op. Cit.*, pp. 205-206.

⁴⁸⁵ Ari Alexander: *The Jews of Baghdad and Zionism: 1920-1948*, MA thesis, faculty of Oriental Studies, University of Oxford 2011, p. 31.

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, ‘Amara 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.⁴⁸⁸

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.⁴⁸⁹ 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.⁴⁹⁰

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 Ḥasqīl⁴⁹¹ 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-Yahūdīya wa-al-ʿIrānīya fī-al-ʿIrāq, dirāsa muqārana (Jewish and Iranian schools in Iraq, a Comparative Study)*. Baghdad: al-Dār al-ʿArabīya for Printing 1985, pp. 27-41.

⁴⁸⁷ ʿAlī al-Wardī: *Lamahāt ijtīmāʿīya min-Tārīkh al-ʿIrāq al-Ḥadīth 1914-1918* (Social aspects of Iraqi modern history). Baghdad: al-ʿIrshād printing 1974, Vol. 4, pp. 345-346.

⁴⁸⁸ Main: *Op. Cit.*, pp. 155-156; Aḥmad ʿAbd al-Qādr Mukhlāṣ al-Qaysī: *al-Dawr al-Iqtisādī li-al-Yahūd fī-al-ʿIrāq 1920-1952* (The economic role of the Jews in Iraq). Baghdad: PhD thesis, College of Education, University of Mustanṣariyya 1998, pp. 24-26.

⁴⁸⁹ Attar: *Op. Cit.*, pp. 5-6.

⁴⁹⁰ Kedourie: *The Chatham House Version...*, p. 300; item: *England and the Middle East...*, pp. 185-186; Khaldūn Nājī Maʿrūf: *al-Aqallīya al-Yahūdīya fī-al-ʿIrāq 1921-1952* (Jews Minority in Iraq 1921-1952). Baghdad: Salmān al-Aḥṣānī for Printing and Publishing 1975, Vol. 1, pp. 81-82.

⁴⁹¹ Sāsūn Ḥasqīl 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 Deputy of Baghdad during the reign of Sultan Abdül 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 Ḥasqīl 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-‘Askarī, 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”.⁴⁹² 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 1932.⁴⁹³ 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.⁴⁹⁴ 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.⁴⁹⁵

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

Empire. He returned to Baghdad in 1920 and was appointed Finance Minister in the first Government of Iraq. In 1921, he attended the Cairo Conference under the chairmanship of Winston Churchill at which Prince Fayṣal was chosen for the throne of Iraq. He was Minister of Finance for five consecutive terms of government up to 1925. Thereafter he remained a Member of the ICD until his death in Paris in 1932. Sāsūn Ḥasqīl is buried at Père Lachaise. See: “Sir Sasson Eskell”, in: *The Scribe Journal of Babylonian Jewry*, autumn 2000, Issue 73, p. 52. Retrieved on 3 February, 2015 from <http://www.dangoor.com/thescribe73.pdf>; <http://www.thescribe.info/pdf/TheScribe73.pdf>.

⁴⁹² M. S. Basri: “Sir Sasson Heskell”, *The Scribe Journal of Babylonian Jewry*, October 1986, No.20, p. 7. Retrieved on 3 February, 2015 from <http://www.thescribe.info/pdf/TheScribe20.pdf>.

⁴⁹³ Nissim Rejwan: *The Jews of Iraq, 3000 Years of History and Culture*. London: Weidenfeld and Nicolson 1985, pp. 215-216.

⁴⁹⁴ Basri: *Op. Cit.*, p. 7.

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”.⁴⁹⁶ 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”.⁴⁹⁷

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.⁴⁹⁸ During the British occupation⁴⁹⁹ 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*

⁴⁹⁶ Khālīd al-Qaṣṣṭīnī: “al-Ḥasqala wa mā Adrāk al-Ḥasqala”, *Middle East Newspaper*, Vol. 12873, on 25 February, 2014, retrieved on 23 March, 2014 from <http://aawsat.com/home/article/44746>.

⁴⁹⁷ ‘Aṣām Jum’a Aḥmad al-Ma’āḍīdī: *al-Ṣaḥāfa al-Yahūdiyya fī-al-‘Irāq* (The Jewish Press in Iraq), Cairo: al-Dār al-Handasiyya Printing 2001, pp. 16-17.

⁴⁹⁸ Shīblak: *Op. Cit.*, p. 50; Shmuel Moreh: “Jews: Forced Exodus...,” p. 49; see namely: Violette Shamash: *Memories of Eden: A Journey Through Jewish Baghdad*. London: LPPS, Ltd 2008.

⁴⁹⁹ In November 1918, fifty-two eminent Jewish personalities proclaimed their loyalty to Britain and requested the protection of the British Agent and Civil Governor, Arnold Wilson, in Baghdad. Alexander: *Op. Cit.*, p. 31.

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.⁵⁰⁰ 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,⁵⁰¹ as more than fifteen new Jewish schools were opened, in addition to the Jewish schools that had been founded during the Ottoman Era.⁵⁰²

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.⁵⁰³ In time, Jewish merchants came to control about 95% of the Iraqi economy.⁵⁰⁴

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-Jam'iyya al-Isra'īliyya al-Adabiyya* (Jewish Literary Society),⁵⁰⁵ for the promotion of Hebrew language and literature. The society was led by Shlūmū Rūbīn Ḥayyā, (who was assassinated on December 24, 1920), and its secretary was Salmān Shīnā.⁵⁰⁶ 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 *Jam'iyya al-Sahyūniyya 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 1929,⁵⁰⁷ chaired by Ahārūn Sāsūn Alyāhū Nāḥīm',⁵⁰⁸ who was exiled from Iraq in January 1935.⁵⁰⁹

⁵⁰⁰ Cohen: *Op. Cit.*, p. 25.

⁵⁰¹ Sa'd Salmān 'Abd-ullah al-Mashhadānī: *Mawqif Ṣahāfat al-Aḥzāb al-'Irāqiyya al-'Alaniyya min al-Nashāt al-Ṣahyūnī fī-l-'Irāq 1922-1952* (The overt attitude of the press of the Iraqi parties towards Zionist activities in Iraq), Baghdad: PhD thesis, College of Arts, University of Baghdad, 2000, pp. 35-36; Fāḍil al-Barrāk: *al-Madāris al-Yahūdiyya...*, pp. 27-59.

⁵⁰² Barrāk: *al-Madāris al-Yahūdiyya...*, pp. 27-31.

⁵⁰³ Alexander: *Op. Cit.*, p. 34; Tikva Darvish: "The Jewish Minority in Iraq: a Comparative Study of Economic Structure", in: *Jewish Social Studies*, Spring 1987, Vol. 49, No.2, p. 178; Cohen: *The Jews of the Middle East...*, p. 91.

⁵⁰⁴ Khaldūn Nājī Ma'rūf: *al-Aqallīya al-Yahūdiyya fī-al-'Irāq 1921-1952* (Jews Minority in Iraq 1921-1952), Baghdad: al-Dār al-'Arabiyya for Printing and Publishing 1976, Vol. 2, pp. 121-122; Qaysī: *Op. cit.*, pp. 108-109.

⁵⁰⁵ Rejwan: *Op. Cit.*, pp. 204-205; Alexander: *Op. Cit.*, p. 45.

⁵⁰⁶ Sūdānī: *Op. Cit.*, pp. 34-35; Barrāk: *al-Madāris al-Yahūdiyya...*, pp. 23-24.

⁵⁰⁷ Cohen: *The Jews of the Middle East...*, p. 25; Alexander: *Op. Cit.*, p. 46.

⁵⁰⁸ Ma'rūf: *Op. Cit.*, 1976, Vol. 2, pp. 84-85; Barrāk: *al-Madāris al-Yahūdiyya...*, p. 24.

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.⁵¹⁰ 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 8th, 1928 when the first Lord Alfred Mond⁵¹¹ 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.⁵¹² The rumour caused hostile demonstrations initiated by the Muslim schools and mosques, which condemned the visit and the Zionist movement.⁵¹³ 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.⁵¹⁴ 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.⁵¹⁵ 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 *al-‘Alam al-‘Arabī* (the Arab World) threatened the Jews with the consequences of supporting the Zionist movement.⁵¹⁶ 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

⁵⁰⁹ Ya‘qūb Yūsif Kūriyyah: *Yahūd al-‘Irāq, tārīkhahūm, ahwālahūm, hijratihum* (Iraq's Jews, their history, their situation, their migration). Beirut: Dār al-Ahliyya for publication and distribution, 1997. p. 108.

⁵¹⁰ Sūdānī: *Op. Cit.*, p. 82.

⁵¹¹ Ma‘rūf: *Op. Cit.*, 1976, Vol. 2, p. 16; For information on Alfred Mond, see: Jones, J. Graham: “*Sir Alfred Mond (Lord Melchett), 1868-1930*”, retrieved on 10 October, 2016, from <http://www.liberalhistory.org.uk/history/mond-sir-alfred-lord-melchett/>.

⁵¹² S. Landshut: *Jewish Communities in the Muslim Countries of the Middle East*. London: Printed in Great Britain by the Jewish Chronicle Ltd., 1950, p. 45; Ma‘rūf: *Op. Cit.*, 1976, Vol. 2, p. 16.

⁵¹³ Kūriyyah: *Op. Cit.*, pp. 109-110.

⁵¹⁴ Hayyim J. Cohen: “The anti-Jewish Farhūd in Baghdad, 1941”, *International Journal of Middle East Studies*, Vol. 3, No. 1, October, 1966, p. 5. Retrieved on 17 May, 2014 from <http://www.jstor.org/stable/4282184>.

⁵¹⁵ Orit Bashkin: *New Babylonians: A History of Jews in Modern Iraq*. California: Stanford University Press 2012, p. 12.

⁵¹⁶ *Al-‘Alam al-‘Arabī* (the Arab world), newspaper. Baghdad: 1 October 1933, cited by: Sūdānī: *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 Tawfiq 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-‘Umarī, 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-‘Umarī] 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.

⁵¹⁷ Ḥasanī: *Tārīkh al-Wazārāt al-‘Irāqīyya...*, 1966, Vol. 2, pp. 261-262; ‘Ubayyidī: *Op. Cit.*, pp. 78-79.

⁵¹⁸ Ḥasanī: *Tārīkh al-Wazārāt al-‘Irāqīyya...*, 1966, Vol. 2, p. 262.

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-‘Azīzīya 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 Fathī Ṣafeat: *Al-‘Iraq fī Mudhakarāt al-Dīblūmāsiyyin al-Ajānīb* (Iraq in the Memoirs of the Foreign Diplomats), Beirut: al-‘Aṣrīyya Office for Publications 1969, p. 124; Ma‘rūf: *Op. Cit.*, 1976, p. 75.

⁵²⁰ Rejwa: *Op. Cit.*, p. 217; Haim: *Op. Cit.*, p. 191.

⁵²¹ Alliance Isra lite Universelle Archives AIU (Paris): “Iraq I.C.3. Report from the Baghdad School. The Iraqi government initiates several anti-jewish measures,” 1934, cited by: Norman A. Stillman: *Jews of Arab Lands in Modern Times*. Philadelphia: The Jewish Publication Society 2003, p. 369.

⁵²² Cohen: *The Jews of the Middle East...*, p. 27; ‘Ubaydī: *Op. Cit.*, pp. 101.

⁵²³ ‘Ubaydī: *Ibid*, p. 101.

⁵²⁴ Ḥasanī: *Tārīkh al-Wazārāt al-‘Irāqīyya...*, Vol. 4, pp. 29-30.

⁵²⁵ F. O. 371, 17874, from Sir F. Humphrys to Sir John Simon, 27th December, 1934; ‘Ubaydī: *Op. Cit.*, p. 102.

It is useful to note that many newspapers, such as *Istiqlāl* (Independence), *al-‘Alam 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-Difā‘* (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, Sa‘īd 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.

⁵²⁶ ‘Ubaydī: *Op. Cit.*, pp. 88-90. For more information about the activities and the nationalist associations during the Monarchical Era in Iraq, see: Muḥammad Maḥdī Kubba: *Mudhakkirātī fī Ṣamīm al-Aḥdāth 1918-1958* (My Memoirs in the Heart of Events 1918-1958). Baghdad: Dār al-Ṭalī‘a for Publications 1965.

⁵²⁷ The Ministry of Information: The National Center for Documents, (M.D.), file: T/2/31/1, (year 1936), the reports of the Iraqi Embassy in Palestine (Hayfā), file series 769- W.A, paper 7, a general report No.461/24 May 28, 1936, (clandestine) to the Iraqi Ministry of the Interior; Sūdānī: *Op. Cit.*, pp. 91,92,93.

⁵²⁸ F. O. 371/20803 X/M 03176; See the text of the document in appendix No. 8 in: Farḥān: *al-Sīyāsa al-Brīṭāniya tijāh...*, p. 202.

⁵²⁹ Kedourie: *The Chatam House version...*, pp. 306-307.

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 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 Khaḍḍūrī, 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”.⁵³¹

In July 1937, two Jews were killed. Between December 1937 and January 1938 and again between August-October 1938,⁵³² 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.⁵³³ This did not put an end to the attacks, however.

⁵³¹ This declaration was published in the *al-Istiqlāl* (The Independence) Newspaper in October 8, 1936, National Archives (Washington) Department of State, RG 59890G.4016 Jews/ 12, Enclosure No.1 to Dispatch No.708, Diplomatic, October 13, 1936, cited by: Stillman: *Op. Cit.*, p. 389.

⁵³² See documents in: Stillman: *Ibid*, pp. 386-388; Cohen: *The Jews of the Middle East...*, pp. 27-28; Sūdānī: *Op. Cit.*, p. 97.

⁵³³ Gideon. N. Giladi: *Discord in Zion: Conflict between Ashkenazi & Sephardi Jews in Israel*. London: Scorpion Publishing 1990, p. 85.

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 Baṣra in 1936, outside of Baghdad, incidents against Jews were practically unknown.⁵³⁴ In southern Iraq, the Arab Shi'ī (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.⁵³⁵

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.⁵³⁶ 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.⁵³⁷ He also commended Sāsūn Khaḍḍūrī, 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.⁵³⁸ After the renewal of riots, attacks, and actions against the Jews, Rabbi Khaḍḍūrī along with the Jewish elite repeatedly denounced the Zionist Movement

⁵³⁴ Cohen: *The Jews of the Middle East...*, p. 28.

⁵³⁵ The Ministry of Information, The National Center for Documents, (M.D.), file: A/2/31/1, (1936), The Reports of the Iraqi Embassy in Palestine (Ḥayfā), file series 769- W E, paper 201, No.763/24 October 28, 1936; Sūdānī: *Op. Cit.*, p. 97.

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 'Ālī al-Gaylānī, Yūnis al-Sab'awī and Arshad al-'Ūmarī. These nationalists can be said to be the founders of the sectarianism and ethno-nationalism that emerged in subsequent periods in Iraq.

⁵³⁷ Fritz Grobba: *Irak*. Berlin: Junker und Dünnhaupt Verlag 1941, p. 56.

⁵³⁸ Ṣafeat: *al- 'Iraq fī Mudhakarat...*, 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-Sab‘āwī,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-Sha‘b (the People’s Party) that contributed to the coup. It is worth mentioning that, during the reign of the coup government, al-Sab‘āwī set up three paramilitary youth organizations, namely the Youth’s Battalion, the Iron Guard, and Yūnis al-Sab‘āwī’s Commandos.⁵⁴³ As British forces approached Baghdad in 1941, Yūnis al-Sab‘āwī 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-Sab‘āwī’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-Sa‘īd who

⁵³⁹ Landshut: *Op. Cit.*, p. 45; Ma’mūn Kaywān: *Al-Yahūd fī al-Sharq al-Awṣat: Al-khurūj al-Akhīr min al-Ghetto* (The Jews in the Middle East: The Last Exit of the New Ghetto). Amman: Al-Ahliyya for Publishing 1996, p. 34; To see a number of statements cf.: Ma’rūf: *Op. Cit.*, pp. 68-73.

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-Sab‘āwī 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-‘Umārī: *Yūnis al-Sab‘āwī: Sīrat Sīyāsī ‘Iṣāmī* (Yūnis al-Sab‘āwī: A Biography of a Self-Made Politician). Baghdad: Publications of the Ministry of Culture and Arts, 1978.

⁵⁴² Nājī Shawkat: *Sīrat wa-Dhikrayāt Thamānīn ‘man 1894-1974* (Biography and memories), Baghdad: al-Yaqza al-‘Arabiyya Office Publisher, 1990, Vol. 2, p. 434.

⁵⁴³ Shawkat: *Ibid.*, pp. 433-434; Ḥabīb: *al-Yahūd wa-al-Mūwāṭana...*, p. 137.

⁵⁴⁴ Ja’far ‘Abās Ḥamīdī: *al-Taṭawwrāt al-sīyāsiyya fī-al-‘Irāq 1914-1953* (Political development in Iraq). Baghdad: al-Nu‘mān printing, 1976, p. 63; Ḥabīb: *al-Yahūd wa-al-Mūwāṭana...*, pp. 137-149.

supported Britain and issued a declaration of war against the Axis Powers. The second bloc was headed by Rashīd ‘Ālī al-Gaylānī who maintained a pro-German policy⁵⁴⁵ (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-Sab‘āwī, on 18 April 1941. He then overthrew the Iraqi Regent, ‘Abd -al-Ilāh who fled to Baṣra and from there, to Jordan.⁵⁴⁶

Meanwhile, the Grand Mufti of Jerusalem, Hājj Muḥammad Amīn al-Husaynī,⁵⁴⁷ 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.”⁵⁴⁸ 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 Iraq⁵⁴⁹ and on the 1st of June of 1941, the Regent ‘Abd al-’Ilāh was reinstated in Iraq and his supporters resumed public office.⁵⁵⁰ 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.⁵⁵¹ 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.

⁵⁴⁵ For information on Germany's role in supporting this group, see: Edwin Black: *The Farhud-Roots of the Arab-Nazi Alliance in the Holocaust*. Washington, DC: Dialog press 2010, pp. 288-352.

⁵⁴⁶ For more information on this development, see: Majid Khadduri: *Independent Iraq 1932-1958, A Study in Iraqi Politics*. London: Amen House, Oxford University Press 1960, pp. 159-234.

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 Farhud 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 Farhud, 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.): *Tsion ve tisionut 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.

⁵⁴⁸ Khadduri: *Independent Iraq...*, p. 224.

⁵⁴⁹ Rashīd ‘Ālī al-Gaylānī was exiled from Iraq.

⁵⁵⁰ Husayn, Qaysī and Amīn: *Op. Cit.*, pp. 142-144.

⁵⁵¹ Ḥasanī: *Tārīkh al-Wazārāt al-’Irāqīyya...*, Vol. 5, pp. 266-267, Salmān Darwish: *Kulu Shay’ Hādi’ fī-al-’Iyāda* (Everything is quiet in the clinic), personal memoirs, Jerusalem: Association for Jewish Academics from Iraq 1981, p. 59.

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.⁵⁵² According to government official sources, 110 Jews were killed, 242 wounded, while 586 Jewish business premises were looted and 911 Jewish houses were destroyed.⁵⁵³ 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 Dinar. 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.⁵⁵⁴ Less serious outbreaks also occurred at Baṣra, Mosul, and other places in the provinces.⁵⁵⁵ There is also a list of the victims of this massacre that numbers 145 persons.⁵⁵⁶ The violence of these days came to be known in the modern history of Iraq as “the Farhūd tragedy”.

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 Muḥammad Amīn al-Husaynī, and counted many hard-line nationalists and military officers among its members.⁵⁵⁷ 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.⁵⁵⁸ 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

⁵⁵² Hayyim J. Cohen: “The Anti-Jewish Farhūd in Baghdad”, in: *Journal of Middle Eastern Studies*, Vol. 3, 1966, Issue 1, pp. 9-12.

⁵⁵³ This number was the final estimation of the Iraqi Government Committee for the Investigating of the Events of June 1 and 2, 1941, 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; Ma‘rūf: *Op. Cit.*, Vol. 2, pp. 231-235.

⁵⁵⁴ Ma‘rūf: *Op. Cit.*, Vol. 2, pp. 37,236-237; Ḥasanī: *Tārīkh al-Wazārāt al-‘Irāqiyya...*, Vol. 5, p. 300; Farḥān: *al-Siyāsa al-Briṭāniya tijāh...*, pp. 182-183.

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.

⁵⁵⁶ Zvi Yehuda: “List of victims of the Farhūd”, in: Shmuel Moreh and Zvi Yehuda (Eds): *Al-Farhūd the 1941 pogrom in Iraq*. Jerusalem: The Hebrew University Magnes Press 2010, pp. 250-255.

⁵⁵⁷ Shawkat: *Op. Cit.*, 1990, Vol. 2, pp. 433-434.

⁵⁵⁸ ‘Abd al-Jabbār al-Jibūrī: *al-ḥzāb wa-al-Jam‘iyyāt al-Siyāsiya fī-al-Quṭr al-‘Irāqī 1908-1958* (Political parties in Iraq 1908-1958) Baghdad: Dār al-Ḥurriyya for Printing 1977, p. 106.

Mufti of Jerusalem, Amīn al-Husaynī, the Iraqi General, Rashīd ‘Ālī 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.⁵⁵⁹ 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.⁵⁶⁰ 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.⁵⁶¹ 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.⁵⁶² 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,⁵⁶³ 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 women⁵⁶⁴ is evidence of this dystopian phenomenon, which makes clear that the Jews migrated from Iraq

⁵⁵⁹ See: Shmuel Moreh: “The role of Palestinian incitement and the attitude of Arab intellectuals to the farhūd”, in: Shmuel Moreh and Zvi Yehuda (Eds): *Al-Farhūd the 1941 pogrom in Iraq*. Jerusalem: The Hebrew University Magnes Press 2010, pp. 119-144.

⁵⁶⁰ Ma‘rūf: *Op. Cit.*, Vol. 2, pp. 34-35.

⁵⁶¹ This can be also attributed to the “unstable nature” of Iraqi society, for instance, see: Ali Wardi: *Understanding Iraq: Society, Culture, And Personality*. Tr. to English by: Fuad Baali. New York: The Edwin Mellen Press 2008; ‘Adnān Nūr ad-Dīn: “Wathīqa jadīda ‘an madhbāḥat al-Farhūd al-‘Irāqī” (a new document on the Farhūd massacre in Iraq). *Elaph Newspaper*, No. 4509, dated 25 September, 2013. Retrieved on 23 December, 2016 from <http://elaph.com/Web/opinion/2011/6/661561.html>; Also see: Appendices, Figure 3. 1.

⁵⁶² It should be mentioned here that the leader of the Shi‘i *al-Marja‘iyya* in Iraq, Abū al-Ḥasan al-Mūsawī al-Aṣfahānī (1866-1945), refused to issue a fatwa against the Jews and ordered the Shi‘i 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.

⁵⁶³ Alexander: *Op. Cit.*, p. 87.

⁵⁶⁴ See: Shlūmū Nkdīmūn: *al-Mūsād fī al-‘Irāq wa duwal al-jiwār, inhīyār al-amāl al-‘Isrā‘īliyya wa al-Kurdiyya* (Mossad in Iraq and the Neighboring Countries, the Destruction of the Kurdish and Israeli Hopes). Tr. From Hebrew by: Badr ‘Qaylī. Beirut: Dār al-Qudus for Printing 1998, p. 26.

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 hatred⁵⁶⁵ 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.⁵⁶⁶ 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".⁵⁶⁷

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.⁵⁶⁸ From 1941 to 1951, several Jewish student and youth organizations were founded, such as the underground organization, Shabāb al-'Inqādh (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.⁵⁶⁹

⁵⁶⁵ It is significant that the affairs of Baghdad were administered by the interior security committee, which was headed by Arshad al-'Umārī, 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: *Riḥlat al-'Umr min Dīfāf Dījla 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.

⁵⁶⁷ The police of Iraq: The Political Intelligence Newspaper, the Directorate of the Penal Investigations and Residence (top secret), volumes (24, 25, 26, 28), Baghdad, June 1941, kept in the documents of the national archive (M. D.), file D/19, series 1220. Series 1221, W. 'A, Vol. 23; Ma'rūf: *Op. Cit.*, Vol. 2, pp. 46-50; Sūdānī: *Op. Cit.*, pp. 132-134.

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.

⁵⁶⁹ Ma'īr: *Op. Cit.*, pp. 71-88.

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 Iraq⁵⁷⁰ 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 1948.⁵⁷¹ 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.⁵⁷²

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;⁵⁷³ 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.⁵⁷⁴ To this end they support a new organization called *'Uṣbat Mukāfahat al-Ṣahyūniyya fī-al-'Irāq* (The League of anti-Zionism in Iraq).⁵⁷⁵ According to press reports, a number of Jewish promoters of the anti-Zionist League met the Prime Minister, Nūrī al-Sa'īd to explain their aims and program. The Prime Minister, it is

⁵⁷⁰ Ḥabīb: *al-Yahūd wa-al-Mūwāṭana...*, pp. 98-99.

⁵⁷¹ According to Ma'rūf, 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, Ya'qūb Yūsif Kūriyyah, estimated the population of those who left Iraq (except for Kurdistan) between 1919 and 1945 at around 3,539. See: Ma'rūf: *Op. Cit.*, pp. 160-161.

⁵⁷² Bashkin: *Op. Cit.*, p. 12.

⁵⁷³ A number of Jews were appointed to leadership positions in the Iraqi Communist Party, such as Na'im Ṭāwūk, who joined the party in 1937. Yahūdā Sadīq 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. Ya'qūb Manāḥīm Qujmān 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 Ma'ir: *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 Yūsif 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 League⁵⁷⁶ 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”.⁵⁷⁷

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.⁵⁷⁸ 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.⁵⁷⁹ Propaganda which had significant impact on the government and public opinion and may have led to government’s dismissal of dozens of Jewish public servants, especially those occupying sensitive positions in the state⁵⁸⁰ 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.⁵⁸¹

Such discriminatory policies are confirmed by ‘Ezra 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,⁵⁸² 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.⁵⁸³ Their emigration had officially begun. This was one of the most severe measures taken by the Iraqi government against the Jews at that time.

⁵⁷⁶ W. O. 208/1570, Combined Intelligence Centre (Iraq and Persia), extract from Intelligence Summary, No. 241, 27 September 1945, in: Rush and Priestland: *Op. Cit.*, Vol. 9: 1941-1945, p. 544.

⁵⁷⁷ Rejwan: *Op. Cit.*, pp. 229-230.

⁵⁷⁸ Ma’ir: *Op. Cit.*, p. 275.

⁵⁷⁹ *Liwa’ al-Istiqlāl* (Independence) *Newspaper*, Baghdad: dated 24th October, 1949; *al-Yāsa* (Awakening) *Newspaper*, Baghdad: Issue 20th October, 1949 and 7th February, 1950, cited by: ‘Ubaydī: *Op. Cit.*, pp. 210-221.

⁵⁸⁰ ‘Ubaydī: *Ibid*, p. 215.

⁵⁸¹ *Ibid*, pp. 222-223.

⁵⁸² INLA: Kingdom of Iraq: *Maḥādhir Majlis al-A’yān: al-Ijtmā’ al-I’tiyādī 23 li Sanat 1949-1950* (The sessions of the ICD, regular meeting No. 23 in 1949-1950), Baghdad: Government printing house, 1950, pp. 29-31; also: Kūriyyah: *Op. Cit.*, pp. 152-153.

⁵⁸³ *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 2816, dated 9th March, 1950. See a summary of the ICD debate on a bill allowing Jews to renounce their citizenship, with a commentary by the British Ambassador to Baghdad in: F.O 371/75183, British Embassy Baghdad, Restricted, No.67, 1571/17/50, the Right Honourable Ernest Bevin, M. P., 31st March, 1950.

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-'Istiqlāl* (Independence Party) that contributed through their representatives in parliament, as well as some ministers of Tawfiq al-Suwaydī administration such as Ṣālah 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 Ismā'īl al-Ghānim, asked those defending the Jews to leave with them when they were expelled from Iraq.⁵⁸⁹

‘Ezra 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 law⁵⁹⁰ 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.

⁵⁸⁶ Ghanīmāh: *Op. Cit.*, p. 210.

⁵⁸⁷ The Ministry of Social Affairs: the book of the general registration directorate, statistics of population in 1947. See: appendix No.2 in: Ma'rūf: *Op. Cit.*, Vol. 2, pp. 174-179.

⁵⁸⁸ See: INLA: Kingdom of Iraq: *Maḥādhir Majlis al-A'yān: al-Ijtmā' al-I'tiyādī 23 li Sanat 1949-1950* (The sessions of the ICD, the regular meeting No. 23 in 1949-1950), Baghdad: Government printing house 1950, pp. 20-30, 143-147; see also: Aḥmad Fawzī: *al-Muthīr fī Aḥdāth al-'Irāq al-Siyāsiyya* (The Interesting Issue in the Iraqi Political Events). Baghdad: Dār al-Ḥurriyya for Printing 1988, pp. 62-67.

⁵⁸⁹ ‘Ubaydī: *Op. Cit.*, p. 199.

⁵⁹⁰ To details of each of these discussions, see: ‘Ubaydī: *Ibid*, pp. 28-43.

⁵⁹¹ Ḥamīdī: *Op. Cit.*, p. 631.

⁵⁹² To see the text of the law cf: *Al-Waqā'i' al-'Irāqiyya*, Vol. 2938, dated 10th March, 1953.

immovable properties of the Jews. The frozen Jewish assets came under the control of the state treasury.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,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,⁵⁹⁵ as professionals, economists, doctors, and others in the scientific and academic professions abandoned Iraq.⁵⁹⁶

⁵⁹³ The file of the denationalized Jews 1951-1954, File No. 3/6, (10) (Private collections, unpublished document).

⁵⁹⁴ To view the statement, see: Ḥasanī: *Tārīkh al-Wazārāt al-‘Irāqīyya...*, 1988, Vol. 5, pp. 193-194.

⁵⁹⁵ The meaning of brain drain is the emigration of highly trained or qualified people from a particular country.

⁵⁹⁶ See: Shibliak: *Op. Cit.*, table 6, pp. 51-54

Part III - The Religious Minorities in Republican Iraq: Political Developments and Legal Framework

Chapter 5: The Period of the First Republic, Reign of Qasim (1958-1963)

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

A coup, headed by General Brigadier ‘Abd al-Karim 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 ‘Abd al-Salām ‘Ārif.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, ‘Abd al-Salām ‘Ārif became the first president of the republic. He died in April 1966 after his plane crashed.

⁶⁰⁰ Anderson, and Stansfield: *Op. Cit.*, p. 33.

⁶⁰¹ Juan Romero: *The Iraqi Revolution of 1958: A Revolutionary Quest for Unity and Security*. Lanham, Boulder, New York, Toronto and Plymouth, UK: University Press of America, Inc. 2011, pp. 111-127; ‘Abd al-Khāliq Ḥusayn: *Thawra wa-za‘īm: thawrat 14 tammūz al-‘Irāqīyya wa-‘Abd al-Karīm Qāsīm* (A revolution and a chief: the Iraqi 14th July revolution and ‘Abd al-Karim Qasim). Damascus: Dār al-Asad for Publication, 2003.

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,”⁶⁰³ meaning the national state,⁶⁰⁴ 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: Shi‘i Arabs, Sunni, and Kurds.⁶⁰⁵ The council would become known as the Council of the Presidency, headed by Lieutenant General Najīb Pāshā al-Rubay‘ī (a Sunni), and had the membership of Shaykh Muḥammad Mahdī Kubba (a Shi‘i) and Colonel Khālīd Naqshabandī (a Kurd).⁶⁰⁶

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 ‘Abd 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-

⁶⁰² See: Said K. Aburish: *Saddam Hussein, the Politics of Revenge*. New York: Bloomsbury 2000, p. 39; Gareth Stansfield: *Iraq: People, History and Politics*. Cambridge: Polity Press 2007, p. 93; Fāliḥ Ḥanṭāl: *Asrār Maqṭal al-‘A‘īla al-Mālika fī-l-‘Irāq: Awal Ṣafḥa Dāmiyya fī Tārīkh fī-l-‘Irāq al-Ḥadīth 14 Tammūz 1958* (The secrets of the death of the Royal Family in Iraq: First bloody chapter of the Iraq’s modern history, 14 July, 1958). London: Dār al-ḥikma for publishing and Distribution 2008, pp. 153-244.

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.

⁶⁰⁴ Stansfield: *Op. Cit.*, p. 93.

⁶⁰⁵ Phebe Marr: *The Modern History of Iraq*. Boulder: Westview Press 1985, p. 158.

⁶⁰⁶ F. O [PREM 11/2368], Telegram from Sir M. Wright, Baghdad, to Foreign Office, London, 20 July 1958, in: Rush and Priestland: *Op. Cit.*, Vol. 12, 1956-1958, pp. 256-257.

Arabism or Arab nationalism. This was particularly true of Iraqi religious minorities,⁶⁰⁷ 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,⁶⁰⁸ 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)⁶⁰⁹ official recognition as a political party through the Parties Law. The publication of an official gazette named *Khabāt/al-Niḍāl* (struggle)⁶¹⁰ 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, Shi'i and Kurdish Sunni) equal representation in the council, the actual authority within Iraq would remain firmly in the hands of the Sunni Arabs.⁶¹¹ 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.⁶¹² Their dominance would grow, in time, to permeate the highest

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.

⁶⁰⁸ For more details about *the Law of Communities No. 1/ 1960*, see: *Al-Waqā'i al- 'Irāqiyya*, Vol. 283 dated 2nd January, 1960.

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, Mas'ud 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- 'Irāq 1946-2011* (the political currents in the Kurdistan of Iraq 1946-2011). Beirut: al-Balāgh Institution for Publication 2011. pp. 29-520.

⁶¹⁰ Marion Farouk-Sluglett and Peter Sluglett: *Iraq since 1958 from Revolution to Dictatorship*. London-New York: I.B Tauris & Ltd. Publisher 1990, p. 80.

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 Shi'i. See Ṣalāḥ 'Abd al-Razzāq: *Mashārī' Izālat al-tamyīz al-ṭā'ifi fī l- 'Irāq 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-Ma'ārif 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,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.

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 27th 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",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

⁶¹³ Anderson, and Stansfield: *Op. Cit.*, pp. 41; see: table 9.11 in: Marr: *Op. Cit.*, p. 282.

⁶¹⁴ International Human Rights Law Institute. DePaul University College of Law: *A Compilation of Iraqi Constitutions, and Comparative Studies of International Human Rights Standards*. New York: Boyd Printing Company, Inc 2005. pp. 57-58.

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 'Abd 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 [Sabeen-Mandaeans], a small number of Baha'is, Majus⁶¹⁵ [Magi], Zoroastrians, Shabak, Şarliyya, Kākā'iyya, and Nuşayryya. 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.”⁶¹⁶

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 hitherto⁶¹⁷ 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

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 *Majus* is used to refer to Zoroastrians. See: Muḥammad ibn 'Abd al-Karīm Shahrastānī: *Kitāb al-milal wa-n-niḥal* (The Book of Sects and Creeds). Beirut: Dār al-kutub al-'ilmiyya, pp. 257-261.

⁶¹⁶ Maḥmūd Fahmy Darwīsh, Muṣṭafā Jawād, Aḥmad Sūsa: *Dalīl al-Jumhūriyya al-'Irāqīyya l-Sanat 1960* (The directory of Iraqi Republic, 1960). Baghdad: At-Tamadun Printing Press 1961, p. 421.

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 Şarliyya

Şarliyya is not a different *tā'ifa* or religion, rather, they are a tribe. They form a subgroup within the Kākā'i. 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. Şarliyya is an Arabic term which derives from the verb *şara* (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 Şarliyya, while in this life, can buy a piece of ground in paradise and then claim the garden of paradise has become *şara*, meaning

⁶¹⁸ From an interview with Ḥassan Ismā'īl 'Alī Ḥalabāny, on 14th January, 2017 in Berlin. Ḥassan Ismā'īl 'Alī 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.*

⁶²⁰ For more information about Zoroastrian activities see: Alaa Latif: "The One, True Kurdish Prophet? Thanks to Extremism, Iraqis Revive Ancient Religion" in: *Niqash: Briefings from Inside and Across Iraq*, Issued: 28th May, 2015. Retrieved on 27th December, 2016 from <http://www.niqash.org/en/articles/society/5014>; Saad Salloum: "Zoroastrianism in Iraq Seeks Official Recognition", in: *Al-Monitor*, posted on February 17, 2016. Retrieved on 3rd May, 2016 from <http://www.al-monitor.com/pulse/en/originals/2016/02/iraq-kurdistan-religious-minorities-zoroastrianism.html>; "The curious rebirth of Zoroastrianism in Iraqi Kurdistan". Retrieved on 3rd May, 2016 from <https://projects21.org/2015/11/26/the-curious-rebirth-of-zoroastrianism-in-iraqi-kurdistan/>.

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 Şarliyya.⁶²² There is a second interpretation of the origin of their name. To the Kākā’i, the Şarliyya or Şarlo are ethnic Kurds. They believe that the name Şarliyya stems from the word Sarlo meaning yellowing of the sun, which is a sacred symbol in the Kākā’i religion.⁶²³

5.1.1.3 Nuşayriyya

Until recently, a small community of Nuşayriyya existed in the locality of Sarrāy‘ in the town of al-‘Ana, west of Baghdad; their current whereabouts are unknown. The roots of the Nuşayriyya 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 Nuşayriyya in Syria. Some sources suggest that they also dwelled in the Talla‘ far region between Sinjar and Mosul.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.

⁶²² See: Matti Moosa: *ibid*, pp. 168-169.

⁶²³ From an interview with Hāshim Kākā’i in Kirkuk on 25th December, 2016.

⁶²⁴ cf. Heinz Halm: *Die islamische Gnosis. Die extreme Schia und die 'Alawiten*. Zürich, München: Artemis Verl 1982, p. 285; Rashīd al-Khayyūn: *Al- Nuşayriyya al- 'Alawyya fī Sūria*, (the Nuşayriyya 'Alawiyya in Syria). Dubai: Madarek Publishing House 2012, p. 23.

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,⁶²⁵ 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.⁶²⁶

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. 11/1960,⁶²⁷ 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..."⁶²⁸

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

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.

⁶²⁶ Salmān Darwīsh: *Kule shay'i hādi' fil- 'īyāda* (Everything is Quiet in the Clinic). Jerusalem: Association of Jewish Academics from Iraq, 1981, pp. 144-145; Başūn: "Shāri' al-Dhikrayāt: Yaūm fī tammūz" (Memories Street: A Day in July). *Elaph Online gazette*, Pt. 1, 16th July, 2013. Retrieved on 25th October, 2015 from <http://elaph.com/Web/opinion/2013/7/823906.html>; *Al-akhbar.org*, published on 17th July, 2013. Retrieved on 20th April, 2015 from <http://www.akhbaar.org/home/2013/7/150761.html>.

⁶²⁷ The content of the legislation is available in detail in: *Al-Waqā'i' al- 'Irāqiyya*, Vol. 292, dated 18th January, 1960.

⁶²⁸ *Al-Waqā'i' al- 'Irāqiyya*, Vol. 2949 on 22nd March, 1951.

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..."⁶²⁹

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 'Abd al-Karīm 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 Ba'ṯh Party. During that visit, reportedly, Qasim assured Khaḍḍūrī that he loved the Iraqi people and the Jews in particular. 'Abd al-Karīm Qasim then called for the Minister of the Interior, Brigadier General Aḥmad Muḥammad Yaḥyā. When the minister came, Qasim informed him: "I want you to prepare a bill that abolishes the denaturalization of the Iraqi Jews".⁶³⁰ 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,

⁶²⁹ See the amendment to the law in: *Al-Waqā'i' al-'Irāqiyya*, Vol. 292 dated 18th January, 1960.

⁶³⁰ Shā'ul Sāsūn, the son of Rabbi 'Hākhām' Sāsūn Khaḍḍūrī in his book "*Rā'in wa -Ra'īya: sīrat ḥayāt al-Hākhām Sāsūn Khaḍḍūrī, ra'īs al-ṭā'ifa al-Mūsawī a fī-l-'Irāq*" (Guardians and subjects: Biography of al-Hākhām Sāsūn Khaḍḍūrī), Jerusalem: 1999, as cited by: Baṣūn: "Shāri' al-Dhikrayāt: 'Abdul Karīm Qāsim wa yahūd al-'Irāq. al-'ahd adh-dhahabī", (Memories Street: 'Abdul Karīm Qāsim and the Jews of Iraq: The Golden Age), *Elaph Online Gazette*, Pt. 9, Sunday 13 April 2014. Retrieved on 25 October, 2015 from <http://elaph.com/Web/opinion/2014/4/894505.html>; *Al-akhbar.org*, published on 13th April, 2014. Retrieved on 20th April, 2015 from <http://www.akhbaar.org/home/2014/4/166327.html>.

especially after the removal of Colonel ‘Abd al-Salām ‘Ārif 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-Karim Qasim made the Iraqi Jews feel as if they were living “a second Golden Age⁶³⁵ and that Qasim was their safety”.⁶³⁶

British documents point out that under Qasim, 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 ‘Ārif. 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 Sa‘īd al-A‘ẓamī: *Thawrat 14 tammūz wa-‘Abd al-Karīm Qāsim fī l-wathā’iq al-Brītāniyya* (The revolution of 14th of July and ‘Abd al-Karim Qasim as shown in British official documents). Baghdad: ad-Dār al-‘Arabiyya Press 1989, pp. 95-96, 106-111.

⁶³² Baṣūn: “Shāri‘ al-Dhikrayāt: ‘ām ḥāfil li-nihāyat al-‘aqd al-awwal min ḥayātī” (Memories Street: An Eventful Year until the End of the First Decade of my Life). *Elaph Gazette*, Vol. 4536, Pt. 2, Tuesday 22 October 2013. Retrieved on 25 October 2015 from <http://elaph.com/Web/opinion/2013/7/826098.html>.

⁶³³ Ḥasqīl Qūjmān: “Dhikrayātī fī sujūn al-‘Irāq al-Siyāsiyya” (My memories in the Iraqi political prisons). *Al-ḥīwār al-mutamaddin Newspaper*, Vol. 626, Pt. 2, dated 19.10.2003. Retrieved on 22nd November, 2015 from <http://www.ahewar.org/debat/show.art.asp?aid=10914>.

⁶³⁴ Similar to Salīm al-Baṣūn, who worked as Editor of the *al-Akhbār Gazette* (the News) and *al-Ra‘ī al-‘Am Gazette* (the General Opinion) and *al-Jumhūriyya Gazette* (the Republic). Najīm Tawīq was responsible for *al-Aḥālī Gazette*, and Murād al-‘Ammārī worked at the Gazette (Iraqi Times) which is published in English. See: Baṣūn: “Shāri‘ al-Dhikrayāt: ‘Abd al-Karīm Qāsim wa-yahūd il-‘Irāq “al-‘ahd az-Zahabī...,” Pt. 9. Retrieved on 25th October, 2015 from <http://elaph.com/Web/opinion/2014/4/894505.html>.

⁶³⁵ The first Golden Age was during the time of King Fayṣal I. See: chapter 4, section 4.3.1 herein.

⁶³⁶ Baṣūn: “Shāri‘ al-Dhikrayāt: ‘ām ḥāfil li-nihāyat al-‘aqd al-awwal min ḥayātī” (Memories Street: An Eventful Year until the End of the First Decade of my Life). *Elaph Online Gazette*, Pt. 2, Monday, 29th July, 2013, Retrieved on 24th November, 2015 from <http://elaph.com/Web/opinion/2013/7/826098.html>; *Al-akhbar.org*, published on 30th July, 2013. Retrieved on 20th March, 2015 from <http://www.akhbaar.org/home/2013/7/151481.html>; Ahārūn Mūrīyah-Mu‘allim: “Dhikrayāt Yahūdī‘ Irāq” (the Memories of an Iraqi Jewish). *Elaph Gazette*, Vol. 4535, Pt. 1, Sunday 20 October, Retrieved on 22 November 2015 from <http://elaph.com/Web/opinion/2011/4/644213.html>.

⁶³⁷ F. O 371/175787: British Embassy, Baghdad to British Embassy, Beirut, 20 November 1964, Jewish Community in Iraq. No. C.1340/64, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, pp-518.

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 Baṣṣī: *Rihlat il-umr min dīfāf dijla ilā wādī al-Thīmas* ..., p. 123.

⁶³⁹ Bashkim: *Op. Cit.*, p. 230.

⁶⁴⁰ Mūrīyah-Mu‘alim: *Ibid*, Pt. 1; Shamū‘īl (Sāmī) Mūrīyah: *Baghdād Habībatī-Yahūd il-Irāq: Dhikrayāt wa Shujūn*” (My love, Baghdad, the Iraqi Jews: Memories and Sorrows). Haifa: 2012, pp. 437,438.

⁶⁴¹ F. O 371/149955, from Mr. P. T. Hayman, British Embassy, Baghdad, 1781/6/60, to G.F. Hiller Esq., D.S.O., Eastern Department, Foreign Office, London S. W. 1. July 26, 1960, in: Rush and Priestland: *Op. Cit.*, Vol. 13, 1958-1960, p. 595.

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 identification⁶⁴² upheld by the Arab and/or Islamic majority.

Regarding the Christians' support for Qasim, the president of Armenian Orthodox in Iraq, Bishop Azkūn Daīr Hākubiyān, 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.⁶⁴³ 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 'Abd 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.⁶⁴⁴ On the same occasion, 'Abd al-Karim Qasim delivered a speech about the interior developments of Iraq⁶⁴⁵ 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 *Majlis 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*

⁶⁴² F.O 371/149954 Report by Mr S. Falle, British Embassy, Baghdad, 21st September, 1960, 'Christians in Iraq,' Doc. No. 21.9.60, Confidential, in: Rush and Priestland: *Op. Cit.*, Vol. 13, pp. 603-604.

⁶⁴³ See sections of the speech in: Jarjīs Jibrā'īl Hūmy: *al-Qawmīyāt al-Iraqiyya wa 'atharu-hā l-fā'al fī Thawrat 14 tammūz wa khidmat al-juimhūriyya al-khālida* (The Iraqi nationalities and their effective impact on the revolution of 14th July and the Service of Immortal Republic). Baghdad: al-'Irshād Press 1959., pp. 126-128.

⁶⁴⁴ Hūmy: *Ibid*, pp. 104-105.

⁶⁴⁵ See the text of his speech in: Mājīd Shibir: *Khutab 'Abd al-Karim Qasim 1958-1959* (the Speech of 'Abd al-Karim Qasim). London: Dār al-Warrāq Publication 2007, pp. 231-235.

“Mosaic” (Jews) and Christian *ā’ifas* No. 32/ 1947⁶⁴⁶ 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 General⁶⁴⁹ 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

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-Waqā’i’ al-‘Irāqīyya*, 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, Melchities (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 āwraq Najīb al-Ṣayigh fil-ahdayn al-malakī wal-Jumhūrī khilāl 1947-1963* (From the papers of Najīb al- Ṣāyigh during the monarchical and republican times from 1947 to 1963). Baghdad: Maktabat al-yaqza al-‘arabiya 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 Armenain Melcunian family), *al-Bilād* (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,⁶⁵¹ and was the newspaper of the legal Iraqi Communist Party.⁶⁵² 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.⁶⁵³

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-*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-*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 "ṭā'ifa", when referring to most religious minorities, which can be considered a kind of recognition of them. The government also passed the *Official Holidays Law No.29/ 1939*⁶⁵⁴ which granted official religious holidays to non-*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 of 'Abd al-Karim Qasim also passed the *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 Sabeans-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

missionaries, including Seventh Day Adventists, whose main work in Baghdad was to maintain a modern hospital housed in an ancient building, namely the Dār al-Salām, which has now been taken over by the Iraqi Government with considerable loss of efficiency. At that time, (1958-1963), the foreign religious orders ran schools for standard education and for advanced study which were open to both Muslim and Christian pupils. An excellent small hospital, the St. Raphael Clinic, is run by a French order of nuns of whom about two-thirds are Arabs, see: F.O 371/149954 Report by Mr S. Falle, British Embassy, Baghdad, 21 September 1960, 'Christian in Iraq', Doc. No. 21/9/60 (Confidential), in: Rush and Priestland: *Op. Cit.*, Vol. 13, p. 602.

⁶⁵⁴ Khayyūn: *Al-Adyān wa al-Madhāhib...*, Vol. 1, p. 138.

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.⁶⁵⁵ However, the law neglected non-*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 *No.63 in 1960*.⁶⁵⁶ 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 *tā'ifa* 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 *tā'ifa* and its official holidays”.⁶⁵⁷

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.⁶⁵⁸

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

⁶⁵⁵ See: *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 21, dated 30th August, 1958.

⁶⁵⁶ *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 320 dated 15th March, 1960.

⁶⁵⁷ *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 320 dated 15th March, 1960.

⁶⁵⁸ For more details about the content of these telegrams, see: *Khabāt/ A-niḍāl*, (The Struggle) *Newspaper*, No. 198, dated Tuesday, 19th April 1960, p. 2; Majid Hassan Ali: “Qānūn al-i’tirāf bi a ‘yād al-diyāna al-‘Irāqīyya fī al-‘Irāq” (The Law of Recognizing the Holidays of the Yazidi’s Religion in Iraq). *Lālīsh Newspaper*, Duhok: No. 165, 2009, pp. 1, 4.

“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/ 1959*⁶⁶⁰ 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-

⁶⁵⁹ *Al-Waqā’i al-‘Irāqiyya*, Vol. 21, dated 30th August, 1958.

⁶⁶⁰ *Al-Waqā’i al-‘Irāqiyya*, Vol. 256 dated 11th September, 1959.

⁶⁶¹ The two sections are numbered 5 and 6 in the third article; they include details and other regulations. See: *Al-Waqā’i al-‘Irāqiyya*, Vol. 584 dated 1st October, 1961.

⁶⁶² *Al-Waqā’i al-‘Irāqiyya*, Vol. 292 dated 20th January, 1960.

Book,’ had schools and curricula that accommodated their religions. However, other non-*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.⁶⁶³ This was also the case for the Sabeen-Mandaeans.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.

5.1.4 The Rights of the Religious Minorities in the Iraqi Personal Status Law No.188/1959⁶⁶⁵

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 1950.⁶⁶⁶ The aforementioned legislation refers to Christians and Jews, but it completely excluded the non-*Ahl al-kitāb* religions, such as the Yazidi, the Sabeen-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.

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.

⁶⁶⁴ Separate interviews with a number of Sabeen-Mandaeans in Munich and Stuttgart, Germany, in December 2015.

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

⁶⁶⁶ The rules of the minority of Jews were published in: *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 1698 dated 31 January, 1949. Some Christian communities also published their rules in: *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 2855 dated 6th July, 1950.

All Iraqi citizens should have been entitled to be judicialized according to their recognized religion.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 *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,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 Ja‘farī sect (the law school of community of Twelvers Shi‘i in Iraq) and similarly, for Iraqi Sunni.⁶⁶⁹ Similarly, Sunni and Ja‘farī personal status courts also existed.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.⁶⁷¹

⁶⁶⁷ Zuhayr Kāzīm ‘Abūd: “‘Ilghā’ Qānūn al-Aḥwāl al-shakhshiyya al-‘Irāqī takrīs li-l-madhhabīya” (the abolition of the Iraqi Personal Status Law as devotion to denominationalism). *Al-ḥīwār il-mutamaddin Newspaper*, Vol. 714, dated 15.01.2004. Retrieved on 15 November 2015 from <http://www.ahewar.org/debat/show.art.asp?aid=13644>.

⁶⁶⁸ This term was used for the first time in 1895. Bdūr Zakī Muḥammad: “Qānūn al-aḥwāl ash-shakhshiya raqam 188 li ‘am 1959 wa ta‘dīlātuhū: Mazāyāhu wa ‘uyūbuhu” (Personal Status Law No. 188 of the year 1959 and its amendments - its advantages and disadvantages). *al-Mada newspaper*, Vol. 556, dated 11th December, 2005, p. 12. Retrieved on 17th November 2015 from <http://almadapaper.net/sub/12-556/12.pdf>.

⁶⁶⁹ These Sunni and Ja‘farī discriminatory bodies stayed valid until special legislation was introduced in 1963, with which Sunni and Ja‘farī discriminatory councils were abolished. The Court of Cassation was established to succeed them. See: *Al-Waqā‘i‘ al-‘Irāqīyya*, Vol. 806, dated 27th May, 1963.

⁶⁷⁰ Despite the acknowledgement of a united law in the republican period, some Sunni and Ja‘farī personal status courts remained in existence in Iraq until 1972. For example, legislation was passed to merge the Baṣra Sunni and Ja‘farī courts into a single personal status court on 1st of April, 1972. See: *Al-Waqā‘i‘ al-‘Irāqīyya*, Vol. 2102 dated 2nd March, 1972.

⁶⁷¹ For the reasons behind this law, see: *Al-Waqā‘i‘ al-‘Irāqīyya*, 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 committee⁶⁷² 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'ī, 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 1999.⁶⁷³ In the KRI, some of the articles were modified after the new government and parliament were formed in 1992.⁶⁷⁴ 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

⁶⁷² The Iraqi Ministry of Justice through order No. 560 dated 7th of February, 1959, formed a committee to draft personal status law. See: INLA: Ministry of Justice (Iraq): *Majmū'at al-qawānīn wa-al-ima al-'Irāqiyya (the Iraqi Laws and Systems)*. Baghdad: Government printing house, 1959, p. 905.

⁶⁷³ See: INLA: Wizārat al-'Adl (The Ministry of Justice). Iraq: *Qānūn al-aḥwāl ash-shakhshiya wa ta'dilātuhū* (Personal Status Law and its amendments). Baghdad: al-Huriyya Press, 1978.

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 'Abd al-Raḥmān al-Duhūkī: *Qānūn al-aḥwāl ash-shakhshiya raqam 188 li sanat 1959 wa ta'dilātahu fil qānūn il-Irāqī wal-nāfidh fi iqlīm Kurdistān-Al-irāq* (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 modifications⁶⁷⁵ 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”.⁶⁷⁶

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”.⁶⁷⁷

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 exempted⁶⁷⁸ by virtue of a special law”.

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.

⁶⁷⁶ *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 Sabeian-Mandaean woman, 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 old⁶⁸⁰ at the time

⁶⁷⁹ See the details of article 13 in: *Al-Waqā'i‘ al-‘Irāqīyya*, Vol. 280, dated 30th December, 1959.

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,⁶⁸¹ 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*⁶⁸² 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 1981⁶⁸³ 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: Duhūkī: *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.

⁶⁸² *Al-Waqā'i al- 'Irāqiyya*, Vol. 785 dated 21st March, 1963.

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.⁶⁸⁴ 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 movements⁶⁸⁵ 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.⁶⁸⁶ 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 Revolt⁶⁸⁷ in Mosul 1959⁶⁸⁸

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,⁶⁸⁹ and right-wing conservatives,

⁶⁸⁴ Fourteen Christian churches were specified in this legislation, along with the Sabeen-Mandaeans, Jews, and the Yazidi, who were named the “Umayyad Yazidi” therein. See: *Ibid*.

⁶⁸⁵ Shiblī al-‘Isāmī: *al-‘Ilmāniyya wa-l-dawwla al-dīniyya* (Secularism and religious state). Baghdad: House of Cultural Affairs for Publications. 1986, p. 41; Ghanīmah: *Op. Cit*.

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 ‘Alī: *Intifadat al-Mawsil: "Thawrat ash-Shauwwāf" 8 Adhār 1959: "al-qīṣṣa al-kāmila li-l-thawra"* dhikrayāt wa-khawātīr (Mosul uprising, "Shauwwāf revolution" March 8, 1959: The full story of the revolution: Memories and Thoughts). Baghdad: (publisher not identified) 1987.

⁶⁸⁸ Karol R. Sorby: “Iraq: the Mosul Uprising of 1959”. Bratislava: Institute of Oriental Studies, Slovak Academy of Sciences, *Asian and African Studies*, Vol. 15, 2006, No. 2, pp. 133-151.

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 to Iraq 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,"⁶⁹⁰ 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.⁶⁹¹ 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.⁶⁹²

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: Hādī al-'Alawī: *al-Aḥzāb as-siyāsiyya fī l-'Irāq: al-sirriyya wal-'alaniyya* (The Political Parties in Iraq: Secret and Public). Beirut: Publication of Riyāḍ ar-rayas 2001, pp. 178-179.

⁶⁹⁰ The revolt was named after Colonel 'Abd al-Wahhāb ash-Shauwwāf. For more details about this revolt see: Majid Khadduri: *Republican 'Iraq, A Study in 'Iraqi politics since the Revolution of 1958*. London, New York, Toronto: Oxford University Press 1969, pp. 104-109; Uriel Dann: *Iraq Under Qassem. A Political History, 1958-1963*. Jerusalem: Reuven Shiloah Research Center, Israel Universities Press 1969, pp. 114, 134-135, 164-184.

⁶⁹¹ See: *People's Union Newspaper- Ittiḥād ash-Sha'b*, Baghdad: published on 7th March, 1960; Batatu: *Op. Cit.*, pp. 888-889; Khalīl Ibrāhīm Ḥusayn: *Aṣ-Ṣira' bayna 'Abd al-Karim Qāsim wa al-Shuyū'īyūn wa 'Abdul-wahāb ash-Shauwwāf* (The struggle between 'Abd al-Karim Qasim, the communists and 'Abd al-Wahhāb ash-Shauwwāf). Baghdad: 1988, p. 312.

⁶⁹² F.O 371/14995, Christians in Iraq, Report (confidential) by Mr. S. Falle, British Embassy, Baghdad, 21st September, 1960, in: Rush and Priestland: *Op. Cit.*, Vol. 13, p. 603.

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)⁶⁹³ 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.⁶⁹⁴

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.⁶⁹⁵ 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

⁶⁹³ Batatu: *Op. Cit.*, pp. 869-874.

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>.

⁶⁹⁵ Ṣadiq Ismā'īl al-Maktabī: *al-'Irāq: Bidāyat an-nihāyah, riwāyat al-aḥdāth wa al-mushāhadāt a-sh-shakhṣiyya min 14 tammūz 1958 ila 8 shubāt 1963 kamā yarwihā aḥad munaḥḥidhīhā* (Iraq: the beginning and end of the story of events and personal scenes from 14th July 1958 to 8th February 1963, as told by one of its executors). Beirut: al-Dār al-'Arabiyya for Encyclopedias 2006, pp. 37-38; 'Amār 'Alī al-Ṣamr: *Shīmāl al-'Irāq 1958-1975: dirāsa siyāsiyya* (North of Iraq 1958-1975, a political study). Beirut: the Arab Center for Research and Policies Studies 2012, pp. 176-177.

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 Ba‘th 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.

⁶⁹⁶ Stansfield: *Op. Cit.*, p. 73.

⁶⁹⁷ F.P 371/14995, Christians in Iraq, Report (confidential) by Mr. S. Falle, British Embassy, Baghdad 21st September, 1960, in: Rush and Priestland: *Op. Cit.*, Vol. 13, pp. 603-604.

⁶⁹⁸ Aḥmad Kāẓim Muḥsin al-Bayātī: *Na im at- abaqjalī wa dawruhū al-‘askarī wa al-sīyāsī fī al-‘Irāq 1935-1959* (Nazim at-Ṭabaqjalī and his military and political role in Iraq 1935-1959). Beirut: al-Dār al-‘Arabiyya for Encyclopedias 2002, chapter 3, pp. 164-168.

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 Mīkhā’il Jajū Bizī: *Baldat Talkif: Maḍīhā wa ḥaḍruhā* (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.

⁷⁰⁰ Said K. Aburish: *Op. Cit.*, pp. 45-46; Anderson and Stansfield: *Op. Cit.*, p. 47.

⁷⁰¹ Muḥammad ḥadīd: *Mudhakkarātī: al-Širā‘ min ajl ad-dīmuqrāṭiyya fī al-‘Irāq* (My Memoirs: the struggle for democracy in Iraq). Edited by: Najdat Faṭḥī Šafwat. Beirut: Dār al-Sāqī, 2006, pp. 376-377.

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 'Umar al-Sha'ār, 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 Ba'ṭh 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

⁷⁰² The Gargariyya tribe lives to the west of Mosul and the al-Bū Mutiwit tribe dwells along the foot of Sinjar Mountain. Batatu: *Op. Cit.*, pp. 866-869, 883.

⁷⁰³ Ḥadīd: *Op. Cit.*, pp. 376-377.

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-Mūsīl* (Lest we forget: Parts of the Mosul massacre). Baghdad: al-Ma'ārif Press 1963, pp. 57-79.

⁷⁰⁶ For the names of the defendants, see, Nājī: *Ibid*, pp. 60-62.

⁷⁰⁷ Nājī: *Ibid*, p. 69.

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

⁷⁰⁹:: Muḏīryat 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 (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'athists, 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 1960⁷¹⁶ condemning those (Christians and Communists) who participated in

⁷¹² Mudīdīryat 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

⁷¹³ Qafila min Shuhada' wa Jarḥa al-Mūsīl al-Bāsila (The file of murders in Mosul), No. 20/40, in the file of the incidents of Mosul, No. 23/4. CKS: Doc. No. 70/ 287, 63. pp. 1-2.

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=LkeIdfedC0g>.

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-Masīḥiyyūn fī al-'Irāq* (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 ‘Aīn Zālāh.⁷¹⁷ 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”.⁷¹⁸

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,⁷¹⁹ 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”.⁷²⁰ 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.

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.

⁷¹⁸ F. O. Despatch from Sir. H. Trevelyan, Baghdad to Foreign Secretary, London, 9 February 1961, Doc. No. 10115/1/61, in: Rush and Priestland: *Op. Cit.*, Vol. 14: 1961-1963, pp. 257-259.

⁷¹⁹ ‘Alī Sinjārī: *Awraq min Arshif Kūrdistān: Majmu‘at maqālāt siyāsiya* (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.

⁷²⁰ Sinjārī: *Awraq min Arshif Kūrdistān...*, Vol. 2, p. 196.

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 crystalised. 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.⁷²¹ 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 Nationalists⁷²² who later joined the Ba'ṯh 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 populace⁷²³ 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-Fakīkī 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.⁷²⁴ Although this idea is rooted in classical Shi'ī 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

⁷²¹ See: Sāmī Shūrash: "al-Mūsul al-ʿIrāqīyya, al-yawūm ḥaḍinat al-Nāṣṣrīyīn wa al-Ba'ṯhīyīn tataḥauwwal ila naqīḍattuhā" (The Iraqi city of Mosul, today is the home of Nasserites and Ba'ṯhies, opposes them). London: *al-Hayāt Newspaper*, No. 14818, 9th October, 2003, p. 10.

⁷²² Hānī al-Fakīkī: *Awkār al-Hazīmah: Tajrībatī fī ḥizb al-Ba'ṯh al-ʿIrāqī* (Dens of Defeat: My Experience in the Iraqi Ba'ṯh Party). Beirut: Riyāḍ al-Rayyis Books 1997, p. 18.

⁷²³ Here, the arrogance of Mosul residents towards the Christians and towards others who were non-Muslim is referred to.

⁷²⁴ Fakīkī: *Ibid*, p. 19

Christians and non-Muslims were unclean⁷²⁵ 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 A‘zamiyya in Baghdad and that [she nursed many at a time when] health services and hospitals did not exist in Iraq yet.”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 Identities⁷²⁷ 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-cultural⁷²⁸ 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

⁷²⁵ This is rooted in Islamic concepts of ṭahāra (purity).

⁷²⁶ *Ibid.*, p. 19.

⁷²⁷ This term is used by David McDowall in: *A Modern History of the Kurds*. London, New York: I.B Tauris Publishers, 1996, p. 88.

⁷²⁸ On the psycho-cultural concept see: Lee, I-Ching, Felicia Pratto, Blair T. Johnson: “Intergroup consensus/disagreement in support of group-based hierarchy: An examination of socio-structural and psycho-cultural factors.” *Psychological Bulletin*, Vol 137 (6), November, 2011, pp. 1029-1064.

purpose of this research, the works of such prominent researchers as Max Weber⁷²⁹ and Anthony Smith⁷³⁰ 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 *Umma* (nation) did not spread significantly, nor did these concepts become engrained in the minds of the masses, rather, they remained a narrow elitist phenomenon.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.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.

⁷²⁹ Max Weber: *Economy and Society*. Berkeley, Los Angeles and London: University of California Press, 1978, Vol. 1, p. 389; Vol. 2, pp. 921-926.

⁷³⁰ Anthony D. Smith: *The Ethnic Origins of Nations*. Oxford: Basil Blackwell Ltd Publishing 1986, pp. 21-31; idem, *National Identity*. Reno and Las Vegas: University of Nevada Press, 1991; idem, "Culture, Community and Territory: The Politics of Ethnicity and Nationalism", *International Affairs* (Royal Institute of International Affairs 1944), Vol. 72, No.3, Ethnicity and International Relations (July 1996), pp. 445-458.

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: *Al-Haraka at-tulābiyya al-* ..., pp. 47-95.

⁷³² See: Fred Halliday, "Can we write a modernist History of Kurdish Nationalism?", in: Faleh A. Jabar & Hosham Dawod (eds.): *The Kurds Nationalism and Politics*. London: Sāqī Publication 2006, p. 16.

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.⁷³³ 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 *Shāfi'i* School. Amongst them, were also some *ṭarīqa* Sufi orders (mystics) and a substantial number of Shi'is, notably the Faylīs and some Kurdish clans in Sinjar. The *Kākā'ī*, which some considered to be a *Bātinīya* (hidden) sect of Shi'i lineage, were also represented.⁷³⁴ 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 spreaded to Iraq. It is significant that the Iraqi Muslim Brotherhood of the 1950s was headed by a Kurdish religious *ʿalim* (scholar), Shaykh Amjad Al-Zahāwī.⁷³⁵ 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.⁷³⁶ 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.

⁷³⁵ Michiel Leezenberg: "Political Islam Among Kurds", in: Faleh A. Jabar and Hosham Dawod (eds.): *The Kurds Nationalism and Politics*. London: al-Sāqī for Publications 2006, pp. 213-214.

⁷³⁶ On the Kurdish Islamic Movements in Iraqi Kurdistan, see: Leezenberg: *Ibid*, 216-223.

emergence of political Islam, religious extremism was expressed politically and militarily⁷³⁷ 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.⁷³⁸ 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 divisions⁷³⁹ 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

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: "Anşār 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 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-Ḥaraka al-Kurdiyya al-Mu'aşarah: Dirāsa Tārīkhīyya Mu'aşira 1833-1946* (the Contemporary Kurdish Movement: A Contemporary Historical Study 1833-1946). Erbil: Al-Tafsīr for Publication, 2011, pp. 35 and what follows.

⁷³⁹ For more details about the tribal and religious aspects of contemporary Kurdish movements, see: Martin van Bruinessen: *Agha, Shaikh and State: The Social and Political Structures of Kurdistan*. London and New Jersey: Zed Books Ltd, 1992.

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,⁷⁴⁰ 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.⁷⁴¹ 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”.⁷⁴² 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 ‘Abd 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.

⁷⁴⁰ 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.

⁷⁴¹ See: Darwīsh, Muṣṭafā Jawād, and Aḥmad Sūsa: *Op. Cit.*, pp. 469-488.

⁷⁴² Nūrī ‘Abdul-Ḥamīd al-‘Anī, wa Akharūn: *Tārīkh al-wizārāt al-‘Irāqīyya fī al-‘ahd al-Jumhūrī* (The history of the Iraqi ministries in the republican period). Baghdad: Bayt al-Ḥikma 2000, Vol. 1, p. 126.

In time, these factors led to a Kurdish armed revolt against the Central Authority,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.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 in⁷⁴⁵ 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.⁷⁴⁶ Some minorities would even join the Kurdish Armed Revolt alongside the Kurds.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 locations⁷⁴⁸ 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.

⁷⁴³ On the reasons for the revolt and the developments thereafter, see: Khadduri: *Republican 'Iraq...*, 1969, pp. 177-181; also see: “*A Statement of the Iraqi Communist Party about the Events in Kurdistan on 31 May, 1961*”, published in: Mas‘ūd al-Bārzānī: *al-Bārzānī wa-al-Ḥaraka at-Taḥarririyya al-Kurdiyya* (Barzani and the Kurdish Liberal Movement), Vol. 2, pp. 341-343.

⁷⁴⁴ Dana Adms Schmidt: *Journey among Brave Men*. Toronto, Boston: An Atlantic Monthly Press Book, Brown and company 1964, pp. 79-82.

⁷⁴⁵ For instance, see: “Relation between the Kurds and Assyrians, Translation of memo No. C/2932 dated 08.09.1930, From the Minister of Interior to Mutaṣarrifs (Governors) of Mosul, Kirkuk, Sulaymaniyya and Erbil”, in: Bejtullah D. Destani: *Minorities in the Middle East- Kurdish Communities 1918-1974*, Cambridge: Archive Editions 2006, Vol. 1, 1918-1930, p. 365.

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

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.

⁷⁴⁸ F.O 371/170509, British Embassy, Baghdad, to Civil Defence Staff College, England, 22nd July, 1963, Assyrians in Iraq, Doc. No. EQ 1822/4, Foreign Office, S.W.1, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 515.

3. The role of the Kurdish movement leader, Mustafa Barzani,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.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 northern Christians to become involved in the struggle to defend themselves.⁷⁵¹ The Christian region of 'Amidiyya, 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.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 'Annūne (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.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 'Abd 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

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, Kākā'i 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.

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: *Op. Cit.*, pp. 142-143.

⁷⁵¹ F.O 371/170509, British Embassy, Baghdad, to the Civil Defence Staff College, England, 22nd July, 1963, Assyrians in Iraq, Doc. No. EQ 1822/4, Foreign Office, S.W.1., in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 515.

⁷⁵² Avshalom H. Rubin: "Abd Al-Kareem Qasim and the Kurds of Iraq: Centralization, Resistance and Revolt, 1958-63", in: *Middle Eastern Studies*, Vol. 43, issue 3, May 2007, pp. 369-370.

⁷⁵³ Donabed: *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.⁷⁵⁴ 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.

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, the 'Ārif 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 Ba'ṯh 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 Ba'ṯh Party and the Arabist-Nasserite current⁷⁵⁶ formed the National Council of the Revolutionary Command (NCRC),⁷⁵⁷ which was known as *al-Shar'īya al-Thawrīya* (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, 'Abd al-Salām 'Ārif, was appointed the first president of Iraq,⁷⁵⁹ and Aḥmad Ḥasan al-Bakr, from the Ba'ṯh 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 Ba'ṯh Party's attempts to overthrow the president along with the "National Guard Troops" and the practice of targeted⁷⁶⁰ assassinations of political leaders, caused another coup on the 18th November in 1963. Thus, the Ba'ṯh Party was removed from power and the army became, in effect, the government.⁷⁶¹

⁷⁵⁵ On the Arab Nationalist Movements, Ba'ṯhists and various ideological groups in Iraq in 1963-1968, see: Majid Khadduri: *Socialist Iraq: A Study in Iraq Politics Since 1968*. Washington D.C: The Middle East Institute 1978, pp. 7-12, 13-30; Farouk-Sluglett, and Peter Sluglett: *Op. Cit.*, pp. 87-93.

⁷⁵⁶ Marr: *Op. Cit.*, pp. 185-186.

⁷⁵⁷ See: *Al-Waqā'i' al-'Irāqiyya*, Vol. 797 dated 25th of April, 1963.

⁷⁵⁸ See: *Al-Waqā'i' al-'Irāqiyya*, Vol. 771 dated 18th of February, 1963.

⁷⁵⁹ CIA: The President's Intelligence Checklist: *Declassified in part-sanitized*, copy approved for release 24.07-06.08-10.09.2015; Issued by the CIA, Document Number: 0005996669, CIA-RDP79T00936A002000290001-3, 18th November, 1963.

⁷⁶⁰ The "National Guard Troops" were armed units and militias under the control of Ba'ṯh Party. They were official in the sense that their existence had a legal basis under *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 Ba'ṯh Party. See: *Al-Waqā'i' al-'Irāqiyya*, Vol. 809 dated 2nd June, 1963.

⁷⁶¹ For more information on these conflicts and changes see: CIA: The President's Intelligence Checklist: *Op. Cit.*, Doc. No: 0005996666, 16 November, 1963; Doc. No: 0005996669, 18 November, 1963; Doc. No: 0005996671, 19 Nov. 1963; Doc. No: 0005996673, 20 November 1963; Doc. No: 0005996681, 21 November 1963.

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

The policy of the two ‘Ārifs 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 ‘Ārifs 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 rule⁷⁶² under ‘Ārif 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 ‘Abd al-Salām ‘Ārif 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,”⁷⁶³ he claimed. ‘Ārif’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-Jewish⁷⁶⁴ measures taken by him immediately upon his coming to power.

‘Ārif’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.⁷⁶⁵ Many others who opposed ‘Ārif 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

⁷⁶² This is due to the Sunni dominance of the armed forces.

⁷⁶³ Layth ‘Abd al-Ḥassan al-Zubaydī: *Thawrat 14 Tammūz fī al-‘Iraq* (The revolt of 14th of July in Iraq). Baghdad: Publications of the Al-yaqda al-‘Arabiyya 1981, p.346.

⁷⁶⁴ Simha Horesh: “The Jews of Iraq between 1920 and 1970”, *The Scribe Journal of Babylonian Jewry*. London: Published by the Exilarch's Foundation, April, 1988, No. 26, Pt. 4, p. 2.

⁷⁶⁵ For more information about the names of the detainees and tens of documents about executions, see: Muhammad Ali Al-Shabībī: *A list of the names of martyrs and the detainees of the bloody coup of 8th of February, 1963*. Retrieved on 16th July, 2016 from <http://al-nnas.com/8feb.pdf>.

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.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 'Ārif's rule, and highlighted his pan-Arabist approach to religious⁷⁶⁷ affiliation. They stated that the Sunni irritated the Shi'i, and that Ārif alarmed Christians and caused the Kurds to lose confidence in him.⁷⁶⁸ Many freedoms were enjoyed by the Sunni Muslim Brotherhood Party,⁷⁶⁹ which flourished during this period. The latter organization would be allowed to publicly pursue its activities until the 1970's.⁷⁷⁰

President 'Abd al-Salām 'Ārif 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,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 Ṣāṭi' 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

⁷⁶⁶ This was, in turn, overturned by 'Abd al-Salām 'Ārif, a conservative Islamic officer with strong anti-Shi'i sectarian sentiments. Whereas both Shi'i and Sunni 'ulama' were gratified by 'Ārif's readiness to repeal the family law reforms of 1959 and reinstate the legislative provisions of the Sharia, it was the Sunni who were granted exclusive predominance in government and in the military and the economic sphere by 'Ārif. See: Ḥassan al-'Alawī: *Al-Shī'a wal-Dawla al-Qawmiyya fi-l- 'Irāq* (Shi'i and the National State in Iraq). Qum: Dar al-tharāfa Press 1991, pp. 224-231.

⁷⁶⁷ F.O 371/175785, British Embassy, Baghdad to the British Legation to the Holy See, Rome, alleged discrimination against Christians, 14 March 1964, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 516.

⁷⁶⁸ Ḥāmid al-Bayātī: *Shī'at al-'Irāq bayna al- ā'ifiya wa-al-shubuhāt fī al-wathā'iq al-sirrīya al-Barīṭāniya* 1963-1966 (The Shi'a of Iraq between sectarianism and suspicions in British secret documents 1963-1966). London: al-Rāfid Press 1997, pp. 47-48; Razzāq: *Op. Cit.*, pp. 58-59.

⁷⁶⁹ The 'Ārif brothers appear to have had close ties to the Muslim Brotherhood. In late 1964, the then Iraqi president, 'Abd al-Salām 'Ārif 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.): *The Kurds Nationalism and Politics*. London, San Francisco, Beirut: Saqi Publications, 2006, p. 214.

⁷⁷⁰ Ṣalāḥ il-Khirsān: *Ḥizib al-Da'wa al-Islāmīya: Ḥaqā'iq wa-wthā'iq* (The Islamic Call Party: facts and documents:). Damascus: al-Mu'ssasa al-'arabiya lil-dirāsāt walbuhūth al-istirātījiya 1999, p. 40; Farḥād Ibrahim: *Al-tā'ifiya al-Siyāsiyya fil- 'Alam al-'Arabī* (Political sectarianism in the Arab World, Iraq is an example of which). Cairo: Madbooly Library Press 1996, p. 295.

⁷⁷¹ During the coup, on the night of 13th (or the 14th) of July, 1958, 'Ārif left no doubt as to the extremity of his sectarian inclinations in a statement which was witnessed by a Free Officer in 'Ārif's regiment. Hudaib Al-Hādī Hammūd (the Free Officer in question) subsequently became Minister of Agriculture in Qasim's cabinet. Almost twenty years later, he gave an interview on 21st June, 1977 in which he claimed to have witnessed 'Ārif as saying that there are three groups that should be terminated, namely the Kurds, the Christians and the Shi'i. See: Zubaydī: *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'is. 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 'Ārif, 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

⁷⁷² Fath-Allāh: *Na arāt fī al-Qawmīya al-'Arabīyah...*, Vol. 2, pp. 590-591, 614-615.

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 (Qabā'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-Hujurāt 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 *Ahl al-taswiya*, 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-'Azīz Al-Dūrī: *Al-judhūr al-tarīkhiyya li-l-shu'ūbiyya*, (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.

⁷⁷⁴ The implicit historical meaning of the term means "a group that prefers the Persians to the Arabs". The 'Dictionary of the Arab Tongue' (*Līsān al-'Aarab*) states that: "the populist is the one who belittles Arabs". The contemporary idiomatic meaning of "*Al-Shu'ubiyya*" is the mechanism of separating a section of the Arab community from the rest and degrading them, in all walks of life. See: Saiyār al-Jamīl: "Sijāl ma'a al al-Shu'ubiyya fī Tajadiddihā: Khatīb al-'adā'līl-'Urubah" (Competition with *Shu'ubiyya* in its renewal: an anti-Arabist speech). *Dr. Sayyar al-Jamil Blog*. London, 14th March 2016. Retrieved on 18 March, 2016 from <http://sayyaryljamil.com/2016/03/14/2259.html>.

⁷⁷⁵ Ariel I. Ahrām: "Iraq and Syria: The Dilemma of Dynasty", in: *Middle East Quarterly*, Spring 2002, pp. 33-42. Retrieved on 12 April, 2015 from <http://www.meforum.org/171/iraq-and-syria-the-dilemma-of-dynasty>.

⁷⁷⁶ Rashīd al-Khayyūn: "*al-'Iraq: Ahyā' Tuhmat Al-Shu'ubiyya wa al-Takhwīn bi al-Ta'j*" (Iraq: Restoring the charge of Al-Shu'ubiyya and mistrusting non-Arabism!) in *the Middle East Newspaper*, September 2005, No. 9787. Retrieved on 18 April, 2015 <http://archive.aawsat.com/details.asp?article=323178&issueno=9787>.

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, ‘Abd al-Salām ‘Ārif 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 one’s 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 ‘Ārif’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.⁷⁷⁷ 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.⁷⁷⁸

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.⁷⁷⁹ 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.⁷⁸⁰ These accusations

⁷⁷⁷ See: Dahām Muhammad Dahām Al-‘Azāwī: *Al-Aqalliyāt wa al-amin al-Qawmī al-‘Arabī: dirāsa fī al-bu‘d al-dākhilī wa al-‘aqlīmī wa al-dawlī* (The minorities and national Arab security: A survey of the interior, provincial and international dimension). Baghdad: Ph. D dissertation, Faculty of Political Science at Saddam University 1999, pp. 46-47; also see: Eric Davis: *Memories of State. Politics, History, and Collective Identity in Modern Iraq*. Berkeley, Los Angeles, London: University of California Press 2005, pp. 148-175.

⁷⁷⁸ See, for instance, the outcomes of confessionalism in Lebanon: Ward Vloeberghs: *Architecture, Power and Religion in Lebanon: Rafiq Hariri and the Politics of Sacred Space in Beirut*. Leiden: Koninklijke Brill NV 2015.

⁷⁷⁹ There were other ideological, intellectual and theoretical conflicts between the leadership of the two parties. However, that does not abolish the sectarian characteristic inherent in the leaders of both political wings. See: Eberhard Kienle: *Ba‘th v. Ba‘th: The Conflict between Syria and Iraq 1968-1989*. London-New York: I.B. Tauris & Co Ltd publishers 1990, pp. 10-175; Nikolaos van Dam: "Minorities and Political Elites in Iraq and Syria", in: Talal Asad and Roger Owen (eds.): *Sociology of "Developing Societies" The Middle East*. London: Macmillan Press, 1983, pp. 127-144.

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,⁷⁸¹ 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 Shiʿis 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 1963-1970.⁷⁸² As the Shiʿi's 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 Baʿth members 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 ʿĀrif, 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.⁷⁸³

As for the religious minorities, none of them occupied any leading post in the Baʿth Party, with the exception of Ṭāriq ʿAzīz,⁷⁸⁴ who was of Christian origin⁷⁸⁵ 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

March, 2015 from <http://nasser.bibalex.org/Speeches/browser.aspx?SID=1050>; Rashīd al-Khayyūn: *Al-Nuṣayriyya al-ʿAlawīya fī Sūriya* (Nuṣayriyya ʿAlawī in Syria). Dubai: Madarek Publishing House 2012, pp. 14-15.

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.

⁷⁸² Batatu: *Op. Cit.*, pp. 1078-1079, 1080.

⁷⁸³ Batatu: *Ibid*, table 58.1, pp. 178-179.

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.

⁷⁸⁵ Batatu: *Op. Cit.*, p.1080.

become unwritten policy within the Iraqi military,⁷⁸⁶ 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.⁷⁸⁷

The depletion of non-Arab Sunni representation in the higher tiers of the Ba‘th 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 Ba‘th 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 ‘Ārif’s government and its successors are erroneously described as having propagated secularism,⁷⁸⁸ the fact remains that

⁷⁸⁶ Fakīkī: *Op. Cit.*, p.86.

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-Hurriyya 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.

and John L. Esposito (eds.): *Islam and Secularism in the Middle East*. London: Hurst & Company 2000, pp. 13-28; Munir Shafiq: "Secularism and the Arab-Muslim condition", in: Azzam Tamimi and John L. Esposito: *Ibid*, pp. 139-150.

According to the census of 1957,⁷⁸⁹ 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

<i>The population of religious minorities in Iraq according to the census of 1957</i>	
Religion	Population
Christians	204,226
Jews	4,319
Yazidis	55,828
Sabea-Mandaeans	11,425
Baha'is	_*
Other religions	135
Total	276,833
* <i>population not mentioned</i>	

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 2.2:⁷⁹⁰

Table 2. 2 Shows the ethno-national groups in Iraq in numbers between 1958-1963

<i>Ethno-national groups in Iraq in numbers between 1958-1963</i>		
Ethno-national groups	Population	Percentage of total population
Arabs	5,460,000	78%
Kurds	1,120,000	16%
Turkmen	140,000	2%
Others ⁷⁹¹	280,000	4%
Total	7,000,000	100%

⁷⁸⁹ The Iraqi Ministry of the Interior, General Directorate of People, records of statistics of 1957, reported in Badrī, *ibid*, p. 201.

⁷⁹⁰ Hümy: *Op. Cit.*, pp. 107-108.

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 statistics along denominational lines. Rather, it only mentioned that Islam forms 94% of the population of Iraq⁷⁹² 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 Kākā'is and Christians in Kirkuk were counted as Turkmen, the Christians and the other religious minorities in the cities of Kurdistan as Kurds, and the Sabeen-Mandaeans and the minorities scattered throughout the middle and the south of Iraq as Arabs. Only 4% were counted as national minorities.⁷⁹³ In addition, the Baha'i were not included in the census despite their being mentioned by name under the various religions.

In the census of 1965,⁷⁹⁴ 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

<i>The population of Iraq across religious minorities acc. to the 1965 census</i>	
Religions	Population
Christians	232, 406
Jews	3,187
Yazidis	69,653
Sabeen-Mandaeans	14,262
Baha'is	961
Others	339
Total	449,199

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

⁷⁹² Hūmy: *Op. Cit*, p. 108.

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 'arabkirdindā*. Erbil: Shahāb Press 2012, pp. 82-83 (in Kurdish language).

⁷⁹⁴ Ministry of the Interior (Iraq): Directorate of General Civil Status, statistics of 1965 (unpublished), reported in: Badrī: *Ibid*, p. 201.

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 140,000.⁷⁹⁵ 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

<i>The population of religious minorities in Iraq according to non-government statistics in 1959</i>	
Ethno-religions	Population
Christians	530,000
Yazidis	85,000
Sabeen-Mandean	15,000
Israelians (Jews)	2,000
Total	632,000

Other statistics reported by the British Foreign Office (from Baghdad) in 1962,⁷⁹⁶ categorized, for the first time, Iraqis on a denominational basis. These documents stated that over 50% of Iraq's population consisted of Shi'i 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

⁷⁹⁵ Hūmī: *Ibid*, pp. 110-111.

⁷⁹⁶ F. O. 22814, Research Department Memorandum, Middle East, the political influence of the Shi'is in Iraq, LR 6/10, 1 April, 1965, (confidential), pp. 2-3.

<i>The estimated population of Islamic sects across ethnicities in Iraq as reported by British Foreign Office documents (from Baghdad) in 1962</i>			
Shi'i	Population	Sunni	Population
Arabs	3,750,000	Arabs	1,350,000
Iranians	100,000	Iranian	_*
Turkmen	30,000	Turkmen	70,000
Kurds	20,000	Kurds	1,280,000
Total	3,900,000 (=53%)	Total	2,700,000 (= 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 Shi‘i and Kurds in the NCRC were members of the Ba‘th 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 Shi‘is in response to ‘Ārif’s sectarian and unionist policies, against the backdrop of discrimination as illustrated above, led the Shi‘is 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 Shi‘i discontent included the rigidity of President ‘Ārif’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.

Shi‘i discontent was widespread, a fact which was reflected in documents of the British Embassy⁷⁹⁹ which also pointed to the existence of a Shi‘i opposition group. This was the Fatimid Party,⁸⁰⁰ which was probably founded in Najaf in the summer of 1963. Comprised

⁷⁹⁷ See: Batatu: *Op. Cit.*, pp. 1003-1009.

⁷⁹⁸ The trilateral pact of union between Iraq, Egypt and Syria was signed in Cairo on 17th April 1963. To see the script of the pact cf: The Interest of Queries, Arabic documents, No. 68, Cairo, 1963, pp. 486-500; Husayn Baraka al-Shāmī and Kādhim Najm al-Khālidi: *Mawsū‘at al-tashrī‘at al-dustūriyya fī al-‘Irāq* (The Encyclopedia of Constitutional Legislation in Iraq). Baghdad: Publications of the University of Imam Ja‘far al-Sadiq, doc. No. 2/4, pp. 271-310; Ittīfāqiyyat al-wahda al-thulāthiyya bayna Miṣr wa-Sūriyā wa-l-‘Irāq (Tripartite Unity Agreement between Egypt, Syria and Iraq). Retrieved on 15 March, 2015 from <http://www.iraqja.iq/view.91/>. The United Arab Republic (UAR) was a short-lived political union between Egypt and Syria. The union began in 1958 and existed until 1961, when Syria seceded from it after the coup d’ tat. Egypt continued to be known officially as the United Arab Republic until 1971, of which Gamal Abdel Nasser was president. It was a member of the United Arab States, a loose confederation with North Yemen, which dissolved along with the Republic in 1961. Francesco Gabrieli: *The Arab Revival*. London: Thames and Hudson 1961, pp. 161-170.

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 (*Fātimī*) Party is the popular name of the Religious Shi‘i Movement which was opposed to the policies of ‘Ārif at that time. It is also the group of ‘Ulama’/scholars upon which the Shi‘i Islamic Call Party (*Hizb Al-Da‘wa Al-Islāmiyya*) was formed. This occurred due to the increase in communist authority and the

mainly of young Shi‘i, the party was determined to break with the incoherence of thought and lack of unity on taking action which had been characteristic of Shi‘i political activities. The group aimed to achieve greater Shi‘i representation in government and to work against the planned union with Egypt and Syria. The party encountered a set-back in September 1963, when a number of its members were arrested in Kāzimiyya,⁸⁰¹ and was revived again, in early 1964.⁸⁰²

‘Ārif’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-Da‘wa* Party which became one of the biggest Shi‘i opposition parties after 2003. Furthermore, ‘Ārif’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 Shi‘i community and other minorities. Protest meetings were held in various Shi‘i centers from April 1964 onwards, in which the government’s discrimination⁸⁰³ 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 Shi‘i, in an attempt by ‘Abd al-Salām ‘Ārif’s to nominally involve Shi‘is in the government and lessen their opposition. Nevertheless, he and other nationalist officers remained determined to keep the Sunni at the pinnacle of power.⁸⁰⁴ As a result of such mere token measures of power sharing, the Shi‘i 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-Marja‘iyya al-Dīniyya* (the Shi‘i 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 Shi‘i community. It then became the Secret Call Movement and later became the Islamic Da‘wa Party. It can be considered the Shi‘i version of the Muslim Brotherhood Movement (which is Sunni) because it was established according to the ideals and books of the Muslim Brotherhood. Da‘wa was banned during Ba‘th 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 Da‘wa Party, see: Florian Bernhardt: *Ḥizb ad-Da‘wa 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 Shi‘i. It is also the location of the tomb of the Shi‘i Imam, Mūsa al-Kādhim.

⁸⁰² 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.5.

⁸⁰³ *Ibid*, p.5.

⁸⁰⁴ F. O. 371/175748, Mr S. Egerton, Baghdad, to the Foreign Office, London, Proceedings at Kadhimmian; photograph of members of Iraqi Government; telegrams (Nos. 504 and 507) from Sir R. Allen; British Embassy, Baghdad, to the Foreign Office, London, 18 June 1946, new ministerial list.

proved itself to be a substantial challenge to the sectarian power structure of Iraq.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.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.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 1965.⁸⁰⁸ In this official document, 'Ārif asked the Shi'i Supreme Religious Authority (*Marja' iyya*) Sayyid Muḥsin al-Ḥakīm to consider the war against the Kurds as legitimate and expressed the desire that a *fatwa* (formal legal opinion) to fight the Kurds would be declared.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.

⁸⁰⁵ F. O. 370/2796, Memorandum prepared by Middle East Section (Research Department), Foreign Office, London, 1 April 1965, Shi'i influence in Iraq.

⁸⁰⁶ F. O. 371/180805, Sir Richard Beaumont (Ambassador), Baghdad, to the Foreign Office, London, 12 January 1966, Despatch No 4: 'Iraq 1955 and 1965'; F. O. 371/186743, British Embassy, Baghdad, to the Foreign Office, London, 29 January 1966, Shi'i disaffection.

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.

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.

⁸⁰⁹ Sa'īd Muḥsin al-Ḥakīm 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: *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 2003.⁸¹⁰ 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

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.

‘Ārif’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, ‘Abd al-Salām ‘Ārif’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.⁸¹¹ 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, ‘Ārif’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.87/1963.⁸¹² 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 elections⁸¹³ a reason for defection and separation of members of the same *tā’ifa* 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

⁸¹¹ *Al-Waqā’i’ al-‘Irāqiyya*, Vol.782, dated 18th March,1963.

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-Waqā’i’ al-‘Irāqiyya*, 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 Tā’ifa” [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 (Shar‘iyya) 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, Shar‘iyya 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

⁸¹⁴ *Al-Waqā’i‘ al-‘Irāqiyya*, Vol. 846 dated 22nd August, 1963.

⁸¹⁵ Ghanimah: *Op. Cit.*.

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-Waqā’i‘ al-‘Irāqiyya*, Vol. 2716, dated 17th June, 1979.

⁸¹⁷ Verse 28 of Sūrah 3 (*Al-‘Imrān*).

interpretations of various Islamic law schools⁸¹⁸ who interpreted these Quranic verses⁸¹⁹ to mean that non-Muslims do not have the capacity to issue the lowest rulings over Muslims.⁸²⁰

During the Ba‘th period,⁸²¹ 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-Qaḍā’ī* (judicial institute) law No. 33/ 1976.⁸²² 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 Institute for Judges in Baghdad) to become judges.⁸²³ 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*⁸²⁴ religion, as court procedure required legal professionals to swear on the Quran in court.⁸²⁵

6.2.2 The Registration of Civil Status Law No. 189/1964

In 1964, ‘Abd al-Salām ‘Arif’s government passed the Registration of Civil Status Law No. 189/ 1964⁸²⁶ which states that “It is possible for a non-Muslim to change his/her religion according to the rules of this law”.⁸²⁷ This made it possible for a non-Muslim to convert to

⁸¹⁸ Most Iraqi laws are based on the interpretations of the Ja‘afari, Hanafī and Shāfī‘ī law schools, due to their prevalence of their respective populations in the demographics of Iraq. Hanafī jurisprudence can be said to be the more lenient of the three schools in such cases. For details see: Aḥmad al-Kubaysī: *Sharḥ qānūn al-aḥwāl al-shakḥiyya* (Explanation of the Personal Status Law). Baghdad: al-Maktaba al-qānūniyya 2006, Vol. I; Rīyād al-Qaysī: *‘Ilm ‘uṣūl al-qānūn* (The origin of the knowledge of laws). Baghdad: 2000.

⁸¹⁹ *Ṣūrat al-Nīsā’* (women), verses 59, 141, 144.

⁸²⁰ Their perspective can be summed up as follows: Shāfī‘īya 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-Nīsā’* *Ṣūra*, verse 141. See: Muṣṭafa’ al-Baghā, Muṣṭafa’ al-Khn and Ali al-Sharbajī: *Al-fiqh al-manhajī ‘ala Madhhab al-Imam al-Shāfī‘ī* (Systematic jurisprudence of the belief of Imam Shāfī‘ī). Damascus: Muṣṭafa’ Publishing House 2008, Vol. 1, pp. 121-122.

⁸²¹ See Chapter 9, sections 9.1, 9.2.

⁸²² See article No.7, the second part of the law in *Al-Waqā‘i‘ al-‘Irāqiyya*, No. 2520, dated 29th January, 1976; Also, available under the following title: Law of the Judicial Institute No. (33) of 1976, Content 1, Date of legislation: 17 March, 1976 on <http://wiki.dorar-aliraq.net/iraqilaws/law/11581.html>.

⁸²³ Legislation No. 59/ 1988, available on <http://wiki.dorar-aliraq.net/iraqilaws/law/7473.html>.

⁸²⁴ This refers to the Yazidis who are considered devil-worshippers, the Sabeen-Mandaean 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 to date. *Al-Waqā‘i‘ al-‘Irāqiyya*, Vol. 1630 dated 28th September, 1968.

⁸²⁷ *Al-Waqā‘i‘ al-‘Irāqiyya*, Vol. 1053, dated 27th December, 1964.

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 is not possible for a Muslim to change their religion, as doing so would be considered apostasy.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.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 *Sharī'a* by Muḥammad Qadrī Bāshā,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.”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.

⁸²⁸ See: articles No. 120-130, in: Muḥammad Qadrī Bāshā: *Al-Aḥkām ash-shariyya fil-aḥwāl ash-shakhīyya 'alā madhab al-imām Abī ḥanīfa al-Nu'mān* (Legitimate Judgments in Personal Status Courts of *al-imām Abī ḥanīfa al-Nu'mān School*). Fijāla (Egypt): al-Ta' līf printing 1895, pp. 26-28.

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.

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,⁸³¹ such as the curtailment of their rights and the discrimination exercised against them. The primary focus is placed on the Jewish, Baha'i and Sabeen-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 'Ārif⁸³² 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,⁸³³ 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,

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.

⁸³² Marina Benjamin: *Last Days in Babylon: The Story of the Jews of Baghdad*. London: Bloomsbury Publishing PLC 2008, p. 254.

⁸³³ Bashkin: *Op. Cit.*, p. 230.

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 Bank⁸³⁴ 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 al-mumtalakāt al-yahūd al-mujjarradīn min 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.

⁸³⁴ See: Darwīsh, Muṣṭafā Jawād and Aḥmad Sūsa: *Op. Cit.*, p. 421.

⁸³⁵ *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 787 dated 31st March, 1963.

⁸³⁶ The aim of the accusation of disloyalty was force and expel the remaining Jews from Iraq. See: Mūryah (Sāmī): *Op. Cit.*, p. 65.

⁸³⁷ See the text of the first article of legislation: No.44 on 29.05.1963, in: *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 818 dated 19th June, 1963.

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 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”.⁸³⁸

Given its discriminatory and oppressive practices, it can be said that the Iraqi government officially followed a policy of “*Farhūdification*”⁸³⁹ against the remaining Jews in Iraq, by legally confiscating their properties.⁸⁴⁰ 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.⁸⁴¹ 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

⁸³⁸ *Al-Waqā’i’ al-‘Irāqīyya*, Vol. 821 dated 25th June, 1963.

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.

⁸⁴¹ For more details on the legislation *No.1/ 1963* concerning the travelling of the Iraqi Jews abroad, see: *Al-Waqā’i’ al-‘Irāqīyya*, Vol. 837 dated 4th August, 1963.

Directorate 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] ʾāʾifa 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 ʾāʾifa 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 ʾĀʾifas) 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. These 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-majlis al-Jsmānī* (the Lay Council) in 1963 which operated according to the law of *al-ʾāʾifa al-Mūsawīyya*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

⁸⁴² *Al-Waqāʾiʿ al-ʾIrāqīyya*, Vol. 850 dated 1st September, 1963.

⁸⁴³ *Ibid.*

⁸⁴⁴ For instance, at one point the community decided to begin calling itself *al-ʾāʾifa al-Mūsawīyya*, meaning the Community of the Followers of Mosaics, rather than *al-ʾāʾifa 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-ʾāʾifa al-Mūsawīyya* 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-Waqāʾiʿ al-ʾIrāqīyya*, 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 *ā'ifa*, 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-'Alawiya* 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 'Abd al-Salām 'Ārif, 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

⁸⁴⁶ For more details on the regulations, see: *Al-Waqā'i' al-'Irāqīyya*, Vol. 4104 dated 25th February, 1958; Darwīsh, Muṣṭafā Jawād and Aḥmad Sūsa: *Op. Cit.*, p. 434.

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 KhātūnYūsif 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.

⁸⁴⁹ IJA # 2831: Archival Materials from the Baghdadi Jewish Community, doc. No. W/6439, p. 4.

430 Iraqi Dinar within a period of three months,⁸⁵⁰ otherwise, measures against the synagogue would be taken. The deacon of the synagogue, Afrāyīm Shūw', 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 Mūshī⁸⁵¹ 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.⁸⁵² 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 Dānīyīl,⁸⁵³ 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 Ya'qūb Sha'shū'. 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,

⁸⁵⁰ The Directorate of Taxation of Eastern *Karrādah*, No.1354, dated 3 January, 1964 in: IJA # 2831: Archival Materials from the Baghdadi Jewish Community, doc. No. W/6439, p. 10.

⁸⁵¹ *Ibid*, pp. 12, 14.

⁸⁵² Cf: *Al-Waqā'i' al-'Irāqiyya*, Vol. 256 dated 11th September, 1959; the Iraqi Laws and Systems, in 1959: *Op. Cit.*, Vol. 1, p. 785.

⁸⁵³ Ezra Manāḥīm Dānīyīl was a member of the ICD, a representative of the Jews of Babylon City in 1932. He was also a financial and political figure who refused to leave Iraq. For more information, see: Nibrās al- Kāzmy: *aba' al-'istighfāl* (about Chalabī and Jews archive). Akhbar.org, 4th November, 2015. Retrieved on 25 October, 2015 from <http://www.akhbaar.org/home/2015/11/200833.html>.

the committee put forward a proposal that the money owed could be paid in installments over a four year period April 1964 until April 1968.⁸⁵⁴ 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.⁸⁵⁵ 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 'Ezra 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 'Ezra 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 'Ezra Manāḥīm had died in Baghdad on 3 March, 1952.⁸⁵⁶ 'Ezra 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 ṭā'ifa 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.⁸⁵⁷

Since 'Ezra 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

⁸⁵⁴ See: the letter of the administrative committee of the Iraqi Jews No. 642, in 1963, to the manager of general income in: IJA # 2727, Archival Materials from the Baghdadi Jewish Community, pp. 691-692.

⁸⁵⁵ See, IJA # 2727, Archival Materials from the Baghdadi Jewish Community, pp. 674-686.

⁸⁵⁶ IJA # 2715: Financial Information Including Ledgers and Organization of the Hevrah Qadishah, 1952-1971. The Ministry of the Interior: The Directorate of General Nationality, the Presidency of the al-Mūsawiyya Ṭā'ifa (Jews), the date of death of Ezra Manāḥīm Ṣālah Dāniyīl, special, No. 17 on 25th October, 1967, and the reply of the head of the community, Sāsūn Khaḍḍūrī, pp. 2-4.

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, 'Ezra 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.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 'Abd al-Salām 'Ārif. 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 'Ezra 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 'Ezra 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.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 Ba'th 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.⁸⁶⁰ This archive is also believed to contain the 368 manuscripts of the Torah seized when 'Ārif 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

⁸⁵⁸ To view the leasing contracts and other contracts concerning the building of shops over the properties of Ezra Manāḥīm Daniel and Manāḥīm Šālāḥ Daniel, see: IJA # 3084, Endowment Paperwork, Financial Information, Architectural Plans, Administrative Committee for Iraqi Jews, 1967, pp. 2-18.

⁸⁵⁹ IJA # 2747: Archival Material from the Baghdadi Jewish Community. The Secretariat-General for monitoring and managing the Jews' money, No. 13550, date: 10th May, 1970, pp. 593-594; item: The leader of the Jews, letter No. 235/70, dated 26th May, 1970, to: The Ministry of the Interior, pp. 584-585. To view the documents on the case, see: item: pp. 583-632.

⁸⁶⁰ From the US National Archives and Records Administration. See: <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) Ṭā'ifa No.167 in 1963⁸⁶¹ 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.⁸⁶²

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 D⁸⁶³ 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 4⁸⁶⁴ 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.

⁸⁶¹ *Al-Waqā'i' al-'Irāqiyya*, Vol. 901 dated 12th January, 1964.

⁸⁶² IJA # 2747: Archival Material from the Baghdadi Jewish Community. *Al-lijna al-'Idāriyya lil-Yahūd il-'Irāqiyyin fi Baghdad*, No. 677/73, date 10 July, 1973, to the Minister of Justice, p. 386.

⁸⁶³ *Al-Waqā'i' al-'Irāqiyya*, Vol. 896 dated 28th December, 1963.

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-Waqā'i' al-'Irāqiyya*, Vol. 896, dated 28th December, 1963.

To facilitate the application of the above-mentioned law, more legislation was passed. Law *No.122 of 1964*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”.⁸⁶⁶ 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 1964,⁸⁶⁷ stating that⁸⁶⁸ 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.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 minister⁸⁷⁰ was stricter with the Jews than his predecessor.⁸⁷¹ It was also predicted that the nationalization of the foreign banks and

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: *Op. Cit.*, pp. 254-255.

⁸⁶⁶ *Al-Waqā' i' al- 'Irāqiyya*, Vol. 998, dated 7th September, 1964.

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.

⁸⁶⁸ F.O 371/175782, British Embassy, Baghdad, 20 November, 1964, Jewish Community in Iraq, Beirut, No. C.1340/64, in: Rush and Priestland: *Op. Cit.*, Vol. 15, 1963-1966, pp. 518-519.

⁸⁶⁹ The document which contains these statistics is dated 20th of November 1964.

⁸⁷⁰ The new minister mentioned in the document is Ṣubḥī 'Abd al-Ḥamīd al-'Ubaydī (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 Ba'ṯist 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: 'Alī Karīm 'Abās Salmān al-'Ubayyidī: *Ṣubḥī 'Abd 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.”⁸⁷² 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.⁸⁷³

Once more, the Jews were required to get new certificates to prove their Iraqi nationality. These were issued to them in the autumn of 1964.⁸⁷⁴ 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.⁸⁷⁵

There were occasional reports⁸⁷⁶ that were imbued with anti-Jewish sentiments and propaganda, such as a statement delivered by the Iraqi Minister of Health, Shāmīl al-Šāmīrā’ī,⁸⁷⁷ 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*⁸⁷⁸ which abolished the extensive checks by the Directorate of General Security. Furthermore, the Directorate of General Nationality

al-‘askarī wa al-Siyasī fī al-‘Irāq ḥattā 1966 (Šubḥī ‘Abd al-Ḥamīd and his political and martial role in Iraq until 1966). Baghdad: M.A. thesis, Faculty of Arts, University of Baghdad 2012.

⁸⁷¹ The previous minister was Rashīd Muṣliḥ, a pan-Arabist figure who was removed from office of the ministry in 1964 and was executed by Ba‘th 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>.

⁸⁷² F. O. 371/175782, British Embassy, Baghdad, 20 November 1964, Jewish Community in Iraq, Beirut No. C.1340/64, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, pp. 518-519.

⁸⁷³ Horesh: *Op. Cit.*, Pt. 4, p. 3.

⁸⁷⁴ For the text of these articles, see: *Al-Waqā’i ‘al-‘Irāqīyya*, Vol. 998 dated 7th September, 1964.

⁸⁷⁵ *Ibid*; IJA # 2747: Archival Material from the Baghdadi Jewish Community. The presidency of the al-Mūssawiyya Ṭā’ifa (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.

⁸⁷⁶ See such anti-semitism reports in: Central Zionist Archives, Jerusalem file S6/10020, quoted by: Itamar Levin: *Locked Doors: The Seizure of Jewish Property in Arab Countries*. Tr. by: Rashel Neiman. London: Praeger Publishers, Westport, Connecticut 2001, p. 70.

⁸⁷⁷ Shāmīl al-Šāmīrā’ī (1921-2014). He is a physician and an officer who is nationalistically inclined. He became the Minister of Health in 1964 and left the ministry after the establishment of ‘Abd al-Raḥmān al-Bazzāz’s government. Subsequently, he became the Minister of the Interior after the Six-Day War.

⁸⁷⁸ See: the text of modifications in: *Al-Waqā’i ‘al-‘Irāqīyya*, Vol. 1145 dated 1st August, 1965.

supplanted it.⁸⁷⁹ 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".⁸⁸⁰ 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-Bazzāz⁸⁸¹ 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.⁸⁸² 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.⁸⁸³

⁸⁷⁹ Al-Waqā'i' al-'Irāqiyya, *Ibid.*

⁸⁸⁰ Levin: *Op. Cit.*, p. 70.

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 Ra'īs wuzarā' Madanī fī al-'Irāq al-Jumhūrī*, ('Abd 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.

⁸⁸³ Horesh: *Op. Cit.*, Pt. 4, p. 3.

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 ‘Abd al-Rahman ‘Ārif⁸⁸⁴ 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 war⁸⁸⁵ 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.⁸⁸⁶ 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.⁸⁸⁷

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

⁸⁸⁴ ‘Abd al-Rahmān ‘Ārif ruled Iraq from the 16th of April, 1966 until the 17th of July, 1968. He was exiled to Istanbul as a result of Ba‘th 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.

⁸⁸⁵ Levin: *Op. Cit.*, p. 70.

⁸⁸⁶ Max Sawdayee: *All Waiting to be Hanged: Iraq Post-Six-Day War Diary*. Tel-Aviv: Printed in Israel by Levanda Press Ltd 1974, p. 24.

⁸⁸⁷ Sawdayee: *Ibid*, pp. 26-27; Horesh: *Op. Cit.*, Pt. 5, p. 2.

Aden in Yemen,⁸⁸⁸ 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.⁸⁸⁹ After the return from Cairo on June 10th of the Iraqi Deputy Prime Minister, Tāhir Yaḥyā,⁸⁹⁰ 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 Baghdad's remaining Jews under the “One Spy for every adult Jew” policy.⁸⁹¹ 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 permission⁸⁹² and they were placed under constant surveillance both by police and by reporters.⁸⁹³

Many Jewish students who were studying abroad had their citizenship revoked. Cohen, a Jewish student during this period,⁸⁹⁴ recounts that the government withdrew his citizenship in

⁸⁸⁸ Sawdayee: *Op. Cit.*, pp. 28, 34.

⁸⁸⁹ Sawdayee: *Ibid*, pp. 29-30.

⁸⁹⁰ Tāhir Yaḥyā 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.

⁸⁹¹ Benjamin: *Op. Cit.*, p. 455.

⁸⁹² Horesh: *Op. Cit.*, Pt. 5, p. 2; Anwar Shāuwl: *Qiṣṣat Ḥayātī fī Wādī ar-Rāfidayn* (My life story in Mesopotamia). Jerusalem: Association for Jewish Academics from Iraq 1980, pp. 319-322; Baṣūn: “Dhikrā i’dām Yahūd ‘Irāqīyīn fī Baghdād wa-l-Baṣrah” (The Memory of Executing Iraqi Jews in Baghdad and Baṣrah). *Elaph Newspaper*, Tuesday 27 January, 2015. Retrieved on 22 January, 2015 from <http://elaph.com/Web/opinion/2015/1/977656.html>; *Al-akhbar.org*, published on 27 January, 2015. Retrieved on 06 April 2015 from <http://www.akhbaar.org/home/2015/1/184284.html>.

⁸⁹³ Darwīsh: *Op. Cit.*, pp. 116-338.

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-‘Irāq Yuṭālibūn al-Ḥukūmatayn al-‘Isrā’īliya wa al ‘Irāqiya bi ta’wīḍat, (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, ‘Abd Allah ‘Ubayda,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 Khaḍḍūrī]⁸⁹⁷ and ‘Abd 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

compensation). *Middle East Newspaper*, Vol. 12347, September 17, 2012. Retrieved on 26 January, 2015 from http://archive.aawsat.com/details.asp?section=4&article=6956573#_Vh6I0ntmko.

⁸⁹⁵ ‘Abd Allah ‘Ubayda was the last headmaster of the Frank ‘Īnī/ Iny School, which was the last Jewish school that operated during the Ba‘th 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.

⁸⁹⁶ Māzin Laṭīf ‘Alī: “Mudhakkirāt Ṭāliba Yahūdiyya ‘Irāqiyya” (Memories of an Iraqi Jew Female Student). *al-Ḥiwar al-Mutamaddin newspaper*, Vol. 2639, 23 November, 2012, Retrieved on 15 January, 2015 from http://www.ahewar.org/debat/show_art.asp?aid=334076.

⁸⁹⁷ For his autobiography, see: Shāuwl Ḥākhām Sāsūn, Rā‘ī wa-Ra‘iyya: *Sīrat ḥayat al-Ḥākhām Sāsūn Khaḍūr* (Biography of Rabbi al-Ḥākhām Sāsūn Khaḍūr). Manshūrāt Rābiṭat al-Jāmi‘īyīn al-Yahūd al-Nāziḥīn min al-‘Irāq (Association for Jewish Academics from Iraq). Jerusalem 1999.

wanted some dates. And every time my father would tell me, ‘*Ra’s al-salla li-l-Yahūd*’, meaning, [the top of the basket is for the Jews],⁸⁹⁸ 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”.⁸⁹⁹

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.⁹⁰⁰ 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,⁹⁰¹ including their attempts to give a legal veneer to their policies of persecution. Legislation such as *No.64 June 28, 1967*⁹⁰² 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

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.

⁸⁹⁹ Morad, Dennis Shasha and Robert Shasha: *Op. Cit.*, p. 177.

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.

⁹⁰¹ For more details about governmental persecution of the Jews under ‘*Abd al-Raḥman ‘Ārif*’, see: Sawdayee: *Op. Cit.*, pp. 34-36.

⁹⁰² *Al-Waqā’i ‘al-‘Irāqiyya*, Vol. 1437, dated 11th July, 1967; the Iraqi Laws and Systems, 1967, Vol. 1, p. 339.

commercial companies and bonds of the State. Two other items of legislation *No.125/ 1967*⁹⁰³ and *No.10/ 1968*⁹⁰⁴ 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.⁹⁰⁵ 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 1967.⁹⁰⁶ 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 ‘Īzrah, Nūnah ‘Abd-ullah, Rāḥīl, and ‘Iṣḥāq 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.⁹⁰⁷ 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.⁹⁰⁸ Nevertheless, on January 9, 1969, the General Secretariat of FJF ruled that: “With regard to denationalizing ‘Īzrah, Sham‘ūn, Ibrahim and the sons of Yousef Fattāl, the owners of the frozen shares of the aforementioned property [the house

⁹⁰³ To view the text of the legislation and the reasons behind it, see: *Al-Waqā‘i ‘al-‘Irāqīyya*, Vol. 1477, dated 25th September, 1967.

⁹⁰⁴ *Al-Waqā‘i ‘al-‘Irāqīyya*, Vol. 1542, dated 3rd March, 1968; Carole Basri: “The Jewish Refugees from Arab Countries: An Examination of Legal Rights - A Case Study of Human Rights Violations against Iraqi Jews”, *Fordham International Law Journal*, Vol. 26, Issue 3, 2002, pp. 685-686. Retrieved on 17 February, 2015 from <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1881&context=ilj>.

⁹⁰⁵ Paragraph 8 item A and B, second article, law *No.10/ 1968*, in: *Al-Waqā‘i ‘al-‘Irāqīyya*, Vol. 1542, dated 3rd March, 1968.

⁹⁰⁶ It is noticeable that these procedures were intensified after the Six-Day War. Many cases relating to properties remained open until the Ba‘th Era, when they were taken over completely.

⁹⁰⁷ IJA # 2747: Archival Material from the Baghdadi Jewish Community. The Secretariat-General for Frozen Funds, No. 5324, dated March 17, 1968, pp. 929-926.

⁹⁰⁸ The administrative committee for Iraqi Jews, No. L/392/69, dated 26 August, 1969, in: IJA # 2747: *Ibid*, p. 617.

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.”⁹⁰⁹ 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 Ba‘th Coup of 1968. The Zionist Annual Book of 1968-1969 estimated the Jewish population that remained in Iraq at 2,300.⁹¹⁰ If, however, this number is subtracted from a previous statistic which estimated their number to be 3,095,⁹¹¹ it appears that about 795 people fled between 1964 and 1969, mostly after the Ba‘th 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.⁹¹² 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.⁹¹³ 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

⁹⁰⁹ IJA # 2747: *Ibid*, Vol. 627, dated 9 January, 1969, p. 622.

⁹¹⁰ Kaywān: *Op. Cit.*, p. 34.

⁹¹¹ F.O 371/175782, British Embassy, Baghdad, 20 November 1964, Jewish Community in Iraq, Beirut, No. C.1340/64, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 518.

⁹¹² Sawdayee: *Op. Cit.*, pp. 56-57.

⁹¹³ From a television interview with Raḥīl Khalāšjī entitled “*Stories beyond Songs*,” produced by the Iraqi Heritage Centre in Israel. It was broadcast on Israeli television on April 19, 2015. Raḥīl Khalāšjī is the daughter of a well-known journalist, Šālah Na‘īm Tūwayyq. She was born in Baghdad in 1951, and now she lives in Israel. She married Salmān Khalāšjī 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-Mandaeans

Sabean-Mandaeans 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

⁹¹⁴ Darwīsh: *Op. Cit.*, pp. 342-344.

⁹¹⁵ Morad, Dennis Shasha and Robert Shasha: *Op. Cit.*, p. 204.

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 'Abd 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 *Sa'dūn* (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 *imiyya*, 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 'Awāshiq consisted of nine members.

Fifth: the Baha'i LSA in Baṣra 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.

⁹¹⁶ INLA: General Directorate of Security, Iraq: Secret registrations, file No. S.M/28. The title of the file is: *The Baha'is*, the latter of the Directorate of General Security No.365 dated 9 March, 1965 to the Ministry of the Interior. See: Mashhadānī: *Op. Cit.*, pp. 256-257, 274.

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-ʿifā* (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 *ā'ifa* 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, Muşliḥ al-Naqshabandī⁹¹⁹ refused to ratify the law in cabinet, as it violated

⁹¹⁷ See: Abd al-Min'am Aḥmad al-Namir: *al-Naḥla al-Laḳīṭa al-Bābiyya wa al-Bahā'iyya, Tārīkh wa wathā'iq* (the founding bee: Bābism and Baha'ism, history and documents). Cairo: The Library of Islamic Heritage p. 157; Christopher Buck: "Islam and Minorities: The Case of the Bahá'ís", *Studies in Contemporary Islam*, 2003, Vol. 5, No.1-2, p. 87; Al-Qurn al-Badī': *Qarar wa Fatwa al-Maḥkama al-Maṣriyya al-Shar'iyya al-'isti'nāfiyya fī Babā fī 10.05.1925* (the decision and legal opinion the Egyptian Sharia court of appeal in the city of Babbā on 10.05.1925), See: *Tārīkh al-Amr fī al-ʿIrāq*, p. 14.

⁹¹⁸ Rasheed: *Op. Cit.*, p. 97.

⁹¹⁹ Muşliḥ al-Naqshabandī was Kurdish. He was a parliamentarian, an Iraqi minister, and a judge. He was born in 'Ammādiyya 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: *Nāwdārānī Kūrd* (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 Ṣubḥī '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-Maqdis*⁹²⁴ 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,

⁹²⁰ He is the minister who is known for his antagonism towards the Jews. See: chapter 7, section 7.3.

⁹²¹ See: the law of national safety, No. 4 /1965, in: *Al-Waqā'i al-'Irāqīyya*, Vol. 1071 dated 6th February, 1965.

⁹²² INLA: The Directorate of General Security (Iraq): Secret registers, file No: S.M./28, entitled: *The Baha'is*, the letter of the Directorate of General Security No. 365 dated 9 March, 1965 to the Ministry of the Interior. See: Mashhadānī: *Op. Cit.*, pp. 255, 273.

⁹²³ Sa'ad Sallūm: "Al-Bahā'īyyūn fī al-'Irāq al-Ba'thī" (the Baha'i in Ba'thist Iraq). pt. 4, in: *Al-Mada Newspaper*, Vol. 3330, year twelfth, April 6, 2015, Baghdad, p. 14.

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.

⁹²⁵ The letter of the Ministry of the Interior No. 2667 dated 11/5/1965. *The Case of the Baha'is*, in: the Ministry of the Interior No.17/2/8. See: Tarīkh al-Amr fī-l-'Irāq: *Op. Cit.*, pp. 9-13.

⁹²⁶ Morad, Dennis Shasha, and Robert Shasha: *Op. Cit.*, p. 183.

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'ath 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.

⁹²⁷ Sa'ad Salūm: "al-Bahā'īyyūn fī al-ʿIrāq al-Ba'ṯī" (the Baha'i in Ba'ṯist Iraq). Baghdad: *Al-Mada Press*, No. 3330, pt. 4, April 6, 2015, p. 14.

Chapter 8: The Geographically Concentrated Religious Minorities (GCRM): The Kākā'i, 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 Autonomy⁹²⁸ (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.⁹²⁹ 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 *Ṣalāh al-Dīn al-Ayyūbī*.⁹³⁰ Arab tribes, called the Knights of *al-Walīd* were also mobilised as part of the campaign. Small groups and units of the Kākā'i,⁹³¹ the Yazidis⁹³²

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. The Kurdistan region was constitutionally turned into a recognized federal entity by the central government in 2005.

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 Kurdistan 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 *Ṣalāh 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 *Ṣalāh al-Dīn al-Ayyūbī* among the military units provided is stipulated; each checkpoint in the unit should include about 300-500 Kurdish fighters.

⁹³¹ Nu'man Māhir al-Kan'ān: *Daw'a 'Ala' Shīmāl al-Īrāq*, (Light on the north of Iraq), edition 1, the Republic House for Printing and Publication, Baghdad, 1965, p. 26.

⁹³² A small unit of the Yazidi was established, headed by Mu'awiyya Ismā'il Bag after the government granted him a license to establish forces named *al-Jahfal al-Khafif* (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, Mu'awiyya Ismā'il Bag sold the weapons which he received and fled to Turkey. See: Mosul Center for

and Christians⁹³³ 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.⁹³⁴ 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 Kākā'i: An unofficial Religious Minority in the Arab-Kurdish Conflict

The Kākā'i 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 Kākā'i were mentioned by name for the first time in a government document in 1960, in the Guide of the Republic of Iraq.⁹³⁵ Therein, they were referred to as one of the groups and religions of the country. Unlike the Yazidi, Sabeen-Mandaean and Baha'i 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 anthropological⁹³⁶ studies which have been done on the Kākā'i few sources or historical documents exist that provide an insight into the attitudes of the CGI or of the local powers towards the Kākā'i 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.

⁹³³ 'Ammār 'Alī al-Samar: *Shamāl al-'Irāq 1958-1975* (the North of Iraq 1958-1975). Beirut: the New Arab Center for Research and Political Studies 2012. pp. 276-277.

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.

⁹³⁵ See: Darwīsh, Muṣṭafā Jawād, and Aḥmad Sūsa: *Op. Cit.*, p. 421.

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 Kākā'i 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 *ūbzāwā*. Between 1958 and 1979, five schools were opened in various Kākā'i villages.⁹³⁷ The nonexistence of official government schools equalled the nonexistence of an educated class. In this regard, the Kākā'i 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 non-existence of an educated class within Kākā'i 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 Kākā'i 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.⁹³⁸

In view of the secrecy of the Kākā'i 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 Kākā'i were formed into units of the militia by the CGI. This is how Jamāl Sayyid Khalīl,⁹³⁹ the president of the Kākā'i in Iraq, came to join the clans in support of the CGI in 1964.⁹⁴⁰ However, he retreated and joined the Kurdish Movement after 1970.

The Kākā'i, 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 Kākā'i was undisputed both by the Kākā'i themselves and by society at

⁹³⁷ Nūrī Yāsīn al-Harzānī: *Al-Kākā'iyya: Dirāsa Anthrūpūlūjiyya li al-ḥayāt al-ijtmā'iyya*, (The Kākā'i: An anthropological study of [their] community), ed.1, Erbil 2007, pp. 181-182.

⁹³⁸ Harzānī: *Ibid*, p. 183.

⁹³⁹ After the death of his brother Fattāḥ Agha, Jamāl Sayyid Khalīl became leader of the Kākā'i from 1945 to 1975. Thereafter, the leadership of the minority was passed on consecutively to his nephews, Sayid 'Adnān Fattāḥ Agha, then Ṭāriq Fā'ik, who is still considered president of the Kākā'i all over Iraq. Harzānī: *Op. Cit.*, p. 167. For more information on the leaders of Kākā'i in Iraq, see: 'Abbās Al-'Azāwī: *al-Kākā'iyya fī al-Tarīkh*, (the Kākā'i in History). Baghdad: The Trading & Printing Co., Ltd, 1949, pp. 27-28.

⁹⁴⁰ Kan'ān: *Op. Cit.*, p. 26.

large, unlike the Yazidis,⁹⁴¹ they were not torn between a sub-identity, meaning Kākā'i, on the one hand, and a major identity, meaning Kurdish on the other.

The identity controversy between the two Kākā'i' groups continues to date.⁹⁴² It is not a recent phenomenon; in fact, it dates back to the 1960s. The group which claims affiliation with Islam were mostly Kākā'i chieftains who had connections with the CGI and were mobilized by them against the Kurdish Movement. It is evident that the concept of the Kākā'i affiliation with Islam stems from these leaders, as the overwhelming majority of the Kākā'i were illiterate and uneducated at that time. As tribal leaders, their doctrine has come to influence the vast majority of the tribally-organized Kākā'i to date, whereas the educated elite, in its endeavors to separate the Kākā'i 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.⁹⁴³ 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

⁹⁴¹ Cf. Ahmed Qassim Moften: "Kakaism: Secret Confession and Symbolic Expression", in: Sa'ad Salloum (ed.): *Minorities in Iraq...*, p. 178.

⁹⁴² "Are Kākā'i an independent religion or it is an Islam [that adheres to] the Shi'i Ja'fari?", *Awina Newspaper Online*, Published on 16th March, 2017. Retrieved on 17th March, 2017 from <http://www.awene.com/2017/03/16/40681/>; "Why Yārisān (Kākā'i) is getting closer to the Shi'i?", edited by: 'Alī Fāzli Kawālī, published on 8 March, 2017, retrieved on 9 March, 2017 from <http://yarikurd.net/ku/-بۆ-ئاراس-زنگان-ئەگەر-چاوەکەتر-خۆی>.

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* (Mosaice) 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 ṭā’ifa”.⁹⁴⁴

Furthermore, a committee of ṭā’ifa (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 ā’ifa 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 ṭā’ifa became a state in Iraq, and the members of the ṭā’ifa 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 ‘Abd al-Salām ‘Ārif’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

⁹⁴⁴ *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 846 dated 22nd August, 1963.

⁹⁴⁵ See the second article, in: *al-Waqā’i’ al-‘Irāqiyya*, Vol. 846, dated 22nd August, 1963.

⁹⁴⁶ See the appendix of this law, in: *al-Waqā’i’ al-‘Irāqiyya*, Vol. 846 dated 22nd August, 1963.

community leaders, however.⁹⁴⁷ 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.⁹⁴⁸ 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.⁹⁴⁹ 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.⁹⁵⁰ 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

⁹⁴⁷ Ishāq: *Op. Cit.* p. 175.

⁹⁴⁸ Vahram Petrosian: *Assyrians in Iraq*. Yerevan: Caucasian Centre for Iranian Studies 2006. p. 125.

⁹⁴⁹ Bruinessen: "Nationalisme kurde ...", p. 17.

⁹⁵⁰ See: Tord Wallström: *Bergen ärvåra enda vänner, Ett reportage från Kurdistan* (The mountains are our only friend). Norstedts: A Report from Kurdistan 1974, p. 97.

Movement,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 *Salāh Al-Dīn al-Ayyūbī*) that supported the CGI.

Other important incidents, such as the razing and plundering of churches in the city of *ʿAmīdīyāh* by the *Zibārī* Kurds tribe in 1961,⁹⁵² 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 *Barwārī* region in 1963.

The Christians feared the national government because of the oppression they experienced after the *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.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:

“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”.⁹⁵⁴

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 nature⁹⁵⁵ of the party in younger years, before it was exposed to internal divisions which culminated in the ultimate split of the KDP in 1964.

⁹⁵¹ Samar: *Op. Cit.*, pp. 311-312.

⁹⁵² Jean-Pierre Valognes: *Vie et mort des Chrétiens d'Orient: Des origines à nos jours*. Paris: Fayard 1994, p. 763; Dann: *Op. Cit.*, p. 335.

⁹⁵³ See paragraph No.4 of the statement of the KDP which was published in June 1963, in: Jurjīs Fath-Allāh: *al-ʿIrāq fī ʿahd Qāsim. rāʾ wa khawāṭir 1958-1988* (Iraq in the era of Qasim, opinions and thoughts 1958-1988). Sweden: Nabaz for Publication and Printing 1989. Vol. 2, p. 846.

⁹⁵⁴ The Iraqi Government’s Proposals, issue of the Bulletin of the Republic of Iraq, July 1963. David Adamason: *The Kurdish War*. London: George Allen & Unwin Ltd 1964. p. 213.

⁹⁵⁵ For the role of leftist and Marxist wings in the KDP, see: Michael Gunter: *The Kurds of Iraq*. New York: St Martin’s Press 1992, p23.

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 Barzani⁹⁵⁶ 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 Chaldean⁹⁵⁷ 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,⁹⁵⁸ 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*.⁹⁵⁹ 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 Bārzanians (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-tasmiya 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.

⁹⁵⁸ Abrām Shbīrā: *al-Ashūriyyūn fī al-fikr al-'Irāqī al-mu'āṣir* (The Assyrians in Iraqi contemporary thought: A case study in the Iraqi's mentality towards the minorities). London: al-Sāqī for publications 2001, p. 34.

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.⁹⁶⁰ Other popular Christian military units were established in the guerilla campaign against the CGI, such as the Toma Thomas⁹⁶¹ unit and that of *Ash ʿīya Israel Sarsinkī* among others.⁹⁶² 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 1969.⁹⁶³ 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*)⁹⁶⁴ 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.⁹⁶⁵

Rudaynī: *Shahīd Kūrdistān* Hurmiz Malik Chakkū (the martyr of Kurdistan, Hurmiz Malik Chakkū). Duhok: Dār al-Mashraq for Culture, 2010.

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 *Awraq Toma Thomas* (The Papers of Toma Thomas) as episodes, exclusively in website an-nnas.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-nnas.com/THEKRIAT/3jsf9.htm>.

⁹⁶² Rudaynī: *Op. Cit.*, p. 21.

⁹⁶³ From an interview with Rosa George Malik in Erbil-KRI on December 26, 2016. She is the sister of Margaret George Malik. She moved with her family from the Kurdistan region to Mosul in 1964, and thereafter to Baghdad. In the mid-1970s, they fled Iraq and emigrated to the United States. Rosa George Malik currently resides in the State of Washington; some sources indicated that Margaret George Malik was killed on 26 April 1966. See: René Maurice: *Kurdistan aw al-Mawt* (Kurdistan or Death). Translated from the French by: Jurjīs Faḥ-Allāh. Baghdad: 1973, p. 92; Daved McDowell: *A Modern History of the Kurds*. London-New York: I.B Tauris Publishers 1996, p. 381.

⁹⁶⁴ From an interview with Rosa George Malik in Erbil, KRI on December 26, 2016. Mulla Ḥamdī al-Salafī joined the KDP in 1958 and was in charge of the secret wing of the party from 1960 onwards. The Iraqi security documents categorized him as a secret agent of Bārzanī and a religious activist in the 1970s and 1980's. He became a member of the Islamic Scholars Corporation in Kurdistan in the 1990s. For more information about him see: Būtānī: *Op. Cit.*, pp. 549-565.

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 Movement 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 Pūliš 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

⁹⁶⁶ Nkdīmūn: *Op. Cit.*, p. 189.

⁹⁶⁷ Mas’ūd Bārzanī: *al-Bārzanī wa al-ḥaraka al-taḥarrurīyya al-Kurdiyya 1961-1975* (Barazani and the Kurdish Liberation Movement from 1961 to 1975), Erbil: Ārās for Publication 2002, Vol. 3, p. 86.

⁹⁶⁸ Maurice: *Op. Cit.*, p. 92.

⁹⁶⁹ ‘Alī Sinjārī: *al-Ḥaraka al-taḥarrurīyya al-Kurdiyya: mawāqif wa ārā’* (The Kurdish Liberation Movement: Attitudes and Opinions). Duhok: Khabbāt for Printing 1997, pp. 53, 107-112; Samar: *Op. Cit.*, p. 312.

⁹⁷⁰ See a list of the names of the Christians who participated in the Kurdish Movement in the village of Zakho at that time in: Sa’īd Šādq Rizgān Zākhūyi: *Zākhū: al-Māḍī wa-l-ḥāḍir* (Zākhū, the past and the present). Duhok: Khānī for Printing 2009, pp. 386-387.

⁹⁷¹ See: Wallström: *Op. Cit.*, pp. 97-98.

⁹⁷² Günther Deschner: *Die Kurden: Das betrogene Volk*. (The Kurds: A deceived people) Straube, Erlangen-Bonn-Wien: 1989, pp. 311-312.

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 of 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-

⁹⁷³ Mātīf (Bārmātī): *Op. Cit.*, p. 170.

⁹⁷⁴ On the social and political structures of Kurds, and the Kurdish nationalist movement in Iraq in 1960s, See: Bruinessen: *Agha, Shaikh and State...*, pp. 23-25, 26-29.

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.”⁹⁷⁵

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.”⁹⁷⁶

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 employees⁹⁷⁷ 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,”⁹⁷⁸ 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.

⁹⁷⁵ F.O 371/170509, British Embassy, Baghdad, to the Civil Defence Staff College, England, July 22, 1963, Assyrians in Iraq, Doc. No. EQ 1822/4, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 515.

⁹⁷⁶ *Ibid.*, p. 515.

⁹⁷⁷ *Ibid.*, p. 515.

⁹⁷⁸ The French “*Le Monde Journal*”, Vol. 27-28/10.1963, cited in: Samar: *Op. Cit.*, pp. 334-335.

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 Guard⁹⁷⁹ 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.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.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.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.

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: *al-Waqā‘i‘ al-‘Irāqīyya*, Vol. 809 datedd June 2, 1963.

⁹⁸⁰ Samar: *Op. Cit.*, pp. 334-335.

⁹⁸¹ Mātīf (Bārmatī): *Op. Cit.*, p. 169; Sinjārī: *Al-Ḥaraka al-taharruriyya...*, p. 63.

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 ‘Īsā al-Sannāṭī: *Azmina fī bilād ar-Rāfīdayn* (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, 1964,⁹⁸³ 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 'Abd al-Salām 'Ārif as well as the prevalence among Iraqis and State services to brand all Christians as communists. During 'Ārif'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 1963,⁹⁸⁴ 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.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.⁹⁸⁶ Similarly, the emigration of Iraqi Christians to the United States of America,

⁹⁸³ F. O. 371/175785, British Embassy, Baghdad to the British Legation to the Holy See, Rome, 14 March 1964, alleged discrimination against Christians, Doc.No.1782/4/64, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 516.

⁹⁸⁴ F. O. 371/175785, British Embassy, Baghdad to British Legation to the Holy See, Rome, March 14, 1964, alleged discrimination against Christians, Doc. No. 1782/4/64, in: Rush and Priestland: *Ibid*, Vol. 15: 1963-1966, p. 516.

⁹⁸⁵ F. O. 371/175787, British Embassy, Baghdad to British Legation to the Holy See, Rome, April 29, 1964, on the visit of Monsignor Angeloni, doc.No.1782/5/64, in: Rush and Priestland: *Ibid*, Vol. 15: 1963-1966, p. 517.

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 the crucifixion of Christ.⁹⁸⁷ 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".⁹⁸⁸ 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)⁹⁸⁹ 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).⁹⁹⁰

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

increase in applications for emigration". See: F. O. 371/175782, British Embassy, Baghdad. To British Embassy, Beirut, 20 November 1964, Jewish Community in Iraq, Doc. No. C.1340/64, in: Rush and Priestland: *Ibid*, Vol. 15: 1963-1966, pp. 518-519.

⁹⁸⁷ F.O 371/175789, British Embassy, Baghdad, to the Foreign Office, London, December 12, 1964, extracts from the Iraqi press, Doc. No. 1786/3/64, in: Rush and Priestland: *Ibid*, Vol. 15: 1963-1966, pp. 520-521.

⁹⁸⁸ *Ibid*, pp. 520-521.

⁹⁸⁹ *Ibid*, pp. 522.523.

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 Jews⁹⁹¹ 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.⁹⁹² 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.⁹⁹³ 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.⁹⁹⁴

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, Munīr Rūva⁹⁹⁵ 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 Munīr Rūva spoke openly of his motives for defecting to Israel.

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.

⁹⁹³ The Ambassador in question was Dāwūd al-Šā'igh. Batatu: *Op. Cit.*, Vol. 2, table 19-1, pp. 494-495.

⁹⁹⁴ F. O. 371/186760, telegram from the British Embassy, Baghdad to the Foreign Office, London, August 27, 1966 on the entry of Iraq into diplomatic relations with the Vatican, Doc. No. 1786/3/66, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, pp. 524-525.

⁹⁹⁵ Munīr Ḥabīb Jamil Rūva (1934-1998) was a Christian, of the Syriac Orthodox Church from Mosul. He is an Iraqi pilot with the rank of captain. On Tuesday 16, 1966, he escaped in his Iraqi MIG 21 fighter to Israel. See: Bassil A. Mardelli: *Middle East Perspectives from Lebanon (1968-1988)*. Bloomington: iUniverse, Inc. 2012, p. 37.

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.⁹⁹⁶ 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".⁹⁹⁷ 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.⁹⁹⁸ Despite the intelligence motives behind the incident,⁹⁹⁹ 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,¹⁰⁰⁰ 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 *Şūriya*, 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.¹⁰⁰¹

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.

⁹⁹⁷ For information on "The Blue Bird legend," see the following link. Retrieved on February 18, 2016, from <http://www.ynetnews.com/articles/0,7340,L-3405913,00.html>.

⁹⁹⁸ F. O. 371/186760, British Embassy of Baghdad to the Foreign Office, London, August 27, 1966, on Iraq's entering into diplomatic relations with the Vatican, Doc.No.1782/3/66, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, p. 525.

⁹⁹⁹ For more details about this intelligence operation, see: Bassil A. Mardelli: *Op. Cit.*, pp. 37-40.

¹⁰⁰⁰ From the following link which was retrieved on February 4, 2016 from <http://aua.net/a-brief-history/>.

¹⁰⁰¹ A list of the names of the victims of this massacre is available in Zākhūyyi, *Op. Cit.*, pp. 380-381; Majed Eshoo: "The Fate of Assyrian Villages Annexed to Today's Duhok Governorate In Iraq And The Conditions In These Villages Following The Establishment Of The Iraqi State In 1921", in *Assyrian International News Agency*, pp. 14-15. Retrieved on 18 February, 2016 from <http://www.aina.org/reports/avod.pdf>; www.aina.org/reports/avod.htm.

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,¹⁰⁰² and on other sources,¹⁰⁰³ 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

<i>The Christian Population in Iraq from 1914 to 2003</i>			
Year	Thousands	Percentage of total population	Total population in Iraq
1914	32,493	2.16	_*
1918 ¹⁰⁰⁴	60,000	2.57	2,328,000
1934 ¹⁰⁰⁵	97,000	2.86	3,380,533
1947	156,258	3.27	4,815,466
1957	204,226	3.24	6,298,976
1965	232,406	3.09	8,047,415
1992	_*	1.4** ¹⁰⁰⁶	_*
1997-2003	750,000 ¹⁰⁰⁷	0.8 ¹⁰⁰⁸	22,046,244 ¹⁰⁰⁹
* <i>information unavailable</i>			
** <i>Source only provided in percentage</i>			

¹⁰⁰² The Iraqi Ministry of the Interior: The Directorate of General Census, the records of the statistics of 1957: *Op. Cit.*, p. 201.

¹⁰⁰³ Yousef Courbage, Philippe Fargues: *Chrétiens et Juifs dans l'Islam arabe et turc*. Paris: Librairie Arthème Fayard 1992, pp. 315, 324, 332; 'Abd Allah Marqas Rābī: *al-Kildān al-mu'āširūn wa al-baḥṭh 'an al-hawīya al-qawmiyya: dirasa sūsiyū-anthrūpūlūgiya* (Contemporary Chaldeans and the search for ethno-national identity, a socio-anthropologic study). Amman: Dār al-Shirūq for Publication 2001, pp. 68-73.

¹⁰⁰⁴ A handbook on Mesopotamia, prepared on behalf of the Admiralty and the War Office [by] Admiralty War Staff, Intelligence Division. London: The Division, 1916-1918, p. 66.

¹⁰⁰⁵ INLA: The Ministry of Defence archive, No.8430/32050. Title of file: Statistics of population, December, 1941. Doc. 6, p. 16.

¹⁰⁰⁶ This statistic appeared in: Courbage, and Philippe Fargues: *Op. Cit.*, p. 332

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 Chaldo-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 neighbouring countries such as Syria, Jordan, and the Lebanon. Retrieved on 13 August, 2016 from https://www.cia.gov/library/publications/the-world-factbook/geos/print_iz.html.

¹⁰⁰⁹ Population Census results as of October 16, 1997, excluding the Kurdistan region. Retrieved on August 16, 2016 from http://cosit.gov.iq/AAS/AAS2012/section_2/4.htm.

When looking at the statistics between 1957 and 1965,¹⁰¹⁰ 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.¹⁰¹¹ Many Christians moved to Baghdad, which contained approximately half of the entire Iraqi Christian population in 1965.¹⁰¹² 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.¹⁰¹³ These villages were initially 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

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.

¹⁰¹² Courbage, and Philippe Fargues: *Op. Cit.*, p. 306.

¹⁰¹³ About the destruction and demographic situation of the Christian villages in the 1960s, see Donabed: *Op. Cit.*, pp. 271-291; Salloum: *Al-Masīḥyyūn fī -l- 'Iraq...*, pp. 486-494.

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 principedom) 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, 1963.¹⁰¹⁷ 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,¹⁰¹⁸ 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 Bag¹⁰¹⁹ became part of the Kurdish Movement, and Mīr Taḥsīn Bag adopted contrasting and wavering stands between the central authority and the Kurdish movement to preserve the affairs of the Yazidis as a minority.¹⁰²⁰ Consequently, after negotiations collapsed and armed conflict broke out in June 1963, Mīr Taḥsīn Bag released a statement, demanding all those in the Yazidi villages in the region of Walāt-Shaykh (Shaykhān)¹⁰²¹ which had become a battleground, to move to the town of Bā‘adra (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 Army¹⁰²² 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 Taḥsīn Bag requested that the Yazidis evacuate their areas and gather in the town of Bā‘adra and Shaykhān.¹⁰²³

¹⁰¹⁷ Dana Adams Schmidt: *Journey Among Brave Men*. Boston, Toronto: An Atlantic Monthly Press Book, Brown and Company, 1964, p. 259; Mas‘ūd Bārzānī: *al-Bārzānī wa-l-Ḥaraka al-Taḥarruriyya al-Kurdiyya 1961-1975* (Bārzānī and the Kurdish Liberal Movement, the Revolt of September 1961-1975). Erbil: Dār Ārās for Printing and Publishing, 2006, Vol. 3, pp. 86-87.

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 Taḥsīn 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.

¹⁰²² Within the context of the (secret) National Cooperation Agreement between the countries, a Syrian military brigade (the Brigade of al-Yarmūk), headed by *Fahd al-Shā‘ir*, participated in military operations in the northern regions of Iraq and Kurdistan. For more information, see: Ayūb Bārzānī: *Al-Ḥaraka at-taḥarruriyya al-Kurdiyya wa ṣirā‘ al-qiwa al-‘iqlīmiyya wa ad-dawliyya 1958-1975* (the Kurdish Liberal Movement and the conflict between the provincial and international powers 1958-1975. (clandestine documents). Geneva: Editions Orient-Réalités 2011, pp. 213-216, Bārzānī: *Op. Cit.*, Vol. 3, pp. 97-98, 116.

¹⁰²³ From an interview with Taḥsīn 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.¹⁰²⁴ In addition, the police directorate of Mosul requested the Iraqi Army to clarify the situation.¹⁰²⁵ By doing so, the province of Mosul made the issue a military matter.¹⁰²⁶ 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.¹⁰²⁷

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 Sa'īd 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 [*maṣlaḥa 'āma*]"¹⁰²⁸ 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).¹⁰²⁹ 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

¹⁰²⁴ Mosul Documents Center (M.D.C.): Qā'imāqāmiyat 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.

¹⁰²⁵ M.D.C.: The Police Directorate of the Province of Mosul, the Secret Pen. No. Q.S./7189, dated September 16, 1963, to the Province of Mosul. Issue: *The Immigration of Some Villagers*, doc. 2, p. 4.

¹⁰²⁶ M.D.C.: The Province of Mosul, No. Q.S./2135, dated 15 September, 1963, (*top secret*), to Qā'imāqāmiyat (Subprefecture) of Duhok (administrative district). Issue: *The Migration of the Yazidi*, doc. 1, p. 2.

¹⁰²⁷ M.D.C.: The leadership of the first division [of Iraqi Army], No. A.S. 14 J 94, dated 17 September, 1963 (clandestine), to the Province of Mosul. Issue: *The Immigration of Some Villagers*, doc. 2, p. 3.

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: *Ilghā' waqif al-tajāwazāt aql qānūniyya (the Abolition of the Stopping of Legal Tracings)*, doc. 3, p. 7.

¹⁰²⁹ 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 Sa'īd*, doc. 3, p. 6.

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, *Mas'ūd 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, 1963.¹⁰³⁰ 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 Bag¹⁰³¹ claiming that he and the Yazidi princely family had engaged in clandestine meetings with the Kurds, on 4th July, 1964.¹⁰³² A warrant for Khayrī Bag's arrest was issued and the Iraqi police began searching for him. After searching Bā'adhra and Shaykhān, they ascertained that he had left the town of Bā'dra on 6th July, 1964 for an unknown destination.¹⁰³³ 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, *Hasū Mīrkhān*, who resided in the village of Bisiri¹⁰³⁴ 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 Principedom) at that time, which was to maintain diplomatic relations with both the CGI and the Kurdish Movement.¹⁰³⁵

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 in the Mīr family. The second concerned the national and ethnic identity of the Yazidis, with the emergence of the concept

¹⁰³⁰ Bārzānī: *Al-Bārzānī wa-l-Ḥaraka al-Taḥarruriya...*, Vol. 3, p. 109.

¹⁰³¹ 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 Sa'īd*, doc. 3, p. 6.

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.

¹⁰³³ M.D.C.: The Police Directorate of Mosul, No.5396, dated 9 July, 1964 (clandestine), to the third president of the customary military council in Mosul. Issue: *The Suspect, Khayrī Sa'īd*, doc. 3, p. 11.

¹⁰³⁴ M.D.C.: The Directorate of Mosul, No.6262 dated 13 August, 1964 (classified), to the Provincial Governor of Mosul. Issue: *Information*, doc. 4, p. 14.

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 Taḥsīn 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 Mu‘āwiya and Bāyazīd became active in two different fields. Mu‘āwiya 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.

Mu‘āwiya, who called himself Mīr Mu‘āwiya al-Umawī (the Umayyad), began his political activities by submitting a petition for an inquiry to the authorities, claiming that Khayrī Bag, the brother of Taḥsīn 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 Mu‘āwiya al-Umawī 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, Mu‘āwiya al-Umawī 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”.¹⁰³⁶ Although government documents dating from 1964 reflect Mu‘āwiya al-Umawī’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.

Mu‘āwiya’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 Taḥsīn 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. Mu‘āwiya also

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 Sa‘īd*, 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 Mu‘āwiya 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 Mu‘āwiya’s actions is indicated in official documents which state that Mu‘āwiya 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-Walīd* 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-Da‘wa al-Arabiya*) came from Bāyazīd Ismā‘īl, who referred to himself as Prince Mīr Bāyazīd al-‘Umawī (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.

¹⁰³⁷ M.D.C.: The General Directorate of Endowments, No.554, dated 1 3 July, 1964, (clandestine). To the province of Mosul. Issue: *Investment of Endowments...*, doc. 5, p. 16, doc. 5, p. 17.

¹⁰³⁸ M.D.C.: The Province of Mosul, No. Q.S./1689, dated 20 August, 1964, (clandestine), to the Ministry of Endowments. Issue: *Investment of Endowments...*, doc. 5, p. 18.

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, ‘Abd al-Salām ‘Ārif and to the Egyptian President Jamāl ‘Abd 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 of 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,¹⁰⁴⁰ 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 tribes¹⁰⁴¹ 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 Khālīd-whose president was Samīr Āghā Rashu 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 side¹⁰⁴² (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,¹⁰⁴³ freedom, and socialism. We also prepared the Umayyad clans for national duties, exterminating the colonizers, supporting the Arab armies to wipe off Israel

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-Umawī', 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

¹⁰⁴⁴ Bāyazīd al-'Umawī- 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 Shi'i. 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 authors¹⁰⁴⁷ 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 ‘Adī 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, ‘Abbās al-‘Azzāwī, ‘Abd 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 Mu‘āwiya 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 contents 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:¹⁰⁵⁰

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 ‘Abd al-Salām to finance his activity. See: ‘Abd al-Fattāḥ ‘Alī Yahyā al-Būtānī: *Wathā’iq ‘an al-Ḥaraka al-Qawmiyya al-Kurdiyya al-Taḥarruriyya Mulla āt Tarīkhīya wa Dirāsāt Awaliyya* (Documents on the Kurdish Liberal National Movement: Historical Notes and Preliminary Studies). Erbil: Mükryānī Institution for Publication 2001, p. 444.

¹⁰⁴⁷ Most Arab writers stated that the Yazidi are an Islamic group that belongs to the Umayyad Yazīd ibn Mu‘āwiya and the Umayyad Sheikh ‘Adī ibn Musāfir. See for example: Pāshā: *Op. Cit.*, p. 45; ‘Azzāwī: *Tārīkh al-Yazīdiyya...*, pp. 7-8, 81-82; Ḥasanī: *al-Yazīdiyyūn...*, 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 Mu'āwiya al-Umawī, who misused government weapons he received when he joined the first light unit of the army.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”.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 ‘Abd al-Nāṣir,¹⁰⁵³ and to the Iraqi President ‘Abd al-Salām ‘Ārif 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.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,”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.

¹⁰⁵¹ In the same year, when the government equipped Mu'āwiyya's military unit with weapons, the latter sold those weapons and escaped to Turkey. From an interview with Ḥarbī Mu'āwiyya (the son of Mu'āwiyya) in Erbil on 14 December, 2016.

¹⁰⁵² M.D.C.: The Province of Mosul, No. Q.S/2618, dated 12 November, 1964 (clandestine), to the general military staff. Issue: *A Statement of Reading...*, doc. 10, p. 35.

¹⁰⁵³ A hand-written document signed by Bāyazīd al-'Umawī. 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.

¹⁰⁵⁴ M.D.C.: The Ministry of the Interior, the Secret Intelligence and Political Directorate, No. Q.S./10576, dated 24 December, 1964, to the Province of Mosul. Issue: *The Yazidis*, doc. 12, p. 40; M.D.C., the Province of Mosul, (clandestine), to the Ministry of the Interior-the Secret and Political Intelligence/3, Vol. Q.S/126, dated 16 January, 1965, doc. 12, p. 41; M.D.C.: The Ministry of the Interior, Secret and Political Intelligence No. Q.S/551, dated 23 January, 1965, clandestine, to the Divan of the Presidency. Issue: *The Yazidis*, doc. 12, p. 44.

¹⁰⁵⁵ From a secret information source of the District Chief of Sinjar, see document: M.D.C.: No. Q.S/32, dated 14 March, 1965 (clandestine), to the province of Mosul. Issue: *The appendix document*. Issued: 9 March, 1965, doc.12, p. 45.

In addition, the detailed report¹⁰⁵⁶ of Qā'īmaqāmīyat¹⁰⁵⁷ (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 Mu'āwiya Ismā'īl 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].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 Mu'āwiya 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 Mu'āwiya, 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,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.

¹⁰⁵⁶ M.D.C.: The Subprefecture of Sinjar, No. Q.S/32, dated 14 March, 1965, (clandestine), to the Province of Mosul. Subject: *the appendix document*, issued: 9 March, 1965, doc. 12, p. 46.

¹⁰⁵⁷ Qā'īmaqāmīyat is an Ottoman term that refers in Iraq to the subprefectures or administrative districts of governorate; the Qā'īmaqām is the District Chief of the subprefecture.

¹⁰⁵⁸ M.D.C.: The Subprefecture of Sinjar, No. Q.S/32: *Ibid*, doc. 12, p. 46.

¹⁰⁵⁹ M.D.C.: The Province of Mosul, No. Q.S/827, dated 18 March, 1965, (clandestine), to the Ministry of the Interior/Secret Intelligence 3. Issue: *The Petition*, doc.12, p. 47.

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 Bāyazīd'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 Interior¹⁰⁶⁰ submitted a request to the *Mudīrīyat al-tasjīl w-al-aḥwāl al-'ama* (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 tā'ifa 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

¹⁰⁶⁰ Letter No.18002, dated 31 October, 1965, see: M.D.C.: The General Directorate of Recording the Personal Status, No.719, dated 29 November, 1965, (clandestine), to the Province of Mosul. Issue: *The Nationality of the Yazidsi*, doc. 14, p. 51.

¹⁰⁶¹ This is a state institution. The function of it is to grant citizenship status to Iraqi citizens. It also has security functions.

¹⁰⁶² M.D.C.: The General Directorate of Recording Personal Status, No.719, dated 29 November, 1965: *Ibid*, See a copy of the original document in: Appendices, figure 2. 16, and its translation in figure 2. 17.

¹⁰⁶³ M.D.C.: The Province of Mosul, No. Q.S/4326, dated 3 December, 1965 (clandestine), to the subprefecture districts of Shaykhān and Sinjar. Issue: *The Nationality of the Yazidi*, doc. 14, p. 52.

mention that Shaykh ‘Adī 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 ‘Adī is the Umayyad and Yazīd ibn Mu‘āwiya; is an Arab Qurayshi. From what we have heard from some of the chieftains of the Yazidi *ṭā’ifa* 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 Umayyad era, and they are influenced by Yazīd bin Mu‘āwiyya the Umayyad, and their habits and traditions are, to a great extent, similar to the Arab traditions, even their habits in marriage and giving their children Arabic names. In addition, they are close to Arabs in their costumes, and they excel in speaking Arabic, except for a small section of them which is affected by the Kurdish regions. Based on these facts, it is clear that the Yazidi are Arabs in their origin, even if they differ in some of their traditions”.¹⁰⁶⁶

The report from Sinjar also assured the Arabization of the Yazidis. It stated that

“The history of the Yazidis dates back to the early 5th century A.H., to the Umayyad Shaykh ‘Adī 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 Maḥmad, or Sh-i-mahmā, (as pronounced by the Yazidis) are also located in various Yazidi regions.

¹⁰⁶⁵ The report was signed by the head of Summayl, Anwar al-Masjūn, see: M.D.C.: Subprefecture of Duhok, No. Q.S/810, dated 19 December, 1965, (clandestine), to the Directorate of Recording the General Personal Status. Issue: *al-Qawmiyya al-Yazidiyya* (The Nationality of the Yazidi), doc. 14, p. 53; M.D.C.: The copy of the directorate of Summayl, No. S/85, dated 18 December, 1965, to the Subprefecture of Duhok. Issue: *The Nationality of the Yazidi*, doc. 14, p. 54; M.D.C.: The Provincial Governor of Mosul, No. Q.S/4648, dated 27 December, 1965, (clandestine), to the Ministry of the Interior-the Directorate of General Interior-Administration. Issue: *The Nationality of the Yazidi*, doc. 14, p. 55.

¹⁰⁶⁶ The report was signed by the Subprefecture of Zākhū: Ghāzī al-Shaykh Gawwād, see: M.D.C.: The Subprefecture of Zākhū, No. s/20, dated 13 January, 1966, to the Province of Mosul. Issue: *The Ethno-Nationality of the Yazidi*, doc. 14, p. 61; M.D.C.: The Province of Mosul, No. Q.S/224, dated 19 January, 1966, (clandestine), to the Ministry of the Interior. Issue: *The Ethno-Nationality of the Yazidis*, doc. 14, p. 62.

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 Khidr, 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 Taḥsīn Saʿīd, the general leader of the ṭāʾifa 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 Ben 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 ṭāʾifa 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

¹⁰⁶⁷ The report was signed by the District Chief of Sinjar, Ṭāriq Zaynal, who asserted that the ethnicity of the Yazidi is Arab and is clearly rooted in the history of ancient and modern Iraq see: M.D.C.: Subprefecture of Sinjar, No. 1/Q.S, dated 1 January, 1966, (clandestine), to the Province of Mosul. Issue: *The Yazidi ethno-Nationality*, doc. 14, p. 56; M.D.C.: The Province of Mosul, No. Q.S/88, dated 9 January, 1966, (clandestine), to The Ministry of the Interior, *The Yazidi ethno-Nationality*, doc. 14, p. 57.

social behavior, such as the prohibition of marriage between members of different castes.”¹⁰⁶⁸

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 Ba‘shīqa 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 Qā’īmaqāmīyat of Shaykhān Number..., 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”.¹⁰⁶⁹

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

¹⁰⁶⁸ The letter is signed by ‘Abd al-‘Azīz Badr al-‘Abd al-Jalīl, the District Chief of Shaykhān, see: M.D.C.: No. S/6, dated 4 January, 1966, (clandestine), to the Province of Mosul. Issue: *The Yazidi ethno-Nationality*, doc. 14, p. 59; doc. 14, p. 60.

¹⁰⁶⁹ M.D.C.: The Province of Mosul, No. Q.S/103, dated 10 January, 1966, (clandestine), to the Ministry of the Interior. Issue: *The Yazidi ethno-Nationality*, doc. 14, p. 59.

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 Kurmānjî.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 Ministry 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.

¹⁰⁷¹ M.D.C.: The Ministry of the Interior, the General Interior Directorate, No. Q.S/3365, dated 10/5/1966, to the Province of Mosul. Issue: *The Petition of the Umayyad Bāyazīd Ismāʿīl*, doc. 32, p. 155.

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”.¹⁰⁷²

Having declared the Yazidi were Arabs, the authorities went on to speak out against cooperating with the two brothers, Mu‘āwiya and Bāyazīd. Nevertheless, the brothers continued their activities, heightening them during the Ba‘th 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.¹⁰⁷³ 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”.¹⁰⁷⁴ 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

¹⁰⁷² M.D.C.: The Province of Mosul, No. Q.S/1657, dated 21/5/1966, to the Ministry of the Interior: *al-Qawmiyya al-Yazidiyya* (The Yazidi ethno-nationality), doc. 32, p. 157.

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 Sa‘īd, 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 1964¹⁰⁷⁵ 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”.¹⁰⁷⁶

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.¹⁰⁷⁷ 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, 1964.¹⁰⁷⁸ Through the negotiations, the CGI passed special laws and resolutions, among them, the general amnesty for the ‘mutineer Kurds’.¹⁰⁷⁹ When fighting resumed between the two parties, it became clear that the prince of the Yazidi had considered

¹⁰⁷⁵ This law amended the general amnesty for those who started the revolt in the north which occurred between September 10, 1961 and February 10, 1964. See: *al-Waqā‘i‘ al-‘Irāqīyya*, Vol. 995, dated 1st September, 1964.

¹⁰⁷⁶ Signature by: Mīr Taḥsīn Bag bin Sa‘īd, 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.

¹⁰⁷⁷ M.D.C.: The Directorate of the Security of Mosul, No. Q.S/2516, dated May 11, 1965, to the Province of Mosul. Issue: Fatwa, No. Q.S/2636, dated 18 May, 1965, see: Appendices, Figure 2. 14, and its translation in figure 2. 15.

¹⁰⁷⁸ For this development see: McDowall: *Op. Cit.*, pp. 313-319.

¹⁰⁷⁹ For the details of the amnesty for those who started the revolt in the north which occurred between September 10, 1961 and February 10, 1964, see: *al-Waqā‘i‘ al-‘Irāqīyya*, Vol. 922, dated 12th March, 1964; and the second amendment to the law in: *al-Waqā‘i‘ al-‘Irāqīyya*, Vol. 1062, dated 13th January, 1965.

the political situation well. The Kurdish Movement suffered from internal divisions and conflicts¹⁰⁸⁰ 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 Mu'āwiyya and the Yazidi Taḥsīn (the prince of Shaykhān), and the Kākā'i from Kirkuk and Khānaqīn, along with a large number of the Kurdish clan leaders in Mosul.¹⁰⁸¹

It is worth mentioning that Mīr Taḥsīn 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 Taḥsīn 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".¹⁰⁸²

Concerning the character of Mīr Taḥsīn 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".¹⁰⁸³

What is interesting about this interaction is that the accompanying Kurdish interpreter Aḥmad, 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.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

¹⁰⁸⁰ Weakness and division has dominated the Kurdish Movement since 1964 because of the competition between the president of the KDP, Muṣṭafa Bārzanī and its politburo, headed by Jalāl al-Ṭālabānī. This competition would ultimately lead to a split of the Movement into two opposing wings in 1966. The conflict was ongoing until 1970. For more information see: Sa'ad Nājī Jawād: *al-Irāq wal- al-Mas'ala al-Kurdiyya 1958-1970* (Iraq and the Kurdish Issue 1958-1970). London: 1990, pp. 105-118; Bārzanī: *al-Bārzanī...*, Vol. 3, pp. 129-133; Khirsān: *Al-Tayārāt...*, pp. 123-137.

¹⁰⁸¹ Na'mān Māhir al-Kan'ān: *Ḍaw' 'ala Shīmāl al-Irāq* (Light to the North of Iraq). Baghdad: al-Jumhūriya for Printing and Publishing 1965, p. 22 onwards.

¹⁰⁸² Wallström: *Op. Cit.*, pp. 33-34.

¹⁰⁸³ *Ibid*, p. 34.

¹⁰⁸⁴ *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,¹⁰⁸⁵ 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.¹⁰⁸⁶ 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 Sharfādīn, on August 20, 1964.¹⁰⁸⁷ 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,¹⁰⁸⁸ [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...”.¹⁰⁸⁹

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

¹⁰⁸⁵ Būtānī: *Op. Cit.*, p. 442.

¹⁰⁸⁶ M.D.C.: Subprefecture of Sinjar, No. Q.S/267, dated August 17, 1964, to the Province of Mosul. Issue: *The Petition of Shaykh Khalaf Haskānī and his Companions*, doc. 6, p. 21.

¹⁰⁸⁷ The Sharfādīn 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.

¹⁰⁸⁹ M.D.C.: From the order of the border’s guards. Issue: *A Report about the Incidents of the Yazidi Holiday Sharafādīn*, doc. 7, p. 24.

and chaos there.¹⁰⁹⁰ Subsequently, the government exiled them to the city of Amara in southern Iraq, where they were placed under house arrest.¹⁰⁹¹ 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”.¹⁰⁹² It is evident that the government was strongly involved in the unrest that swept through Sinjar at this time. It was abtlatelater 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.¹⁰⁹³ 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.¹⁰⁹⁴

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

¹⁰⁹⁰ They are the brothers Sulaymān and Khalaf Majū, and Ḥājī Mīrzā, see: M.D.C.: Subprefecture of Sinjar, No. Q.S/368, dated 8 November, 1964, to the Province of Mosul. Issue: *A Request for Abolishing a House Arrest for some Members*, doc. 11, p. 36.

¹⁰⁹¹ M.D.C.: The Province of Mosul, No. Q.S/2542, dated 7 November, 1964, to the general military ruler. Issue: *Abolishing the House Arrest for some Members*, doc. 9, p. 31.

¹⁰⁹² M.D.C.: The Ministry of the Defense, the general military ruler, No.18/11079, dated 11 November 1964, to the Province of Mosul. Issue: *Abolishing the House Arrest*, doc. 11. p. 38.

¹⁰⁹³ See the law of amnesty for those who started the revolt in the north which occurred between September 10, 1961 and February 10, 1964, in: *al-Waqā`i` al-`Irāqiyya*, Vol. 922, dated 12th March, 1964.

¹⁰⁹⁴ For details on developments between the Kurdish Movement and the CGI, see: Edgar O'Ballance: *The Kurdish Revolt 1961-1970*. London: Faber and Faber Limited, Latimer Trend & Company Ltd Plymouth, 1973, pp. 132-142.

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.¹⁰⁹⁵ 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 Mu'āwiyya 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 Sharō, the president of clan of the Faqīrā, and Murād 'Aṭṭo, the president of the clan of Habābbāt, a part of the Yazidis announced the insurrection on Mount Sinjar, in March 1966.¹⁰⁹⁶ Fortified 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”.¹⁰⁹⁷ 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

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-Waqā'i 'al- 'Irāqīyya*, Vol. 808, dated 3rd May, 1963.

¹⁰⁹⁶ He is the son of the Yazidi Chief, Ḥammo Sharō in Sinjar who is known for his political role with the British and the Iraqi government in the 1930s.

¹⁰⁹⁷ M.D.C.: Subprefecture of Sinjar, No. Q.S/70, dated March 24, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 15, p. 63; M.D.C.: The Province of Mosul, No. Q.S/1037, dated March 29, 1966, to the Ministry of the Interior, the Secret Intelligence. Issue: *The Yazidi Contingent in Sinjar*, doc. 15, p. 68; doc. 15, p. 69.

prohibited food¹⁰⁹⁸ and that they would also be forced to remove the *Kharqa* (Garment of Faith),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.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.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” [insurgents], meaning Saydo Ḥammo Sharo, Ḥamad Maṭṭo and their followers who were fortified on the mountain.¹¹⁰² According to security reports, Saydo Ḥammo Sharo sent a delegate to Muṣṭafa Bārzanī, asking for help in their fight against the government.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 *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 Sinjari 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”.¹¹⁰⁴ In addition, it threatened to give Yazidi villages to other clans, if they left their homes to join the protest.¹¹⁰⁵

¹⁰⁹⁸ Some kinds of food are prohibited according to Yazidi custom, such as lettuce and cabbage.

¹⁰⁹⁹ On the *Khirqe*, or Garment of Faith, see: Eszter Spät: *Late Antique Motifs in Yezidi Oral Tradition*. Budapest: PhD thesis, Central European University, Department of Medieval Studies 2009, pp. 106-136.

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: *Al-Waqā’i’ al-‘Irāqīyya*, Vol. 1932, dated 4th May, 1938.

¹¹⁰¹ M.D.C.: Subprefecture of Sinjar, No. Q.S/70, dated March 24, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 15, p. 63; M.D.C.: Subprefecture of Sinjar, No. Q.S/71, dated March 26, 1966, to the Province of Mosul. Issue: *The Abstention of the Yazidi*, doc. 16, p. 75.

¹¹⁰² M.D.C.: The Directorate of the Police of Mosul, No.1796, dated 28 March, 1966, to the General Police Directorate. Issue: *The Yazidi Contingent*, doc. 15, p. 65.

¹¹⁰³ M.D.C.: The Directorate of the Police of Mosul, No. 1788, dated 26 March, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 15, p. 66; M.D.C.: The General Security Directorate of Mosul, No.1867, dated March 26, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 15, p. 67.

¹¹⁰⁴ M.D.C.: Subprefecture of Sinjar, No.76/Q.S., dated March 30, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 15, p. 70; M.D.C.: The General Security Directorate of Mosul, No. Q.S/1991, dated March 31, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 15, p. 71; M.D.C.: The General

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 Yazid property between 1918 and 1942. Some estimates place the total number of resettled Arabs during the period at around 123,000.¹¹⁰⁶ 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 1965.¹¹⁰⁷

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.¹¹⁰⁸ 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.¹¹⁰⁹ Others returned to their villages. As for the fortified few who remained on the mountain, headed by Saydo Ḥammo Sharo and Ḥamad Maṭṭo, 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.¹¹¹⁰

Police Directorate of Mosul, No.1894, dated April 2, 1966, to the Province of Mosul. Issue: *The Yazidi Community*, doc. 15, p. 72.

¹¹⁰⁵ M.D.C.: The Province of Mosul, No. Q.S/1037, dated March 29, 1966, to the Ministry of the Interior, the Secret Intelligence. Issue: *The Yazidi Contingent in Sinjar*, doc. 15, p. 68; doc. 15, p. 69; M.D.C.: The Province of Mosul, No. Q.S/1086, dated April 5, 1966, to the Subprefecture of Sinjar. Issue: *The Yazidi Community*, doc. 15, p. 74.

¹¹⁰⁶ Kahlīl Ismāʿīl Muḥammad: *Duhok-Naynawa: dirāsa fī al-khaṣāʾiṣ al-dīmūghrāfiyya li-al-sukkān* (Duhok-Nineveh: Studies in the Demographic features of the Population). Sulaymaniyya: Publications of the Kurdistan Center for the Strategic Studies 2004, p. 125.

¹¹⁰⁷ Nāfiʿ al-Qaṣāb: “Malāmiḥ Jughrāfiya Ḥawla Istīṭān al-Qabāʾil al-Badawiyya” (Geographic Features about the Settlement of the Nomadic Tribes). Baghdad: *The Iraqi Geographic Corporation Magazine* 1969, Vol. 5, p. 24; Muḥammad: *Op. Cit.*, pp. 125-126.

¹¹⁰⁸ M.D.C.: Subprefecture of Sinjar, No.950/2/2, dated April 5, 1966, to the Province of Mosul. Issue: *The People of Saydo Ḥammo Sharo*, doc. 18, p. 78; M.D.C.: The Province of Mosul, No. Q.S/1174, (date is unclear) dated April, 1966, to the Subprefecture of Sinjar. Issue: *The People of Saydo Ḥammo Sharo*, doc. 18, p. 79.

¹¹⁰⁹ Among them were the mayors of the village of Hamadān, the brothers Khidīr and Qāsim Ḥasūn.

¹¹¹⁰ M.D.C.: Subprefecture of Sinjar, No. 105/Q.S, dated 24 April, 1966, to the Province of Mosul. Issue: *The Yazidis Movements*, doc. 23, p. 103; M.D.C.: The Police Directorate of Mosul, No. 2405, dated April 26, 1966, to

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,¹¹¹¹ 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,¹¹¹² 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.¹¹¹³ It is worth mentioning that, irrespective of whether the Sinjar insurgents had ties with the Kurdish Movement or not (direct or indirect), 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.¹¹¹⁴ 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...

the General Police Directorate. Issue: *The Yazidi*, doc. 23, p. 99; M.D.C.: The Police Directorate of Mosul, No. 2468, dated April 27, 1966, to the General Police Directorate. Issue: *The Yazidi Community*, doc. 23, p. 100.

¹¹¹¹ The Kurdish leaders are Ḥassū Mīrkhān and ‘Īsā Siwār from the leaders of the Kurdish Movement in Shaykhān and Zākhū. M.D.C.: Subprefecture of Sinjar, No.115, dated May 2, 1966, to the Province of Mosul. Issue: *The Yazidi’s Movements*, doc. 23, p. 107; M.D.C.: The Province of Mosul, No. Q.S/1432, dated 4/5/1966, to the Ministry of the Interior, Secret Intelligence, Issue: *The Yazidi Contingent in Sinjar*, doc. 23, p. 109; Doc. 23, p. 110.

¹¹¹² M.D.C.: Subprefecture of Sinjar, No.7/3/1213, dated May 4, 1966, to the Province of Mosul. Issue: *The Yazidi*, doc. 24, p. 116.

¹¹¹³ M.D.C.: Subprefecture of Sinjar, No.1258/2/5, dated May 8, 1966, to the Province of Mosul. Issue: *The Yazidi Contingent*, doc. 29, p. 130; M.D.C.: The Province of Mosul, No. Q.S/1526, dated May 12, 1966, to Subprefecture of Sinjar. Issue: *The Yazidi Contingent*, doc. 29, p. 131.

¹¹¹⁴ 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 ‘Aṭṭo 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 Khāwwāsh ibn Miḥw to urge the Kurdish clans in Syria to support them...”.¹¹¹⁵

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:

“Taḥsīn Sa‘īd Bag, the president of the Yazidis in Shaykhān, determined to go to Sinjar to speak with the Yazidis in Sinjar and prevent them from deliver the fugitives and absentees to the conscription departments”.¹¹¹⁶

Additional secret investigations were carried out by the government, due to the seriousness of the situation and to the connection between the Sinjar insurrection and the Shaykhān. Taḥsīn Bag was questioned about the reasons for his going to Sinjar without having first sought State permission to do so. In his reply, he denied to have gone to Sinjar:

“The Yazidi Taḥsīn claimed that he did not go to Sinjar. Rather, he sent his aunt by his car”.¹¹¹⁷

The prince’s aunt, Basī Nāyif 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.¹¹¹⁸ 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.

¹¹¹⁵ M.D.C.: The Directorate of the North, No. S/30, dated May 7, 1966, to the Subprefecture of Sinjar. Issue: *The Movements of the Yazidi Clans*, doc. 31, p. 137.

¹¹¹⁶ M.D.C.: The Fourth Division of the Iraqi Army, No. 3492, dated May 7, 1966, to the partition of Shaykhān and the province of Mosul. Issue: *A Clandestine Telegram*, doc. 26, p. 126; M.D.C.: The Province of Mosul, No. 1497, dated 9/5/1966, to Subprefecture of Sinjar. Issue: *A Clandestine Telegram*, doc. 26, p. 127; M.D.C.: The Security Directorate of Mosul, No. Q.S./2910, dated 13/5/1966, to the Province of Mosul. Issue: *Information*, doc. 31, p. 148.

¹¹¹⁷ M.D.C.: The Fourth Division, the partition of Shaykhān, the province of Mosul, No.471, dated 14/5/1966.

¹¹¹⁸ M.D.C.: The Security Directorate of Mosul, No. Q.S./3281, dated 24/5/1966, to the Province of Mosul. Issue: *Information Statement*, doc. 38, p. 166; M.D.C.: The Province of Mosul, No.1764, dated 28 March, 1966, to the Leadership of the Fourth Division. Issue: *Taḥsīn al-Yazīdī*, doc. 38, p. 168.

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.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 twos 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 [ṭā'ifa] 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.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.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.¹¹²²

Second: The government will resort to force to implement the terms of the agreement.

¹¹¹⁹ M.D.C.: The Police Directorate of Mosul, No.3283, dated 31/5/1966, to the General Police Directorate. Issue: *The Yazidi*, doc. 39, p. 170.

¹¹²⁰ This refers to *Kharqa* 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.¹¹²³ 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.¹¹²⁴ 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,¹¹²⁵ 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 Hammo Sharo, as leader of the clan of *Fuqara*,¹¹²⁶ 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]”.¹¹²⁷

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.¹¹²⁸ It is noteworthy that, since the government knew the Yazidis, they did not expect that they would keep their promises completely.¹¹²⁹ Therefore, the government was both cautious and strict on the issue. When the notice period had passed, the government decided to take security and

¹¹²³ The hand-written vows are in the following documents: M.D.C.: doc. 45, p. 203; M.D.C.: doc. 45, p. 204; M.D.C.: doc. 45, p. 205; M.D.C.: doc. 45, p. 206; M.D.C.: doc. 45, p. 207; M.D.C.: doc. 45, p. 208; M.D.C.: doc. 45, p. 209; M.D.C.: doc. 45, p. 210; M.D.C.: doc. 45, p. 211; M.D.C.: doc. 45, p. 212; M.D.C.: doc. 45, p. 220; M.D.C.: doc. 45, p. 221; M.D.C.: doc. 45, p. 222; M.D.C.: doc. 45, p. 223; M.D.C.: doc. 45, p. 224; M.D.C.: doc. 45, p. 225; M.D.C.: doc. 45, p. 226; M.D.C.: doc. 45, p. 227.

¹¹²⁴ M.D.C.: Security Assistance of Sinjar, No.478, dated May 29,1966, to the Security Directorate of Mosul. Issue: *The Yazidi*, doc. 39, p. 172; doc. 39, p. 173; doc. 39, p. 174.

¹¹²⁵ M.D.C.: The Police Directorate of Mosul, No.3665, dated 15 June, 1966, to the General Police Directorate. Issue: *The Yazidi*, doc. 45, p. 196; M.D.C.: The Province of Mosul, No. Q.S/2030, dated June 18, 1966, to the Security Directorate of Mosul. Issue: *Conscripting the Yazidi*, doc. 45, p. 199; M.D.C.: Subprefecture of Sinjar, No.1577, dated 9 June, 1966, to the Province of Mosul. Issue: *The Yazidi*, doc. 45, p. 194.

¹¹²⁶ M.D.C.: Subprefecture of Sinjar, No.1532/2/2, dated June 4, 1966, to the Province of Mosul. Issue: *The Yazidi*, doc. 39, p. 177.

¹¹²⁷ M.D.C.: Sakīniya Office Center, No.17, dated June 16, 1966, to the Directorate of Sinjar. Issue: *The Yazidi*, doc. 45, p. 219.

¹¹²⁸ M.D.C.: The Leadership of the Fourth Division, No. A.S./27/1126, June 7, 1966, to the Province of Mosul. Issue: *The Yazidi's Actions in Sinjar Mount*, doc. 41, p. 179.

¹¹²⁹ M.D.C.: The Directorate of Secret and Political Intelligence in the Ministry of the Interior, No. Q.S./3885, dated 29/5/1966, to the Province of Mosul. Issue: *The Yazidi Community*, doc. 41, p. 180.

military measures against them. On June 19, it published a list of wanted persons¹¹³⁰ 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.¹¹³¹

The military and security measures began in Sinjar and a number of Yazidi leaders were arrested on June 28, 1966.¹¹³² Some armed conflict took place between squads of the Iraqi Army and armed Yazidi in some villages, hence, the army arrested over 35 armed Yazidi or more. However, a majority of the Yazidi fled into the mountains when the government forces arrived, thereby escaping arrest.¹¹³³ The violence continued; on July 29, 1966 three Yazidis were killed and hundreds arrested and put in the fourth Iraqi army corps,¹¹³⁴ and on July 7, sixty-two others were arrested, their arms and ammunition were confiscated,¹¹³⁵ and they were investigated and tried in civil court according to the Iraqi Law of Penalty.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.¹¹³⁷ Avoiding the mountainous regions¹¹³⁸ 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 Khidr al-Dāwūd,¹¹³⁹ and Khidr Ḥassūn, for example.¹¹⁴⁰ The insurgents established special groups to target the government supporters. One of these

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.

¹¹³¹ M.D.C.: from: FQ.4 (The Fourth Division of the Army), Origin No.5021, (A Secret Telegram), to S. with Osama, doc. W.Q.Q.M / the Province of Mosul / G.Ḥ.Kh.F1/ Subprefecture of Sinjar/ KMKh4/ T.N. FQ. 4/ S. report Ms4, doc. 45, p. 215.

¹¹³² M.D.C.: The Security Directorate of Mosul, No. Q.S/4039, dated 22 June, 1966, to the Province of Mosul. Issue: *The Yazidi Community*, doc. 47, p. 229.

¹¹³³ M.D.C.: The Police Directorate of Mosul, No.3842, dated 22 June, 1966, to the Province of Mosul. Issue: *Attacks and Arresting the Fugitives*, doc. 48, p. 230.

¹¹³⁴ M.D.C.: Subprefecture of Sinjar, No.166/Q.S, dated June 30, 1966, to the Province of Mosul. Issue: *The Connection of the Yazidi of Sinjar with Mulā Muṣṭafa al-Bārzanī*, doc. 52, p. 255.

¹¹³⁵ M.D.C.: The Police Directorate of Mosul, No.4286, dated July 10, 1966, to the Province of Mosul. Issue: *Arresting the Absentees and the Fugitives*, doc. 54, p. 260.

¹¹³⁶ M.D.C.: Subprefecture of Sinjar, No. Q.S/175, dated July 7, 1966, to the Province of Mosul. Issue: *Investigation*, doc. 53, p. 259.

¹¹³⁷ M.D.C.: The Security Directorate of Mosul, No. Q.S./4793, dated July 25, 1966, to the Province of Mosul. Issue: *The Yazidi Community*, doc. 60, p. 297.

¹¹³⁸ M.D.C.: The Province of Mosul, No. Q.S/2336, dated July 11, 1966, to the Subprefecture of Sinjar. Issue: *The Yazidi and the Conscription*, doc. 54, p. 269.

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.

¹¹⁴⁰ M.D.C.: The Police Directorate of Mosul, No.4590, dated July 25, 1966, to the General Police Directorate. Issue: *The Yazidi Community*, doc. 56, p. 283.

groups, headed by Murād ‘Aṭṭo,¹¹⁴¹ 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.¹¹⁴² 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.¹¹⁴³ This is reflected in governmental security reports on the matter:

“Šālīḥ al-Yūsifī,¹¹⁴⁴ the representative of Mulla Muṣṭafa Bārzānī, sent a letter to the fugitive Murād ‘Aṭṭo 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”.¹¹⁴⁵

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 ‘Aṭṭo 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

¹¹⁴¹ Murād ‘Aṭṭo 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.

¹¹⁴² M.D.C.: Subprefecture of Sinjar, No. Q.S/, dated July 25, 1966, to the Province of Mosul. Issue: *The Actions of Murād ‘Aṭṭo and the Yazidi*, doc. 60, p. 293; doc. 60, p. 294; doc. 60, p. 295; M.D.C.: The Security Directorate of Mosul, No. Q.S/4878, dated July 28, 1966, to the Province of Mosul. Issue: *The Yazidi Community*, doc. 60, p. 306.

¹¹⁴³ M.D.C.: The Leadership of the Fourth Division, No. north /1/11501, dated July 23, 1966, to the leadership of al-Maydān forces. Issue: *Information*, doc. 57, p. 285.

¹¹⁴⁴ Šālīḥ 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 Šālīḥ al-Yūsifī: *Šālīḥ al-Yūsifī: Šafahāt min Hayātihī wa Niḡālīhī al-Waṭanī ma’a Dīwānihī al-Sha’rī al-Kāmil* (Memoirs about his Life and his National Strive with his Complete Poetical Works). Duhok: al-Jazīrī Publications 2009.

¹¹⁴⁵ M.D.C.: The Security Directorate of Mosul, No. Q.S/5100, dated August 7, 1966, to the head of general security. Issue: *The Connection of the Yazidi of Sinjar with Mulla Muṣṭafa group*, doc. 61, p. 328.

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 Taḥsīn Bag, along with his brothers, Kayrī Bag and Fārūq Bag, were invited to a meeting where they agreed that Mīr Taḥsīn Bag should meet Murād ‘Aṭṭo in the strait of *Dīr al-‘Aṣī*, (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 Taḥsīn was assigned to that mission due to his role and status in Yazidi community. The government felt that:

“Taḥsīn’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 Taḥsīn 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

¹¹⁴⁶ M.D.C.: The Province of Mosul, No. Q.S/2113, dated June 22, 1966, to the Leadership of the Fourth Division. Issue: *The Connection of the Yazidi of Sinjar Mountain with the group of Mulla Muṣṭafa al-Bārzanī*, doc. 46, p. 228.

¹¹⁴⁷ M.D.C.: The Leadership of the Fourth Division, No. A.S/27/1551, dated July 31, 1966, to the Province of Mosul. Issue: *Sending a Unit of Militants*, doc. 60, p. 314; M.D.C.: The Province of Mosul, No. Q.S./2518, dated August 1, 1966, to the Chief of Police of Mosul. Issue: *The Actions of the Criminal Murād ‘Aṭṭo and his People*, doc. 60, p. 319.

¹¹⁴⁸ M.D.C.: The Leadership of the Fourth Division, No. A.S./ 27/1608, dated August 8, 1966, to the Directorate of General Staff. Issue: *The Situation in Sinjar*, doc. 62, p. 339; doc. 62, p. 340.

¹¹⁴⁹ M.D.C.: The Leadership of the Fourth Division, No. A.S./ 27/1608: *Ibid*, doc. 61, p. 333.

¹¹⁵⁰ M.D.C.: The Province of Mosul, No. Q.S./2588, dated 9 August, 1966, to the Ministry of the Interior. Secret Intelligence. Issue: *The Actions of Murād ‘Aṭṭo and his Followers from the Yazidi*, doc. 61, p. 335.

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

Mîr Taḥsîn Bag went to the strait of Dîr-ʿAṣî valley to meet Murād ʿAṭṭo and the other leaders. Upon Prince Taḥsîn's return, he denied any connection between the Yazidi insurgents and any political party. However, government reports state that Murād ʿAṭṭo told Prince Taḥsîn 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, Mîr Taḥsîn Bag proposed that the government abolish its surveillance activities, 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 Mîr Taḥsîn 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 Mîr Taḥsîn 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 Mîr Taḥsîn 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-Waqāʿi ʿal-ʿIrāqiyya*, Vol. 1292, dated 28th July, 1966.

¹¹⁵² M.D.C.: Subprefecture of Sinjar, No. Q.S., dated July 23, 1966, to the Province of Mosul. Issue: *The Connection of the Yazidi of Sinjar Mountain with the group of Mulla Muṣṭafa al-Bārzanī*, doc. 60, p. 303.

¹¹⁵³ M.D.C.: Subprefecture of Sinjar, No. Q.S., dated July 25, 1966, (clandestine and personal) letter to the Province of Sinjar. Issue: *Murād ʿAṭṭo and the Yazidi's Movements*, doc. 61, p. 331.

¹¹⁵⁴ M.D.C.: Subprefecture of Sinjar, No. Q.S., dated July 25, 1966: *Ibid*, doc. 61, p. 331.

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-Būmtiwa*¹¹⁵⁵ 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 Taḥsīn. 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 Bārzanī. 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 Khidr Khānkī, 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 privilege 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

¹¹⁵⁵ *Al-Būmtiwa* is an Arab clan that settled in Sinjar and allied with the Yazidi against the clan of Shammar in a conflict that took place on August 5, 1946. See: ‘Abbās al-‘Azzāwī: *Mawsū‘at ‘Ashā‘ir al-‘Irāq* (The Encyclopedia of the Clans of Iraq). Beirut: al-Dār al-‘Arabiyya for Publication 2005, Vol. 2, pp. 59-60.

¹¹⁵⁶ M.D.C.: Subprefecture of Sinjar, No. Q.S., dated July 25, 1966, exceptional, (clandestine and personal), to the Province of Mosul. Issue: *Murād ‘Aṭṭo and the Yazidi’s Movements*, doc. 61, p. 332.

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-Waqā‘i‘ al-‘Irāqiyya*, Vol. 781, dated 17th March, 1963.

¹¹⁵⁸ M.D.C.: Subprefecture of Sinjar, Vol. Q.S., dated July 25, 1966, exceptional, (clandestine and personal), to the Province of Mosul. Issue: *Murād ‘Aṭṭo and the Yazidi’s Movements*, doc. 61, p. 333, doc. 61, p. 334.

¹¹⁵⁹ M.D.C.: The Security Directorate of Mosul, No. Q.S./5247, dated 14 August, 1966, to the Province of Mosul. Issue: *The Connection of the Yazidi of Sinjar with the group of Mulla Muṣṭafa al-Bārzanī*, doc. 69, p. 372.

¹¹⁶⁰ M.D.C.: The Province of Mosul, No. Q.S./2650, dated August 16, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *The Connection of the Yazidi of Sinjar with the group of Mulla Muṣṭafa Bārzanī*, doc. 69, p. 373.

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 insurgence 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.¹¹⁶² 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.¹¹⁶³ 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 Khiḍr, asking you to go back to Shahābiya [a village]. Do not stay in Sinjar or gather together there, as that would

¹¹⁶² See: 'Azīz Ḥasan al-Bārzānī: *al-Ḥaraka al-Qawmiyya al-Kurdiyya al-Taḥaririyya fī Kurdistān al-‘Irāq 1939-1945* (The Kurdish Liberation National Movement in Kurdistan 1939-1945). Duhok: Spiriz for Publication 2002, pp. 30-32.

¹¹⁶³ M.D.C.: The Leadership of the Fourth Division, No. Sh.Ā. 'H/Ḍ.R/ 3/17/1637, dated August 8, 1966, to the Subprefecture of Sinjar. Issue: *The Yazidi Community*, doc. 61, p. 338.

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 were¹¹⁶⁴ 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”.¹¹⁶⁵

In his reply, Murād ‘Aṭṭo declared that he was not against the government; however, he accused some leaders of the Yazidi clans, such as ‘Umar Dāwūd-e-Dāwūd and others, of being disloyal to him and to the Yazidi people, for cooperating with the government and dividing the Yazidi.¹¹⁶⁶ 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. Taḥsīn 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:¹¹⁶⁷

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.

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.

¹¹⁶⁶ M.D.C.: The letter from the District Chief of Sinjar to Murād ‘Aṭṭo, on Doc. No. 68, p. 366, in the Subprefecture of Sinjar No. Q.S/, 206, dated August 1, 1966. (Secret and Personal), to the Province of Mosul-al-Tahrīr 2. Subject: *The Actions of Murād ‘Aṭṭo and the Yazidi*, doc. 68, p. 367.

¹¹⁶⁷ M.D.C.: The Police Directorate of Mosul, No.1969, dated August 11, 1966, to the General Police Directorate. Issue: *The Yazidi Community*, doc. 67, p. 348.

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 ‘Aṭṭo in *Dūr-‘Aṣī*. 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 ‘Aṭṭo 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 ‘Aṭṭo.¹¹⁶⁸ Despite all the attempts and negotiations which took place that granted the Yazidi new rights and privileges, Murād ‘Aṭṭo, 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 ‘Aṭṭo and some of his followers, who considered the conscription issue a religious matter and resisted entering military service on those grounds. However, Murād ‘Aṭṭo’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 ‘Aṭṭo and the other presidents, to disperse them and lessen the threat

¹¹⁶⁸ M.D.C.: The Police Directorate of Mosul, No.5010, dated 14 August, 1966, to the General Police Directorate. Issue: *Murād ‘Aṭṭo*, doc. 68, p. 352.

which Murād 'Aṭṭo posed to the government¹¹⁶⁹. The government's role in deepening the division is clear in the following:

“We hope to inform the honest Yazidi presidents of Murād 'Aṭṭo'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”.¹¹⁷⁰

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 Taḥsīn Bag and Bāba-Shaykh along with the leaders of the Yazidi. They recommended the prince and all the present leaders go to Murād 'Aṭṭo and the other insurgents in *Dīr- 'Aṣī*, and convince him by whatever means necessary, to refrain from revolt and to not force the government authorities to punish them.¹¹⁷¹

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.¹¹⁷²

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

¹¹⁶⁹ M.D.C.: The Security Directorate of Mosul, No. Q.S./5277, dated 16 August, 1966, to the Province of Mosul. Issue: *The Yazidi Community*, doc. 70, p. 375; M.D.C.: The Province of Mosul, No. Q.S./ 2681, dated 19 August, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *The Yazidi Community*, doc. 70, p. 376.

¹¹⁷⁰ M.D.C.: The Security Directorate of Mosul, No. Q.S./5277, dated 16 August, 1966: *Ibid*, doc. 70, p. 376.

¹¹⁷¹ M.D.C.: The Province of Mosul, No. Q.S./2682, dated August 19, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *Murād 'Aṭṭo's Movements and the Yazidi and the Situation in Sinjar*, doc. 70, p. 377; M.D.C.: The Security Directorate of Mosul, No. Q.S./5370, dated August 20, 1966, to the General Security Directorate. Issue: *The Yazidi and Murād 'Aṭṭo*, doc. 71, p. 383.

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: 'Azzāwī: *Mawsū'at 'Ashā'ir al-'Irāq...*, 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 insurgence 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, D,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

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 Tālib, 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.¹¹⁷⁴ 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”.¹¹⁷⁵

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.

¹¹⁷⁵ 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:¹¹⁷⁶

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.¹¹⁷⁷ 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 ‘Aṭṭo 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.¹¹⁷⁸

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 ‘Aṭṭo 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,¹¹⁷⁹ 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.¹¹⁸⁰

¹¹⁷⁶ M.D.C.: The Minister of Defense in Mosul, to Mr. Prime Minister. Issue: *A Clandestine and Instant Telegram, on 21 August, 1966*, doc. 72, p. 386.

¹¹⁷⁷ The administrative demands here refer to the land seizures carried out by Arab clans on Yazidi property.

¹¹⁷⁸ M.D.C.: The Province of Mosul, No. Q.S./2697, dated 21 August, 1966, to the Ministry of the Interior, the special office. Issue: *The Latest News in Sinjar*, doc. 71, p. 381.

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.

¹¹⁸⁰ M.D.C.: The Leadership of the Fourth Division, No. A.S./20/1706, dated August 23, 1966, to the General Staff Directorate. Issue: *The Situation in Sinjar*, doc. 75, p. 393; doc. 75, p. 394.

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 1964¹¹⁸¹ 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.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;¹¹⁸³ and (2) the distribution of arable land in Sinjar.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.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.

¹¹⁸¹ For the suffering endured by the minorities under this law, see, pp. 180-184 of this dissertation.

¹¹⁸² M.D.C.: Subprefecture of Sinjar, No.229/ Q.S, dated 25 August, 1966, to the Province of Mosul. Issue: *Murād ‘Aṭṭo*, doc. 82, p. 410.

¹¹⁸³ M.D.C.: The Province of Mosul, No. Q.S./2731, dated 28 August, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *How to Perform a Marriage Contract for the Yazidi*, doc. 79, p. 402.

¹¹⁸⁴ M.D.C.: The Province of Mosul, No.2756, dated 29 August, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *The Distribution in Sinjar*, doc. 83, p. 411.

¹¹⁸⁵ M.D.C.: The Province of Mosul, No. Q.S./2731, dated 28 August, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *How to Perform a Marriage Contract for the Yazidi*, doc. 79, p. 402, p. 402.

Regarding the land distribution issue, the Ministry of Agriculture adopted the necessary procedures for the distribution of land in Sinjar, on September 16, 1966,¹¹⁸⁶ 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 Ba‘āj /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”.¹¹⁸⁷

What is notable in the letter of the District Chief of Ba‘āj 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 Dunam¹¹⁸⁸ on to the lands of Shammar in the region between the villages of *Tal-Sāqī* and *Tal-Um-Raşf*. 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- ākīya*.¹¹⁸⁹

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]”.¹¹⁹⁰ Regarding Murād ‘Aṭṭo’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.¹¹⁹¹ 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.

¹¹⁸⁶ M.D.C.: The Ministry of Agriculture, No. S./117, dated 27 September, 1966, to the Province of Mosul. Issue: *Distributing the lands in Sinjar*, doc. 93, p. 446; M.D.C.: The Ministry of Agriculture, No.1069, dated 16 September, 1966, to the Ministry of Defense. Issue: *Distributing the Lands in Sinjar*, doc. 93, p. 447.

¹¹⁸⁷ M.D.C.: The Subprefecture of al-Ḥaḍr, No.2342/1, dated 31 August, 1966, to the Province of Mosul. Issue: *Modifying the Administrative Borders between Sinjar and Ba‘aj*, doc. 86, p. 418.

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.

¹¹⁸⁹ See the text of the examining committee in document No.87, in: M.D.C.: The Subprefecture of al-Ḥaḍr, No.2342/1, dated 31 August, 1966, to the Province of Mosul. Issue: *Modifying the Administrative Borders between Sinjar and Ba‘aj*, p. 421.

¹¹⁹⁰ M.D.C.: The Subprefecture of Sinjar, No.2409/5/3/ special, dated 25 August, 1966, to the Province of Mosul. Issue: *Trespassing*, doc. 87, p. 419.

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.¹¹⁹² Based on Ḥajī Mīrzā Khalīl's request, the District Chief of Sinjar asked the province of Ba'āj to prioritize the issue, and not allow for any seizure of their and work to eliminate all trespassing.¹¹⁹³ The most important thing, in this case, is that the government assigned great importance to this issue raised by Murād 'Aṭṭo. 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”.¹¹⁹⁴

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”.¹¹⁹⁵

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.¹¹⁹⁶ 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, 1966.¹¹⁹⁷ 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 insurgence. At the same time, Murād 'Aṭṭ and the other leaders came under surveillance. According to security reports, relations did not cease between Murād 'Aṭṭo and the Kurdish Movement at this time. In addition, the latter prompted the Yazidi in Sinjar to

¹¹⁹² *Ibid*, doc. 87, p. 419.

¹¹⁹³ M.D.C.: Subprefecture of Sinjar, No.229/5/3/ special, dated 13 August, 1966, to the Directorate of Ba'āj. Issue: *Trespassing*, doc. 87, p. 424.

¹¹⁹⁴ M.D.C.: Subprefecture of Sinjar, No. 236/Q.S., dated 8 September, 1966, to the Province of Mosul. Issue: *The Latest Developments in Sinjar*, doc. 89, p. 431.

¹¹⁹⁵ M.D.C.: The Province of Mosul, No. Q.S./2858, dated 13 September, 1966, to Subprefecture of Sinjar. Issue: *Eliminating the Siege*, doc. 89, p. 432.

¹¹⁹⁶ M.D.C.: The Province of Mosul, No. Q.S./2734, dated 28 August, 1966, to Subprefecture of Sinjar. Issue: *Demonstration and Lunch Invitation in Sinjar*, doc. 81, p. 407; M.D.C.: The Province of Mosul, No. Q.S./2820, dated 5 September, 1966, to the Ministry of the Interior, Secret Intelligence. Issue: *Trespassing*, doc. 87, p. 426.

¹¹⁹⁷ M.D.C.: A Secret Telegram Q.Q.M., No. 2853/H, dated 29 August, 1966, to the Province of Mosul. Issue: *Intelligence*, doc. 84, p. 412.

continue their insurgency against the government.¹¹⁹⁸ 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.¹¹⁹⁹

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.

¹¹⁹⁸ M.D.C.: The Leadership of the Fourth Division, No. Ā.S./30/1816, dated August 10, 1966, to the Security Directorate of Mosul. Issue: *Information*, doc. 88, p. 429; M.D.C.: The Province of Mosul, No. Q.S./2857, dated 13 September, 1966, to: Subprefecture of Sinjar. Issue: *Information*, doc. 88, p. 430.

¹¹⁹⁹ M.D.C.: The Leadership of the Fourth Division, No. Ā.S./30/1821, dated September 11, 1966, to the Police Directorate of Mosul. Issue: *Information about the Yazidi*, doc. 88, p. 427; doc. 88, p. 428.

Part V: The Prospective Dimensions of the Development Policies Towards Religious Minorities after 1968

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*¹²⁰⁰ and in 1972, the Law of Civil Status *No. 65/ 1972* was passed.¹²⁰¹ 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.¹²⁰²

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

¹²⁰⁰ *Al-Waqā‘i al-‘Irāqiyya*, Vol. 1053, dated 27th December, 1964.

¹²⁰¹ *Al-Waqā‘i al-‘Irāqiyya*, Vol. 2154 dated 18th June, 1972; *Majmū‘at al-Qawānīn wa al-Anzīma al-‘Irāqiyya*, (the Iraqi Laws and Systems), 1972, Vol. 1, pp. 411-412.

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, Rashū, Khūdīdā, 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, Sabeen-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 (...) ¹²⁰³ 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”. ¹²⁰⁴ 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. ¹²⁰⁵ 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. ¹²⁰⁶

¹²⁰³ (...) Here, the names of the parties to the case have been omitted.

¹²⁰⁴ Decision No. 4594/ personal/ 96 on October 31, 1996 (unpublished), reported in: Judge Bashār Aḥmad al-Jubūrī: *Al-wajīz fī sharḥ Mawād al- Aḥwāl al-shakḥsiyya gi ghīr al-Muslimīn fī al-Qanūn al- ‘Irāqī* (A brief explanation of the articles of personal status [law] for non-Muslims under Iraqi law). Mosul 2010, p.116.

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.

¹²⁰⁶ The decision of the court of cassation No. 201/Second General Committee/976 on December 25, 1976, in the decisions of justice, No. (4), Baghdad, 1976, p.108, reported in: Jubūrī: *Op. Cit.*, p.117.

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.¹²⁰⁷ However, the case was transferred to the court of cassation on 8 May, 1985 which overturned 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.¹²⁰⁸ 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 Sabeen-Mandaean plaintiff (S. A. L)¹²⁰⁹ 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) the from Muslim to Sabeen-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 decision¹²¹⁰ on Islamic law, which in turn was based on Quranic verses, Sunnah, and the consensus of jurists.¹²¹¹

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.

¹²¹⁰ The Letter of the Divan of Presidency No. 10777 dated May 8, 994, see: Judge: Jubūrī: *Op. Cit.*, pp. 122-123.

¹²¹¹ Quran: Ṭur Sura, verse 21; al-'Umrān Sura, verse 19 and 185; al-Baqara Sura, verse 217, and the Hadith of Prophet Muhammad: "The one who changes his/her religion is to be killed". This is to be found in the records of the Islamic sects such as Muḥammad bin Idrīs al-Qurshī Abū 'Abullah al-Shāfi'ī: *Kitāb al-'Um*, (The Book of the Mother). Beirut: Dār al-Ma'rifa for Publications 1990. Vol. 1, p. 127; Abū Muḥammad Mūwafaq ad-Dīn al-Maqddasī al-Ḥanbalī: *Kitāb al-Mughnī li Ibn-Qudāma* (Ibn-Qudāma, Court Clerk). Beirut: 1083, Vol. 2, p.139; al-Ja'afarī Jurisprudence by the interrogator al-Hillī: Abī al-Qāsim Najim ad-Dīn Ja'far bin al-Ḥasan al-Muḥaqqiq al-Hillī: *Kitāb: Shara'ī al-Islām fī masā'il al-ḥalāl wa-alḥaram* (Islam Laws). Beirut: al-Wafā' Foundation 1983, Vol. 4, p.13, and other Islamic sects and beliefs such as al-Mālikī and al-Zaiyḍī Jurisprudence.

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

¹²¹² Decision No. 318/General Committee/99 on February 14, 2000. Iraqi Judiciary Magazine, No. 3-4, Baghdad, 2001, pp. 228-230.

¹²¹³ Al-Ḥamlāt al-'īmāniyya /Faith campaigns began in the 1990s. For more information on them, see: Tahir Zaman: *Islamic traditions of refuge in the crises of Iraq and Syria*. New York: Palgrave Macmillan 2016, pp. 72-77.

changed the laws in the country as political circumstances. This is particularly apparent in the period of the two 'Ārifis and the Iraqi Ba'th Party.¹²¹⁴ 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 Ba'th 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.159/1979¹²¹⁵ 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.¹²¹⁶

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.¹²¹⁷ Accordingly, some of the quasi-secular Kurdish parties appointed

¹²¹⁴ Amatzia Baram: *From Militant Secularism to Islamism: The Iraqi Ba'th Regime 1968-2003*. Occasional paper, Woodrow Wilson International Center for Scholars 2011, pp. 1-25; Joseph Sassoon: *Saddam Hussein's Ba'th Party, inside an Authoritarian regime*. Camberige, New York, Melbourne..., Cambridge University Press 2012, pp. 259-268.

¹²¹⁵ *Al-Waqā'i' al-'Irāqiyya*, Vol. 2746, dated 17th Decmber, 1979.

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 Waqā'i' Gazette*, Vol. 71, dated 29th July, 2007.

¹²¹⁷ KRI: The Letter of the Judicial Council, No. 2703, dated 31 December, 2008, to the Presidency of the Council of Ministers; KRI: Presidency of the Council of Ministers, No. 1638, dated 24 February, 2009, to the office of the counsellor of the president of Iraq for Yazidi affairs, Baghdad. (In the Kurdish language).

a number of Christians and Yazidis to the committees of public prosecution after the council of judiciary in the Kurdistan Region¹²¹⁸ 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 articles¹²¹⁹ 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 Yazidi¹²²⁰ 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.

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.

¹²¹⁹ Şabrî Mîrzâ: *Qānūn al-Mawādd al-Shakṣiyya li-l-Aqalliyya al-dīniyya al-ʿIzīdiyya* (The Law of Personal Articles for the Religious Minority of the Yazidi). *Roj Journal* (for Yazidis abroad), Germany, No. 4&5, 2008, pp. 58-70.

¹²²⁰ See: Matthew Barber: *Iraq's Constitution, Kurdish Legal Reform, and People-not-of-the Book: A Draft Law of Personal Status for the Yazidis*. Unpublished manuscript 2012.

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 Ba‘thists 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*,¹²²¹ 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 Ba‘th Government towards other internal political movements and towards minorities in general the early years of its reign was a consolidation technique. After the Ba‘th 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 incitement 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.¹²²² 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.¹²²³

With respect to Ba‘th Government’s attitude towards the Jews, one of the leaders of the Ba‘th Party at that time, Lieutenant General Hardān al-Tikrītī¹²²⁴ 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 ‘Aflaq¹²²⁵ on the part of Ba‘th Party and Lord Saif, (an Arab Israeli and the Dean of Zionism in London) on the

¹²²¹ For the text of the legislation, see: Abolishment of Law No. 64 of 1967 and Law No. 10 of 1968. Retrieved on 18 October, 2016 from <http://wiki.dorar-aliraq.net/iraqilaws/law/19611.html>.

¹²²² For more information, see: Horesh: *Op. Cit.*, Pt. 5, pp. 2-3; Basri: *Op. Cit.*, pp. 687-693.

¹²²³ Sa‘ad Sa‘adī: *Ma‘jam al- Sharq al-Awsaṭ* (The Dictionary of the Middle East). Beirut: Dār al-Jīl for Publication 1998, p. 422.

¹²²⁴ To view information on Hardān al-Tikrītī and his memoirs, see: ‘Abd-ullah Ṭāhir al-Tikrītī: *Mudhakarāt Hardān l- ‘Abd al-Ghafār Tikrītī* (The memoirs of Hardān Āl-‘Abd al-Ghafār Tikrītī). 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 Hassan al-Bakr. For this reason, he was assassinated in Kuwait by the Iraqi Secret Service.

¹²²⁵ Michel ‘Aflaq (9 January, 1910 - 23 June, 1989) is one of the establishers and theorizers of the Arab Socialist Ba‘th 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 ‘Aflaq, 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 emigrate 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 Ba'ath 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, Ya‘qūb ‘Abd al-‘Azīz, 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

¹²²⁶ Tīkrītī: *ibid.*, pp. 1-4, 10.

¹²²⁷ Al-Mūṣṭafa' Najār: *Zill fi Baghdād* (Shadow in Baghdad: The Story of the Iraqi Jews who Disappeared in Baghdad, a documentary film about a search that dates back 40 years). *Asharq al-Awsat* (The Middle East Newspaper). No. 13252 March 11, 2015. Retrieved on 14 March, 2015 from <http://www.shadowinbaghdad.com/the-film.html>; <http://aawsat.com/home/article/308811> -الذي لعراقي إلى مودي قصة بغداد-من-التيبي

1228 According to law *No.110/ 1970*, four Jewish holidays were recognized, namely al-Kaffārāh Day, Sukkot, Feast of the Tabernacles, Easter, see: *Al-Waqā' i' al- 'Irāqīyya*, Vol. 2184, dated 19th September, 1972.

participated)¹²²⁹ 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-Baṣūn¹²³⁰ 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, 1975:¹²³⁶

¹²²⁹ A proclamation of the Iraqi military spokesman about the participation of the Iraqi forces in fighting on the front in Sinai and Jolan on October 8th, published in the Iraqi *Thawra* (Revolution) Newspaper, dated 9th October, 1973.

¹²³⁰ He died in 1995 in Israel. He wrote a book about the Iraqi poet, Muhammad Mahdī Al-Jawāhīrī entitled: *Al-Jawāhīrī bi Līsānī wa bi Qalamī*, (Al-Jawāhīrī with his tongue and my pen), published by Mesopotamia House in Baghdad, Iraq, in 2013.

¹²³¹ Baṣūn: “Walidī wa Qīṣat Kītāb” (My father and the story of a book). *Elaph Newspaper*, Sunday 22nd June, 2013. Retrieved on 4th April, 2015 from <http://elaph.com/Web/opinion/2013/6/819330.html>; *Al-akhbar.org*, published on June 25, 2013. Retrieved on April 13, 2015 from <http://www.akhbaar.org/home/2013/6/149553.html>.

¹²³² An interview with Nasīm Qazzāz, on Baṣūn: “Ḥīwār ma’a wāldī wa Aṣḍīqa’thī” (An interview with my father and his friends). *Elaph Newspaper*, Pt. 3, Thursday June 13, 2013. Retrieved on April 4, 2015 from <http://elaph.com/Web/opinion/2013/6/818099.html>; *Al-akhbar.org*, published on June 14, 2013. Retrieved on April 11, 2015 from <http://www.akhbaar.org/home/2013/6/148920.html>.

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.

¹²³⁴ A conversation between Salīm al-Baṣūn and his son, Khuḍr Salīm al-Baṣūn: “Ḥīwār ma’a wālidī...,” (a dialogue with my father on the occasion of publishing his book: *Al-Jawāhīrī with his Tongue and My Pen*), on *Elaph Newspaper*, Tuesday, September 24th, 2013. Retrieved on 8th April, 2015 from <http://elaph.com/Web/Culture/2013/4/805737.html>; idem, “Ḥīwār ma’a wālidī al-mutawafī...,” (A dialogue with my dead father), *The Jews of Iraq: an Iraqi Formation or a diaspora?*. *Elaph Online Newspaper*, Pt. 2, Thursday, 16 May, 2013. Retrieved on 9 April, 2015 from <http://elaph.com/Web/opinion/2013/5/812161.html>; *Al-akhbar.org*, published on 13 July, 2013. Retrieved on 17 July, 2015 from <http://www.akhbaar.org/home/2013/7/150462.html>.

¹²³⁵ During the Ba’th 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.

¹²³⁶ Resolution Vol. 1293, in: *revolution-Al-Thawra Newspaper*, Baghdad: dated 27th November, 1975; *The Arab Palestinian Documents of 1957*, publication of the Palestinian Institution for Studies, Beirut, 1975, Vol. 11, p. 559.

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.¹²³⁷ Although a small number of Jews did return,¹²³⁸ 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'ṯh 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.¹²³⁹ After 2003, some people in Iraq claimed to be of Jewish origin, some of whom may be Jews who embraced Islam out of fear.¹²⁴⁰

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 Ṭāwīq synagogue, the last in the city, which was closed in 2003, after it became too dangerous to gather there openly.¹²⁴¹ 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

¹²³⁷ See: Woolfson: *Op. Cit.*, pp. 249-250.

¹²³⁸ Kaywān: *Op. Cit.*, p. 35.

¹²³⁹ USDOS: 2010 Country Reports on Human Rights Practices in Iraq, April 8, 2011, p. 49. Retrieved on 12 March, 2015 from <http://www.state.gov/documents/organization/160462.pdf>.

¹²⁴⁰ See: for example, Bahr Gafūr's story, the Kurdish women who fled from the Kurdistan region to Israel in 2016 after her husband discovered she is of Jewish descent and threatened to hand her over to ISIS, published on 16th January, 2017, by Rudaw Online website. Retrieved on 15 January, 2017 from <http://rudaw.net/arabic/middleeast/160120174>; <http://almughared.com/society/11012017-13919>.

¹²⁴¹ See: for example, Stephen Farrell: "Baghdad Jews Have Become a Fearful Few", *New York Times*, June 1, 2008. Retrieved on 8 January, 2016 from <http://www.nytimes.com/2008/06/01/world/middleeast/01babylon.html>.

ongoing climate of religious intolerance and extremism, Jews in Iraq continue to be at risk of harassment, discrimination, and persecution for mainly religious reasons.¹²⁴²

According to Israeli statistics, the total number of Jews who left Iraq for Israel between 1948 and 1986 was 129,400,¹²⁴³ 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 Mas'ūd Bārzānī¹²⁴⁴ [who was the head of the Kurdish Secret Service (*Pārāstn*), 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".¹²⁴⁵

10.2 Re-forging the Case of the Iraqi Christians

When the Ba'ṯh 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.¹²⁴⁶ It also passed a number of resolutions and decrees pertaining to minorities, such as resolution *No.124/ 1970* which exempted the Christian churches and the synagogues from the water and electricity fees.¹²⁴⁷ Then, the government extended an official invitation to the Assyrian leader, Mar Sham'un Eshai,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

¹²⁴² Joshua Castellino, Kathleena A. Cavanaugh: *Minority Rights in the Middle East*. Oxford: Oxford University Press 2013, p. 219.

¹²⁴³ Courbage, Philippe Fargues: *Op. Cit.*, p. 272.

¹²⁴⁴ They mean the facilitate to the process of smuggling them illegally out of Iraq through Kurdish areas.

¹²⁴⁵ Fāḍl al-Barrāk: *Muṣṭafa' al-Bārzānī: Al-Ḥaqīqa wa-l-Aṣṭūra* (Muṣṭafa' al-Bārzānī: The Truth and the Legend). Baghdad: The House of General Cultural Affairs 1989, pp. 273-274.

¹²⁴⁶ Admūn Gharīb: *al-Ḥaraka al-qawmiyya al-Kurdiyya* (the Kurdish National Movement). Beirut: Dār al-Nahār for Publication 1973, p. 118.

¹²⁴⁷ See the text of the resolution in: *al-Waqā'i' al-'Irāqiyya*, Vol. 1839, dated February 11, 1970.

¹²⁴⁸ He was a leader of the Assyrian Movement. He exiled and denationalized immediately after the state-led Assyrian massacre of 1933.

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 Sham'un 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 ā'īfa in Iraq No.78/ 1971*.¹²⁵⁰ The government stated that, with this law, it aimed to grant the "Iraqi Assyrian tā'īfa 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 Syrians, Assyrians, and Chaldeans.¹²⁵³ It was followed by a law which granted official recognition to the Syriac language.¹²⁵⁴ *Law No.82/ 1972*¹²⁵⁵ 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

¹²⁴⁹ Mātḥfīf (Bārmātī): *Op. Cit.*, p. 173; Shbīrā: *Op. Cit.*, pp. 35-37.

¹²⁵⁰ *Al-Waqā'i al-'Irāqīyya*, Vol. 1996, dated 23rd May, 1971.

¹²⁵¹ For the background to this law, see, in: *Al-Waqā'i al-'Irāqīyya*, Vol. 1996, dated 23rd May, 1971.

¹²⁵² To view these regulations, see: *al-Waqā'i al-'Irāqīyya*, 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 (Catholics) 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>; 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>.

¹²⁵³ To view the resolution in detail, see: Ṭārq Jāmbāz: *Marāsīm wa qarārāt majlis qīyadat al-thawra (1968-2003) al-muta'aliqa bi-Kurdistan-al-'Irāq* (the Decrees and Resolutions of the Revolutionary Command Council of 1968 to 2003, which are related to Iraqi Kurdistan). Erbil 2004, pp. 26-27.

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.

¹²⁵⁵ *Al-Waqā'i al-'Irāqīyya*, Vol. 2161 dated 10th July, 1972.

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.¹²⁵⁶

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.¹²⁵⁷

This setback saw the government attempt to gain the allegiance of another Christian leader thereafter, namely Malik Yāqū 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 1973¹²⁵⁸ 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.¹²⁵⁹

The RCC also passed a resolution on September 13, 1972¹²⁶⁰ 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 Yāqū. 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

¹²⁵⁶ Jāmbāz: *Op. Cit.*, p. 27.

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: Mātḥfīf (Bārmātī): *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.

¹²⁵⁸ Malik Yāqū Malik Ismail spent most of his life in exile in Canada and returned to Iraq in February, 1973. He died in Baghdad in December 1974. See: Rijālāt al-nahdha al-qawmmiyya al-Ashūriyya, Mālik Yakū (Men of the Assyrian Nationalism Renaissance). Retrieved on April 26, 2016, from <http://www.almahatta.net/malfone.htm>.

¹²⁵⁹ Shbīrā: *Op. Cit.*, pp. 38-40.

¹²⁶⁰ To view the text of the resolution, see: Salloum: *al-Masīhiyyūn fī al-'Irāq*..., 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.¹²⁶¹ 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 Sham'un in 1975 along with the killing and assassination of a number of Christian leaders and clergymen at that time¹²⁶² 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.¹²⁶³ The results of these

¹²⁶¹ The text of proposal is published in: Salloum: *Ibid*, pp. 626-630.

¹²⁶² 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-Masīhiyyūn fī al- 'Irāq...*, p. 498.

¹²⁶³ 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.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.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 3.1,¹²⁶⁶ 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.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 2012.¹²⁶⁸

¹²⁶⁴ See: Donabed: *Op. Cit.*, pp. 291-347.

¹²⁶⁵ UN High Commissioner for Refugees (UNHCR): *Background Information on the Situation of Non-Muslim Religious Minorities in Iraq*. BO Berlin: October 1, 2005, pp. 3-5.

¹²⁶⁶ See: Table 3.1: "The Christian Population in Iraq from 1914 to 2003".

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: Rābī: *Op. Cit.*, pp. 51-54.

¹²⁶⁸ On the political participation of Christians in Iraq, see: Salloum, Saad Salah and Majid Hassan: *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,¹²⁶⁹ they also face social disintegration. Furthermore, Islamisation in which their lands and homes are seized from them remains widespread.¹²⁷⁰ 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.¹²⁷¹ The file stated that the illegal seizure and settlement on Christian property by Muslims in Duhok, Zākhū, ‘Ammādiyya, 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.¹²⁷²

Other Christian villages were similarly affected by land seizures under Islamisation, such as the town of ‘Ankāwā, 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.¹²⁷³ 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 14th¹²⁷⁴ articles, where it demanded an end be put to these illegal settlements.

¹²⁶⁹ Eshoo: *Op. Cit.*, retrieved on July 12, 2016 from www.aina.org/reports/avod.htm.

¹²⁷⁰ There is evidence that, despite the petition made by the Christians to the government in 2015 to undertake action to suppress the illegal seizure of their lands, the problem remains. See Omar al-Jaffal: “Christians in Iraqi Kurdistan complain about land seizure”, *Almonitor, the Pulse of the Middle East*, published on July 6, 2016. Retrieved on July 18, 2016 from <http://www.al-monitor.com/pulse/en/originals/2016/07/christians-kurdistan-iraq.html>.

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, and 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 *ṭā’ifa* 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.”¹²⁷⁵

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.¹²⁷⁶ 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 *ṭā’ifa* name was changed to the ‘Yazidi Umayyad Cult’.¹²⁷⁷

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-Da‘wa 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, 1981.¹²⁷⁸ Shortly after his death, Prince Mīr Taḥsīn Bag returned to Iraq, after having being pardoned by Saddam Hussein.¹²⁷⁹

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

¹²⁷⁵ *Al-Maktab al-Umawī* (The Umayyad Office), a special report, the Members of the Umayyad Call in Baghdad, in 1972.

¹²⁷⁶ The first Friday of the eastern December, the first Wednesday of the eastern April, 18-21 July and 23-30 September, See: paragraph D in: law No.110/1970 in: *al-Waqā‘i‘ al-‘Irāqiyya*, Vol. 2184 dated 19th September, 1972.

¹²⁷⁷ *Law No.1, 1982*, an amendment to the Religious Cult Patronage Law: *The religious cults officially recognized in Iraq, No.32 of 1981. Al-Waqā‘i‘ al-‘Irāqiyya*, Vol. 2867, dated 18th January, 1982.

¹²⁷⁸ An interview with ‘Urūbā Bāyazīd Ismā‘īl 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 1980s¹²⁸⁰ 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 psyche¹²⁸¹ 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.¹²⁸²

In another secret study of the General Military Intelligence Service¹²⁸³ 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”.¹²⁸⁴ In addition, the study accused Mīr Taḥsīn Bag of cooperating with the Kurdish Movement. It also pointed out the loyalty of the Yazidi clans to the CGI.¹²⁸⁵ The reference to Taḥsīn 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

¹²⁸⁰ The Secretariat of the Presidency (Iraq): General Military Intelligence Service, Psychological Intelligence Section: *Yazidi Personality*. Military Print Directorate, undated, (secret and limitedly circulated).

¹²⁸¹ The Secretariat of the Presidency (Iraq): *Ibid*, pp. 137-152.

¹²⁸² See: *Ibid*, p. 5.

¹²⁸³ The Secretariat of the Presidency (Iraq): General Military Intelligence Service. Issue: *Kurdish Clans in Iraq*, Military Print Directorate, undated, (secret).

¹²⁸⁴ *Ibid*, p. 118.

¹²⁸⁵ *Ibid*, p. 118.

particular, came to consider the Yazidi as followers of Yazīd ibn Mu‘āwiyya, which angered the Shi‘i. 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 Shi‘i, the Iraqi government emphasized a possible connection between the Yazidi and Yazīd ibn Mu‘āwiyya 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 Shi‘i 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, Shi‘i, 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 Shi‘i 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 Shi‘i regions in the south of Iraq, as they are historical enemies of the Shi‘i, it claimed.¹²⁸⁷ The rumour incited much anger and hatred among the Shi‘i against the Yazidi. After the American Occupation of Iraq in 2003, many Shi‘i leaders called for the Yazidi to be punished for their role in oppressing the South and shedding the blood of the Shi‘i 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: ‘Abd al-Razāq al-Ḥasanī who stated that he is certain that the Yazidi believe in Yazīd ibn Mu‘āwiyya; this angered the Shi‘i in Iraq and turned them against the Yazidi. His book was also published in Persian. See: *al-Yazīdiyya...*, 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 Shi‘a 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.

¹²⁸⁸ See for example, Dr. ‘Adnān Muḥammad Āl-Ṭu‘mah: “Nabāhat al-Balad al-Khāmīl fī al-Muṣālaḥa al-Waṭaniyya bayna al-Qaṭīl wa-l-Qāṭil” (Insights into a Sluggish Country in the National Reconciliation between the Killed and the Killer). *Al-Ittijāh al-khīr* (The other Iraqi direction) *Gazette*, Vol. 164, dated 10 April, 2004, p. 9.

sectarianism by claiming that the Yazīd Umayyad Army had progressed towards the southern regions to shell the sacred Shi‘i 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 clothing¹²⁸⁹ before the IRG units marched on An Najaf and Karbala and on the other Shi‘i 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 Shi‘i and Kurds to take root in the Iraqi mentality.

The purpose behind the deception was purely political. A minority with a mere population of 150,000¹²⁹⁰ 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 Shi‘i 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 Shi‘i holy shrines. Perhaps the (chiefly Sunni) government also saw it as a way of deflecting growing Shi‘i 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-Mandaeans, and Assyrians to this end.¹²⁹¹

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

¹²⁸⁹ ‘Abd al-Razzāq al-Ṣāfi: “al-Izīdiyyūn hal hum ‘abadat al-Shayṭān” (The Yazidis: Are they Devil Worshippers?!), London: *al-Ḥaiyyāt Londoner Gazette*, Vol. 15487, dated 26 August, 2005, p. 9.

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-‘Irāq: *Wathā’iq al-mahkama al-‘itihādīya al-‘ulīyya* (The Republic of Iraq: The Documents of the Supreme Federal Court). Baghdad, No. 11/ federal/ 2010, p. 3.

¹²⁹¹ Iraq’s Intelligence Services (IIS): Regime Strategic Intent - Annex B. Retrieved on 10 April, 2016 from https://www.cia.gov/library/reports/general-reports-1/iraq_wmd_2004/chap1_annxB.html.

“pure Kurdish”, stressing his refusal to impose any identity upon the Yazidi “because they are Kurds”.¹²⁹² 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.¹²⁹³ 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.¹²⁹⁴ 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

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 Mas‘ūd 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.

¹²⁹⁴ About changing attitudes to Yazidi religious minority identity see: Majid Hassan Ali: “Aspirations for Ethnonationalist Identities among Religious Minorities in Iraq: The Case of Yazidi Identity in the Period of Kurdish and Arab Nationalism, 1963–2003”, *Nationalities Papers-The Journal of Nationalism and Ethnicity*, (Submitted on 22 July 2017, accept on 28 April, 2018), Published online by Cambridge University Press: 01 July 2019, DOI: <https://doi.org/10.1017/nps.2018.20>.

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 Mar'ī¹²⁹⁵ 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 Ba'ṯh Era, on July 2, 1972, in the village of *Grī-Zarkā*, 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,¹²⁹⁶ 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.¹²⁹⁷ It should be noted that no political entity saw its way to voice condemnation of the government's actions during the campaign.

¹²⁹⁵ Āzād Sa'īd Simū: *Al-Yazīdiyya min khilāl niṣūṣusuhā al-dīniya* (The Yazidi through their sacred texts). Beirut: Islamic library for publications 2001; Noori Abdul-Rahman Ibrahim, and Izal-Deen Hassan Jamil: "Shikh Aadi Ben Musafar Al-Amawi and his Efforts in Islamic Religion within his Book (Eteqad Ahel-Al sunna Wa Al-Gama'a)". *Journal of Duhok University*, Editorial Board, Humanities and Social Sciences, Vol. 7, No. 1, pp. 123-140.

¹²⁹⁶ 'Alī Sinjārī: *wraq min if Kurdistān* (Papers from the Archive of Kurdistan). Duhok: Spiriz for Publication 2007, Vol. 1, p. 20.

¹²⁹⁷ *Al-Ta'ākhī* (Brotherhood) *gazette*, Vol. 1421, Baghdad: dated 28th August, 1973, pp. 1-5.

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 *Mujama'āt* '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 thier 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:

¹²⁹⁸ For more information about these procedures in the Yazidi regions, see: *Wathā'iq Mū'tamir al-'Irāq naḥwa Ta'addiyya Sīyāsiyya 2- ylūl 2000* (the Documents of the Iraq Convention for Political Multiplicity 4-2 August 2000). Erbil: Publications of Iraq Institute for Reformations, Culture and Democracy 2000, pp. 51-52; Sinjārī: *wraq min if Kurdistān...*, Vol. 1, pp. 20-27.

¹²⁹⁹ For more information about the Anfal Genocide against the Yazidi and Christians, cf: Human Right Watch, *Genocide in Iraq: The Anfal Campaign against the Kurds*. Washington-London: A Middle East Watch Report 1993, pp. 311-317.

¹³⁰⁰ See: *al-Waqā'i al-'Irāqiyya*, Vol. 3232, dated 12th December, 1988.

¹³⁰¹ See the resolution under the following link. Retrieved on 16 October, 2016 from <http://wiki.dorac-aliraq.net/iraqilaws/law/17938.html>.

¹³⁰² The text of the document is published in: 'Abd al-Raqīb Yūsif: *Ḥidūd Kurdistān al-Jinūbiyya min Sinjār ḥata Badra* (The Southern Borders of Kurdistan from Sinjar to Badrah). Sulaimaniyya: al-Taw'īya Academic Publications 2011, pp. 165-185.

“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 kidnappings 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 *Sibā-shikhidir* and *Gir-‘izir*.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 Kurdistan’s 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

¹³⁰³ Yūsif: *Ibid*, p. 175.

¹³⁰⁴ Almost 85% of Yazidi territory is located within the Disputed Areas: See: “*IRAQ-Yazidis seek to form tribunal for crimes of Saddam regime*”, retrieved on 10 July 2016 from https://wikileaks.org/gifiles/docs/18/1896544_iraq-yazidis-seek-to-form-tribunal-for-crimes-of-saddam.html.

¹³⁰⁵ Danish Immigration Service: *Security and Human Rights Issues in Kurdistan Region of Iraq (KRI), and South/Central Iraq (S/C Iraq)*. Copenhagen: (report) July 2009, pp. 38-39.

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.

¹³⁰⁹ See: *Dalīl al-mamlaka al-‘iraqiyya l-sanat 1935-1936: Op. Cit.*, pp. 925-926.

¹³¹⁰ Mir Taḥsīn 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.¹³¹¹

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 Islam¹³¹² 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 *Jihād* (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, and 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.¹³¹³ 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 2011.¹³¹⁴ 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.¹³¹⁵

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.¹³¹⁶ 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.¹³¹⁷ 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 Sabeen-Mandaeans. During the parliamentary debate, all the secular and Kurdish members of parliament remained completely silent on the issue. Across the whole political

¹³¹³ A petition of the Yazidi demonstrators in Europe was submitted to the Officials in Iraq and the Kurdistan region about the events of Shaykhān on 26 February, 2007: retrieved on 20 July 2016 from <http://www.gov.krd/a/d.aspx?a=16538&l=14&r=81&s=010000>; Mirza H. Dinnayi: “*The Situation of the Yezidi Minority. Hannover: A short report 2007*”, p. 9. Retrieved on 27 august 2016 from <http://www.kurdipedia.org/files/books/2013/87570.PDF?ver=130301200220646794>.

¹³¹⁴ DRC Danish Refugee Council: *The Kurdistan Region of Iraq (KRI) Access, Possibility of Protection, Security and Humanitarian Situation*. Report from a factfinding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, from 26 September to 6 October, 2015. Copenhagen, April 2016. pp. 173-174. Retrieved on 04.01.2017 from www.ecoi.net/file_upload/1226_1460710389_factfindingreportkurdistanregionofiraq11.042016.pdf; Also see the following online websites. Retrieved on July 26, 2016 from <http://dw.com/p/13PWk>; https://wikileaks.org/gifiles/docs/57/57771_-os-iraq-iraq-yazidis-fear-attacks-.html; https://wikileaks.org/gifiles/docs/12/1294159_-mesa-iraq-ct-no-fear-of-further-violence-in-zakho-today-.html.

¹³¹⁵ Shamāl ‘Adil Salīm: “(Şifir) Hūwa Natījat lijān al-Tahqīq fī qlīm Kurdistān: Zero is the result of the investigating committees in Kurdistan”, from an article retrieved on July 22, 2016 from <http://elaph.com/Web/opinion/2016/7/1099637.html>.

¹³¹⁶ It is noteworthy that in the Ministry of Religious Endowments of the KRG the building of mosques has increased. In the last statistics, their number was estimated to be 5473 in the Kurdish governorates which belong to the authority of the province. At the time of writing, 4,600 mosques have been built since 1991. See: Shamāl ‘Adil Salīm: “Hal (Āllah) bi-hāja ila kul hadhihī al-Masājid fī Āqlīm Kurdistān” (Is Allah in Need of Building all these Mosques in Kurdistan?) London: *Elaph Gazette*. Vol. 5559, dated 10 August, 2016. Retrieved on 12.08.2016 from <http://elaph.com/Web/opinion/2016/8/1101423.html#sthash.UZuf73iJ.dpuf>.

¹³¹⁷ See: The Iraqi Unified National Card Law No. 3/ 2016, in: *Al-Waqā’i’ al-‘Irāqiyya*, Vol. 4396, on 1st February, 2016, p. 18. Retrieved on July 25, 2016 from <http://www.nid-moi.gov.iq/upload/upfile/ar/48.pdf>.

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-*Ahl al-kitāb* had been abolished during the era of the 'Ārif brothers, during the Ba'ṯh Era, special legislation was passed that abolished that law.¹³¹⁸ In addition, new legislation *No.110 in 1972* was also passed which granted the religious holidays of Sabean-Mandaeans State recognition.¹³¹⁹

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. *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.¹³²⁰
2. *Majlis al- 'umūm* (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. *Majils al-Shu 'ūn* (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.¹³²¹

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

¹³¹⁸ To view the text of legislation *No. 110 / 1970*, See: *Al-Waqā'i' al-'Irāqīyya*, Vol. 2184, dated 19th Semptember, 1972.

¹³¹⁹ According to the first law *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 Yahya (Wahba Yamānā). See: *Al-Waqā'i' al-'Irāqīyya*, Vol. 2244, dated 7th May, 1973.

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.

¹³²¹ Raad Jabbar Salah: "Sabian-Mandaeans: A Millennial Culture at Stake", in: Sa'ad Saloum (ed.): *Minorities in Iraq*, p. 86.

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 Sabeen-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 Sabeen-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 Sabeen-Mandaeans have reportedly been killed for refusing to do so.¹³²³ In addition to targeted violence perpetrated against Sabeen-Mandaeans, the community has also suffered from social marginalization and religious discrimination.¹³²⁴ Reportedly, Sabeen-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, Sabeen-Mandaean 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 Sabeen-Mandaeans and poses a threat to their unique religious identity long-term.

10.5 Kākā'is: From Domestic Conflict to Distinctive Religious Identity

In a clandestine security study for the General Directorate of Military Secret Service,¹³²⁶ the Kākā'i were classed as a Kurdish clan characterized by the Kākā'i 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 Kākā'i clan was mentioned along with his membership of

¹³²² About the political participation of the Sabeen-Mandaeans in Iraq after 2003, see: Sa'ad Saloum, Saad Salah and Majid Hassan: *Op. Cit.*, pp. 41-44.

¹³²³ UNHCR Eligibility guidelines for assessing the international protection needs of asylum seekers from Iraq. United Nations High Commissioner for Refugees (UNHCR) 31 May, 2012 HCR/EG/IRQ/12/03, p. 29. Retrieved on 26th June, 2015 from <http://www.refworld.org/docid/4fc77d522.html>.

¹³²⁴ See: Human Rights Watch HRW: *Iraq at a crossroads: Human Rights in Iraq, eight years after the US-Led Invasion*, February 2011, pp. 67-68. Retrieved on 12th March, 2015 from <http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf>.

¹³²⁵ An interview with Gnsbera (Rīsh-shama) Sattār Jabbār al-Hilw in Baghdad-Iraq on 15 January, 2017; See also: US Department of State: *International Religious Freedom Report*, July-December, 2010, 13 September, 2011, p. 13. Retrieved on April 27, 2016 from <http://www.state.gov/documents/organization/171735.pdf>.

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.

¹³²⁷ *Ibid*, p. 135.

the Kurdish Movement from 1970 to 1979. The study estimated their population at 6,000.¹³²⁸ It evaluated their fighting abilities as good, and noted that they respected authority.¹³²⁹

Since 2003, armed groups have subjected the Kākā'i to threats, kidnappings and assassinations.¹³³⁰ Muslim religious leaders in Kirkuk have allegedly told their followers not to purchase anything from "infidel" Kākā'i shop owners. For fear of persecution, therefore, the Kākā'i reportedly hide their identity in public.¹³³¹ Furthermore,¹³³² the Kākā'i 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.¹³³³ The participation of the Kākā'i in State institutions has been very limited, although they did have one minister, Falak-ad-Dīn Kākā'i 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 Kākā'i 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.¹³³⁴ Kākā'i 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 Kākā'is have neither attained these goals nor have they formed a political party. Official recognition of Kākā'i, therefore, remains very limited.

After 2003, some of the Kākā'i sought to establish a political party. The then Minister of Culture in the KRG of 2007, Falak-ad-Dīn Kākā'i, 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

¹³²⁸ This is the first time that reference is made to the population of the Kākā'i. Their population had not appeared in any census that took place in Iraq prior to this document.

¹³²⁹ The Secretariat of the Presidency (Iraq): General Military Intelligence Service. *Kurdish Clans in Iraq*, Op. Cit., p. 137.

¹³³⁰ The worst attack against the Kākā'i was recorded in November 2009, when a (parked) car bomb reportedly targeted civilians near a shrine holy to the Kākā'i 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>.

¹³³¹ UNHCR: Eligibility guidelines for assessing the international protection needs of asylum seekers from Iraq. United Nations High Commissioner for Refugees (UNHCR) 31 May, 2012 HCR/EG/IRQ/12/03, p. 30. Retrieved on 26 June, 2015 from <http://www.refworld.org/docid/4fc77d522.html>.

¹³³² About the political participation of the Kākā'i in Iraq after 2003, see: Saad Salloum, Saad Salah and Majid Hassan (eds.): *Political Participation of Minorities in Iraq*, Report 2, Heartlan Alliance International & MCMD, Baghdad, 2015, pp. 37-40.

¹³³³ From an interview with Hāshim Kākā'i in Kirkuk on 25 December, 2016.

¹³³⁴ Muḥammed Shafīq: (Editor): "Kākā'i demand Quota seat in the "House of Representatives" of the Iraqi Parliament and the Parliament of the Kurdistan Region of Iraq": Alsumaria News TV, March 7, 2015. Retrieved on 25 March, 2015 from <http://www.alsumaria.tv/news/127037/>.

influences could create division within the Kākā'i community. Nevertheless, parties did emerge. Naturally, the existence of a Kākā'i political party meant declaring their faith and independent identity,¹³³⁵ either blatantly or by default. No Kākā'i party per se emerged, except for the Kākā'i 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.¹³³⁶ It is, however, the first time that a section of the Kākā'i declared itself an independent religion. For the rest of the Kākā'i 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 Kākā'i community is that it is divided into two groups, one which affiliates itself with Islam (which is mostly made up of Kākā'i chieftains and tribes' people) and a second (comprised of educated Kākā'i elites) which sees Kākā'ism 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 Kākā'i community as a whole, one which became apparent after 2003, when the latter group began to seek formal recognition of their religious identity as Kākā'i. 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 'Aẓīm Ḥasan, Kākā'is', a spiritual mentor in Iraq, stressed the necessity to oppose those attempting to disconnect Kākā'is from Islam.¹³³⁷ These statements were made public after he, along with other Kākā'i leaders in Kirkuk, met with the Union of Islamic Scholars. Some Kākā'i claim that such official statements along those lines from within the Kākā'i community are due to fear of the Islamic environment in which the Kākā'i find themselves.¹³³⁸

On November 20th, 2016, the Kākā'i' 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 Kākā'i, it demanded the rights of the Kākā'i' be recognised as a Muslim minority, similar to the 'Alawī. They also called for the Kākā'i'

¹³³⁵ Rashīd al-Khayyūn: *Al-Adyān wa al-madhāhib...*, Vol. 3, p. 97.

¹³³⁶ An interview with Akū Shāwīs, in Ḥalabja-KRI on 27 December, 2016. He is the representative of the Kākā'i 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 Kākā'i 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=IaG9ydEwfHM>.

¹³³⁸ From interviews with Kākā'i activists in Erbil and Kirkuk-KRI held in December, 2016. (Informant A, B, C, and D.); see also: "We pretend that we are Muslims, and we want the abolition of religious status from the Iraqi identity card", *Irfa' sawtak online*, Middle East Broadcasting Network MBN Inc. Edited by: Maṭīn Amīn, published on October 31, 2015. Retrieved on 9 January, 2016 from <http://www.irfaasawtak.com/a/328162.html>.

movement that aims to separate Kākā'i from Islam, to be officially banned.¹³³⁹ Some Kākā'i' who consider themselves Muslim have also joined the Shi'i forces against ISIS. The People's Mobilization Forces of Iraq (Shi'i) has formed a so-called Popular Mobilization Unit of Kākā'i in the region of Kirkuk, which consists of more than 500 fighters.¹³⁴⁰

10.6 Baha'is: From Prohibition to Cautious Freedom

As part of its policy to quash the Baha'i in Iraq, the government passed law *No.105/ 1970*¹³⁴¹ banning Baha'i 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 Baha'i, be it endorsing, publicizing, or joining a Baha'i group or body, or propagating Baha'i thinking. Those charged with practicing the Baha'i faith, engaging in community activity or having any relation with them whatsoever, were sentenced to ten years in prison.¹³⁴²

Many Baha'is were arrested under law *No.105/ 1970* after the so-called "Revolutionary Court" charged them with Baha'i activity. Some of those charged were also convicted of being associated with the Zionist Movement and of spying for foreign countries.¹³⁴³ The Directorate of Personal Status, *No. 358* dated 24th of July, 1975, ordered all records of personal status of the Baha'i to be frozen, which meant that marriage contracts, or appointments for the Baha'i 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.¹³⁴⁴

To avoid being accused of Zionism and to reduce danger to their personal safety at the hands of State persecution, the Baha'is were compelled to change their religion and convert to Islam

¹³³⁹ See: the text of the explanatory memorandum of the Kākāi in Iraq and Kurdistan region of Iraq, to the Government of Iraq and the Kurdistan Regional Government, signed by the President of the Kākāi *ā'īfa* in Iraq, Sayyid Ibrahīm Sayyid Muṣṭafa Sayyid Khalīl Aghā Kākā'i, and co-signed by more than 20 Mukhatrs on 20 November, 2016 (hitherto unpublished).

¹³⁴⁰ "Popular Mobilization Unit of Kākā'i (Shi'i) has been formation a regiment of Kākā'i", edited by Hīwā Ḥusāmaddīn in *Rudaw TV*, published on 16 March, 2017, retrieved on 17 March from <http://www.rudaw.net/sorani/kurdistan/1503201720>.

¹³⁴¹ See: the text of the law in: *Al-Waqā'i al-'Irāqīyya*, Vol. 1880, dated 18th May, 1970.

¹³⁴² *Ibid*.

¹³⁴³ All imprisoned Baha'i were released by special order of the Presidency of the Republic in the late 1970s. Taken from an interview with 'Uqayl 'Abd al-Wāḥid in Erbil on 7 December, 2016. He is head of the Regional Council for the Baha'i in the Kurdistan Region RCBK. He lives in Erbil. From an interview with Muḥammad 'Alā'addīn in Duhok in 05 January, 2016. He is a Baha'i activist, and a former member of the Regional Council for the Baha'i (2010-2013) in Kurdistan Region of Iraq. A former resident of Baghdad, he has lived in Duhok since 2004; Badrī: *Op. Cit.*, p. 225.

¹³⁴⁴ See: *Tarīkh al-Amr fi-l-'Irāq: Op. Cit.*, p. 11.

on paper.¹³⁴⁵ 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 Aqbāl Munīr al-Wakīl, Kawākib Ḥusayin al-Fatlāwī, Nidā' Na'mat Ṣabūr, Fāṭima 'Abd al-Razzāq and Warqā' 'Abd al-Razzaāq. The Interior Minister 'Izzat 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,¹³⁴⁶ 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 Ramadan, 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 'Uqayl 'Abd al-Wāḥid in Duhok in 07 December, 2016; an interview with Muḥammad 'Alā'addīn in Duhok in 05 January, 2016.

¹³⁴⁶ An interview with Muḥammad 'Alā'addīn in Duhok in 05 January, 2016.

¹³⁴⁷ See: *Al-Waqā'i' al-'Irāqīyya*, Vol. 2741, dated 1979; also, available in: <http://wiki.dorar-aliraq.net/iraqilaws/law/12840.html>.

the district of Sheykh Bashār next to Karkh in Baghdad, which is called the *Ka'ba of the Baha'i* (to where the Baha'i go on pilgrimage).¹³⁴⁸

Government action against minorities such as the Baha'i 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 Baha'is 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 Baha'is outside of Iraq, and in time, they developed an identity peculiar to them.

After 2003, however, due to the new political developments, the Baha'i 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 Baha'i 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 Baha'i 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 Baha'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, Kākā'ian and Baha'i 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 Baha'i representative has been appointed.

¹³⁴⁸ The Directorate of General Security (Iraq): the clandestine registrations, file No: S.M./46, entitled: *the Baha'i*, the letter of the Directorate of General Security No. Sh 5/ m/ 3/ 893 dated 26 March, 1972 to the Ministry of the Interior, pp. 1-2. See: Mashhadānī: *Op. Cit.*, pp. 256-273.

¹³⁴⁹ An interview with 'Uqayl 'Abd al-Wāḥid in Erbil on December 7, 2016; An interview with Karml 'Uqayl 'Abd al-Wāḥid in Duhok on January 4, 2017. She is a Baha'i 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 'Alā'addīn in Duhok on 5 January, 2016.

¹³⁵¹ KRI: "Recognizes Baha'i as religious minority", *Bas News*, August 24, 2015. Cited by: *Sen's daily* dated November 2, 2015. Retrieved on 22 April, 2016 from <http://wp.me/pNMoj-2sh>; <https://sensday.wordpress.com/2015/11/02/kurdistan-region-of-iraq-recognizes-bahais-as-religious-minority/>.

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 feudalism, 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 Shi'i (Da'wa 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 Sabeen-Mandaeans, 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 Sabeen-Mandaeans’ 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 'Abd 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, Sabeen-Mandaeans and Baha'i's - 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 Sabeen-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 Kākā'i 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 Kākā'i 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 Ba'th 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.¹³⁵² 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.¹³⁵³ 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 an 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 sharing 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

¹³⁵³ Shiblak: *Op. Cit.*, table 6, pp.51-54.

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 Farhūd (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 Sabeen-Mandaeans, 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, Sabeen-Mandaeans 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.¹³⁵⁴

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 combatting 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.¹³⁵⁵

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.

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.

¹³⁵⁵ At the 92nd plenary meeting on 18 December, 1992, in its resolution A/RES/47/135, the United Nations General Assembly proclaimed the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Retrieved on January 12, 2017 from <http://www.un.org/documents/ga/res/47/a47r135.htm>; Additional information to the Report of the Secretary-General Office of the High Commissioner for Human Rights: Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief (A/67/178). See: the document online. Retrieved on January 12, 2017 from http://www.ohchr.org/Documents/Issues/Religion/AdditionalInfoSGReport67_178.pdf.

5. The unrecognized religious minorities such as Kākā'i, Baha'i 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,¹³⁵⁶ 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, Kākā'is 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.

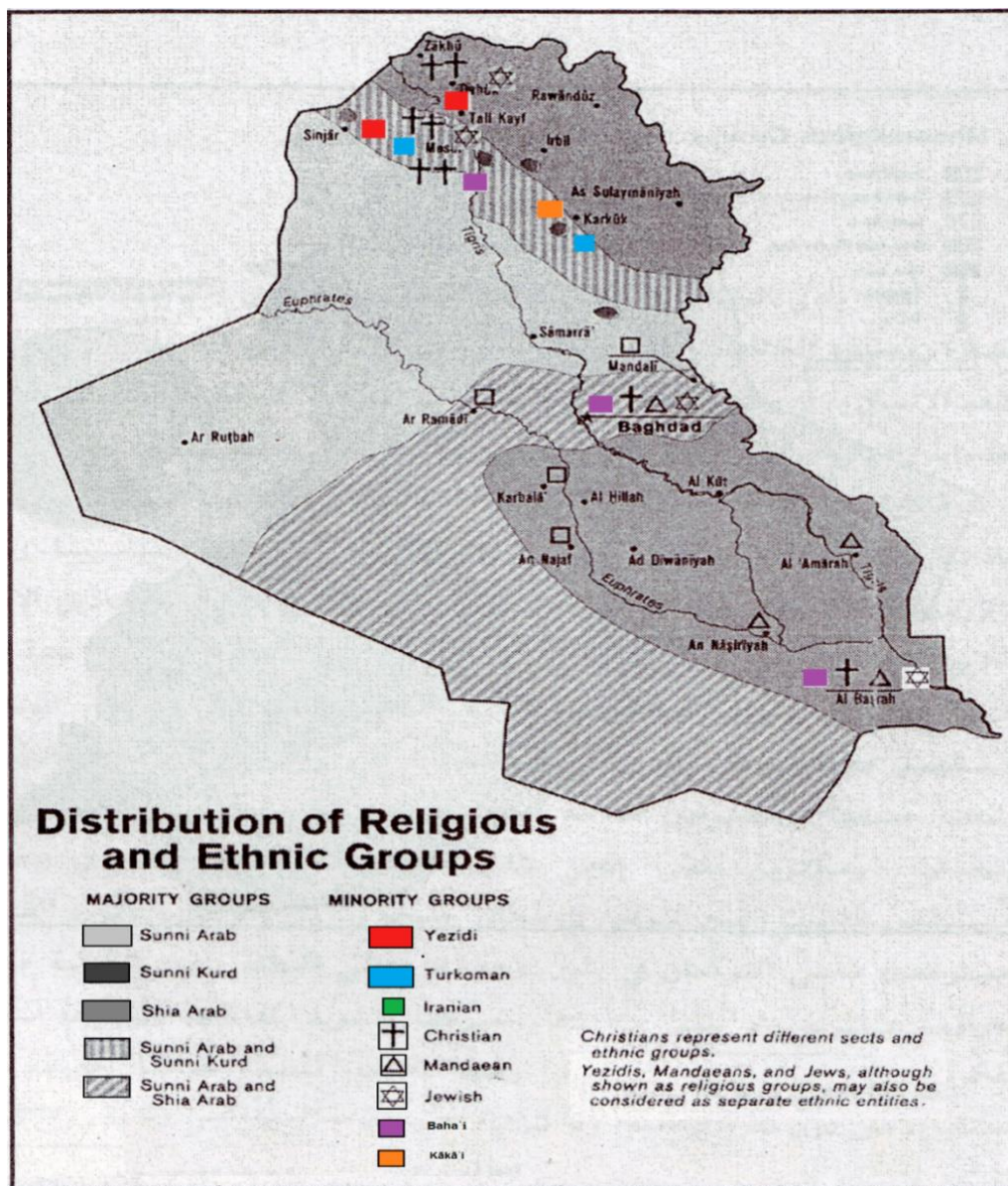
¹³⁵⁶ See: Article 125 "under the title of local administration" of Iraqi State Constitution of 2005.

Appendices

I Maps, Documents and Images

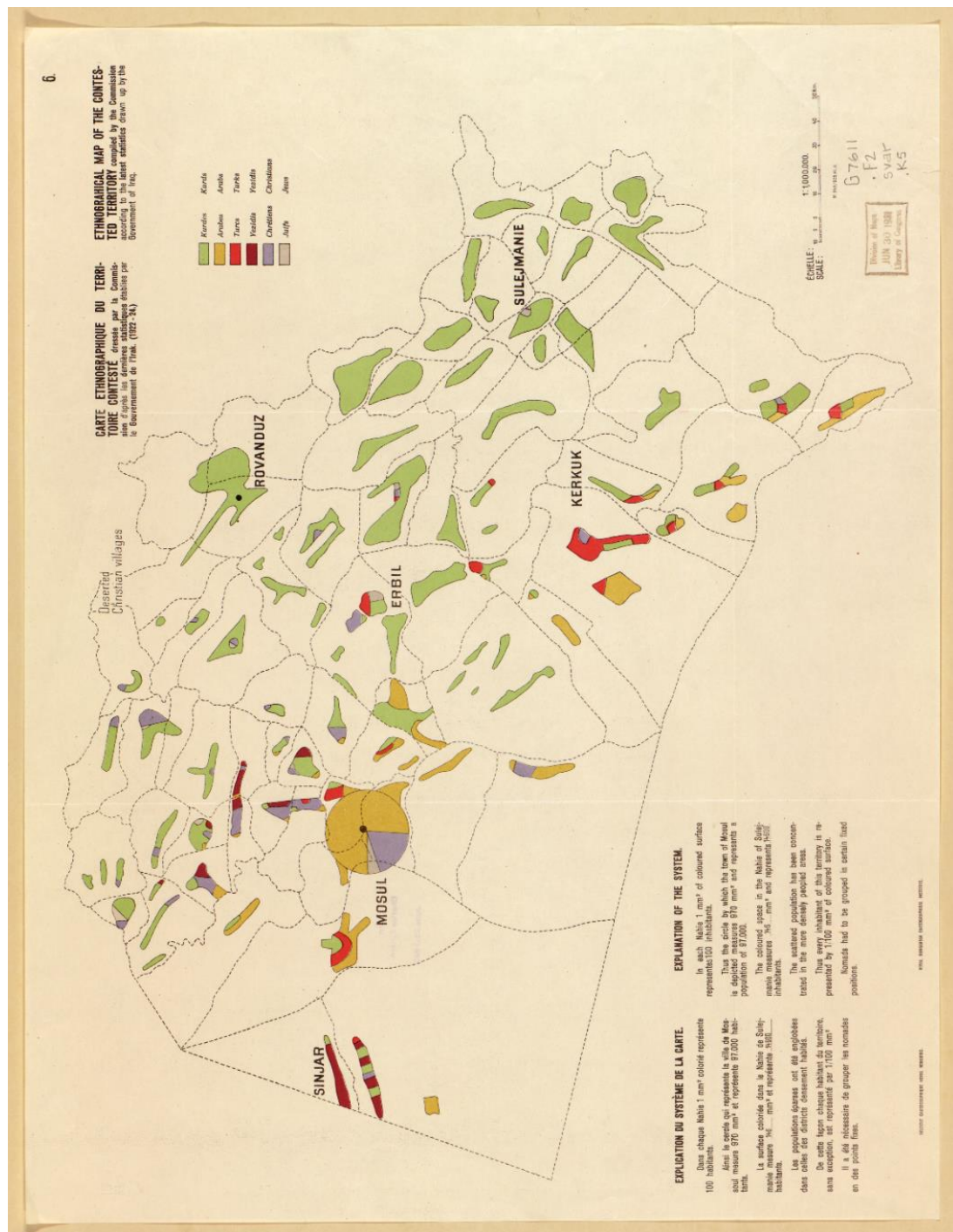
I.1 Maps

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 Kākā'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

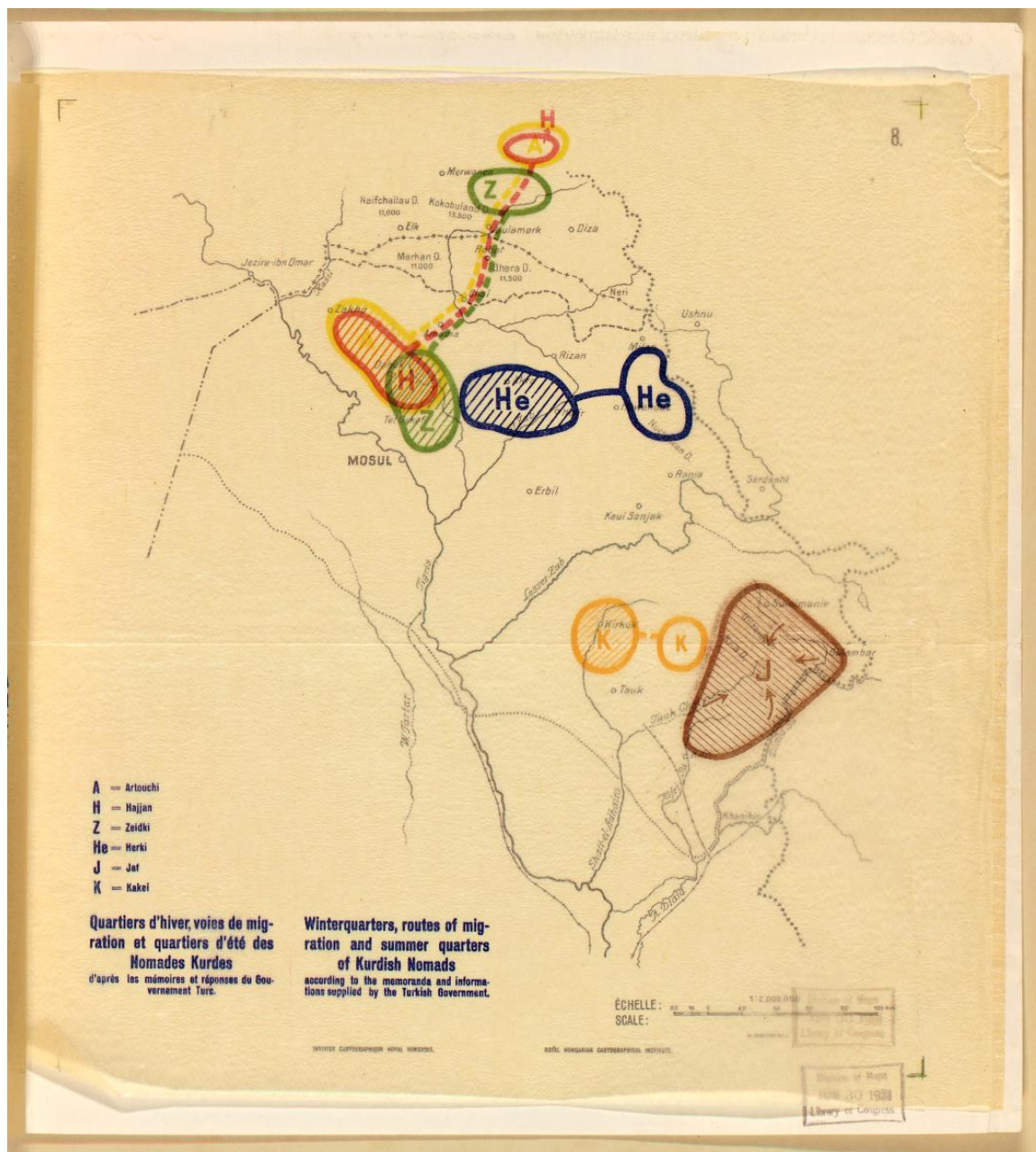


Source: Library of Congress. Retrieved on 02 March 2014 from <https://www.loc.gov/resource/g7611fm.gct00117/?sp=4>.

Source: Library of Congress. Retrieved on 02 March 2014 from <https://www.loc.gov/resource/g7611fm.gct00117/?sp=2>.

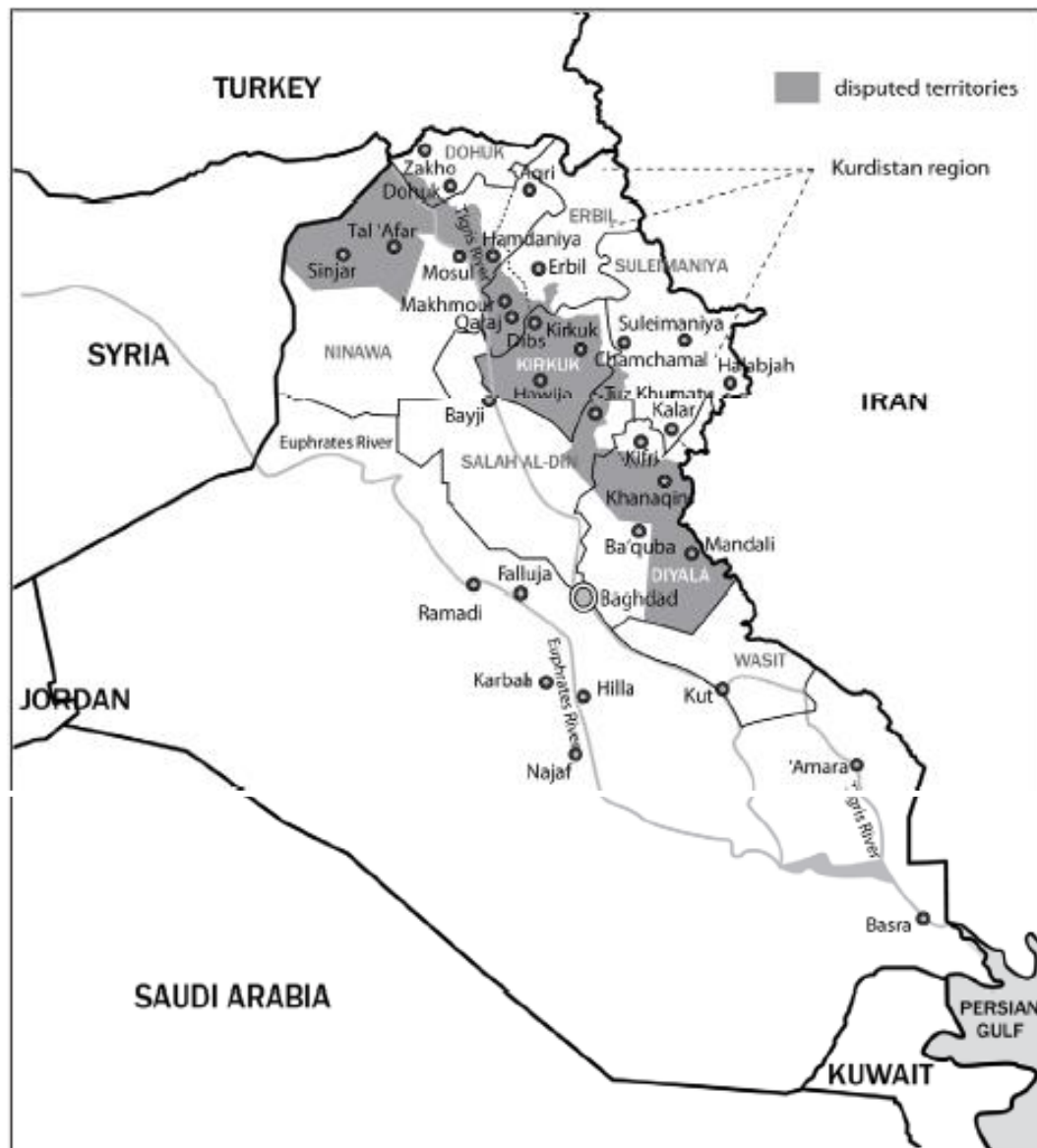


Figure 1. 4 This map illustrates the winter quarters [sic], routes of migration, and summer quarters of Kurdish nomads. It should be noted that it shows the Kākā'i areas as Kurdish, (dated 1924)



Source: Library of Congress. Retrieved on 02 March 2014 from <https://www.loc.gov/resource/g7611fm.gct00117/?sp=9>.

Figure 1. 5 Disputed Territories claimed by the KRI as mentioned in article No.140 of the Iraqi Constitution of 2005



Source: "Iraq and the Kurds: Trouble Along the Trigger Line." *International Crisis Group*. Middle East Report, No. 88, 2009, p. 30.

I.2 Documents

Figure 2. 1 Translation of the law of Regulating the Religious Court of the Christian and “Mosaic” [Jewish] Tā’ifa, No.32 / 1947

(Translation from Al Waqayī' Al 'Iraqiyah No.2509 dated
6th August, 1947).

LAW ORGANIZING THE RELIGIOUS COURTS OF THE
CHRISTIAN AND JEWISH COMMUNITIES, NO.32 OF
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 17:-

(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

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

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-Moslem 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 Jabr

Prime Minister.

Source: F. O. 371/68480, Archbishop of Cius, Apostolic Delegation, London, to E. Bevin, Foreign Secretary, London, enclosing translation from Al Waqayi' Al 'Iraqiyya, of Law No. 32, of 9 February 1948, in: Rush and Priestland: *Op. Cit.*, Vol. 10: 1946-1952, pp. 619-624.

Figure 2. 2 Qā'īmaqāmīyat (Subprefecture) of Duhok Province: 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

Qā'īmaqāmīyat (Subprefecture) of Duhok Province

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.

Qā'īmaqāmīyat (Subprefecture) of Duhok Province

Figure 2. 4 The Security Department of Mosul: The Seriousness of the Split among Muslims and Christians in Mosul

٥٤
سر - للغاية - شخصي

الجمهورية العراقية
الرمز: ٧٢٥
التاريخ: ١٩٦٠/٥/١٧

١٩٩٤٥.٢
٩٢٧/٢١

متصرف لواء الموصل
الموضوع / خطورة الانشقاق بين الاسلام والمسيحيين
في الموصل

ال

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هامشكم ق ٠ س / ١٣٢٦ ف - ١٠ / ٥ / ١٠ والمعاد طيا .

نشعر ويشعر كل من يسكن مدينة الموصل ان يودار الكراهية والبغضاء المتبادلة بين
المسيحيين والاسلام تزداد ظهورا وان الانشقاق واضح اوقد زال الشعور المتبادل بالمحبة -
والولاء بين الطرفين الامر الذي يندرج بالخطر وحدوث ما لا يحد عقبا بين الجماعتين في اول
فرصة قد تكون السبب لاثارة النار المتأججة خاصة بصدور المسلمين وان الاسباب التي اوجدت
هذه التفرقة وهذه الكراهية والشعور بأخذ الثأر من المسيحيين هي مايلي -

الاسباب -

عندما حدثت حوادث الموصل المعروفة فقد اندفع البعض من المسيحيين في تأييد
الاعمال القوضية التي قام بها جماعة من الاسلام ضد سكان الموصل وساهم البعض من المسيحيين
مساهمة عملية مع القوضيين وان قيامهم بتلك الاعمال كونت السبب الحقيقي لبذروح الكراهية -
وبغضاء ضد المسيحيين والسعي لاخذ الثأر منهم .

وان فضاة الجريمة التي ارتكبتها جماعة (تلكيف) قد ضاعفت وزادت من عوامل تلك الفقرة
والشعور بالكراهية التي اصبحت اعمق جذورا في نفوس اهالي الموصل تجاه المسيحيين .

وان المسيحيين انفسهم والعقلاء منهم يشعرون بمدى خطورة الخطاء الذي ارتكبته
فئة معينة منهم تحمل اتجاهات قوضية هدامة ضد سكان الموصل اثناء الحوادث المعروفة .

وان شعورهم بالخطاء الذي صدر من جماعة المسيحيين اثناء تلك الحوادث جعلهم
غير مطمئنين ومستقرين واخذت نفوسهم تتحسس بالخطر الذي يمكن في نفوس الذين قد اصابهم
ضرر على يد تلك الفئة منهم .

معالجة الحالة -

يمكن القول بأن نفوس اهالي الموصل التي تغلى بالثأر قد تهدأ الى حد ما اذا -
ماشاهدوا تنفيذ الاحكام التي صدرت من المجالس العرفية بحق المجرمين في حادثة تلكيف -
(علنا) وتخفف حد التوتر الذي اخذ يتضاعف على مرور الزمن .

واننا نرى ضرورة معالجة الحالة بأسرع وقت ممكن لوضع حد لهذا الغليان الذي يسعر
في النفوس وللحيلولة دون حدوث ما يكدر الامن بين الطرفين .

ارجو التفضل بالمعلومات .

خليل ابراهيم النعيمي
مستشار لواء الموصل

القرار: فقوم صحت لا اراكم
بما صرحه لا الرافض
وحيث انه المرفوع
والقرار: صبر الزلم
والقرار: زبا .

تمت
في الموصل على ايدى
القرار: صبر الزلم
والقرار: زبا .

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Source: Mudīdīyat Amin al-Mūsīl (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-Nu‘aymī

Director of the Security of Mosul Brigade

Figure 2. 6 Jewish Community in Iraq, 1964

-1-

<u>CONFIDENTIAL</u> (C.1340/64)	BRITISH EMBASSY, CONSULAR SECTION, BAGHDAD. November 20, 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 immigrate; (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 at the various economic levels throughout the population as a whole? 2. (a) According to the 1947 census there were then 116,836 Jews in Iraq. There are now, according to the latest statistics, a total of 3,095, made up of 1,072 men, 998 women and 1,025 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 these 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 120,000 to just over 3,000. The Jews have been progressively squeezed out of the Civil Service and armed forces and out of all Moslem-controlled commercial enterprises. Under the Qasim 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 14, 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 (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 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.	
R. R.G.B. Smedley, Esq., British Embassy, Beirut.	/In the <u>CONFIDENTIAL</u>

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 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 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 practising, e.g. as doctors and lawyers.

3. I am copying this letter to John Little in Basra, to Baldwin of Consular Department, to Burton of Eastern Department and to Mallett of Passport Control Department.

(P.J. BRADSHAW)

Source: F. O. 371/175787: British Embassy, Baghdad to British Embassy, Beirut, 20 November 1964, (Confidential). *Jewish Community in Iraq*. No. C.1340/64, in: Rush and Priestland: *Op. Cit.*, Vol. 15: 1963-1966, pp. 518-519.

Figure 2. 7 Rewrite, the British Embassy in Baghdad report about Jewish Community in Iraq in 1964¹³⁵⁷

Confidential

(C.1340/64)

British Embassy

Consular Section,

Baghdad,

November 20, 1964.

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

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 corresponding 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 [Başrah], 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-Umawī to the President of the Republic: Subject: Supporting the Arab Call in the Yazidi Umayyad

بسم الله الرحمن الرحيم

بأمره الأُموي
من أمراء بني أمية اليزيديه
بغداد في ٨ / ١٠ / ١٩٦٤

تلفون المكتب - ٨٣٧٧
المسكن - ٨٧٧٣١
باب الشرقي بغداد

السيد رئيس الجمهورية المحترم
بواسطة السيد وزير الداخلية المحترم
الموضوع - دعم الدعوة العربية في بني أمية اليزيديه

كانت قبائل بني أمية اليزيدية معروفة بالطائفة اليزيدية وبلغ الجهد في هذا القوم حتى كادت تفقد صفاتها العربية .

وقمت بالدعوة العربية في هذه القبائل المنعزلة (ضالة عروبيتها) وعدت لها اسم اجدادها الامويين الذين اضافوا الاندلس اقليما لوطننا العربي الكبير .

وقمت بجمع المقلوعين الامويين سنة ١٩٥٦ لمآزرة اخواننا المصريين يوم الاعتداء الثلاثي الاثيم على قناة السويس ولم تسمح لنا السلطات آنذاك .

وفتحت مكتبة للحركة العربية في بغداد وحققنا الانجازات الآتية :-

(١) اعادة ثلاثة قبائل يزيديه الى اصلها العربي العريق وهم :-

أ - قبيلة المهسكان - ورئيسها الشيخ خلف الناصر .

ب - قبيلة القسيوان - ورئيسها الشيخ اسماعيل الخضر .

ج - قبيلة بني خالد - ورئيسها سمي اغا رشو قولو واخوتي وبعض المثقفين

(٢) ابراز كيان عروبة بني أمية . وتعريف اصلهم العربي العريق . والوعي القومي في قبائلنا الممتدة من شمال الموصل الى مدينة حلب في الاقليم الشمالي .

(٣) احباط محاولة ضم عشائر بني أمية الى جبهة معينة (غير عربية) وغلق مكاتب الدعاية التي كانت تعمل ضد القومية العربية في قضائي الشيوخ والسنجار .

(٤) قدمنا المقاتلين الامويين لمآزرة جيشنا الباسل في تطهير الشمال واعطينا الضحايا وكبدناهم اضعافا . وقضينا على كل نشاط معادي للقومية العربية عبر مناطق بني أمية التي تدمج شمال العراق بالاقليم الشمالي ودعوتنا العربية تحمل على عقيدة وبسند لتكون مجتمع عربي موحد بالحرية والاشتراكية والوحدة . وتهيئة عشائر بني أمية للواجهات القومية وتصفية الاستعمار ودعم الجيوش العربية لمحارسة اسرائيل من الخارطة العربية يوم الحساب . وجعل قبائل بني أمية قوة عربية في شمال الوطن رمزاً للوحدة الاولى وفرسانا للموحدة الكبرى .

وخلال الثورات التحريرية الثلاث احوزنا نجاحا وتقدما مما يبشران ببلوغ الاهداف القومية في تلك المناطق وفي ذلك الوسط الاجتماعي المتخلف .

وغدت مسؤولياتنا القومية ملزمة في بني أمية بعد تحقيق عروبة ثلاثة قبائل منها . ولما كانت مهمة التوعية والتوجيه ترتبط ارتباطا وثيقا بمستقبل الوطن واجيالنا العربية الماعدة . الامر الذي يستوجب اهتمام المسؤولين اليها ومعاونة القائمين بتوعية ما تبقى الف مواطن اموي (ضالة عروبيتها) والعودة بهم الى قويمتهم واصلهم العربي العريق .

وتفضلوا بقبول فائق الشكر والاحترام

بأمره الأُموي
مؤسس الحركة العربية
في بني أمية

صوره منه الى
السيد رئيس اركان الجيش

Source: M.D.C.: doc. No.10, p. 33.

Figure 2. 9 Letter from Bāyazīd al-Umawī To the Reverend Mr. President Jamāl ‘Abd al-Nāṣir, To the Reverend Mr. President ‘Abd al-Salām ‘Ārif. Subject: Supporting the Arab Call in the Yazidi Umayyad

بایزید الاموی
بنی امیة الزیدیة
بغداد فی ۱۷/۷/۱۳۶۶

لعمون الملک ۱۳۶۶
الملک ۱۳۶۶
بایزید الاموی

السید الرئيس جمال عبد الناصر المحترم
السید الرئيس عبد السلام عارف المحترم
المصطفى / دعم عروبة بني امية

الزیدیة امویین عرب یصلون فی خط غید عزیزی منضین بلغ الجهد بهم هذا کاد یقدم
الصفات العربیة .
وتحت بالدعوة العربیة استجابة للواجبات القومیة وحسب مسؤولیاتی الدینیة والسیاسة
فی هذه القبائل الطالة عروباً وضم فی امر الحاجة الی التوعیة والتنظیم العربی .
واست انکس العربیة سنة ۱۹۵۶ وكان العدوان علی قلب العربیة (مصر)
وطلبت تقديم المطوعین الامویین للوجود انذاك لم تسمح ان الطائفة بذلك .
ونعتت مکتباً للامانة القومیة فی بغداد واعادت للزیدیة اسم اجدادها الامویین الذین
اصفا الاندرس اقلها لوطننا الفزنی الکبر . وقدما المطوعین الامویین (الفرس)
لموازنة جبهة الباسل فی شمال الوطن وحققنا حرکتنا العربیة المتجارت
القومیة الدینیة :
۱- ابرز کيان عروبة بني امية . واطار اسلام الفزنی العربی . ولعین القومی فی قبائلنا
المعتدة من شمال المصل الی دینة حلب فی الاقلیم الشمالي .
۲- عودة مودة قبائل زیدیة الی اهلها الفزنی ولهم :
آ - قبيلة الرکان - ورکس الشیخ خلف الناصر
ب - قبيلة القیارات - راسم علی الحضر
ج - قبيلة بني خالد - سیر اعزاز وکوسو
دعوة هذه القبائل الی الوحدة العربیة تمت قبائلنا الی زیدیة (عرب وتخلین)
وحفظنا على عروبة هذا القوم من الارض قات (ولعناهم الفید عربیة بجواردهم من الفضل
والفارج) لذا صارت مسؤولیاتی القومیة ملزمة لی بمواطنة الافعال من اجل
عودة کامنة قبائلنا الی اهلها الفزنی وکونهم قوة عربیة فی شمال الوطن فیرسانا
للویة والاستمرکیة والادارة .
ولما کان تقصیر مصر عروبة قوم تربط ارتباطاً وثیقاً بمسقبل الوطن واجبالنا الصاعقة
الامر الذی یوجب اهتمام الامویین ومعاونتهم لکنا العربیة لعودة ما تئلف
سلاطین ضال الی قومیهم واصلهم الفزنی .

بایزید الاموی
مؤسس الحركة العربیة فی بني امية
الشیخ
طابع محمد وکنا

طبعه لامل

Figure 2. 10 Translation of the Letter from Bāyazīd al-Umawī to the President of the Republic: Subject: Supporting the Arab Call in the Yazidi Umayyad

In the name of Allah, most gracious, most merciful

Office telephone 83673

Bāyazīd al-Umawī (the Umayyad Bayazīd)

Residence-87236

Prince of the Yazidi Umayyad

Bāb al-Sharqī Baghdad

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 Khālīd-whose president was Samīr Āghā Rashu 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.

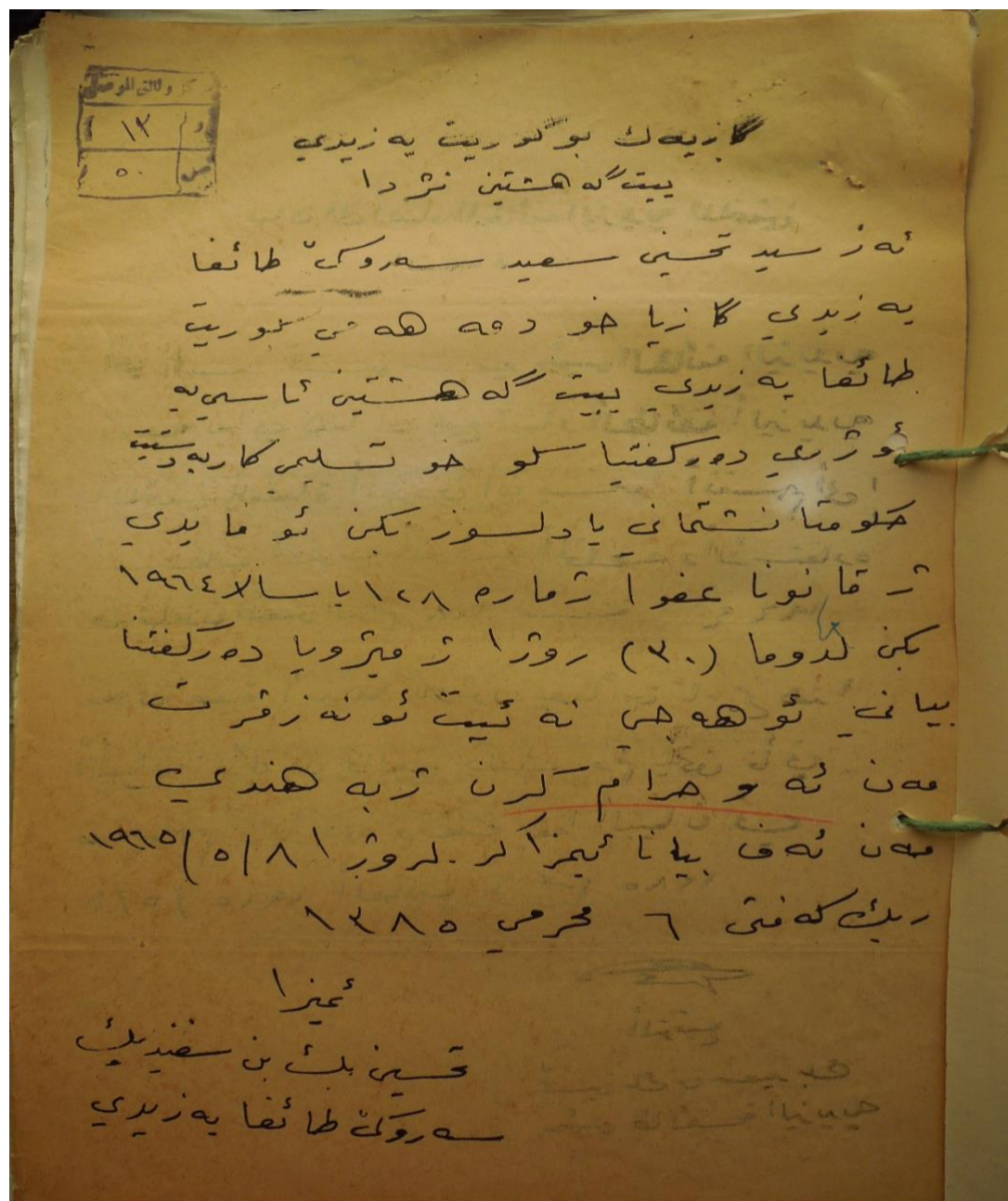
Best Regards,

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)



گازیەك بوو ئوریت یە زیدی
 ییتە گەشتین نێردا
 ئە زید تەحسین سەید روکە طائفا
 یە زیدی گازیەك بوو دەه لێهە ئوریت
 طائفا یە زیدی ییتە گەشتین تاسیە
 ئوریت دەه کفتیا کو هو تاسیە کار بە دیت
 مەلومەتێ ئێمە ئێمە ئوریت کەن ئو ما ییدی
 ئو ما ئو ما عەقوێ ئو ما ١٤٨٨ یاسا ١٤٩٤
 کەن ئو ما (٤٠) روێ ئو ما ییدی دەه کفتیا
 یاسا ئو ما ییدی ئە ئیتە ئو ئە زفرت
 مەن ئە و هەم کەن ئە زبە کەندە
 مەن ئەف یاسا ئیتە کەن روێ ١٨٨٥
 رێکە کەفتی ٦ محرمی ١٢٨٥
 ئیتە
 تەحسین بەگ بن تەحسین
 سە روکە طائفا یە زیدی

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 Sa'īd to the Members of the Yazidi who oined the insurgents (in Arabic)

بيان إلى أبناء الطائفة اليزيدية الملتحقين
بالمصاة

أخي السيد تحسین — سيد رئيس الطائفة اليزيدية
أوجه تدائي لهذا إلى جميع أبناء الطائفة اليزيدية
الملتحقين بالمصاة المتمردين أن يسلموا أنفسهم إلى
السلطات الحكومية الوطنية المخلصه والأستفاده
من قانون العنوا الرقم ١٢٨ لسنة ١٩٦٤
خلال مدة أمدها ثلاثون يوماً من تاريخ هذا
البيان وكل من يخالف ذلك ولم يلتحق فأني
قد حرمتهم ولأجله وقعت هذا البيان في
١٩٦٥ / ٥ / ٨ المصادف ٦ محرم ١٤١٥

التوقيع
تحسين بك بن سعيد بك
رئيس طائفة اليزيدية

Figure 2. 13 Translation of the Statement from Mīr Mr. Taḥsīn Saʿīd, asking the Members of the Yazidi who joined the Kurdish Movement to resign themselves to the governmental authorities

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

بسم الله الرحمن الرحيم

الجمهورية العراقية
مديرية أمن لواء الموصل
العدد / ق.س. / ٢٦٢٦
التاريخ ١٩٦٥ / ٥ / ١٨

مستشفى لواء الموصل
الرقم ٢٦٢٦
التاريخ ١٩٦٥ / ٥ / ١٩

الى: مستشفي لواء الموصل

الموضوع / فتوى

الحاقا لكتابنا ق.س. / ٢٥١٦ فـ في ١١ / ٥ / ١٩٦٥
نقدم طيا الفتوى التي اصدرها تحسين بك سعيد بك رئيس الطائفة اليزيدية
الصادرة في ٨ / ٥ / ١٩٦٥ الى ابنا الطائفة اليزيدية المطهقين بالعصاة
باللغة العربية والكردية .
للتفضل بالعلم .

فتح الله محمد علي
مدير امن لواء الموصل

المرفقات :-
١

صورة منه الى :-

مدير الامن العام - للتفضل بالعلم كتابنا اعلاه مع نسخة من الفتوى
مدير شرطة لواء الموصل - للعلم رجا مع نسخة طبق الاصل من الترجمة باللغة العربية .

٥ / ١٨

Source: M.D.C.: The Directorate of the Security of Mosul, No. Q.S/2516, on 11 May, 1965.
To the Province of Mosul. Subject: Fatwa, No. Q.S/2636, in 18 May, 1965.

Figure 2. 15 Translation of the 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 Taḥsīn Sa'īd 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

٩/١٠/٦٥
بسم الله الرحمن الرحيم
الجمهورية العراقية
وزارة الداخلية

مديونية تسجيل الأحوال المدنية العامة
مديونية الشريعة الخيرية

العدد / ١٩
التاريخ ١١/١٠/٦٥

مصرفية لواء الموصل
الرقم السري ٩٦٦٦
العدد / ١١٥ / ١٠

الموضوع: قومية اليزيدية
٩/١٠/٦٥

نظراً لضرورة الوقوف على أصل قومية الطائفة اليزيدية التي تقطن أماكن كثيرة من
لوائكم نود اجراء الاتصالات اللازمة مع رؤساء هذه الطائفة لتقصي حقيقتها ودراستها الموضوع
الخاص بذلك دراسة عميقة لغرض التأكد من حقيقة القومية التي تنتمي اليها وتبويبها بصورة
واقعية والتفضل باعلامنا النتيجة مع مطالمتكم الضائقة بالسعة الممكنة *

امين الهلالي
مدير تسجيل الأحوال المدنية العام

د. الشبان مكتبة بنو
١٤١١

نسخة منه الى
وزارة الداخلية - مديونية الداخلية العامة - الادارة - كتابكم الرقم ١٨٠٠٢ والموزع ١٦٥/١٠/٣١
للتفضل بالاطلاع *

تأشيرة قضاة الشيوخ	X	لغرض الغرض أعلاه ونرجو دراسة ذلك مع رؤساء وجوه
"	X	الطائفة اليزيدية القاطنين في براكهم والاهتمام
"	X	بالموضوع واهتمامنا النتيجة بالسعة الممكنة *
"	X	
"	X	

مديونية الشريعة الخيرية - للتعبية *

Source: M.D.C.: The General Directorate of Recording the Personal Status, No.719, in November 29, 1965, (clandestine) to the Province of Mosul. Subject: *The Ethno-Nationality of the Yazidi*, doc.14, p. 51, Letter No.18002, on 31 October, 1965.

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-Hilālī

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

بسم الله الرحمن الرحيم
سري

قيادة الفرقة الرابعة
الادارة
الرقم / شرا / ١١ / ١٠٣٦
التاريخ ٢٨ / ٥ / ١٩٦٦

مصرفية لواء الموصل
٥٤٨
١٩٦٦

الس : دائرة الاركان العام
الموضوع : تسويق ابناء الطائفة اليزيدية في قضاء سنجار للخدمة العسكرية

١ - سبق ان امتنع رؤساء المشايخ من الطائفة اليزيدية في قضاء سنجار عن تقديم ابنائهم المكلفين والمتخلفين عن خدمة العلم وبعد محاولات واتصالات مع شيوخهم حضروا مقرنا صباح يوم ١٩٦٦/٥/٢١ وابدوا ولائهم وطاعتهم للحكومة واستعدادهم بتقديم من تشاءه خدمة العلم ومن تخلف عنهم وكذلك الهاربين منهم واتمسوا بتشكيل وحدة خاصة بهم يشرف على تدريبها وادارتها جماعة منهم ضمانا لاحترام شعائرهم الدينية وتقاليدهم مع مراعاة هذه الناحية بالنسبة لطعامهم ولباسهم ايضا.

٢ - استنادا لما جاء اعلاه وبغية الاستفادة من هذه الطائفة التي تتمتع بروح القتال العالية والاطاعة نرجو استحصال الموافقة على ما يلي :-

أ) تشكيل وحدة خاصة بهم وتفتيح بهذا الصدد تشكيل فة خفيف من ابناء هذه الطائفة .

ب) الموافقة على ارتدائهم التجهيزات التي لا تتعارض وشعائرهم الدينية على ان يشمل ذلك الطعام ايضا .

ج) الموافقة على تطوع ابناء رؤساء المشايخ منهم من حملة شهادات الصف الثالث متوسط كضباط كتاب او حر ببيان لادارة شؤونهم الادارية والتدريبية وذلك لمعرفتهم بشؤونهم وتقاليدهم ولا احتمال حدوث بعض الاشتباكات في حالة ادايتهم من قبل أشخاص يجلبون تقاليدهم .

د) استحصال الموافقة على شمولهم بالمفوع جريمة التخلف اسوة بالمتخلفين الذين صدر المفوع عنهم .

نسخة الى :-
المسجد رئيس اركان الجيش
دائرة الامور الادارية
مديرية الحركات العسكرية
مديرية التجنيد العام
مديرية الادارة

مصرفية لواء الموصل : ١ - نرجو الاطلاع ولما نسختين من مستند تمهيد رؤساء المشايخ اليزيدية . نرجو ايداع النسخة الاولى الى قائممقام سنجار والثانية الى رؤساء المشايخ الموقمين عليها .

٢ - بطيه اربع نسخ من مستند التمهيد نرجو الايعاز الى قائممقام سنجار لتوقيعها من قبل رؤساء المشايخ اليزيدية بها والاحتفاظ بالنسخة الاولى لدى القائممقامية وايداع النسخة الثانية والرابعة الى مقرنا الموقمين عليها وارسل النسخة الثالثة والرابعة الى مقرنا .

مديرية تجنيد منطقة الموصل : نرجو الايعاز بتسويق ابناء الطائفة اليزيدية الى م . ت . م . بطيا النسخة الثالثة من مستند التمهيد للاحتفاظ به لديكم .

الجيش الخفيف الاول : نرجو قبول المجتدين من ابناء الطائفة اليزيدية في مصسكرهم والا احتفاظهم والاشراف على تدريبهم وفق الوصايا التي تم الاتفاق عليها شخصيا معهم .

مركز تدريب الموصل : نرجو ارسال المكلفين الى الجيش الخفيف الاول بعد اكمال ماملته تجنيدهم لاصولهم .

بفنا
٥٤٨
١٩٦٦

المسجد
بفنا
٥٤٨
١٩٦٦

Source: M.D.C.: The leadership of the fourth division, No. Sh/11/1036, onon May 28,1966, tothe general staff directorate on conscripting the Yazidi in Sinjar, doc.42, p. 181.

Figure 2. 19 Translation of the conscription of the Yazidis in Sinjar

The leadership of the Fourth Division Administrative

No: Sh, 11/1036

Date: 28 May, 1966

To: the presidency of the army staff

Subject: Conscribing the Yazidis in Sinjar

1. The presidents of the Yazidi's clans in Sinjar already abstained from sending their twos 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 'Aṭār Bāshī

Commander of the Fourth Division

CC to:

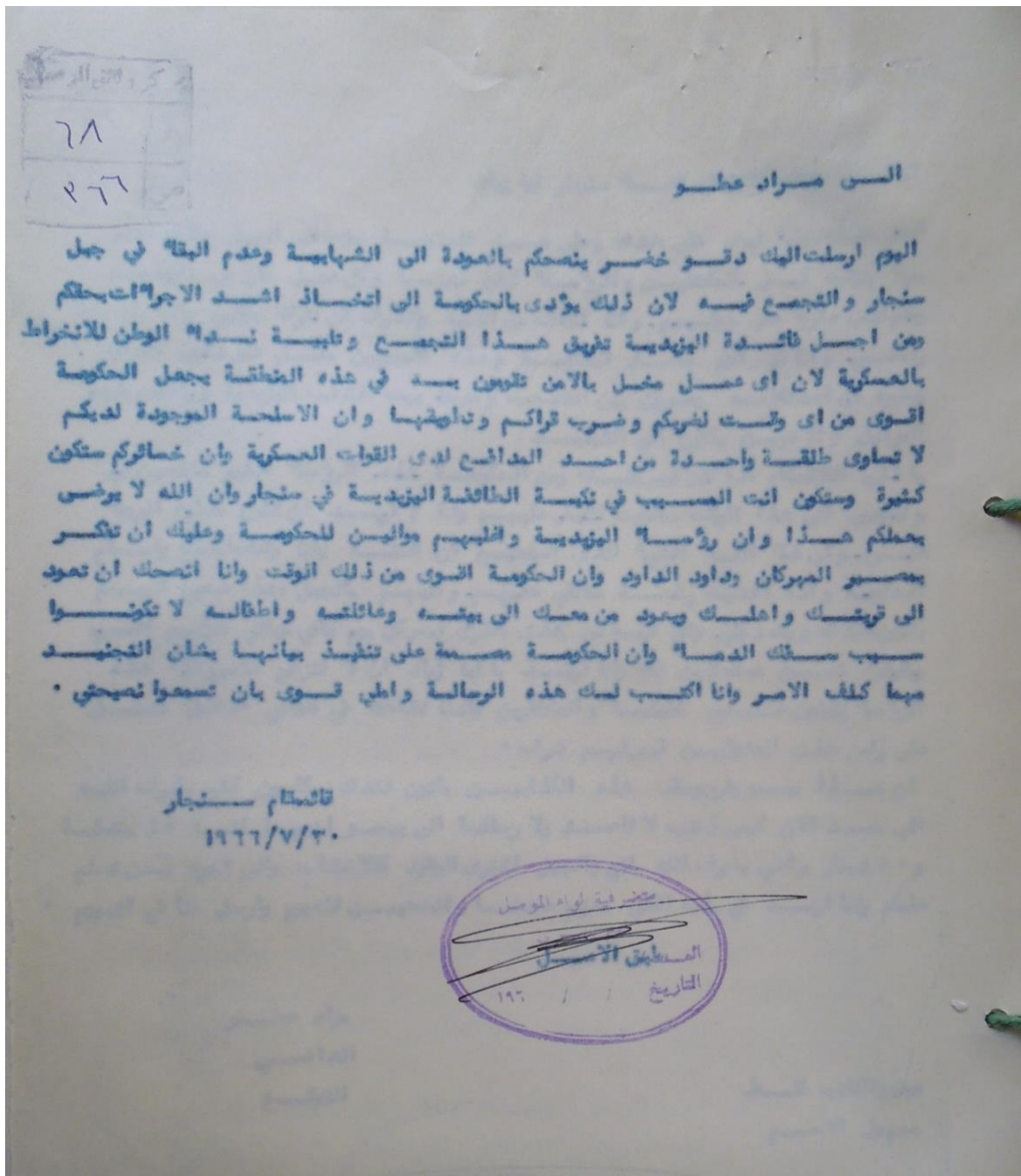
The Army Chief of Staff

Administrative matters Department

Directorate of Military mobilization

General Directorate of conscription

Figure 2. 20 A letter from the District Chief of Sinjar to Murād 'Aṭṭo 30.07.1966



Source: M.D.C.: the latter of the District Chief of Sinjar to Murād 'Aṭṭo, on Doc. No. 68, p. 366, on the District Chief of Sinjar No. Q.S/, 206, Date: 1 August, 1966. (Secret and Personal)
 To: the province of Mosul-al-Taḥrīr 2. Subject: *The Actions of Murād 'Aṭṭo and the Yazidi*, Doc. No. 68, p. 364.

Figure 2. 21 Translation of the letter from the District Chief of Sinjar To Murād ‘Atto

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 (Qā’īmaqām)

30 July, 1966

Figure 2. 22 Letter from Murād ‘Atto through the Reverend Leader of the Fourth Division

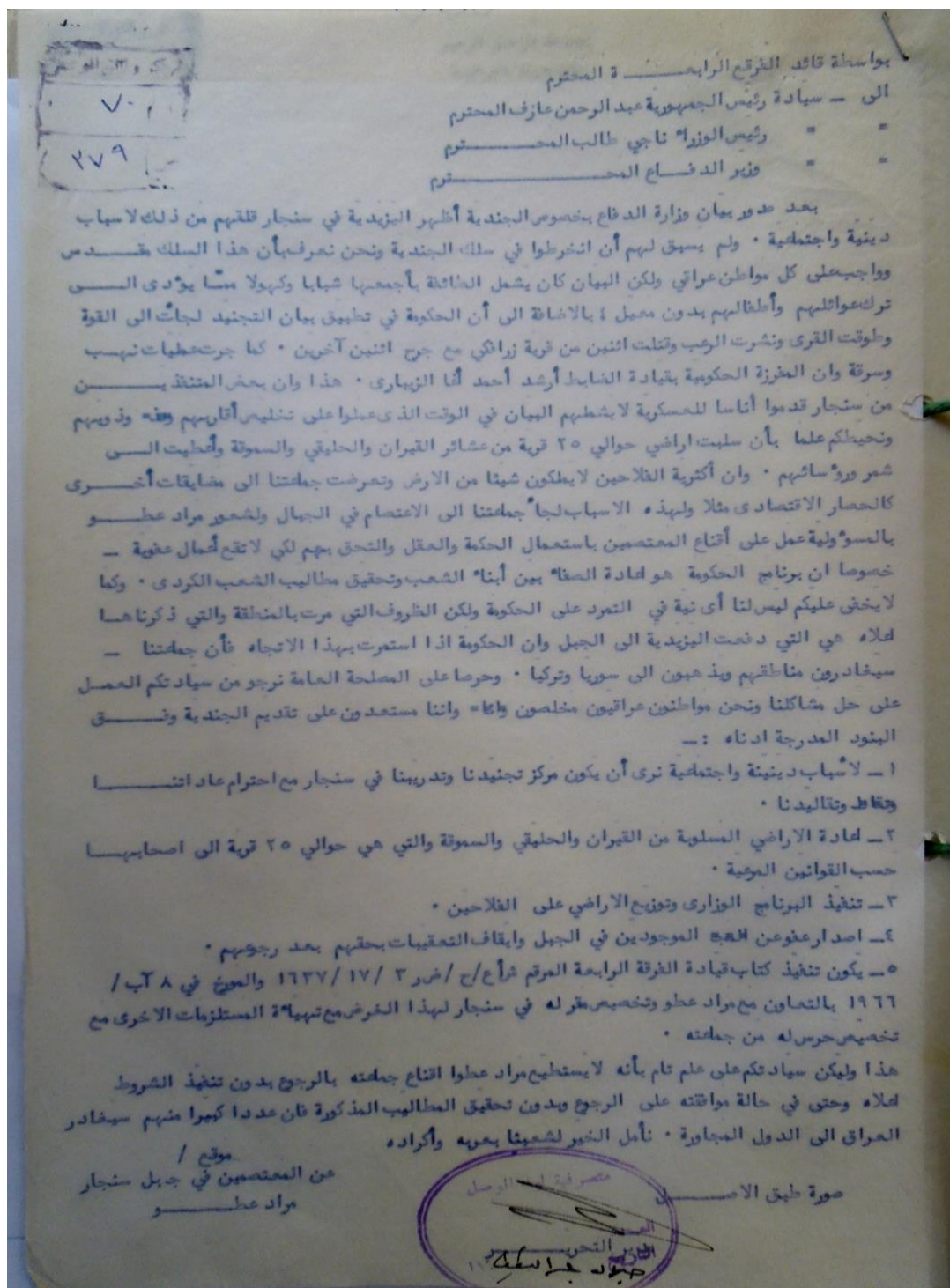


Figure 2. 23 Translation of the Murād ‘Aṭṭo letter on behalf of the insurgents in Sinjar

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

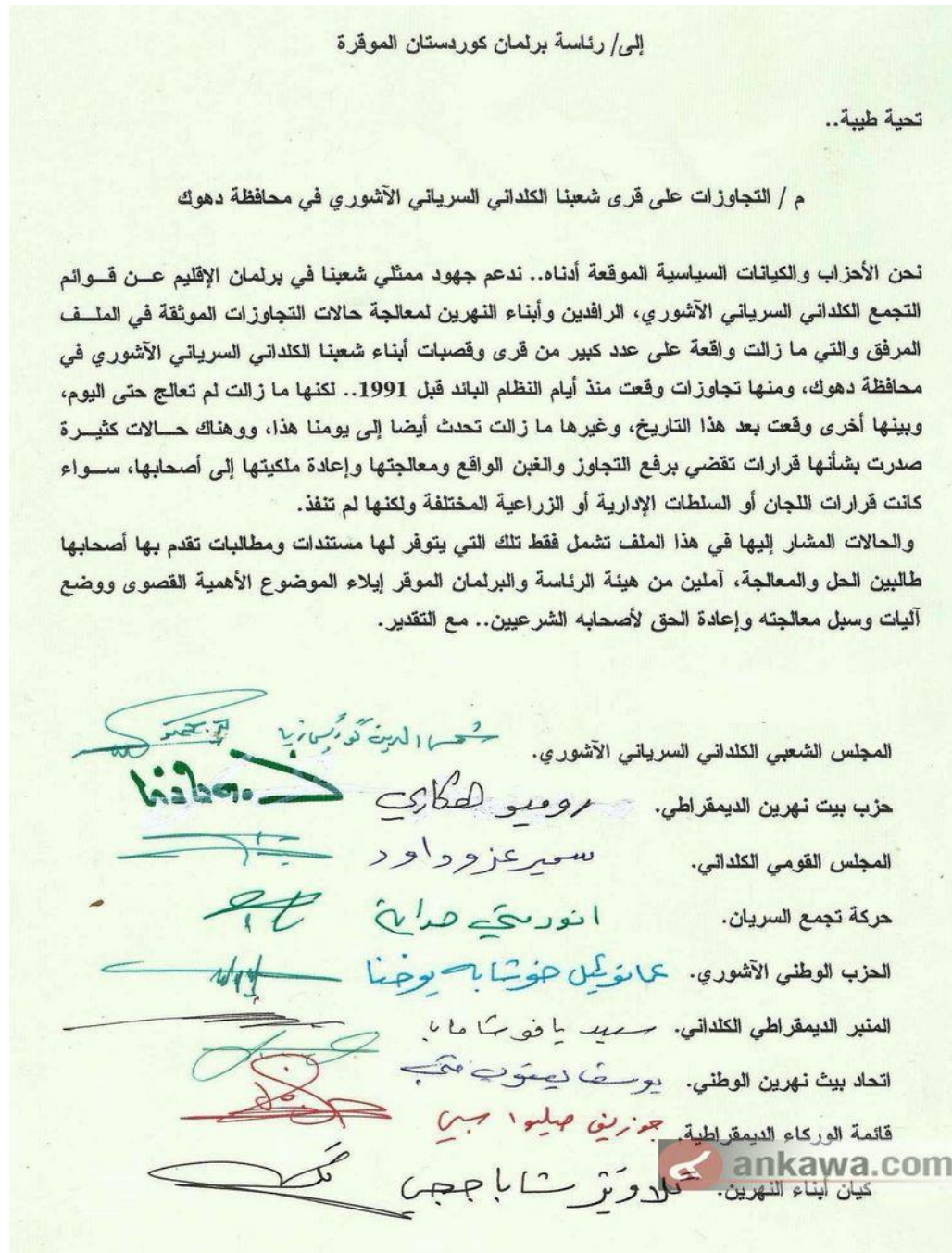
After the issuance of the statement of the Ministry of the Defense regarding the military, the Yazidi expressed their worry for religious and social reasons. They had not already been involved in the military, and we know that this is a sacred institution and a duty for every Iraqi. However, the statement 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. 24 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



Source: Ankawa.com online website, retrieved on January 26, 2016 from <http://www.ankawa.com/forum/index.php?topic=776587.0>.

Figure 2. 25 The translation of 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-Nahrāyyin [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.

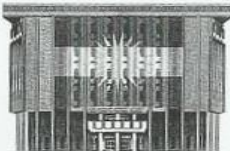
The cases, referred to in this file, only include the ones that have documents and demands that were filed by ones asking for solution, hoping that the esteemed presidency and parliament give much importance to the matter and putting the mechanisms and ways of handling it and restoring the rights of to their legal owners.

Regards,

the Chaldean, Syriac, Assyrian People's Assembly, Shams al-Dīn Gūgīrs Zīyā. [President]
the Democratic Bayt Nahrāyyin [Two Rivers (Mesopotamia)] Party, Rūmīyū Hakkārī. [President]
the Chaldean National Council, Samīr 'Azū Dāwūd. [Secretary]
the Syriac Assemblage Movement, Anwar Matī Hidāya. [Secretary]
the Assyrian National Party, 'Ammānū'il Khūshābā Yūkhannā. [Secretary-general]
the Chaldean Democratic Platform, Sa'īd Yāqū Shāmāyā. [President]
National Bayt Nahrāyyin [Two Rivers (Mesopotamia)] Union, Joseph Jacob Matī. [President]
the Democratic Warkaa List, Joseph Ṣalīqā Sabī. [President]
the Bayt Nahrāyyin [Two Rivers (Mesopotamia)] People's Existence, Galāwīj Shābā Hājī. [President]

Kurdistan Parliament - Iraq
General Directorate of Divan
Directorate of Parliamentary Affairs

پەرلەمانی کوردستان - عێراق
بەرێوەبەرایەتی گشتی دیوان
بەرێوەبەرایەتی کاروباری پەرلەمان



NO: _____

Date: _____

ژماره: ١٤٠٥ / ٣ / ٤

بەروار: ٢٠١٥ / ٣ / ٢٥

سەرۆکایەتی ئەنجومەنی وزیرانی هەرێمی کوردستان - عێراق

بابەت/ داواکاری



هاوێش لێگەن نووسراوماندا دەقی نووسراوی لیستەکانی (گەڕاوێنەوهی کێڵانی سێرانی ئاشووری، آیتەن النهرین، رافیدەین)، سەبارەت بە (دۆسیەی گۆڕینی دیمۆگرافی ناوچهکانی "کێڵانی سێرانی ئاشووری" پارێزگای ههولێر)، ئاراستەتان دەکەین، بە مەبەستی بەدواداچوون و چێبەجێ کردنی کاری پێویست بەپێی یاسا.

لێگەن پێژماندا


یوسف محەمەد صادق
سەرۆکی پەرلەمانی کوردستان - عێراق

پێنەهێک بۆ:

- نووسینگەی بەرێز سەرۆکی پەرلەمانی کوردستان.
- نووسینگەی بەرێز جێگرێ سەرۆکی پەرلەمانی کوردستان.
- نووسینگەی بەرێز سکرتێری پەرلەمانی کوردستان.
- نووسینگەی بەرێز وەزیری هەرێم بۆ کاروباری پەرلەمان.
- نووسینگەی بەرێز بەرێوەبەری گشتی دیوان.
- لیژنەی کشتوکاڵ و ئاژەڵدارێ و ئاودێری و بێنداوکان، بۆ هەمان مەبەست.
- لیستەکانی (گەڕاوێنەوهی کێڵانی سێرانی ئاشووری، آیتەن النهرین، رافیدەین)، بۆ ئاگاداریتان.
- بەرێوەبەرایەتی کاروباری پەرلەمان / لیژنەکان

TREFA ٢٠١٥/٣/٢٤

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ت/ ٠٦٦٢٢٢-٨٠٠ - ٠٦٦٢٢٣-٢٤٢

www.kurdawar.com

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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, Abna' al-Nahrayyin, al-Rāfīdayyin) 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,

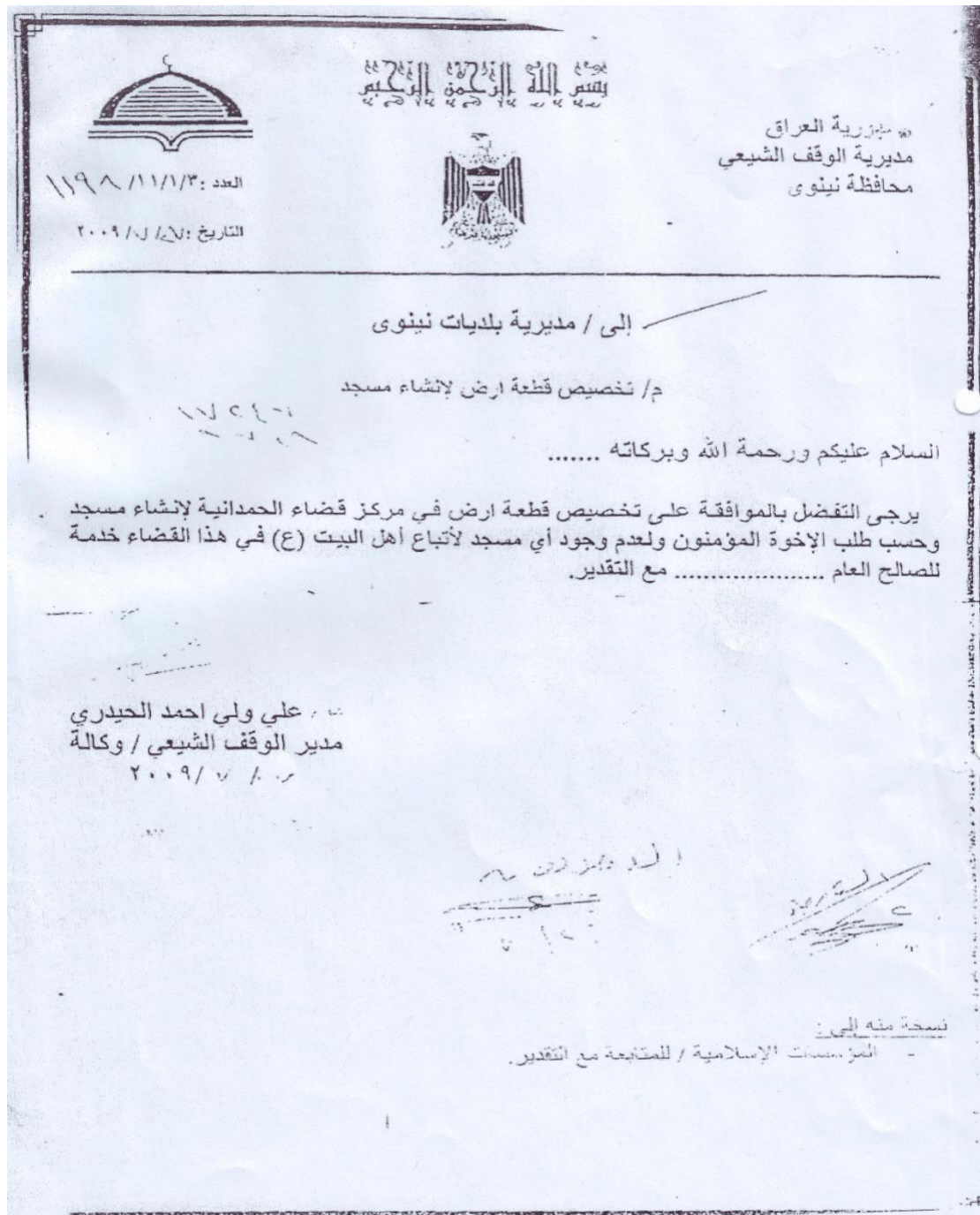
Yūsif Muḥammad Ṣādiq

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, Abna' al-Nahrayyin, al-Rāfīdayyin), for information

Figure 2. 28 This document illustrates the decision to build a mosque amongs Christian houses in Barṭala (a Christian town) with tacit government approval



Source: Documents of the Christian conference in Erbil and Barṭala on November 23-24, 2013.

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 MOSY 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

Figure 2. 30 Translation of the Directorate of Sunni Endowment of Nineveh Governorate on the allocation a plot of land in Ḥamdāniyya

IN THE NAME OF GOD MOST GRACIOUS, THE MOSY 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

بۇ / قايمقاميا قەزا شېخان زۇر بەرئز
ب / بەرھەشى

ل رېكەقتى ۲۰۱۵/۸/۲۱ ئەنجومەننىڭ كۈمەلگەھا مەھەتتى دگەل موختار و رېسپى و كەسايەتتىن ھەر (۱۲) گۈندە ل
مۇلا گۈندى مام رەشا خۇرقەھوون ل سەر ئارېشا كېرىن و فرۇتتا عەردى كشتوكالى و خانىيا، دىياردەك يا ئاشرىن
پەيدىيا ل كۈمەلگەھا مەھەتتى رۇژانە ئارېشا پەيدا دېن، ئۇ بۇ چارەسەريا قى ئارېشى مە دېرۇھووندا دىيت ئەم
ئەقلىن ئاقىل ل خارى موختار و ئەنجومەن ۋەك ئۆينەرېن خەلكى كۈمەلگەھا مەھەتتى رېكەقتىنەك بېيتە موركرن و
ھەر موختارەك و ئەنجومەنەك پېگىرىن ل سەر ئان رېنمايا و بېار دھىتە دان و ئاگەھداريا قايمقاميا قەزا شېخان
مەھەتتىن ل سەر ئاقەرۇكى بابەتتى بۇ ھارېكارى و پىشتەقانىا مە ئۇ ھەر كەسى پېگىرى ب بېارېن مە نەكەت بېيتە
سزادان ئۇ ئايى حكومەتتى قە.

پىشتى كومىوون ب دووماھىك ھاتى بېار ھاتە دان:

۱- ئايت كەس عەردى كشتوكالى بېرېت يان بفرۇشت بى يى موختار و ئەنجومەننى گۈندى.

۲- ئايت كەس خانىي خۇ بفرۇشت يان بدەتە ب ئىجار بى يى موختار و ئەنجومەننى گۈندى.

۳- ل پىشتى رېكەقتى ۲۰۱۵/۸/۲۱ ھەر كەسى عەردى خۇ بى چاندنى يان خانىي خۇ بفرۇشت بى يى مۇر و ئىمزا
موختارى و ئەنجومەننى گۈندى ئەو كرىبەست يە باتلە.

۴- دىسا بېار ھاتە دان ئىدارا قەزا شېخان و ناحيا زىلكان بېيتە ئاگەھداركرن ئۇ بۇ پىشتەقان و ھارېكارى دگەل
مەدا. دگەل رېزگرتن ...

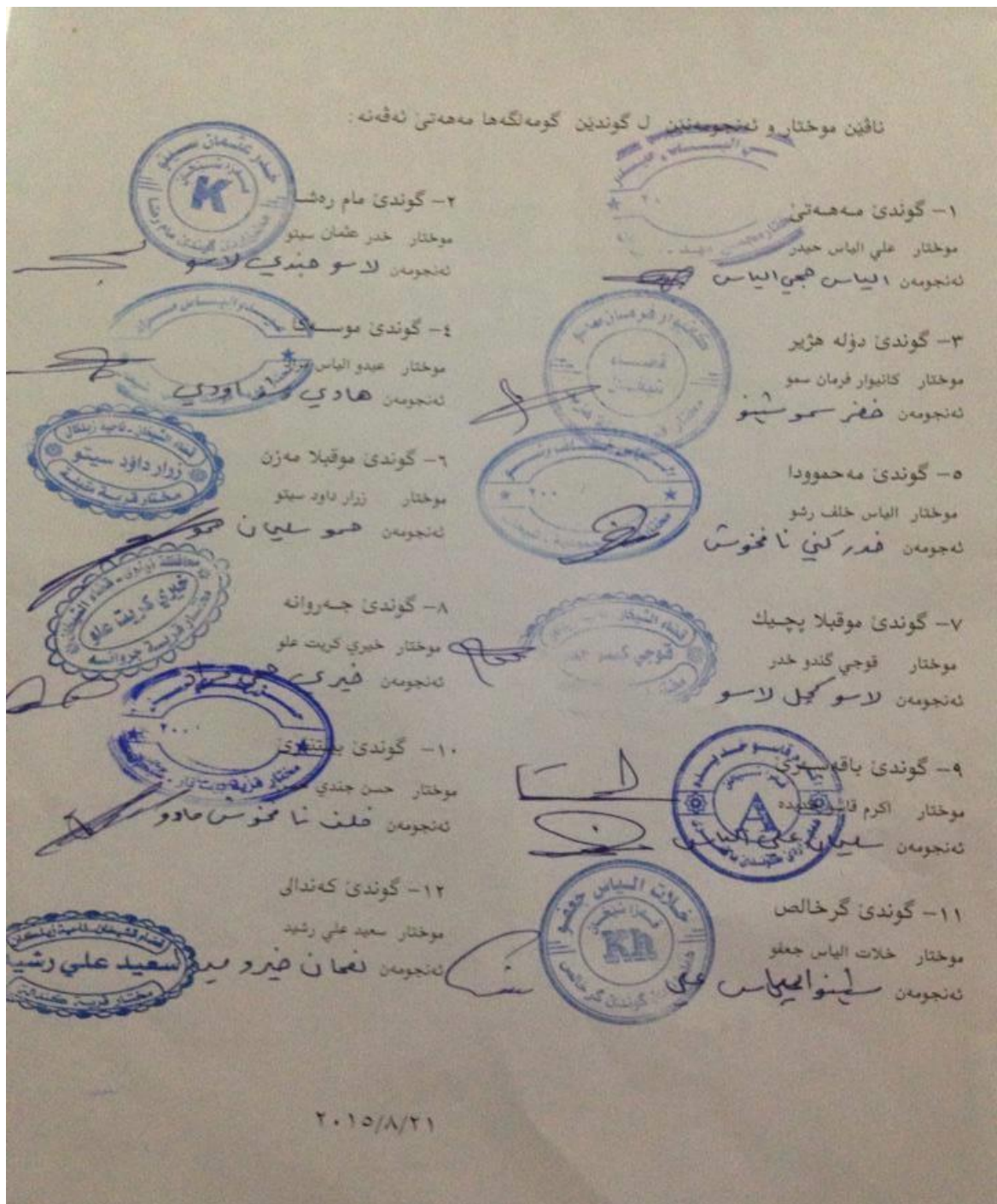
دووسيا تايەت /

وئەيەك بۇ /
بۇ / ئق ۲۰ شېخان زۇر بەرئز
بۇ / رېنمايا ناحيا زىلكان زۇر بەرئز

ھەقىقەت /

Source: Private Collections.

Figure 2. 32 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
cc. Kurdistan Democratic Party, 20th Branch.

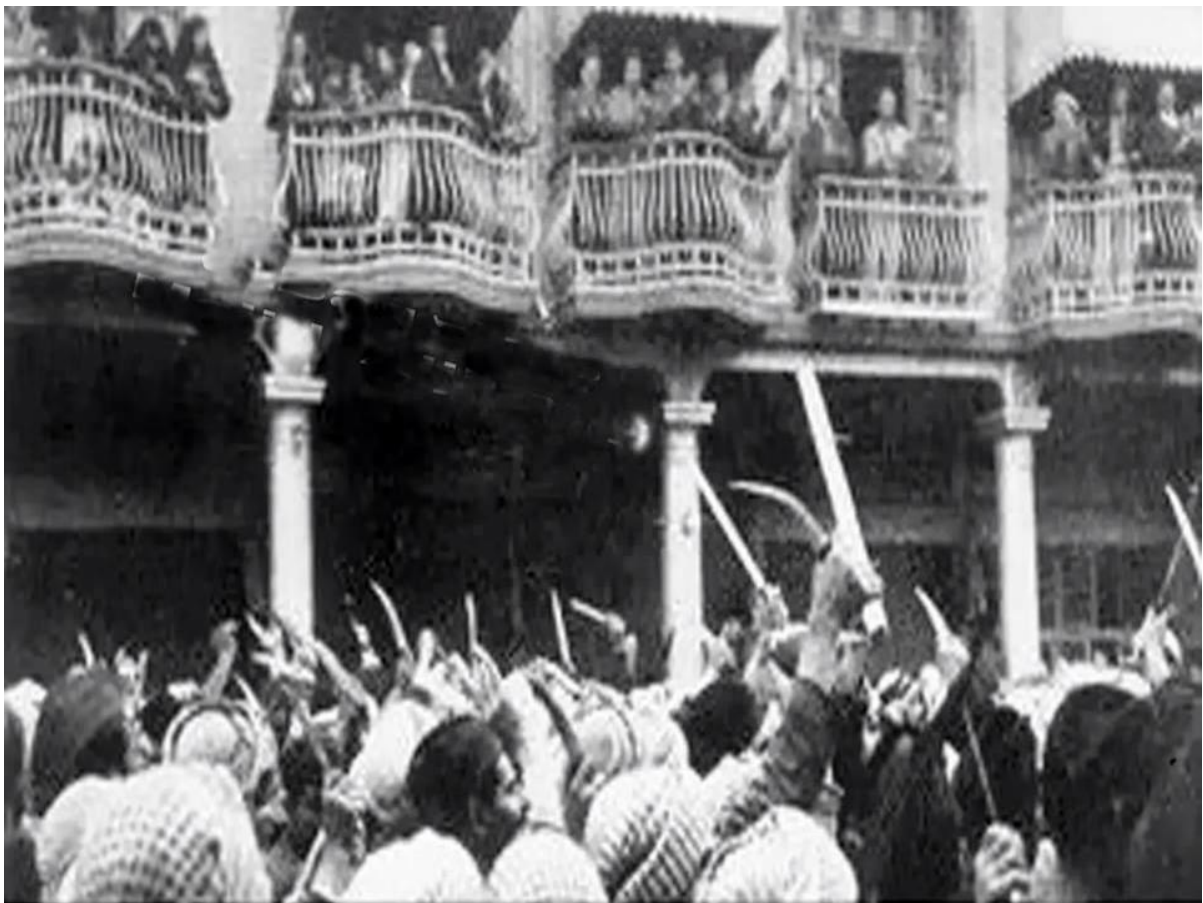
Figure 2. 34 Translation of the names of the Mukhtārs (Headmen) of Mahat Town and the Villages Councils

Below are the names of the Mkhtārs of Mahat and the Villages Councils:

1 Gūndi Mahati (Mahat Vilage) Mukhtār (Headmen): ‘Alī Alīyās Ḥaydar Council: Alīyās Ḥajī Alīyās	2 Mām-Rashān (Mām-Rashān Vilage) Headmen: Khuḍr ‘Uthmān Sītū Council: Lāsū Jundī Lāsū
3 Gūndi Dūla-Hajīr (Dūla-Hajīr Vilage) Headmen: Kānīwār Farmān Simū Council: Khuḍr Simū Shīnū	4 Mūsakā (Mūsakā Vilage) Headmen: ‘Īdū Alīyās Murād Council: Hādī Rashū ‘Āūdī
5 Maḥmūdā (Maḥmūda Vilage) Headmen: Alīyās Khalaf Rashū Council: Khuḍr Kini Nāfkhūsh	6 Mūqublā-Mazin (Mūqublā-Mazin Vilage) Headmen: Zīrār Dāwūd Sītū Council: Ḥammo Sulaymān Ḥammo
7 Muqublā-Pichīk (Muqublā-Pichik Vilage) Headmen: Qūchī Gundū Khuḍr Council: Lāsū Kachal Lāsū	8 Jarwāna (Jarwāna Vilage) Headmen: Khayrī Kirit ‘Alū Council: Khayrī Ḥajī Murād
9 Bāqasri (Bāqasri Vilage) Headmen: Akram Qāso Khudidā Council: Sulaymān ‘Alī Alīyās	10 Bitnārī (Bitnārī Vilage) Headmen: Ḥasan Jundī Ḥasan Council: Khalaf Nāfkhūsh Mādū
11 Grr-Khālīṣ (Grr-Khālīṣ Vilage) Headmen: Khalāt Alīyās Ja‘fo Council: Shīno Alīyās ‘Alī	12 Kandāla (Kandāla Vilage) Headmen: Sa‘īd ‘Alī Rashīd Council: Na‘mān Khirū Mīrzā

I.3 Image

Figure 3. 1 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



Source: *Elaph Newspaper*, No. 4509, 25 September 2013. Retrieved on 23 December, 2016 from <http://elaph.com/Web/opinion/2011/6/661561.html>.

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M.D.C.: No. Q.S/32, on 14 March, 1965 (clandestine). To: The province of Mosul. Subject: *the appendix document*. Issued: 9 March, 1965, doc.12, p. 45.

M.D.C.: A Secret Telegram Q.Q.M., No. 2853/H, on 29 August, 1966. To: the province of Mosul. Subject: *Intelligence*, doc.84, p. 412.

M.D.C.: Bāyazīd al-Umawī- Prince of the Yazidi Umayyad: To the Reverend Mr. President of the Republic and Through the Reverend Mr. Interior Minister, Subject: *Supporting the Arab Call in the Yazidi Umayyad*. Date: 18 October, 1964, doc. No.10, p. 33.

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- M.D.C.: The province of Mosul, No. Q.S./2857, on 13 September, 1966, to: the Subprefecture of Sinjar. Subject: *Information*, doc.88, p. 430.
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- M.D.C.: The Security Directorate of Mosul, No. Q.S./4793, on 25 July, 1966. To: the province of Mosul. Subject: *The Yazidi Community*, doc.60, p. 297.
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An interview with Hāshim Kākā’i in Kirkuk- Iraq on 25 December, 2016.

An interview with Ḥassan Ismā‘īl ‘Alī Ḥalabāny in Berlin- Germany on 14 January 2017.

An interview with ‘Idū Bāba-Shaykh in Oldenburg- Germany on 18 January, 2017.

An interview with Karml ‘Uqayl ‘Abd al-Wāḥid in Duhok- KRI in 4 January 2017.

An interview with Marwān Bābīrī in Oldenburg- Germany on 08 March 2015.

An interview with Mīr Taḥsīn Saʿīd Bag, in Hanover- Germany on 10 June, 2016.

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An interview with ʿUqayl ʿAbd al-Wāḥid in Duhok- KRI on 7 Decmber, 2016.

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