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# The Viability of Democratic Governance in De Facto States: A Comparative Case Study of Iraqi Kurdistan and Syria Rojava

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The Viability of Democratic Governance in De Facto States:

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by

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**Abstract**

The following comparative case study of Iraqi Kurdistan and Democratic Federation of Northern Syria-Rojava seeks to fill a gap in literature on the viability of democracy in cases of de facto statehood. There is yet to be an assessment of the potential influence of support from patron states on the degree to which democratization in de facto states is possible. This research expands upon on the argument that the decision to recognize de facto states is at least partially dependent upon the national interests of influential third party states. Syria Rojava has relied heavily on the strength of its internal sovereignty for survival where Iraqi Kurdistan received significant external support in vital phases of the state building process and was not reliant entirely on the strength of its internal unity.

Where Kurdistan received essential major power support from permanent UN Security Council members early in the state-building process, as well as afterwards in constructing a divided system of governance, Syria Rojava has received little external support and faces an international community that denies its existence. It is estimated that in the following research the support of Major Powers early in the state-building process fundamentally changes the nature of internal sovereignty. More specifically the strength and weakness of conditions of internal sovereignty influence the type of governance that is practiced in the cases under analysis. Where the conditions of internal sovereignty are strong, the viability for democratization decreases; where the conditions of internal sovereignty are weak, the viability for democratization increases. In the case of Iraqi Kurdistan, the relatively weak conditions of internal sovereignty,

while resulting in conditions that are more conducive to democratization, subjects the region to increased dependence on external powers for survival.

Whereas in Syria Rojava, the relatively strong conditions of internal sovereignty while resulting in conditions that are less conducive to democratization, subjects the region to less dependence on external powers for survival. Theories that seek to affirm the possibility of democratization in de facto states have so far eschewed consideration of the military and diplomatic support of patron states in the early de facto state building process. There is a need for research that takes into consideration the specific events that lead to the creation of de facto states so as not to overlook the possibility that external actors play a role in shaping conditions of internal sovereignty.

# Chapter 1

## Introduction

### *Democratic Governance and the Survival of De Facto States*

The Kurds are an ethnic minority group who reside on a portion of land that is split amongst the countries of Turkey, Syria, Iraq, and Iran. (Durham: 2010, 2) As a result of the disintegration of the Treaty of Sevres, which would have given the Kurds their own state (Durham, 13), this ethnic group has found themselves under the dictates of several host governments under which they have and continue to face harsh oppression, religious prosecution, and even the outbreak of civil war. Predicated on claims of a shared ethnic identity, the Kurdish community of the Middle East region was officially split amongst the states of Turkey, Iran, Iraq, and Syria after the implementation of the 1923 Treaty of Lausanne. (Aziz: 2014, 61) As a result, today's Kurds constitute minority groups within each of the aforementioned states under regimes which have subjected them to genocide, forced assimilation attempts, and seemingly perpetual political oppression.

Despite having been initially promised a state by the Ottoman government and the Allied Powers in the 1920 Treaty of Sèvres, the Kurdish vision of statehood died when leader in Turkish nationalism, Mustafa Kemal Ataturk organized a violent rebellion against the mandates of the treaty. (Aziz: 2104, 61) To complicate matters, many Kurds themselves joined Ataturk in opposition, fearing the prospects of a British controlled territory. Alternatively, Britain worried that it would not be able to find a suitable individual to lead the Kurds away from historically

tribal roots sowed under previous empires. (Aziz, 61) In the end the triumph of Ataturk's cause ensured that the Treaty of Sèvres was never put into practice but instead overtaken by the 1923 Treaty of Lausanne. (Aziz, 61) That the Treaty of Lausanne did not allow for the creation of a Kurdish state would be the first major setback in what would later become the struggle for Kurdish nationalism that rages on to this day in the contemporary Middle East region. (Aziz, 62)

According to historian David McDowall (2004) the Kurds did not begin to conceive of their identity as being based on shared ethnicity until the beginning of the twentieth century shortly before the ruin of the Ottoman Empire. (McDowall, 2) The Kurds found themselves in competition with the Turks and Arabs who were also making appeals to nationalism based on the novel idea of ethnic identity which replaced previous forms of unity predicated on Ottoman citizenship and religious affiliation. (McDowall, 2) However, the Kurds faced unique obstacles in the appeal to shared ethnicity due to both the lack of established political culture and the existence of differing languages. (McDowall, 2) These differences can likely be attributed to the inclement weather conditions and rough terrain presented by the Zagros mountain range and plateaus inhabited by the Kurds, making communication between tribes difficult. (2)

The Kurds have based their calls to nationalism on a shared history of genocide and forced assimilation, as well as narrative embellishments of their geographic location which include a mystical connection to the mountains and the ferocity of fighters. (McDowall: 2004, 5) While the geostrategic location of the Kurds has been ultimately disadvantageous with the splitting of territory, the mountainous region was, throughout history, a position of leverage amongst competing empires. This can be seen in the 16th century when the Ottomans negotiated with Kurdish tribes, offering them autonomy in exchange for protection from the neighboring Safavid Empire. (Ünver: 2016, 68-69) Though Kurdish inhabited territory is oil rich, the Kurds

have been forced to concede what might otherwise be a crucial source of economic revenue to the central governments of respective parent states. Today there are about 25 to 35 million Kurds living in the Middle East, with the largest number of Kurds living in Turkey. (McDowall: 2004, 7) As for religious make-up, Kurds primarily identify themselves as Sunni Muslims but aside from Islam, small portions do identify with religions including but not limited to Christianity, Yezidism, and Judaism. (McDowall, 11)

The division of the Kurds has resulted in the development of different linguistic patterns (Durham, 10), differences in political ideologies, and different goals regarding the long-sought after acquisition of sovereign statehood. These differences have surfaced along the lines of mountainous territorial boundaries, making it difficult to refer to the Kurds as a group with one cohesive identity. In reality many factions have developed as a result of varying governance systems and political party loyalties. The following research will focus on just two regions of the Kurdish diaspora: Iraqi Kurdistan and Rojava in Northern Syria, in a multiple case study to be compared with the Zapatistas of Chiapas, Mexico.

While Iraqi Kurdistan has come the closest to realizing the long-held Kurdish aspiration of sovereign statehood, they have not attained international recognition of sovereignty by UN standards, a formal recognition that would essentially partition present-day Iraq. However, the Kurds in Iraq have been able to achieve popular recognition of their constitution under the Kurdistan Regional Government (KRG) led by President Masoud Barzani. (Gunter:2014, 167) Following the defeat of Saddam Hussein's military forces in the Persian Gulf War of 1991, disaffected Kurds formed uprisings against a government that was perceived to be considerably weakened. (Robson; 1996, 9) However, Saddam was ultimately able to regain control over Baghdad, leading to intense violence. (Robson, 9) Consequently a refugee crisis

ensued with at least one million Kurds attempting to flee Iraq over the Turkish border. (Robson, 9) In response the United States teamed up with coalition allies in creating a no-fly zone over Northern Iraq deemed 'Operation Provide Comfort.' (Rudd:2004, 35) The humanitarian assistance of the international community afforded Iraq's Kurds enough relative stability to construct a system of governance in 1992. (Gunter:1993, 295)

Syria's Kurds, under the guidance of the Democratic Union Party (PYD) were able to establish regional autonomy as a result of the Syrian Civil War and subsequent invasion of Syria by ISIS. (Ünver:2016, 78) The disintegration of the state into warring factions, weakened Bashar Al-Assad's military forces to the extent that the Kurds were left with enough autonomy in 2012 to devise the Federation of Northern Syria- Rojava which is divided into the autonomously governed cantons: Afrin, Jazira, and Kobane. (Ünver,78) Though literature on the Kurdish establishment of Rojava is lacking partially due to uncertainties regarding the ability of Syria's Kurds to keep the region alive once the Syrian Civil War ends, Rojava is widely considered a revolutionary movement, mirroring that of the Zapatista Movement in Mexico. (Sabio:2015, 61) Rojava appears as a bastion of democratic, bottom-up governance in the middle of a war-torn and increasingly authoritarian Middle Eastern region. (Sabio,68; Krajeski:2015,88) The Rojava Social Charter emphasizes the equality of all peoples, gender equality, a communitarian style of governance, and environmental protection from the greed of capitalism. (Sabio, 61; Krajeski, 88)

The Zapatista Movement was spearheaded by the Zapatista Army of National Liberation (ELZN) beginning with a formal declaration of war against the Mexican state and military on the fateful day of the North American Free Trade Agreement (NAFTA) implementation, January, 1st, 1994. (Godelmann:2014) What began as an armed conflict was eventually rearticulated as a non-violent struggle, a creative infusion of symbols, poetry, and an

appeal to liberty, equality, property, and autonomy for indigenous people who for hundreds of years, were forced to live under conditions of repression imposed by Spanish colonization. (Khasnabish:2010) The struggle resulted in the creation of autonomous municipalities located in the southernmost region of Chiapas, Mexico. (Khasnabish:2010, 1) While the Zapatistas are seemingly worlds apart from the Kurdish diaspora in the Middle East, both geographically and culturally, each of the three cases are examples of self-determined peoples operating autonomous regions within the confines of sovereign states.

None of the de facto states (Iraqi Kurdistan, Rojava-Northern Syria, Zapatistas-Southern Mexico) have received international recognition of sovereignty though each region is operating independently of the host state and outside of societal expectations. Ultimately, the cases under examination serve to exemplify the rise of autonomous regions that shatter ideals of nationhood, territorial boundaries, and the Westphalian model of sovereignty that have previously dictated international relations studies. (Osiander: 2001, 251) With a rise in social movements throughout the Americas, the poor, indigenous and ethnic minority groups are claiming the right to territorial self-determination, within already established sovereign states with a rising frequency. Despite this prevalence there is a dearth of literature, dedicated to understanding the autonomous regions of self-governance borne out of these social movements and uprisings.

In the following research one case of representative democracy (the Kurdistan Regional Government of Iraq) is compared to two strikingly similar cases of participatory democracy (The Federation of Northern Syria- Rojava and the indigenous communities of the Zapatista Army of National Liberation). The reason for the odd-numbered comparison is because Rojava, while it has been operating autonomously for over two years, is situated within the

ongoing conflict of the Syrian Civil War, making its longevity tentative. The Zapatismo model of governance is strikingly similar to that of Rojava, yet it has exercised over twenty years of regional autonomy within Southeastern Mexico and is free of the sociopolitical turmoil that Rojava is currently situated within. Therefore the inclusion of both cases to signify participatory democracy is intended to offset any potentially misleading empirical inferences from being drawn due to the relative newness of the Rojava movement and the uncertainty regarding Rojava's longevity by juxtaposing this case with the case of the more stable Zapatista Movement.

### *Ideologies and Systems of Governance*

The forms of governance practiced by the three autonomous regions under study are a core component of the research under examination. In each case the creation of a de facto government after the establishment of regional autonomy was a matter of vital contemplation for community and political leadership. A point of consensus in the literature on de facto statehood is that the primary goal of an autonomous region that has not received international recognition of sovereignty, is survival within a host state.

While the governance structure of de facto states can still function in the absence of international recognition of sovereignty, it cannot function in the absence of domestic recognition of sovereignty and legitimacy amongst its people. (Broers:2014, 146) Thus it is necessary to retrace the ideological, cultural, and sociopolitical influences that led leadership in each case to adopt a certain form of governance assuming that the primary goal is to maintain the internal unity necessary for survival. In the following research, the term, "host state", sometimes

known as "parent state", refers to the sovereign country within which the autonomously operating region is located.

### *Participatory Democracy*

Rojava practices 'democratic confederalism' through the three administrative cantons of Afrin, Jazira, and Kobani. Democratic confederalism is a system of governance that rejects a centrist state model in favor of autonomous control over civil society delegated to the people through their participation at the lowest level, in neighborhood/ local councils. (Savran:2016, 8) This horizontal system of governance dispenses with the hierarchical governance structures that constitute representative democracies by reallocating power so that is distributed equally amongst the individuals of communities which are organized into collective communes from a local level to a city level. (Knapp and Jongerden, 98) Michael Knapp and Joost Jongerden (2016) refer to this horizontal sharing of power as "self-governance", and/or "democratic autonomy. (Knapp and Jongerden, 95)

The primary goals and operative strategy of this experiment in democratic autonomy are stipulated in the Rojava *Charter of the Social Contract* as the, "pursuit of freedom, justice, dignity and democracy and led by principles of equality and environmental sustainability . . . based upon mutual and peaceful coexistence and understanding between all strands of society. It protects fundamental human rights and liberties and reaffirms the peoples' right to self-determination." Democratic autonomy is often referred to as 'bottom-up' governance because the democratic process is made to be as direct as possible so that the local people hold the most power over the system. (Savran:2016, 9) In the case of Rojava, the communes which are made up of neighborhood councils, hold the most power and alternatively, the city councils merely

execute the popular will as it is received from the local community. (Knapp and Jongerden, 101) Alternatively, in models of representative democracy, neighborhood councils would hold the least amount of power, relying on the cultivation of relationships with politicians to represent the interests of the community.

In 2012, property that was once owned by the Syrian government was placed under the jurisdiction of city councils. (Knapp and Jongerden:2016, 97) Buildings and land plots are now controlled through the principle of 'ownership by use' so that the property cannot be privatized and is kept open to the community.(Knapp and Jongerden, 97) To appease people living within the cantons who do not appreciate this self-governance, Rojava does have six political parties which represent the needs and concerns of different ethnic and religious groups. One of which, the Democratic Union Party (PYD), pioneered the implementation of Rojava's system of democratic confederalism. (Knapp and Jongerden, 102)

All of these political parties, councils and individual members of the community operate within an organization known as the TEV-Dem. (Knapp and Jongerden, 103) TEV-Dem is meant merely to promote collaboration between differing groups of people but it does not hold any governing authority. (Knapp and Jongerden, 103) TEV-Dem members, similar to the councils throughout Rojava, must meet a gender quota so that women are represented fairly. (Knapp and Jongerden, 105) In addition, extra care is taken to ensure that minority groups also receive equal recognition on councils and in chair appointments. (Knapp and Jongerden, 105)

To better understand the decision by the PYD, to implement democratic confederalism in Syria, one must shift focus to the Kurds in Turkey. (Ünver:2016, 75) The Kurdistan Workers' Party (PKK) emerged in Turkey in 1978 as a leftist movement representative of the country's large Kurdish minority. (Cemgil and Hoffmann:2016, 53) The party historically waged a violent

struggle against the Turkish government with the hopes of attaining statehood, leading Turkey to label the party as a terrorist organization. (Krajeski:2015, 92)  The highly respected leader of the PKK, Abdullah Ocalan, was initially influenced by Marxist-Leninism and the creation of a socialist society. (Krajeski:2015, 92)  After Ocalan was extradited from Syria on behalf of the Turkish state and sent to prison, he adopted a new ideology based on the ideas of Murray Bookchin, a U.S. political theorist who advocated libertarian socialism. (Krajeski:2015, 92)

Once Ocalan's opinions changed, he advised his PKK followers to no longer pursue secession from Turkey, but to practice a communal form of self-governance that would coexist peacefully within country borders. Although the crackdown of the Turkish government made it impossible for democratic autonomy to take hold, the PYD, highly influenced by and considered to be a branch of the PKK, seized the opportunity to implement Ocalan's vision of governance in Syria after the civil war forced the Assad regime to abandon northern swathes of land to Kurdish control. (Krajeski:2015, 92)

In the case of the Zapatistas, the development of a system of participatory democracy in regions of southeastern Mexico, share many parallels with that of Rojava. After the takeover of seven cities in Chiapas, the Zapatista Army of National Liberation (ELZN) declared  an oft cited line from the 'First Declaration of the Lacandon Jungle': "we ask for your *[people of Mexico]* participation, your decision to support this plan that struggles for work, land, housing, food, health care, education, independence, freedom, democracy, justice and peace." The political philosophy of the Zapatistas, referred to as *Zapatismo* encourages Mexico's indigenous groups fight for the right to exercise autonomy and self-determination as a way of combating centuries of horrors under the dictates of Spanish colonization and later at the hands of Western imperialism. (Khasnabish:2010, 1)

A primary goal of the Zapatista Movement has been to not only oppose the capitalist system of state dominance and proliferation of neoliberal policies, but to create an alternate mode of governance entirely in which the power of the state is rejected in favor of direct participation in the democratic process at the local level. (Casanova:2011, 39) As a revolutionary movement credited for setting the global precedent as a grassroots alternative to the capitalist system, the Rojava governance structure was likely indirectly influenced by Zapatismo philosophy. Both autonomous regions advocate for governance that restores power to civil society, accommodates communitarianism, horizontal power sharing, and the equality of all previously marginalized groups as well as women. In addition, both autonomous regions reject the goal of attaining sovereign statehood, being that the principles of democratic autonomy under which they operate, reject the concept of statehood altogether as an oppressive apparatus of power under which members of civil society cannot lead truly democratic lifestyles. The very notion of participatory democracy seems to stand in opposition to the statist model, with citizens at the mercy of the state, the capacity for participation is made tenuous.

In the Zapatista dominated areas of Chiapas there are over one thousand primarily indigenous communities that operate collectively within twenty-nine autonomous municipalities.(Ross:2005, 39) The municipalities consolidate further into five caracoles, formerly known as 'Aguascalientes'. (Forbis and Brenner: 2014) Junta de Bien Gobierno's (Good Government Juntas) are councils made up of individuals within the community who preside over each Caracol. (Forbis and Brenner: 2014) Much like the structure of Rojava's communes, autonomous municipalities hold the most power over governance decisions, resulting in a bottom-up system where the input of municipalities is received by the Junta de Bien

Gobierno, a council that mainly facilitates dialog between indigenous groups in the community. (Forbis and Brenner: 2014)

Emiliano Zapata is known for having courageously led a peasant uprising in Morelos during the Mexican Revolution. (Khasnabish:2010, 30) A former sharecropper with peasant roots in Anenecuilco and the originator of *Zapatismo*, Zapata became the symbolic icon of the EZLN forces. (Khasnabish, 30) He set the foundations of the Zapatismo philosophy in the Plan of Ayala which dictates that peasants must seize control of the lands they cultivate on the journey towards eliminating private property so that land could be used communally, unhampered by the interference of the state. (Khasnabish, 31) Throughout the 1970's and 80's several leftists groups emerged in Mexico, with the goal of pushing the state to enact land reform measures for peasants and workers. (Collier and Quaratiello:2005, 69) According to Collier and Quaratiello (2005) with the emergence of these groups, the peasants and Indians of Mexico, despite having been treated as separate entities with different interests by the government, had begun to be viewed as a united front in agrarian struggle with shared interests. (Collier and Quaratiello, 70)

Though the EZLN did not make their first public showcase until the insurgency of 1994, the group had been operating covertly since 1983. (Collier and Quaratiello, 84) Comprised of peasants, Indians, and northern activists, the group began survival and military training in the Lacandon Jungle, forming a new inclusive political organization. (Collier and Quaratiello, 86) Subcommandant Marcos, the articulate spokesman of the Zapatista Movement and the author of influential communiques, was one of the original, nonindigenous members of the EZLN. (Collier and Quaratiello, 86) Today the EZLN is made up of several indigenous groups, including but not limited to the Tzeltal, Tzozil, Chol, and Tjolobal. (Godelmann:2014)

*Representative Democracy*

The formation of the Kurdistan Regional Government in Northern Iraq, arose out of similar circumstances as that of Rojava and the EZLN. For instance, each of the cases emerged in, or created the context of geopolitical war and in each of the cases, marginalized groups took up armed resistance against the government after centuries of oppression whether by dictator or neoliberal president. However, the case of Iraqi Kurdistan differs in that the autonomous region received the support of the Great Powers at its inception, a major contributing factor in its choice of governance and the trajectory of the region after its establishment. Unlike Rojava and EZLN, Iraqi Kurdistan established representative democracy in the form of a parliamentary system, more emblematic of the Western model of neoliberalism than that of a radical leftist model influenced by Karl Marx, Che Guevara, and Murray Bookchin.

After the United States enforced, UN sanctioned implementation of a no-fly zone, the Kurds were given enough stability to form a system of autonomous governance. However, the region of Northern Iraq has been historically split prior to the Saddam Hussein regime, between the political parts of the Kurdistan Democratic Party (KDP) led by Massoud Barzani and that of the Patriotic Union of Kurdistan (PUK) led by Talabani. (Stansfield:2003, 60) The conflict between the two groups is long standing and has tribal ties. After the establishment of control over the region, conflicts over power and leadership between the two party leaders erupted into a state of civil war in 1994 during a period that should have fostered compromise through the shared goal of regional survival. (Stansfield, 63) The meddling of foreign powers in the affairs of the autonomous region may have been advantageous in helping the Kurds of Iraq to secure land but this interference has become a mainstay in the operation of the Kurdistan Regional

Government, with Turkey, Iran, and the United States attempting to use the region to further their own goals.

As a result of the civil war, Iraqi Kurdistan is split, with the KDP led by Barzani controlling Erbil and the PUK led by Talabani controlling Sulaymaniyah. (Stansfield, 63) Unlike the political leaders of the Rojava Movement, the rival 'chieftons' as they are sometimes called, Barzani and Talabani did not receive an urban education and arrived at positions of leadership through tribal hierarchy. (Ünver:2016, 70) As a result, both leaders have been reluctant to loosen their grip on power undermining the notion of democratically elected leadership. Ünver (2016) describes how some academics refer to Iraqi Kurdistan as a system of 'neotribalism' that favors hierarchy and nepotism, rather than one of democracy. (Ünver, 76) In addition, tribal influences make Iraqi Kurdistan more religiously conservative than the Kurds in Rojava who are secularists. (Stansfield, 80) The Iraqi economy relies on oil export for survival and though the Kurdistan region sits atop vast oil reserves, the Kurds primarily rely on agriculture for subsistence. (Stansfield, 80) Since the establishment of independence, the KRG has formed a partnership with Turkey, the regional neighbor it relies on for the export of oil.

The KDP is comprised of a Central Committee which is responsible for representation and implementing policy. (Stansfield, 107) The Political Bureau is the highest office in the governing structure, serving as an executive branch of sorts and reporting directly to President Massoud. (Stansfield, 107) The geographical area of Iraq under KDP control is divided into regions in which individuals are designated as party representatives. (Stansfield, 108) The governance structure of the PUK is nearly identical to that of the KDP with the Leadership Office serving in the same capacity as the Central Committee. (Stansfield, 111) The main

difference is that Talabani's power within the administration exceeds that of presidency as he is also responsible for appointing committee leaders directly. (Stansfield, 112)

*Literature Review*

While the field of International Relations is abundant with comparative case studies of de facto states operating outside territorially recognized boundaries and outside of the dictates of the host countries in which they preside, there is a lack of literature that examines autonomous regions. While autonomous regions have been largely disregarded by scholars as irrelevant because these regions are not actively seeking international recognition of sovereignty (Florea:2014; Pegg:1998), they often function in exactly the same ways as regions that are considered to be 'de facto states' in the literature reviewed below. Thus this research project places importance on analysis of autonomous regions as equally important players on the geopolitical map, with just as much influence on the transformation of traditionally defined territorial boundaries, as de facto states.

The requirement that de facto states be seeking international recognition of statehood does not seem to be of much consequence being that the majority of autonomous regions not seeking international recognition of statehood, are still operating as states, performing public services, and sophisticated governance. Precluding autonomous regions from case study examination based on this prerequisite prevents a better understanding of the transformation of traditional statehood taking place across the globe. It should be noted that in the studies under comparison, Iraqi Kurdistan is considered to be a de facto state based on the prevailing requirements of de facto statehood. However, each of the cases can be classified as autonomous regions. The only requirement that the Federation of Northern Syria- Rojava and the EZLN

autonomous municipalities fail to meet in the designation of de facto statehood is that the governance structures of these regions reject the idea of statehood altogether. They are not seeking international recognition based on statehood but international recognition as alternatives to the capitalist system.

*Analysis of Theory*

Jen Bartelson's, *The Concept of Sovereignty Revisited* (2006) illustrates the constellation of diverging opinions about the changing status of sovereignty as a concept in international relations literature. (Bartelson, 464) She characterizes the primary debate as being between scholars who believe that sovereignty should be either eliminated or conceptualized to accommodate the new realities of emergent non-state actors, and those who believe that the current discussion of sovereignty is indicative of the dominance of the traditional statehood model and only serves to further reinforce its reality. (Bartelson, 464) She arrives at the conclusion that this debate is primarily ontological in nature, with emphasis on the use of the term itself rather than on the political realities that both sides profess to exist. (Bartelson, 465)

Her theory then suggests that achieving reconciliation in the debate over the existence of 'sovereignty', lies in altering the prevailing definitions of sovereignty and the ideas historically associated with it to accommodate globalization and the existence of non-state actors. (Bartelson, 465) While sovereignty technically still exists in the traditional sense, which is evident in the existence of 'qausi-states', or regions that have weakened to the point of dissolution, yet are still regarded as sovereign entities by the international community (Broers:2014, 145), it must be acknowledged that the geopolitical landscape has altered considerably since Cold War times. New autonomous regions are emerging that can no longer be defined using the idea of

sovereignty as it was originally conceived. Through this comparative case study it has become

evident that rather than transforming our ontological conceptions of terms such as 'sovereignty'

and 'statehood' as Bartelson (2006) seems to suggest, by making them more flexible (465),

scholars have come up with entirely new terms to describe emerging non-state actors, which are

just as rigid in nature.

For instance, the prevailing definitions of de facto and quasi statehood still do not

account for certain non-state actors. Definitions of de facto statehood do not account for entities

that are not seeking recognition of sovereignty, and definitions of quasi statehood do not account

for entities that maintain partial administrative capacity. Increasing numbers of these

autonomousregions have come into existence, some of them lasting for considerable periods of

time, such as the case of the Zapatista Movement. These new definitions may be

methodologically convenient in the short-term but review of case study literature on non-state

entities reveals that a short-sightedness has developed in which scholars fail to study regions that

do not neatly fit into the prevailing definitions most often entertained in the literature.

In *Mirrors to the World: The Claims to Legitimacy and International Recognition of

De Facto States in the South Caucasus,* Laurence Broers (2014) makes a distinction between two

forms of sovereignty: external sovereignty and internal sovereignty. (Broers, 145) External

sovereignty refers to recognition by the international community of the existence and legitimacy

of the non-state actor. (Broers, 145) Internal sovereignty refers to the amount of unity that exists

amongst the groups within the non-state entity and the recognition by these groups that the

governance system is legitimate. (Broers, 145) This comparative case study places emphasis on

the importance of internal sovereignty. Being that the primary goal of non-state actors is to

maintain survival and control over the regions they claim, internal sovereignty is required but external sovereignty, at least not the way that it is defined by Broers (2014) is not. (145)

In the case of Rojava and the Zapatistas, external sovereignty in the form of statehood is not sought yet external recognition of alternative governance is, but only to the extent that this recognition is beneficial to the community ie. the appeal to humanitarian NGO's in pursuit of community betterment projects. Not only do these regions not consider themselves to be states, their primary goal is to maintain an anti-statist pursuit of autonomy. This means that the benefits that come from the international recognition of statehood, primarily legal benefits, are actually viewed in a threatening way by these regions, as potential interferences of neoliberalism into their autonomous, communities.

### *Research Question and Unit of Analysis*

The question proposed in this research is whether or not autonomous regions that exercise participatory democracy exhibit greater internal sovereignty than those that exercise representative democracy. The term 'internal sovereignty' as it is used here refers to the strength of unity that exists within the autonomous region and the recognition by groups within it, that the governance system is legitimate. The unit of analysis is the autonomous region. The independent variable will be the form of governance practiced within the autonomous region and the dependent variable will be the relative strength of internal sovereignty.

### *Hypothesis*

I anticipate that autonomous regions that exercise participatory democracy, will demonstrate stronger levels of internal sovereignty. In the cases examined, I expect that the

Federation of Northern Syria- Rojava and the EZLN autonomous municipalities will display greater domestic unity amongst diverse groups than in the case of representative democracy, Iraqi Kurdistan. The word 'democratic' as it is used here will be based on the following definition: "a mode of decision-making about collectively binding rules and policies over which the people exercise control, and the most democratic arrangement is that where all members of the collectivity enjoy effective equal rights to take part in such decision-making directly—one, that is to say, which realizes to the greatest conceivable degree the principles of popular control and equality in its exercise". (Beetham: 1992, 40)


*Research Design*

Because of the specificity and irregularity of comparative case studies and the limited applicability of research findings to outside cases, the creation of a systemized empirical measure for testing the stated hypothesis would not have been well suited to this research. Being that this multiple case study examined only three cases, content analysis of secondary sources , historical records and government documentation were used to arrive at deductions regarding the research question. The conclusions drawn from this multiple case study should not be assumed to apply to outside cases. There are several weaknesses in methodological rigor when applying content analysis to the examination of qualitative case studies. For instance, levels of internal sovereignty are subjective in nature. Future studies examining the role of democratic governance on internal sovereignty should apply an empirical measure of the levels of internal sovereignty in several autonomous regions, by coding variables so that cases can be compared more accurately.

*Results*

      Based on historical and content analysis, the hypothesis that in the cases under examination (Iraqi Kurdistan, the Federation of Northern Syria- Rojava and the EZLN autonomous municipalities)  autonomous regions that exercise participatory democracy, demonstrate stronger levels of internal sovereignty, received support. However, since levels of internal sovereignty were not measured in a systemic way, support for the hypothesis relies on the interpretation of historical events and is thus relatively weak. Support for the hypothesis comes from ample evidence that out of each of the cases, Iraqi Kurdistan has had more frequent internal conflicts (which seem to be relatively constant given the nature of the polarized political system to have risen out of strong tribal traditions) amongst rivaling political parties, and factions, as well as more severe internal disputes. Iraqi Kurdistan is the only case that experienced civil war immediately after attaining sovereignty. The war, which lasted three years, was not internally mediated but required foreign intervention.

      Although the Zapatistas and Rojava Kurds have undergone several internal conflicts since attaining independence, democratic autonomy and participatory democracy have thus far made it possible for internal disputes to be resolved at the community level through weekly communes and municipality meetings, preventing internal conflicts from reaching a level of escalation that would require outside mediation. It appears as though maintaining a governance system of participatory democracy requires the kind of constant compromise that is more conducive to internal unity. Given the perpetual state of vulnerability experienced by unrecognized, non-state actors, autonomous regions with less international support, as in the

Rojava and Zapatista cases, presumably have more incentive to cooperate with diverse groups internally.

# Chapter 2

## The Internal Sovereignty of Kurdish De Facto States

### *Introduction*

After Kemal Atatürk rejected the 1920 Treaty of Sèvres, which would have granted the Kurds statehood in parts of Turkey and Armenia, all hopes of attaining sovereign statehood were dashed.(Glavin:2015, 57) Largely considered to be the world's 'fourth largest ethnic group', the Kurds have found themselves situated in the rocky region where Iran, Iraq, Syria, and Turkey meet.(Glavin, 58) Thus each of the four countries are home to large Kurdish minority populations, where long histories of violent clashes between the Kurds and state governments, has led to cultural assimilation at best and genocide at worst. The separation of the diaspora by state borders and mountainous terrain has led to fractures amongst the Kurds themselves who have now developed different cultural traditions, linguistic patterns and religious and political affiliations, effectively prohibiting the possibility of a unified call for state sovereignty.

The following research will focus exclusively on parts of Iraq and Syria where the Kurds have been able to take advantage of the weakening of the state apparatus due to terrorism, insurgency, and civil war, in attaining regional autonomy. These cases are well suited for comparison based on shared ethnic ties, the similarity of the geopolitical contexts in which regional autonomy was secured, and the similar dispositions and strategies of political leadership. In order to better understand the cases under analysis it is necessary to detail the governance structures of Iraqi Kurdistan and Rojava, as well as the dynamics of the rivaling political groups in each region.

*Iraqi Kurdistan*

The ability of the Kurds to create an autonomous region in Iraq can be largely credited to the implementation and enforcement of a no-fly zone by the United States and European allies in 1991 at the end of the Gulf War. (Olson:1992, 485) The Kurds, facing the violent backlash of Saddam Hussein's regime, were able to seek refuge in the UN sanctioned '36th parallel' of Northern Iraq, giving them a crucial time allotment to establish autonomy and a system of governance. (Olson, 486) However by 1992 in the process of deciding on governance options, longstanding tensions between the tribal leaders of two prominent Kurdish political parties, Massoud Barzani of the Kurdistan Democratic Party (KDP), and Jalal Talabani of the Patriotic Union of Kurdistan (PUK), began to impede the viability of  uniting Kurdistan with the larger goal of retaining newfound autonomy. (Stansfield:2016, 1)

The split in the initially unified KDP can be traced back to 1970 when a dispute over the Kirkuk region led to conflict between the Iraqi Ba'ath regime and Barzani's KDP. (Stansfield,89) In 1974 the Iraqi regime offered Barzani a significantly weakened negotiation for potential Kurdish autonomy which would have kept decision-making power in the hands of Baghdad. (Gunter:1992, 10) After the autonomy deal was refused, violence escalated, leading Barzani to wage war against the Iraqi regime with the expectation that Iran would intervene on behalf of the unprepared Peshmerga forces. (Gunter, 10)  When Iran refused to intervene, Barzani fled the conflict for the protection of the mountains giving Talabani the perfect opportunity to create an oppositional political party by 1975 made up of increasingly popular leftist groups. (Stansfield, 94)

Shortly after establishing autonomy, in 1992, Barzani and Talabani decided to set aside their differences in the pursuit of a unified, federated state. (Gunter:1993, 295) However, by 1993 fighting between the leaders and their parties led to a civil war that raged on for three years before the intervention of outside actors led to an eventual agreement to split the Kurdistan Regional Government (KRG) into two separate governing entities. (Gunter:2014, 168) Ultimately the tribal roots and powerful positions of both leaders made it difficult for either side to cede revenue or territory to the other party. With the help of the Washington Agreement, The KRG is now divided into two political parties that govern different regions. Since 2003 established geographical boundaries have not been breached and by 2005 the KRG formalized a constitution (Stansfield:2016, 1) The KDP governs over Erbil and areas of Northern Kurdistan while the PUK governs over Sulaymaniyah and areas of Eastern Kurdistan. (Stansfield, 63) Today, the Kurdistan Regional Government (KRG) encompasses over fifteen cities in Northern Iraq with a capital city of Erbil.

### *The Kurdistan Democratic Party (KDP)*

The KDP follows a parliamentary model of hierarchical governance. The Political Bureau serves as the most powerful administrative branch, made up of a nine member committee that acts in an executive capacity.(Stansfield:2016, 105)  Below the Political Bureau, the Central Committee organizes party elections and staffs regional offices, as well as providing instruction for the overall direction of the party.(Stansfield, 105)   The area under KDP governance is divided into twelve regions based on population size, each ofwhich are further divided into districts and communities. (Stansfield, 105) The current President of the KDP, Massoud Barzani, maintains control over intelligence and military branches. (Gunter:2014, 169) The KDP

legislative branch is led by Congress and congressional decisions are passed onto the Central

Committee for implementation. (Stansfield:2016, 107) According to Gareth Stansfield (2016) all

of the highest government positions are occupied by members of Barzanis family, evidence of

the charges of nepotism leveraged by critics. (Stansfield, 108) However, Stansfield cautions

against labelling the KDP undemocratic, as Barzani does not get involved in grassroots activism,

and he occasionally allows for dissension within the Political Bureau so long as it does not

seriously threaten his power. (Stanfield, 109)


*The Patriotic Union of Kurdistan (PUK)*

While the PUK has leftist, socialist origins, it is structured in almost exactly the same

way as the KDP. However, some slight differences exist such as the names of political offices,

the leadership role taken on by Talabani, and greater involvement of trade union organizations.

(Stansfield:2016, 113) Within the PUK the highest office of the executive branch is also the

Political Bureau and below the Political Bureau, is the Leadership Office which functions in the

same way as the KDP's Central Committee. (Stansfield, 113) PUK territory is divided into nine

regions. Contrary to the KDP, all Leadership Offices must report to Talabani, who is also in

charge of appointments to the Political Bureau. (Stansfield, 113) Socialist influence is evident in

the division of each region into trade unions made up of shops rather than division by population

size. (Stansfield, 113) According to Stansfield (2016) while Talabani's pervasive influence

throughout the governance structure is criticized, the PUK seems to be openly accepting of

various leftist groups within the Political Bureau which is highly flexible in its appointments,

albeit chaotic. (Stansfield, 114)

### *Iraqi Kurdistan Economy*

In Iraqi Kurdistan the economy is heavily dependent on oil export and agriculture although in recent years, the region has taken steps to accommodate tourism. (Zolait:2013, 154) While neighboring Turkey was initially against the idea of Kurdish regional autonomy in Iraq, the support of the United States and European allies, forced the Turkish government to accept the arrangement. Since the inception of Iraqi Kurdistan, Turkey has sought to leverage its interests in the Iraqi region by forming an energy and trade alliance with the Kurdistan Regional Government. (Natali:2015, 147) This mutually beneficial economic alliance has also ensured the support of the KRG in helping Turkey to contain the Kurdistan Workers' Party (PKK) from their position in the Qandil Mountains of Iraq. The PKK is a Kurdish group that has waged war with the Turkish government in an effort to attain statehood and secede from Turkey.

While the KRG sits on vast oil reserves, oil export has been difficult due to the region being heavily embargoed, and conflict with Baghdad over oil reserves and revenue. (Volkan and Slawomir:2016, 27) The benefits of the energy partnership are that the KRG has a willing international participant for its illegal oil export which flows directly from Kurdish controlled territory without going through Baghdad. This arrangement also provides Turkey with a direct means of importing oil that it desperately needs to fuel its energy dependent economy. (Volkan and Slawomir, 29) However as Denise Natali (2015) points out, the economic alliance is not limited to the energy sector, as over half of the foreign businesses in Iraqi Kurdistan are Turkish owned and the large majority of trade imports come from Turkey. (Natali, 148)

*Syria Rojava*

In 2012, one year after the outbreak of the Syrian Civil War, The Kurdish Democratic Union Party (PYD) was able to establish regional autonomy in three non-contiguous regions of Northern Syria, at the border with Turkey. (Krajeski:2015, 90) After the Assad regime was forced to vacate the outskirts of Syria in order to maintain control of Damascus, a power vacuum was left. The PYD, significantly larger and more powerful than several smaller Kurdish political parties, was able to exert enough dominance in the region to establish autonomy. (Krajeski, 91) After the invasion of ISIS into Syria in 2013, the PYD and its armed wing the YPG/YPJ gained significant credibility amongst local Syrians as well as the international community for being the only group opposed to the Assad regime, capable of combatting ISIS advancements on the ground with the help of Iraqi Kurdistan's Peshmerga forces. While former Secretary of State John Kerry publicly stated that the United States will not recognize or support the regional autonomy of the Syrian Kurds, the United States has been arming the Kurds as well as assisting with air strikes in the fight against ISIS.

Russia is also supporting the Kurds in the fight against ISIS as they view their alliance with the PYD as a way of exerting influence in the Syrian region where they have a naval base that gives them access to the Mediterranean Sea. (Gunter:2014, 168) In addition, Russia does not view the PYD as a serious threat to the Assad regime, a long-time ally since before the dissolution of the Soviet Union. (Gunter, 168)  In the past year Russia has suggested that they would be willing to support an autonomous Kurdish region in Northern Syria once the war ends. Turkey however, has condemned its fellow United Nations members for their support of the PYD in the fight against ISIS, a group that Turkey considers a terrorist organization and offshoot of the PKK. Within Turkish borders there exists a significant Kurdish minority population that

Turkey fears will be incited if the Syrian Kurds establish autonomy on its border with Syria. (Krajeski, 91) Geopolitically, if the autonomous cantons of Rojava were able to unite, they could form a continuance band along the Turkish border that reaches to the Mediterranean sea where they could hypothetically trade with Iraqi Kurdistan without needing to go through Turkey. (Gunter, 168) When ISIS initially emerged as a regional threat, Turkey allowed ISIS fighters to cross through its borders for the invasion of Syria, with the hopes that fighting between ISIS fighters and Kurds affiliated with the PKK would weaken both groups so that neither would pose a threat to Turkish interests.(Gunter, 168)

The PYD formalized the Rojava Constitution in 2014, which declares the cantons of Afrin, Jazira, and Kobani as autonomous entities practicing a system of governance known as democratic confederalism. (Savran:2016, 8) Democratic confederalism is a bottom-up form of socialist governance that seeks to eliminate the centrality of the state and is modeled after the ideas of highly respected PKK leader Abdullah Ocalan, Bookchin Murray, a prominent U.S. scholar and advocate of anarchism, Leninism, and Marxism. (Savran, 8) While the constitution avoids specificity, lacking any specific details as to governance operations, it does emphasize the adherence to societal values such as pluralism, the involvement of all ethnicities and religions in governance, equality for women, and environmental preservation. (Savran, 9) Certain aspects of the Rojava system of governance have been well-documented such as the Movement for a Democratic Society or TEV-DEM, which is an organization that facilitates communication and unity between the different political groups in Rojava. (Savran, 9)

According to Knapp and Jongerden (2016) each canton is made up of neighborhood councils which are further consolidated into communes with each commune representing about 50 households. (Knapp and Jongerden, 99) Each commune has councils where disputes and

conflicts are settled diplomatically, unless a serious offense such as murder has occurred in which case the dispute is taken to court. (Knapp and Jongerden, 99) Each council must meet a 40 percent gender quota and it is expected that councils will reflect the ethnic diversity of the community. Each commune develops committees to meet the needs of civil society as it pertains to healthcare, education, environmentalism, and security. (Knapp and Jongerden, 100) Communes report to the Quarter Council which reports to city councils. (Knapp and Jongerden, 100) Being that this commune style of governance advocated by Ocalan has not completely gained traction within Rojava territories, a parallel parliament also exists in Almude to represent communes under the direction of TEV-DEM. (Knapp and Jongerden, 102)

*Literature Review*

The large majority of comparative cases studies that address the global rise of unrecognized states, which are here referred to as 'autonomous regions', focus on those entities deemed in international relations literature as 'de facto states'. De facto states function in all the same ways as autonomous regions. Both emerge as systems of transitional governance which provide social services, education, maintain infrastructure and provide security within countries that have significantly weakened and are no longer able to facilitate the responsibilities of statehood. (Pegg:1998, 2; Broers:2014, 146) However the popular consensus is that for an unrecognized region to be considered 'de facto' it must be actively seeking sovereign statehood from the parent state. (Pegg, 2; Broers, 147) In the cases of Iraqi Kurdistan and Syria Rojava, the KRG has clearly put off any formal declaration of sovereign statehood in effort to keep international allies appeased while the PYD in Rojava has publicly rebuked the idea of statehood altogether in pursuit of a socialist government structure. This requirement seems to have

prevented serious academic analysis of these Kurdish regions as non-state entities that are

undeniably altering the future trajectory of geopolitics in the Middle East.

### *Sovereignty*

Jen Bartelson's, *The Concept of Sovereignty Revisited* (2006) addresses the recent

dispute in political theory over what constitutes sovereignty. In the contemporary world the

processes of globalization have seen transnational and non-state entities emerge, challenging

traditional Westphalian conceptions of sovereignty. (Bartelson, 465) Traditional definitions of

sovereignty have failed us in our attempts to define non-state entities that are operating

autonomously from parent governments, yet are not internationally recognized as being

legitimate states. According to Bartelson (2006), the problem underpinning this debate are the

differences in the ontological assumptions of nominalist versus rationalist thinkers, with the

latter arguing that sovereignty must be redefined to accommodate non-state entities and the

former arguing that the very debate over what constitutes sovereignty proves its continued

definitional relevance in the modern world. (Bartelson, 464) She concludes that in the emergent

global hierarchy, the sovereign state as it was originally conceived is no longer the locus of

authority, with international importance being placed on human rights and democracy, emergent

sovereign entities elude attempts at categorization.(Bartelson, 465)

### *Democracy in De Facto States*

A de facto state is a territory that is being governed autonomously from the country in

which it is located. De facto states function in the same way as sovereign states, providing social

services to the population, education, security, healthcare and employment. However, de facto

states are not recognized as sovereign states by the international community, nor do they have legal status as sovereign entities. In many cases these territories are not even recognized as autonomous regions. According to Laurence Broer in *Mirrors to the World: The Claims to Legitimacy and International Recognition of De Facto States in the South Caucasus* (2014), an autonomous region in the midst of war, "is unlikely to have credible claims to democratic process and popular legitimacy." (Broers:2014, 147) In her review of the governance of unrecognized states, Anna Batta (2013) explains that when regions go unrecognized by the international community, leadership ends up resorting to shadow economies in order to survive. (Batta, 465)

These shadow economies are made up of financial help from "kin diaspora", transborder connections, and international aid. (Batta, 466) Further, in wartime conditions these regions are highly militarized, making it difficult to sustain the democracy and inclusivity that the region is projecting to the international community. (Batta, 466) International relations literature on statehood addresses how unrecognized states strive to project an image of democracy to the international community with the hopes that appealing to inclusivity will increase the likelihood of gaining legitimacy as a sovereign entity in the eyes of the world. (Pegg:1998; Ker-Lindsay:2015; Broers:2014) However, according to Anna Batta (2013), once unrecognized states are faced with holding elections, problems emerge because the governance structure is often authoritarian in nature. (Batta, 466) Leadership must appeal to the population in order to unite, engage in collective action, and defeat opposition in the pursuit of autonomous governance and this is often done by appealing to nationalist rhetoric. (Batta, 466) When ethnicity is used to legitimize claims to territorial sovereignty, it becomes more difficult to be inclusive of other ethnic groups in the region. (Batta, 466) Rebecca Richards and Robert Smith

(2015) explain how ethnic groups that experienced genocide in the past, repeatedly invoke the reminder of brutality as a way of uniting people and making the case for sovereignty under a new government. (Smith, 1726)

### *Research Question*

The research question to be examined is how Syria Rojava has been able to maintain greater internal sovereignty than Iraqi Kurdistan since its inception despite the democratic nature of governance in both cases and similar geopolitical circumstances. 'Internal sovereignty' as it is used in the following research refers to the internal unity of the autonomous region and the recognition amongst the population that the transitional government holds more legitimacy than the government of the parent state. While Iraqi Kurdistan gained regional autonomy in 1992, only two years after its inception, civil war erupted between the KRG and the PUK, forcing the international community to intervene. While both regions gained autonomy in the midst of sectarian warfare, Rojava has been autonomous since 2012 and has not yet experienced the kind of internal dissent capable of breaking up its transitional government.

### *Hypothesis*

With a proliferation of literature from the West praising the experiment in participatory democracy that Rojava is said to represent, the strength of the internal sovereignty of the region is unexpected given the amount of armed insurgent groups in the area opposed to the PYD as well as the existence of a majority Arab population. I hypothesize that contrary to the stated claims in its constitution, the PYD is operating Rojava with hierarchically organized structure of

authority in governance, similar to the Kurdistan Regional Government's model of representative democracy.

## *Research Design*

Because of the specificity of comparative case studies and the limited applicability of research findings to outside cases, the creation of a systemized empirical measure for testing the stated hypothesis would not have been well suited to this research. Content analysis of secondary sources, historical records and government documentation were used to arrive at deductions regarding the research question. The conclusions drawn from this case study should not be assumed to apply to outside cases. There are several weaknesses in methodological rigor when applying content analysis to the examination of qualitative case studies. For instance, levels of internal sovereignty are subjective in nature. Future studies examining the role of democratic governance on internal sovereignty should apply an empirical measure of the levels of internal sovereignty in several autonomous regions, by coding variables so that cases can be compared more accurately. In addition, due to a lack of verifiable information, inferences into the nature of Rojava's economy are subject to speculation and possible revision. Since levels of internal sovereignty were not measured in a systemic way, support for the hypothesis relies on the interpretation of current and historical events (some of which are impossible to verify) and is thus relatively weak.

## *Rojava Economy*

The democratic practices of the Rojava governance model cannot be understated. With a grassroots level of organizing, equality of representation for women and the inclusion of

diversity on governance councils, the government of PYD leadership, is arguably more sophisticated and democratic in nature than any of the opposition groups in Syria. However, a closer look at the survival of Rojava economically reveals undeniable discrepancies in the picture of democratic confederalism advocated in the constitution and disseminated to the international community by PYD leadership. These deviances in governance are partially to be expected in a region torn apart by violent conflict yet the lack of literature critically examining the Rojava model beyond a superficial interpretation of its constitution mischaracterizes the practices of state-building in regions of warfare. The idea that there exists an oasis of socialist democracy in a Middle Eastern region plagued by widespread war and anti-western sentiment, not only fails to address geopolitical and cultural realities, it also contributes to the unreasonable expectations of de facto states by world powers such as the U.S. and Europe. Expectations of democracy potentially decrease the likelihood of the disputed region ever gaining international recognition of legitimacy regardless of how well the unrecognized state is catering to the needs of the population.

While the exact revenue stream of the PYD is impossible to verify being that the region is currently embroiled in geopolitical chaos, several on the ground realities suggest the existence of capitalism, illegal trade and a government that is tightly controlled by PYD leadership which is being informed and led by former and current PKK members. (Aydin:2016; Leezenberg:2016) According to the Chatham House, the PYD is extracting the majority of its revenue through the sale of crude oil and agriculture. The PYD is also able to extract revenue through border checkpoints. In many of the Rojava cantons private businesses continue operations and markets, partially supplied through illegal trade, continue the flow of capitalism. (Aydin:2016) Being that the PYD is essentially a younger, urban incarnation of the PKK, the party has been criticized for

cooperating with the Assad regime in the past during periods when Assad was more willing to make concessions with the Kurds on matters of autonomy. The ease with which the PYD was able to takeover areas that were abandoned by Assad without any violence as well as the fact that in the Rojava cantons teachers are still being paid by the Assad regime and in some areas the Assad regime still owns the airport and railway, raise speculation that there is coordination between the regime and the party. (Aydin:2016)

According to Michiel Leezenberg (2016) the PYD is maintaining a highly organized political authority in Rojava. (Leezenberg, 671) This assertion is supported by the fact that the PYD is in complete control of the Rojava cantons and the operations of TEV-DEM. He speculates that while the leader of the PYD is Salih Muslim, true power seems to be vested in PKK leader Cemil Bayik. (Leezenberg, 672) In addition, while daily life is coordinated by communes, matters of decisive importance are likely made by PYD leadership. Based off conditions on the ground it is speculated that the PYD is selling crude oil to the Syrian government, Iraqi Kurdistan, and Turkey in order to pay YPG/YPJ fighters. (Leezenberg, 673) The party is also rationing food and providing it to cantons. (Leezenberg, 673) The PYD has also reformed the education system in Rojava where the ideas of PKK founder Abdullah Ocalan are taught as well as Marxism. As noted by Aydin (2016), studies are primarily taught in Turkish rather than Kurdish which suggests that the PYD is highly influenced by the ideology of the PKK.


*Human Rights*

The Human Rights Watch report titled, "Under Kurdish Rule: Abuses in PYD-Run Enclaves of Syria," levels accusations of "arbitrary arrests of the PYD's political opponents, abuse in detention, and unsolved abductions and murders." In addition, Director of MENA,

Nadim Houry has stated that "The PYD is firmly in charge, and can halt the abuse." Because the Human Rights Watch was not able to visit all three cantons of Rojava, the accusations stem from a visit to just the Jazira canton. Reporters for the organization witnessed the arrests of political opposition and they estimate that under the leadership of the PYD, at least nine political opponents have been forcibly disappeared.

*Conclusion*

Many western activists have hailed the establishment of Rojava as a revolution for the advancement of an alternate form of governance that opposes capitalism and state-centrism, while endorsing cultural inclusivity, gender equality, and environmental sustainability. However, the ability of the PYD to create a radically socialist governmental structure in the midst of the Syrian Civil War amongst the presence of various oppositional anti-regime groups, and small Kurdish political parties, opposed to the PYD, becomes complicated. It appears that where there is an absence of international support of regional autonomy, the PYD has capitalized on the unity within its communes, limiting internal dissent, clandestine ties and cooperation with the PKK, and the development of a shadow economy for maintaining its internal sovereignty thus far. However, more research will need to be done that critically assesses the governance of the PYD. The issue of a lack of reliable information will likely continue to be an impediment to serious research until war hostilities cease.

Chapter 3

Introduction


***International Legal Sovereignty and Democratic Governance***

Iraqi Kurdistan and Syria Rojava emerged as de facto states, among several other

secessionist entities at the conclusion of the Cold War. In an extensive analysis of de facto

statehood worldwide, Bahcheli, Bartmann, and Srebrnik (2004) posit that these amorphous

entities, currently challenging the definitional limitations of Westphalian sovereignty, will likely

become a mainstay on the international stage. De facto states are entities that function in a way

that is similar to a sovereign state. The de facto state administration provides governance,

employment, military defense, education, and healthcare to the population living in the territory

it controls. (Pegg:1998, 2) However, de facto states are not recognized as sovereign states by the

international system. (Pegg:1998, 2) This lack of international recognition of sovereignty means

that de facto states do not enjoy the same legal benefits as sovereign states. In addition, the

denial of existence fundamentally constrains and alters governance capabilities and economic

development within these regions.

Most de facto states are created in the context of war, filling the power vacuums left

behind in the wake of weakening parent states. (Bahcheli, Bartmann, and Srebrnik:2004, 5) The

regional instability of the contemporary Middle East, the continual rise and fall of regimes that

marginalize certain ethnic and religious groups, suggest that civil war conflict and violent

extremism, will continue on into the future. Areas of regional instability are exactly the contexts

in which scholars of International Relations have seen past cases of de facto statehood emerge.

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This would seem to suggest that there would be a wealth of case studies on de facto states in the Middle East region, yet few exist. Iraqi Kurdistan and Syria Rojava, de facto states that have reached a peak of prominence in the twenty-first century Middle East, have been largely omitted from comparative analysis.

The following research attempts to contribute to the literature on de facto statehood and democratic governance. A combination of process tracing and historical analysis will be employed in a comparative case study of the de facto states of Iraqi Kurdistan and Syria Rojava. The aim of the research is to better understand the relationship between a lack of international legal sovereignty and the viability of democratic governance in de facto states, an understudied component of research on de facto statehood. Iraqi Kurdistan and Syria Rojava are well-suited for comparison because of striking similarities in the historical events that led up to the establishment of autonomous governance, as well as the similarity of geopolitical context in which these cases emerged. Another comparative advantage is that Iraqi Kurdistan can be assumed to possess a greater degree of international recognition than that of Syria Rojava since Iraqi Kurdistan is recognized as an autonomous region in the Iraqi Constitution, whereas Syria Rojava has virtually no international recognition that is supported by legal documentation.

Before beginning a thorough analysis of the extant literature, a brief historical background on the Kurds is necessary in order for the reader to become better acquainted with the contemporary situation. The failure of the 1923 Treaty of Lausanne to come to fruition, led to the current division of the Kurdish population across the countries of Turkey, Iran, Iraq, and Syria. The Treaty of Lausanne was preceded by the 1920 Treaty of Sevres which stipulated that the Kurds would be benefactors of their own state. Section III, Articles 62 through 64 of the Treaty specifically refer to the agreement reached by Britain, France, and Italy that the Kurds,

sitting on oil rich territory, would be allowed to secede from Turkey. The end of Article 64 states: "If and when the said renunciation is made, no objection shall be raised by the main Allied powers should the Kurds living in that part of Kurdistan at present included in the Vilayet of Mosul *(mentioned in Article 62)* seek to become citizens of the newly independent Kurdish state." (Treaty of Lausanne; Chaliand:1993, 176)

However, the rise of Mustafa Kemal Ataturk and his vision of Turkish nationalism based on a shared ethnic identity, effectively put an end to the Treaty of Sevres and was replaced by the Treaty of Lausanne. According to Robert W. Olson (1996), Kemal Ataturk felt that the primary shortcoming of the Ottoman Empire was its concession to multiculturalism. (Olson, 175) He viewed multiculturalism as having weakened the strength of the Empire as minority groups began increasing their calls for independence. (Olson:1996, 175) The Treaty of Lausanne was a victory for Ataturk because it did not make provisions for ethnic minorities, instead assimilating minorities into the broad category of being Muslims. (Olson:1996, 175) Surprisingly, support for the Kurdish state that would have been invoked under the Treaty of Sevres did not receive complete support from the Kurds themselves. A subsect of Kurds were suspicious that a Kurdish state completely controlled by Britain may not turn out to be in their best interests. (Aziz:2014, 61) Those opposed to British rule, turned to Ataturk as a less than ideal alternative. (Aziz, 61) Unfortunately, after the dissolution of the Treaty of Lausanne in 1924, the Kurds have been the victims of oppression, forced assimilation, and even genocide in the states where they reside.

Around the time of the fall of the Ottoman Empire, nationalism was beginning to be justified on the grounds of a common ethnic identity. (McDowall:2004, 2) Historically however, nationalism had been predicated on citizenship or a shared religion. (McDowall:2004, 2) The implementation of the Treaty of Lausanne only added to the primacy of shared ethnicity as the

foundation of the nationalist fervor sweeping Arab states. (McDowall:2004, 2) The Kurds

initially had a harder time laying claim to a shared ethnicity given their tribal roots, which led to

the development of different languages, as well as a geographic location (largely in the Zagros

mountains) that made it harder for tribes to come together in fostering communication.

(McDowall:2004, 2)

Greater Kurdistan exists within the sprawling Taurus and Zagros mountain ranges as

well as parts of the Iranian plateau and Armenian highlands. (O'Shea:2004, 20) Historically, this

geographic location, rich in crude oil reserves, has placed the Kurds in the middle of rivalling

empires which have today become rivalling states.  While this location has often been considered

disadvantageous, with the Kurds typically described as pawns in a larger geostrategic chess

game, it has also provided them with some historical benefits. The Zagros mountains were a

refuge and stronghold for Kurdish tribes during the Ottoman Empire. The ability to withstand the

inclimate weather conditions of the mountains year-round while also possessing expertise on

how best to traverse the steep terrain, has bestowed upon the Kurds, the disposition of being

fierce warriors of the mountains. (O'Shea, 4) This is an identity that the Kurds themselves have

seemed to embrace, cultivating it in their literature and early calls to nationalism based on shared

ethnic identity. (O'Shea, 4)


*Literature Review*

The emergence of both de facto states and failing states on the global stage has posed a

significant problem for International Relations scholars as there seems to be no agreed upon

conceptual term for defining these entities. The traditional conception of sovereignty, known as

'Westphalian sovereignty' leaves scholars unable to categorize autonomous entities that do not

meet all the requirements that have come to represent statehood, or in the case of failed states, have weakened to such a degree that the government no longer has control over its territory. Until very recently, the dearth of literature on cases of de facto statehood, indicates that initially IR scholars presumed that these autonomous entities were transitory and thus not worthy of studying further. Even consensus in the literature on the use of the term, 'de facto state', has only recently emerged, with other terms such as 'unrecognized state', and 'autonomous region' also employed.  However, de facto states have maintained a surprising longevity, some of them outlasting the civil wars which gave rise to their existence. Presumably this has made it difficult to justify the initial lack of research. As more comparative case studies have emerged so too, have problems and debate in the fields of International Relations and International Law over theories of sovereignty.

The principle of Westphalian sovereignty is that each state wields complete control over the domestic affairs that occur within its territory, with the right to remain free from external intervention. However, the rise of globalization has complicated the relatively simple Cold War division of states, causing IR scholars to debate whether this traditional notion of sovereignty is too rigid to accommodate the rise of non-state sources of sovereign power, i.e. NGO's, multinational corporations, and various non-state actors. In response, several new forms of sovereignty have emerged in the literature in an attempt to account for these new sources of power. Some scholars have reached the conclusion that in the contemporary world, sovereignty exists in degrees, and others argue that Westphalian sovereignty remains indispensable to all our explanations of the international system.

The forms of sovereignty most commonly deferred to in IR literature are those of Stephen D. Krasner (1999) which he defines as: international legal sovereignty, Westphalian

sovereignty, domestic sovereignty, and interdependence sovereignty. (Krasner, 4) The following case study analysis specifically deals with Krasner's (1999) definition of international legal sovereignty as, "referring to the mutual recognition of states or other entities." (Krasner, 16) In "Sovereignty: Organized Hypocrisy", Krasner asserts that states can exercise one or multiple forms of sovereignty. He also makes the argument that the Major Powers have oftentimes ignored the mandates of Westphalian sovereignty throughout history by invading weaker states based on a variety of justifications, one of which is the accusation of human rights violations.

In regards to international legal sovereignty Krasner (1999) asserts that attaining this type of sovereignty is appealing because it offers so many benefits without incurring any costs. (Krasner, 17) For instance, international legal sovereignty allows states to enter into financial agreements with foreign governments and multinational corporations, it offers legal protection for diplomats, it gives political leadership a secure legal identity for representation in foreign courts, and it allows states to enter into alliances and contractual agreements with the international community at large. (Krasner, 18)

Scholars such as Sassen (1996) and Rosenau (1995) have leveraged compelling arguments that conceptions of sovereignty in IR research will need to accommodate the realities of globalization. While they argue that sovereignty exists in partial degrees and is no longer solely found within states, they acknowledge that the sovereign state continues to be the frame of reference in International Relations. This explains why de facto states continually seek international recognition of sovereignty as a primary goal even when this goal is not explicitly stated. De facto states commonly appeal to the values held by the Major Powers which today would be democracy and the protection of human rights. (Casperson: 2017, 11)

*De Facto Statehood*

De facto states are just one of many entities that call into question the dependency on Westphalian sovereignty for explaining international relations. These entities are located within failed states, often referred to as 'parent states', that have been weakened by civil war conflicts. (Casperson:2017, 11) De facto states could be mistaken for sovereign states in that they govern over a defined territory and provide the population within that territory with employment, healthcare, and military protection in the midst of ongoing conflict. (Casperson:2017, 11) In spite of functioning as states in the absence of political leadership, these entities are not recognized as sovereign from the parent state by the international community. (Casperson:2017, 11) Influential third party states almost always continue to recognize the failed parent state invoking the dictates of international law as reasoning, though oftentimes it is in the political interests of third party governments to uphold the integrity of existing borders.

The emergence of de facto states reached a pinnacle at the end of World War I, when the dissolution of empires resulted in stateless peoples and new calls to sovereignty. Since then scholars have begun conducting analysis of de facto states using comparative case studies that can be either qualitative or quantitative in nature. Being that each case of de facto statehood is largely contingent upon the specific geopolitical context where it emerged, it is difficult to generalize across cases in forming overarching theories about the internal dynamics at play in the establishment of de facto governance. Consequently, scholars have mostly focused on the details of de facto states on an independent basis. Following initial descriptions, case studies became more ambitious in attempting to estimate the likelihood of a de facto state ever becoming internationally recognized as a sovereign state. Since little to no cases of successful international

recognition of sovereignty have occurred, the focus has moved away from assessing the prospects of international recognition to assessing the ability or inability of de facto states to exercise democracy.

In perhaps the most inclusive multiple case study yet conducted on de facto states, or as she calls them, 'unrecognized states', Nina Casperson (2011) argues that the nature of partial sovereignty in de facto states is tenuous. (Casperson, 120) The de facto government finds itself situated in the harsh realities of civil war where constant competition of rival factions means that political leaders must rely on maintaining domestic strength in order to retain regional autonomy. (Casperson, 120) According to Casperson (2011) this usually results in political leaders proclaiming the importance of shared ethnicity as well as invoking tighter military control. (Casperson, 120) Usually the more isolated a de facto state is by the international community and the less recognition of autonomy the region receives, the more important domestic unity becomes. The problem with the need to foster strong domestic unity is that the practices involved usually stand in direct opposition to democratic policies which de facto states must appeal to for any hope of receiving international attention. (Broers: 2014, 68) This predicament is exemplified in the case of Syria Rojava. Democracy encourages political dissent, and diversity often in the form of competitive elections, and freedom of the press. These freedoms however, threaten the stability of a de facto state that is isolated from the international community, and consequently clinging to survival domestically. (Casperson: 2011, 120)

Adopting an opposing stance, Oisin Tansey (2010) finds that de facto state governments can implement democratic practices without international sovereignty. His assertion rests on the idea that some forms of sovereignty, as they were originally delineated by Krasner, do not need to be present for a de facto government to behave democratically. Taking

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Somaliland as his primary example, Tansey asserts that while there is corruption within governance that makes democracy difficult, it is not connected to a lack of international sovereignty but falls strictly within the realm of the domestic sphere. A potential problem with this analysis is that he treats different forms of sovereignty as discrete categorizations that are not interconnected. His analysis thus does not allow for the possibility that corruptions such as, a lack of representation for religious minorities, and restrictions on the press, may stem from a lack of international sovereignty. Perhaps the incentive for limiting dissent comes from the need to ensure that the domestic sphere is strong in the absence of any legal standing on the international stage.

### *Research Question*

Research Question: In the de facto states of Iraqi Kurdistan and Syria Rojava, does the absence of international legal sovereignty affect the ability of the government to implement democratic policies and practices? The independent variable in this analysis is international legal sovereignty. The dependent variable is democratic governance.

### *Hypothesis*

In the following research it is anticipated that in the cases of Iraqi Kurdistan and Syria Rojava, a lack of international legal sovereignty has a negative influence on the ability of the de facto state government to implement democratic practices and policies. In addition, it is expected that the degree of recognition that the de facto state receives from powerful third-party states will correspond with the degree of democratic practices and policies that the de facto state government is able to implement.

More extensive historical analysis as a part of a larger comparative case study will likely need to be done in order to better support the results of the following research. In addition, the regional conflict currently embroiling Iraqi Kurdistan and Syria Rojava, make the prospect of field research a dangerous and impractical enterprise. Scarcity of information thus arises from the inability of researchers to observe on-the-ground conditions within the specified de facto states. Consequently it is difficult to obtain first-hand accounts by which to validate assertions made by political leaders in regards to how the government is run, whether or not human rights are being adhered to, and how the revenue supporting the population is being generated.

However, it should be noted that scarcity of information is more of a problem in the case of Syria Rojava than in Iraqi Kurdistan. Specifically, economic information regarding revenue streams in Syria Rojava is mainly speculative based on a history of case studies on de facto states embroiled in regional conflict where the establishment of 'shadow economies' often becomes an inevitability for survival. The research relies heavily on the Freedom index as an indicator of the existence of democracy and more sources of support will need to be employed in future studies which will need to be exhaustive in amassing resources that reflect implementation of democratic policies.


*Iraqi Kurdistan*

The culmination of several historical events gave way to an opening for the Iraqi Kurds to establish a de facto government in 1992. The first of these is the Iran-Iraq War which began in 1980 under the Presidency of Saddam Hussein, a brutal Ba'athist dictator. The cruelty of the Iraqi regime was reinvigorated after the Reagan administration made a furtive deal with Saddam Hussein under the pretense of cutting off Iranian influence in the Middle East as well as

establishing an oil export alliance. (Little:2010, 87) The Iraqi Kurds, having sided with Iran during the war, were the subjects of Saddam Hussein's relentless massacre in what came to be known as the 'Anfal Campaign' beginning in 1987. (Little, 87) Saddam began by ordering his regime to find and kill individuals thought to be loyal to the Kurdistan Democratic Party (KDP) including Peshmerga but would later expand his brutality to include all Iraqi Kurds, using slaughter, chemical attacks, and the annihilation of Kurdish towns. (Little, 87) In the end it is estimated that over 50,000 Kurds lost their lives and over 90,000 were forced to flee. (Little, 88)

Even after the atrocities of the Anfal Campaign, the U.S. administration declined to intervene on behalf of the Iraqi Kurds, instead continuing to conduct economic transactions with Baghdad. (Little:2010, 89) By 1990, the Iraqi government was in deep financial trouble as a result of the massive amount of money it loaned to fund the eight year long war. As a result, Saddam caught the Bush administration off guard by occupying Kuwait in an effort to seize an oil field. (Little:2010, 89) This marked the start of the Gulf War which led to the enactment of a UN sanctioned military operation deemed, 'Operation Provide Comfort' under resolution 688.

The operation provided the Iraqi Kurds with the protection of a no-fly zone. (Haulman:1997, 181) Initially the resolution was enacted at Britain's request and was to be supported by France and the United States shortly afterwards, with U.S. Marines taking up the bulk of tactical operations. (Haulman, 181) The importance of the support of the major powers in protecting the Iraqi Kurds by securing the 36$^{th}$ parallel cannot be understated as the de facto state of Iraqi Kurdistan would likely not exist today if not for the initiative. A second factor to consider with this development is the immense influence that the Major Powers had on both the de facto state building process and the formation of governance that the Iraqi Kurds were able to implement. The incorporation of Iraqi Kurdistan into the Iraqi Constitution in 2005 as the legally

recognized autonomous region of 'Kurdistan' is also directly attributable to the support of the Major Powers.

In 1992 the Iraqi Kurds officially formed the Kurdistan Regional Government (KRG), renewing hopes that sovereignty might one day be attained after suffering unspeakable horrors under Saddam's Ba'athist regime. (Gunter:1996, 231) The government was named a parliamentary democracy and was split up into two political parties: the Kurdistan Democratic Party (KDP) led by Massoud Barzani and the Patriotic Union of Kurdistan (PUK) led by Jalal Talabani. Unfortunately, optimism about the prospects of a relatively peaceful future quickly vanished when in 1994 civil war broke out between the two parties. (Gunter:1996, 231) The civil war was the result of long-standing tribal animosities that pre-date the creation of the de facto state. (Gunter:2014, 168) Once control of territory was consolidated under organized governance and the prospects of statehood became more tangible, neither political party could resist the temptation to attempt to gain the upper hand by seizing control of as much of the territory as possible.

The civil war raged on until 1998 when the U.S. and allies were finally successful in negotiating a power sharing arrangement between the KDP and PUK, whereby the KDP would preside over Erbil and areas in the vicinity while the PUK would preside over Sulaymaniyah. (Gunter:2014, 168) According to Kurdish researcher, Michael Gunter (2014), in 2014 the Kurds of Iraqi Kurdistan were being allotted 15 percent of Iraq's federal budget. (Gunter, 170) The western economic model has visibly influenced the KRG and the region is often considered welcoming of businesses despite being in an extremely poor financial position. (Gunter:2014, 169) The economy is primarily reliant on oil export and despite problems of nepotism and the

failure of politicians to abide by term limits, conditions of socioeconomic life in the region have been vastly better for citizens than those in Baghdad. (Gunter:2014, 169)

For instance, Iraqi Kurdistan has been widely hailed for upholding political freedoms that Iraqi citizens outside of the de facto state have not experienced. (Gunter:2014, 169) It should be noted that in the midst of this research project recent events have significantly worsened the economic circumstances of the KRG when in 2017 an independence referendum was held against the wishes of the Iraqi federal government and the international community writ large. The backlash from Baghdad, Iran, and Turkey has been severe after the results of the referendum largely favored independence from Iraq. Since then trade has been obstructed, economic sanctions imposed, and Kirkuk seized from Peshmerga control. The situation is still developing and it remains to be seen how the events will affect the Kurdistan Regional Government in the long-term.

### Syria Rojava

The history of the Kurds in Syria is inextricably intertwined with that of the Kurds in Turkey and many of the political leaders in Rojava maintain close ties to the Kurdistan Workers' Party (PKK). (Paasche:2015, 82) The PKK, legally deemed a terrorist organization by several UN member states, is anchored in Turkey where it has engaged in intermittent bouts of warfare with the Turkish government. (Paasche:2015, 79) Abdullah Ocalan created the PKK as a political party and liberation movement in 1978 in opposition to Turkish nationalist efforts to assimilate the Kurds into Turkey in various ways including references to the Kurds as 'mountain Turks'. Ocalan conceived of the PKK as a socialist movement that initially adopted the demand

to be freed from the tyranny of the capitalist system under Turkey, taking inspiration from

Marxist doctrine.

At the time, Syria willingly opened its borders to Ocalan and PKK fighters as a

protected location where attacks against Turkey could be carefully planned and executed from

the 1970s to the 1990s. (Paasche:2015, 81)  The motivation behind this decision was that Assad

was in a dispute with the Turkish government over perceived manipulation of access to water

within Syrian territory and wanted leverage which it found by aiding and abetting the PKK.

(Paasche:2015, 79)  Although Assad was aware that his support for the PKK could potentially

provoke unrest within Syria's own Kurdish population, he sought to offset the risk by

consistently emphasizing that the PKK were not Syrian citizens which severely curtailed the

rights of Kurds. (Paasche, 80) Ocalan began to realize that the Marxist values underpinning his

political party were being contradicted as the PKK became increasingly dependent on Assad for

protection against retaliation by Turkey in the mid 90's. (Paasche, 80)

In 1998 Turkey and Syria reached an agreement barring the Assad regime from

allowing the PKK into its territory. (Paasche:2015, 80) As a result Ocalan was forced to flee

Turkey and was later arrested by Turkish authorities under a life sentence in a Turkish prison.

Despite being imprisoned, the unending loyalty of Ocalan's followers meant that he was able to

send messages back to the PKK. Ocalan eventually changed his political views once it had

become clear that a strict secessionist doctrine was an impossibility against Turkish strength.

Instead, he began to adhere to the teachings of prominent United States based intellectual,

Bookchin Murray, who was known as an anarchist. By 2000 Ocalan told the Kurds to rebuke

statehood altogether and abandon the fight for an independent Kurdistan. He urged them to aim

for attaining peaceful autonomy. His newfound beliefs inspired the creation of Syria Rojava's governing political party the People's Democratic Party (PYD). (Sinclair, Kajjo:2011)

It is important to mention that the PKK and the PYD are not the same political party insofar as the PYD is not designated as a terrorist organization by the international community with the exception of Turkey who views the PYD as an extension of the PKK. Still, there is no denying that the PYD evolved from the PKK. Both parties adhere to the beliefs of Ocalan, but the PYD has a far better relationship with the West and has never advocated for violence or state sovereignty. (Paasche:2015, 82) Conversely the PYD as the political party organizing operations between the cantons of Rojava, claims to abide by a form of socialism that is democratic in nature. The PYD's form of governance is a system referred to as 'democratic confederalism.' The aim of this governance model to is rebuke statehood as a manifestation of the evils of the capitalist system like the one maintained by the KRG. The Democratic Federation of Northern Syria was established in 2013 and their constitution, known as 'The Social Charter' was enforced just a year later.

Rojava is comprised of the autonomous cantons of Afrin, Jazira, and Kobane which are managed separately by neighborhood groups who rotate leadership duties. (Savran:2016, 8)  The Social Charter upholds the rights for minorities and equal rights for men and women. (Savran:2016, 8) While the de facto state is stunningly democratic in comparison to virtually every other region in the Middle East surrounding it, journalists labelling the de facto state as an experiment of democracy fail to understand the realities of de facto statehood under the conditions of warfare, competing non-state actors, the proliferation of ISIS, and a despotic regime desperately trying to hold onto the last vestiges of power in Damascus. This may be why

Rojava has rarely ever been subjected to close scrutiny that goes beyond its claimed adherence to social and political equality.

The danger is that the miraculous 'democratic experiment' being touted by journalists and the media is a surface deep rhetoric that has begun to be adopted by scholars in the few case studies that exist assessing the internal dynamics of this de facto state. Based on a wealth of literature on the nature of sovereignty in de facto states by IR scholars, as well as commonsense, on-the-ground realities in Syria, this democratic oasis does not actually exist. This assertion should not be mistaken as some ill-informed attempt to undermine what have been truly unprecedented advances made within Rojava in regards to upholding democratic principles to the extent that this endeavor is possible under current geopolitical circumstances. The advances have indeed been unlikely feats of the utmost significance to many Syrians caught in the grips of war, and should be lauded as such but not at the expense of overlooking the reality of governance when it seems to negate the progressive agenda that the PYD sells to international leaders and NGOs.

The revenue stream of the PYD cannot be verified with much confidence as the de facto state is engrossed in regional division and violence. Yet there is significant evidence revealing that, contrary to the stated ideals of a socialist model of governance, capitalism is rampant in the region primarily through means of illegal trade. In addition, it seems likely that the administrative cantons of Afrin, Jazira, and Kobane are ultimately subservient to the wishes of the PYD on matters of major political and societal significance. (Aydin:2016; Leezenberg:2016) Information released by the Chatham House shows that the PYD is generating most of its funds through the export of crude oil and agricultural labor. The PYD is also extracting supplementary revenue through the enforcement of border checkpoints which are

patrolled by the PYD's military arm, the YPJ (male fighters)/ YPG (female fighters). Private

businesses located within the cantons have continued business endeavors under the PYD and are

being partially supported by illegal trade. (Aydin:2016)

Michiel Leezenberg (2016) posits that the PYD is administering Rojava and all of

TEV-DEM, an umbrella association comprised of over a dozen Kurdish political parties, by

means of sophisticated one-party rule with all other competing political parties prevented from

participating in the political process including regional elections. (Leezenberg, 671) He

speculates that while the leader of the PYD is Salih Muslim, true power seems to be vested in

PKK leader Cemil Bayik. (Leezenberg, 672) In addition, based off on-the-ground observations, it

is likely that the PYD is selling oil to the Syrian government, Iraqi Kurdistan, and Turkey in

order to pay off its YPG/YPJ fighters upon whom it depends for the survival of domestic

sovereignty in the face of innumerable competing factions of non-state actors, wreaking havoc

throughout Syria. (Leezenberg, 673)


*Comparative Analysis*

While both the de facto states of Iraqi Kurdistan and Syria Rojava rank poorly on

various scales of the Freedom House Index, intended to assess levels of democracy, Rojava fared

significantly worse than did Iraqi Kurdistan. The Freedom House is a research NGO that is

widely deferred to for its annual index that measures human rights and democracy around the

world. In regards to the category of "Political Pluralism and Participation", the KRG of Iraqi

Kurdistan received a 5 out of 16 while the PYD of Syria Rojava received a 0 out of 16. While

neither de facto state possesses complete international legal sovereignty in the form of state

sovereignty, Iraqi Kurdistan does have constitutionally backed recognition as an autonomous

region with a judicial system that is recognized as being independent from Iraq by the International community.

Syria Rojava, however has no legally backed recognition of any form of autonomy whatsoever. In fact, as recently as April 2017 a spokesman for the U.S. State Department and a U.S. army lieutenant have gone on the record to say that the United States does not support the establishment of any form of a semi-autonomous region in Syria once ISIS has been fully eradicated. While Iraqi Kurdistan is facing harsh consequences for a failed independence referendum, the de facto state is still a part of the Iraqi Constitution and currently retains its status as an autonomous region. Representatives for the U.S. Government have made clear on several occasions that the Iraqi government should uphold the rights of the Kurdistan Regional Government as enforced by law in the Iraqi constitution. The U.S. has also reaffirmed its support for the continued coexistence of Iraq and the Kurdistan Region as separate entities.

Although it remains to be seen if any of the Major Powers would actually come to the defense of Iraqi Kurdistan were hostilities with Baghdad to continue to worsen, the fact that Iraqi Kurdistan does have some form of internationally recognized autonomy, provides the de facto state with a security buttress that Syria Rojava does not have. The legal recognition of Iraqi Kurdistan in the Iraqi Constitution provides impetus for a Major Power to come to the defense of the de facto state militarily and/ or diplomatically should they choose to do so by making it significantly easier for the third party state to justify violation of the sovereignty of Iraq in the name of protecting the Kurds. The above situation is strictly hypothetical and merely intended to illustrate the merit of having some degree of international recognition as a de facto state.

On the contrary, should the Syrian government choose to forcibly remove the PYD from Rojava enclaves once the power of Damascus has been restored, it would be more difficult for a

third party state to justify defense of the Kurds. Rojava has no legal standing and is not recognized as an autonomous region by the International community in rhetoric or on paper. This fundamental uncertainty of survival faced in Syria Rojava seems to account for the less democratic nature of the PYD. The image of the de facto state as a democratic experiment surrounded by the violence and mayhem of the Syrian Civil War poses an unrealistic expectation that the autonomous region cannot live up to given the reality of the difficulties of governing when rivaling factions are constantly seeking to upend territory from political leadership.

The result is that the de facto state is pressured to appeal to democracy outwardly in its speech and constitution but in actuality it struggles to allow democratic policies to take hold. Even the slightest political dissent is threatening to the domestic strength of the region. The PYD relies more heavily on this domestic strength than does the KRG precisely because Syria Rojava has no international legal sovereignty and as a result no influential third party state to vest trust in on the basis of tangible legal documentation should domestic chaos ensue. If the PYD was to erupt in civil war within its own ranks of political leadership the way that Iraqi Kurdistan did in 1994, the de facto state would cease to exist. The West would not take pains to foster consensus within a de facto state it not only does not recognize as an extant entity but has also explicitly forbade from seeking regional autonomy in an capacity that would cause a division in the Syrian state. It seems then that the hypothesis that international legal recognition does affect the ability of the de facto government to implement democratic practices is supported in the cases of Iraqi Kurdistan and Syria Rojava.

In accordance with the argument of Nina Casperson (2011) a lack of international sovereignty makes it difficult for a de facto state to uphold democracy because the need for domestic unity in the face of international isolation is intensified resulting in practices that are

fundamentally opposed to the civil and political freedoms democracy requires. It is likely easier for a de facto government to implement democratic policies when it has the security of support from an influential third party state as in the case of Iraqi Kurdistan where Major Power support existed throughout the state building process. Thus the KRG has not been nearly as hard pressed for survival in the midst of war as Syria Rojava has been from its inception as a de facto state.

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