

**March
2013**

Governance of Diversity: The Kurds in Syria

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For the time being, the Syrian Kurdish issue lacks the minimum level of stability, which is an essential condition necessary for developing a realistic vision or approach for a potential management scenario, based on a diligent study of the situation and its evolution. The Syrian Kurdish issue, if we may call it so, is going through such extraordinary circumstances that it is impossible to build any assumptions, on it or for it, even as an ideal, regarding what and how good governance of diversity should be implemented in this particular case.

This paper addresses the following aspects:

First: identifying the four different approaches that give the Syrian Kurdish issue its current extraordinary character, given that it is neither a sectarian nor a traditional historical condition for which one could develop a vision using the usual constitutional and social behaviour patterns, not to mention the fact that the situation is not evolving in a “normal” political entity. The paper will then delineate the future impact each of these approaches will have on diversity management in this particular context.

Second: identifying the two essential characteristics that should exist in the political context, both on the Syrian national level as well as on the Kurdish Syrian level, on which bases one could delineate the minimum conditions necessary to address governance of diversity in a single unified entity, i.e., the future Syrian State.

Third: based on the above circumstances and taking into account all the above -mentioned conditions, we would be able to identify more than one feature or model according to which the management of Kurdish diversity would be implemented, once the current extraordinary circumstances surrounding it cease to exist.

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The pillars of on which the four exceptions rest

Syria's central state institutions

Syria's three "legitimate" state powers with their tool, symbolic authority and bureaucratic apparatus, are completely broken at the moment. There is widespread violence in the country and the security services that once performed the imperious duty of ensuring the citizens' safety have become, together with the regular army, a violent tool in the hands of one of the political sides in the conflict, namely the regime. They use naked violence in the pursuit of their objective against the larger sector of the Syrian population, without any legality or excuse, save for the regime's propaganda. What applies to these "violent" Syrian institutions also applies to other executive, educational, health and bureaucratic institutions, to name just a few. Likewise, the country's pro-forma legislative and judicial bodies, that once performed their duties at the minimum level required, are no less flabby, ineffective and dismembered than their more violent counterparts. All this is taking place at a time when there are no alternative "opposition" or international institutions able to shoulder the above responsibilities in lieu of the current dysfunctional state institutions, as usually happens in such cases. What we are witnessing in Syria today is the perfect example of a "failed state."

This is the first time that the highly centralised Syrian state witnesses such large scale political and administrative destruction, since its establishment in the 1920s. This centralisation at the core of the modern Syrian

entity was the main obstacle that prevented an initial recognition of the fact that the Syrian population is socially and politically diverse and that the country has multiple identities, a recognition that would have helped find the best and most effective way to manage Kurdish distinctiveness in Syria. This Syrian political and administrative centralisation recognised only one identity for the entire Syrian population and, unfortunately for Syria's Kurds, the Arab nationalist ideology was the predominant "state ideology" for half a century. However, although it remained marginal to the country's core political decision-making, that fact that it retained considerable influence on the identity of state institutions directly conflicted with the recognition of the Kurdish national identity.

The significance of having these two historical circumstances (i.e. the excessively centralised state and the current abject failure of Syrian State institutions) has made it very difficult to conclude any socio-political agreement based on which an objective vision of the management of the Kurdish identity issue, within a larger Syrian entity, could be developed. The current situation in Syria is totally skewed in favour of local forces assuming control in different regions of the country. The Kurdish situation is no exception: although the Kurdish local authorities have some power in Kurdish majority regions, it occurs outside the state system and the Syrian social contract, and without the cover of their legitimacy.

Status of the “Kurdish issue” in Syria’s general discourse

On the one hand, Syrian state institutions do not recognise the existence of the problematic Kurdish issue, whether historically or today. They do not even recognise the fact that there is a group of people in the country, called the Syrian Kurds, who speak a different language and have a different political and cultural identity. The identity of the state and the authorities in Syria, which emanates from its constitutional structure and nature of its political system, recognises only one identity for the entire population, the Arab nationalist identity, a notion that has been entrenched in the country’s official institutions and literature, from the text of the constitution to the citizen’s personal identity papers.

On the other hand, although groups in the Syrian opposition recognise the presence of a Syrian Kurdish population, both politically and culturally, there is no consensus among them on a single political and legal vision regarding the shape this “presence” should take in the country’s immediate future, as they see it. Moreover, the fact that none of the Syrian opposition groups have a comprehensive proposition to offer, whether today nor in the past, on how this national issue should evolve or be managed, only deepens the ambiguity surrounding the Kurdish issue in Syria. The issue is also absent from the country’s cultural life, whether in journalism, drama, cinema or theatre, and there seems to be some confusion in Syria about this national issue.

What we mean here is that the lack of a Syrian political and cultural memory about the Kurdish issue makes it harder to appreciate it in all its dimensions. Issues, like the Syrian Kurdish issue, supposed to be dealt with as one among many issues, are usually resolved through a series of cumulative historical steps. In Iraq, for example, after the state recognised the Kurdish issue for the first time in the mid 1960s, a series of key changes took place over the span half a century in tandem with a several reversals in the fortunes of the Iraqi State, until the situation settled in its current form. Likewise the Kurdish issue in Turkey has become part of the general political, cultural and social discourse since the 1980s, and has been slowly and shyly gaining momentum. However, the fact that the Kurdish issue seems to be at a standstill in Syria, or completely absent from the public arena, means that any proposition cannot but be construed as a potential model, since its implementation cannot be realistically envisioned. The Kurdish file does not fit under the typical social and cultural management formulas that the state attends to, but sits right at the political heart of the existential nature of the state, meaning that any change in the Syrian Kurdish situation entails necessarily a change in the nature of the regime and the Syrian entity as a whole.

Self-imposed Ambiguity

Most members of the Kurdish cultural elite are at a loss regarding the future status of the Kurds in Syria, a condition that could be called “ambiguous vision of a solution” to the

Kurdish issue in Syria. In general, Syria's Kurds are experiencing an internal struggle between two psychological tendencies that have imposed themselves on them, and are the cause of much worry and hesitation as far as their political options are concerned. The first tendency says that this is a historical moment given the extreme weakness of the countries in which they live, coupled with a heightened sense of national awareness among the Kurds, which makes it the right moment to launch their political project and establish a Kurdish independent entity. The other tendency says that because this period has brought about deep understanding and acceptance of Kurdish rights, and of the present and future role of the Kurds in the country, among the majority of Syria's social and political circles, makes it an extraordinary opportunity for them to work alongside their Syrian compatriots on forging the country's national political identity.

The national vision emanates from a simple historic perception that sees a significant intersection between the obvious disintegration of Syria's social cohesiveness as a result of the current crisis and the acceptance (or the lack of rejection) of the international political system of this kind of disintegration, which, caused by the ruling regime's behaviour over half a century and its apparent fault-lines, threatens to cross the borders. According to this national vision, this opportunity is likely to impede any possibility to retrieve the reconstruction of the unified national state. This intersection is due to the rise of new global political power centres that seek political strongholds for themselves,

even if home-based, within the region's boundaries. The Kurdish national political mindset sees the climate created by this intersection as a very timely opportunity to take a big political-national step forward to re-establish respect for their rights as a national entity, and end the historical/contemporary injustice against them. It compares the current historical moment to the changes that took place after World War I, and redrew the map of the region for an entire century. The historical mistake that the Kurdish elite committed at the time was getting involved in their modern countries' national projects, particularly in Mustapha Kamal's Turkish liberation project. For no sooner had these entities settled down that they reneged on promises of partnership made to their Kurdish partners who helped them liberate and rebuild the country.¹ On the other side of the equation, a large political and cultural cross-section of the Kurdish population sees the current changes as a historic opportunity to forge new political and social contracts in Syria, free of the trappings of the Cold War era and its harsh national, religious and sectarian ideologies.

¹ Rustom Mahmoud, "The Kurds of the Region and the Regional Issue," *Le Monde Diplomatique*, the Arab edition, September 2012 .

Current fundamental changes in the Kurds' situation across the region

Although Iraq's Kurds succeeded in forging a quasi-independent entity, politically, economically and militarily, still unresolved issues between them and the central government risk turning into an open confrontation at any moment, in which regional concerns overlap and enmesh with political and economic ones. The Kurdish Iraqi issue that everyone thought had ended in 2003, when an agreement was reached on a federal formula that involves the Kurds at all levels of government in Iraq, has resurfaced due to confrontations between the central government and the Kurdish regional authorities, which indicates that the issue is still brewing albeit with less intensity than before. On the other side of the borders, although the Kurdish issue in Turkey shows signs of a potential historic detente between the parties, thanks to a political agreement between the Turkish Government and the Kurdistan Workers' Party, its outline and horizons are still unclear and hang on hope alone. In Iran, the Kurdish issue is wavering between cultural recognition in principle "on account of mutual Persian/Kurdish linguistic and historical connections," and the successive Iranian governments' rejection of any manifestation of the Kurdish national identity, a situation that led to armed clashes between the central authorities and Kurdish political groups, in the 1980s.

What we mean here is that the Middle East region, from which the Kurdish Syrian issue cannot be separated, does not provide any

successful models that would serve as example to the Kurdish-Syrian issue, especially since it is the smallest and weakest link in the regional chain, due to the size and percentage of Kurds in Syria. What is certain, however, is that the qualitative changes expected to take place in the Kurdish issue in Turkey are bound to radically affect the nature of any solution to the Kurdish issue in Syria, given the historical and demographic links between the Kurds in Syria and Turkey, and similarities between the types of government in the two countries.

The bases of Kurdish "diversity management" in Syria

While the four above-mentioned climates prevent the development of an objective vision that helps delineate an ideal political and cultural pattern for the management of Kurdish distinctiveness in Syria, two overarching political circumstances should be present in order for the issue to be properly addressed.

First: Legitimacy of the Syrian ruling regime

Because of its overlap with the regional political environment and its deep impact on Syria's existential identity, the Kurdish issue in Syria cannot be dealt with by administrations or state institutions that lack absolute decision-making powers.

The Syrian political regime that came to power following the short-lived Syrian bourgeois democracy of the 1950s, i.e., the era of the Baath Party that began in 1963 and

particularly under the Assad family, was unable to manage the Kurdish issue in a manner that guaranteed it a minimum level of legitimacy, for the same above-mentioned reasons. The regime's lack of democratic legitimacy necessitated the presence of two key elements, both of which had no option but to reject any recognition of Kurdish distinctiveness in the country. The first element, which is the lack of internal democratic legitimacy, means that in order to acquire a supra-existential political legitimacy, the regime had to be part of all the regional equations and the Kurdish issue was one of the most important cards that Hafez al-Assad's regime used in its relationship with Turkey and Iraq. The second element is the totalitarian nature of the political regime that made it necessary to close up the country's public life completely, because any independent political or social space could potentially pose a threat to the very nature of the regime. This is why shelving the Kurdish issue and not recognising Kurdish distinctiveness in Syria are an integral part of the totalitarian state's formative identity.

Only a future legitimate regime that takes it upon itself to ensure good working relations among the country's different groups, and does not use the diverse nature of Syrian society as a basis on which to build its regional relationships and equations, could address a key issue like the Syrian Kurdish issue.

Second: a unified Kurdish vision

Forging a unified vision is the most important condition with which the Kurds should arm themselves when addressing Syria, as a whole, and we are not referring here to the above-mentioned psychological and ideological tendencies that could eventually constitute an obstacle, but to the specific and feasible political project that would be based on the country's political circumstances, and would take into account the structural characteristics of Syrian society.

For many decades, Kurdish political theories have remained general and did not touch the inner core and values of the regime in power. The reason was perhaps the Kurds' need to protect themselves or the fact that they shared no common ground with other Syrian political groups. This is how the situation was like on the eve of the Syrian Revolution; most parties that belonged to the main Kurdish movement were party to the "Damascus Declaration" and adhered to its decisions, and through it became part of the Syrian National Council (SNC) as well, where they remained until the establishment of the Kurdish National Council in Syria, on October 26-27, 2011. The same applies to other parties that had initially joined the National Coordination Commission and withdrew from it when the above-mentioned Kurdish body was established, to the exception of the Democratic Union Party (PYD), which is close to the Turkish Kurdistan-Kurdish Workers' Party, which decided to remain in the National Coordination Commission and did not join the Kurdish National Council.

However, the statement of the constituent conference of the Syrian Kurdish National Council did not bring any concrete solutions to the problems plaguing the country at the time, and simply stated that, “the crisis in the country will only be ended by a change in the despotic, totalitarian regime, its organisational and political structures as well its intellectual foundation; only through the dissolution of the entire state security apparatus and the establishment of a secular, democratic, pluralistic, parliamentary state that is based on political decentralization without any racism, a state of institutions and of law that guarantees the same rights and duties for all citizens will prevent a return to any form of despotism and totalitarianism.” The latter statement could have formed the basis of a consensus with other Syrian opposition groups had it not been for the intractable slogan, “Right of self-determination within a unified country,” that the Kurdish National Council had brandished at the time. However, in its meeting of April 4, 2012, the Council amended the above statement admitting that, the Kurdish people in Syria were “an essential element of the Syrian nation-state with the intention of throwing off the yoke of despotism.” It limited its political demands to, “The constitutional recognition of the existence of the Kurdish people, its identity as an ethnic group, and its language as one of the country’s official languages, as well as the recognition of its legitimate rights as an essential ethnic group according to international agreements and conventions.”

Before that, on March 26-27, 2012, the Kurdish block within the SNC had withdrawn

from the opposition conference in Istanbul, held expressly for the purpose of uniting different Syrian opposition, and could have formed the right vehicle for a unified stand by the opposition. The Kurdish bloc justified its withdrawal from the largest Syrian political opposition body claiming that the SNC had, “sidelined Kurdish rights, and strayed away from the spirit of its founding document and the provisions of the Tunis and Friends of Syria Conferences.” The “Kurdish Bloc” had become part of the SNC through its founding role in the “Damascus Declaration” that played a key role in the establishment of the SNC, and boasted the membership of a number of independent Kurdish political personalities, chief among whom was Dr. Abdulbasit Sieda member of the Council’s Executive Bureau. At a later stage, the SNC added to its membership a number of young Kurdish activists from the Kurdish Coordination Committees. However, when the Kurdish National Council was established in the Syrian city of Qamishli, and brought together all the political Kurdish personalities in Syria, including those that had earlier joined the Syrian Coordination Commission (save for the Democratic Union Party), all the Kurdish personalities in the Council, regardless of their affiliation with the SNC, behaved like a single bloc.

The founding statement of the Kurdish National Council established for the purpose of unifying different Kurdish groups in Syria, generated considerable sensitivity among SNC members when its political demands went beyond the familiar terms of the Syrian political lexicon, even that of the opposition.

The statement went as far as ask for “the right of self-determination for the Kurds within a unified country,” which caused an uproar among members of the Syrian opposition, especially in the SNC. The latter directly responded by marginalising the “Kurdish issue” at the Istanbul Conference, despite being held to unify the Syrian opposition, although the Council later reiterated its commitment to the National Charter that the Friends of Syria had adopted at their Conference in Tunis, including commitment to the legal rights of Syria’s Kurds. However, the strongest reaction came later in an interview that Dr. Burhan Ghalioun, President of the SNC, gave to the Kurdish newspaper (Rudaw). He stated in the interview that, “there is no such thing as Syrian Kurdistan,” and underlined the opposition’s refusal to grant the Kurds self-determination or a federal system of any kind, although he did say that the matter should best be left to the future Syrian parliament, rather than individual political groups. In the interview, Dr. Ghalioun delineated the limits of what the SNC would be willing to grant the Kurds, saying what we “accept is the recognition of the national identity of Kurds. I say the Syrian State and the political rulers must provide the conditions for protecting this identity. The right to education in Kurdish and developing Kurdish culture and literature, as the second culture in Syria, must be provided. The third point has to do with the right to have a decentralized administrative system.”

Avenues of managing the Kurdish issue in Syria

These are the criteria and steps that the future Syrian State should abide by in order to put an end, once and for all, to the Kurdish “issue” in the country, and allow the Kurds to enjoy their distinct social and political identity within Syria.

- Equality before the law and in the manner the law is drafted: this means that there should be no preventive articles in the law forbidding the Kurds of Syria, whether legally or constitutionally, from doing what others are allowed to do. This could happen only if the blanket Arab nationalist identity is removed from all “state institutions and mechanisms” like, for example, the Syrian Arab Television, the Syrian Arab Team, the Syrian Arab Engineering Code, the Syrian Arab citizen, etc... This condition would not be entirely fulfilled if national, political, social and cultural diversity is not enshrined in all Syria’s official laws and projects.
- Individual and collective equality: this means that equality should not be reduced to the mere fact that all Syrians are subject to the laws of the land; for despite being Syrian citizens Syria’s Kurds are an ethnic group whose members share common identity and language, etc. This fact imposes on the state a series of commitments that ensure that all groups in the country enjoy the same rights and privileges.
- Restoring respect for the Kurdish language and culture in education, the media and

other institutions with the ability to revive this national culture, like research institutes, orchestras, colleges, etc. Even more important is the need to remove all residues of “racist” policies implemented by the autocratic governments, including the reinstatement of the original names of Kurdish villages and *Kasbahs* (old city quarters). Reinstating respect for the Kurdish culture is the most important link in the chain of Syria’s official impartiality towards different social, cultural and linguistic identities, i.e., impartiality in the way they are dealt with.

- Decentralising the administrative and appointments system in the future Syrian state without harming the country’s central political system, like is the in case Turkey; to this end, a high level of democratic legitimacy is necessary to create a balance between the central and local authorities. This could fulfil the Kurds’ yearning to control their own affairs without harming the Syrian State or the country’s social fabric, and avoid eventual social clashes.
- Ensuring that equations and equilibriums that link Syria to its neighbours are entirely separate from the State’s internal relationship with the local Kurdish population.

The difficulty of managing Kurdish distinctiveness in Syria results from the difficulty of drafting a new “modern” social contract for the future Syria, a contract essentially linked to the outcome of the Syrian Revolution that seems to have become a meeting point for all regional and international equations, on more than one level. However, the main yardstick for any future diversity management of the Kurdish issue is linked to the extent to which “Syrian violence” will eventually subside within Syria’s core political issue: “democracy and freedom,” and prevent this violence from spreading to the civilian realm.