

Minorities in Iraq
Memory, Identity and Challenges

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Masarat for Cultural and Media development

2013

**A Guide to
Minorities in Iraqi
Memory, Identity and Challenges**

First edition

Baghdad - Beirut, 2013

Translation into English: The Syrian European Documentation Centre

Filing at the National Library and Archive, Baghdad:
2041/2012

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Foreword

Minorities in the Wind

In Iraq's extremely diverse ethno-religious map, there is great focus on the three major communal groups - Shiites, Sunnis and Kurds. They enjoy clear political representation and jostle for power through different political elites. Beyond the three major ethno-sectarian groups, Iraq is home to various ethnic, religious, sectarian and linguistic groups:

- Christians are ethnically diverse (Armenians, Chaldeans, Syriacs and Assyrians) and are divided along sectarian lines (Orthodox, Catholics, Protestants and Baptists). They are to be found in different parts of Iraq but their main concentrations are in Baghdad, Erbil (Ainkawa) and Mosul (Nineveh Plain).
- Turkmen live in northern Iraq in an arch stretching across the districts of Tal Afar (west of Mosul), Mosul, Erbil, Alton Kopri, Kirkuk, Tuz Khurmatu, Kifri and Khanaqin. They have called for their community to be better represented demanding that they be regarded as the 'fourth component' of Iraq (alongside the Shi'ites, Sunnis and Kurds) in effect turning them from a 'minority' into a 'major group'. However, their lack of success in that regard prompted them to embrace their minority status as the best channel through which to claim their rights.
- Mandaeans who live in Baghdad and southern Iraq (Amarah in particular) represent a culture that has overcome challenges throughout the many empires and religions that existed in Mesopotamia along more than 20 centuries.
- Yazidis live in Sinjar Mountain (115 km west of Mosul) and also in Shekhan east of Mosul.
- Shabaks live particularly in Nineveh Plain.
- Kaka'is live in villages to the south east of Kirkuk.
- Faili Kurds are spread along the borders with Iran in the Zagros Mountains. There is also a significant Faili presence in Baghdad.

- Baha'is live in different parts of Iraq. Their exact numbers are unknown as they fear disclosing their identity.
- Jews in Iraq total six people in all - according to recent estimates. They live in Baghdad and represent the last evidence of the disappearance of Jews from Iraq where they had lived for more than 2,500 years.
- Black Iraqis in Basra are experiencing an emerging identity, especially since Barack Obama's 2008 election to the Presidency of the United States.
- In Basra as well there is a sectarian minority known as the Sheikhiya living amongst the Shi'a majority. In response to the challenges of past years, they have developed mechanisms with which to preserve their sense of self and their community.
- Gypsies (Kawliyah) are also a minority in Baghdad and their deteriorated conditions are mentioned in most international reports about Iraqi minorities. They live in Baghdad and some southern governorates.

This rich cultural diversity (ethnic, religious, sectarian and linguistic) is threatened by emigration and assimilation into the majority culture. Minorities risk becoming helplessly crushed beneath a complicated legacy of demographic manipulation and being ultimately lost in the conflict between major forces competing for space, power and fortune.

Some religious minorities are endangered and may soon be consigned to memory especially since the challenges they face target not just their freedoms and rights but their very existence and sustainability in a land they have lived on for dozens of centuries and who have become so rooted in Iraq that no one can imagine an Iraq without them.

This is not an imaginary perception or an abstract warning; rather, it is a fact. Emigration leads to the restriction of the transmission of minority languages, disrupted cultures, lost memories and ultimately a loss of identity. In other words, emigration leads minorities to extinction as communal groups even if their individuals, scattered all over the world, are still alive.

This scenario of cultural genocide is evident; minorities moving

temporarily or permanently to other countries will not think of going back even if the security situation has improved. For most, it is one-way migration¹ that recalls the scenario of Iraqi Jewish displacement that is so present in the minds of Iraqi minorities. To many minorities, it seems they are destined to follow the path of Iraqi Jews; a path that led to the Jews' final departure, the loss of an irreplaceable part of Iraqi memory and terrible humanitarian consequences.

Majority in Danger

The risk of extinction and one-way migration threaten not only minorities but also, by extension, Iraq's identity, prosperity and existence. It points to the cultural bankruptcy of Iraq that will impoverish and deprive the country of its sources of strength. It is the cultural desertification of Iraq that seeks to turn Iraqi identity into a blind, empty mono-identity. Thus, not only are minorities in danger but the 'majority is as well'.²

Despite the assurances that diversity is one of the strengths of the nation, the political authorities seem unaware of the importance of this source of material and cultural richness. Ur, for example, from which Abraham started a journey that changed the ancient world, was a cynosure for Christians and Jews just as Najaf and Karbala are the Mecca of the Shiite communities. The country is also home to some of the world's oldest Christian groups and of the universal chairmanship of some religious communities such as the Mandaeans, Yazidis and Chaldeans. Moreover, religious authority for most Shiites resides in Najaf. For some more recent religious minorities, like Baha'is, Iraq is a sacred

¹Interviews with immigrants of minorities in Vermont, Kansas, Texas in USA (March 2010); Berlin (July 2010); Brussels (August 2010); transit countries (neighbouring countries): Damascus (September 2010), Amman (July 2011), Beirut (November 2011) and Istanbul (January 2012); and in Erbil and Duhok in different dates between 2007 and 2012.

²An expression used by Father Dr. Yousif Toma during an interview with the author on January 6, 2012.

region because it hosts their holy places and their religious faith started on its territory.

Religious minorities reflect multi-millennia cultures that have miraculously survived in the same place. They also constitute evidence of the value of coexistence as a social and historical contract for the groups that have formed the historical components of Iraq and preserved its memory to this day. Is not this the story of the Mandaean miracle? This group has lived in the same place for thousands of years, practicing their rituals under palm trees at the banks of the Tigris and the Euphrates. This group has survived despite the succession of different empires, regimes and religions, and has preserved cultures that would have vanished had it not been for it.

The objective of this book will be met once it has prompted us to invest in the cultural capital of Iraq. How can we invest our common heritage that, through the introduction of cultural pluralism to the country's governance (the core issue of our contemporary modernity) has, in principle, not excluded any ethnic or religious group? How can we benefit from religious, ethnic and sectarian pluralism on the basis of a national collective identity (the core issue of our contemporary political struggle). We all, intellectuals, politicians or religious and civic leaders, are responsible for answering the questions raised by this book and listen to its arguments; questions and arguments that we have failed to deal with courageously enough because we always elude the questioning of our identity.

From Identity Shock to the Revival of Identities

The shock of the American occupation has caused a fundamental paradox that we can not take upon ourselves without raising a provoking question: Who are we? What is our identity? Our inherited thoughts are dissolving, our modern history is unfolding under bright lights and the 'shock of the other' is rearranging our affiliations within a changing perspective.

The 'shock of the other' prompted the explosion of identity politics from the establishment of the Iraqi state by the 'other', the British, in 1921 until its fall by the 'other', the Americans, in 2003.

While the religious factor and geographic proximity tend to mitigate the severe contradiction between the ‘other’, the Ottomans and the Iraqis, colonialist Britain represented the ‘other’ in every sense: ethnic, religious and geographic. Its work on building modern Iraq led to the establishment of a state based on national identity taking after the model of western modernity with a policy of integration and unification in a unified political, cultural and social system that does not represent the traditions of diverse demographic groups.¹

The failure and consequent collapse of this experience by the ‘other’, the Americans, made way for the development of strategies for all social components (majorities and minorities) to form their identity and story, but certainly vis-à-vis the ‘inner other’ this time.

Christians try to transcend the fragmentation of the Christian identity into 14 official sects, presenting themselves as Syriac Chaldo-Assyrian people, a long imaginary title of a people deeply rooted in Mesopotamian history.² Yazidis, Shabaks and Kaka’is are minor identities struggling against the major Kurdish identity, and defending their right to a separate identity. Failis are suffering from an identity torn between their ethnic affiliation - as Kurds - and sectarian affiliation - as Shi’a - trying to reach the safe haven of a stable identity.

This book will dig into the collective memory of minorities and explain their demands and strategies. They are many voices crowded in a small theatre, asking us to let them on the stage and listen to their story and their own narration of history.

The return to the scene of absent minorities (Baha’is); the awakening of others (blacks in Basra); the recalling of others (Jews); the affirmation of the identity of those forced into obscurity for political, ethnic or religious reasons (Christians, Shabaks,

¹Sa’ad Salloum: *Identity Policies in Modern Iraq*, *Ittijahat* magazine, first Issue of 2008.

²In a same context, Kurds demand that they are called ‘Kords’ rather than ‘Kurds’ as a response to a long history of discrimination against them, while Izedis today insist they are not ‘Yazidis’ as they used to be called in an attempt to disengage their separate identity from the Arab Islamic history.

Turkmen, Yazidis and Kaka'is); and the growing demands of those minorities, which focus on equality through practice or law, constitute one of the most important paradoxes in the image of Iraq after 2003.

While the minorities could not announce their identities in isolation from the ethnic determinant - Arab, Kurdish, Turkman, Chaldo-Assyrian, etc. - their social structures experienced a development and their discourse turned towards more confirmation of their identity, search for roots and assertion of political presence even if their beliefs prohibit it (Baha'is, Mandaeans, Yazidis, and Christians), in order to preserve their existence and demand all their rights. This reflected a development in line with accelerated events on the ground, especially that the three major groups - Shiites, Sunnis and Kurds - confirmed, through their strong demographic presence, the importance of such presence in the elections that brought their elites into power.

The minority quota system, adopted to address representation imbalances, is of only relative importance since it provides only compensatory quotas to address existing discrimination against actual representation of minorities. Consequently, it should not be a glass ceiling for minorities' participation and should not impede their efforts to achieve more balanced representation.

Minorities or Components?

Article 3 of the Iraqi Constitution states that: "Iraq is a country of many nationalities, religions and sects", while Article 2 points to the religious rights of minorities: "This Constitution guarantees the Islamic identity of the majority of the Iraqi people and guarantees the full religious rights of all individuals to freedom of religious belief and practice such as Christians, Yazidis, and Mandaeans."

Article 121 provides for the national rights of minorities: "This Constitution shall guarantee the administrative, political, cultural and educational rights for the various nationalities, such as Turkmen, Chaldeans, Assyrians and all other components. This will be organized by law".

The Constitution avoids confirming the identity of minorities (minority situation) through asserting their very old presence as

indigenous peoples deeply rooted in the country's history and civilization (Christians, Mandaeans and Yazidis). It also reflects the sensitivity against using the term 'minorities', replacing it with 'components', which is used by political elites in a highly romantic way without clarifying how to link it to the idea of a collective national identity or a perception of the nation. Nor was this clarified in the Constitution even though there is no clear idea about the identity of post-change Iraq and its importance to maintain the cohesion of society and to prevent its disintegration.

The creation of this ambiguous term did not provide a magic solution. The description of minorities or identification of indigenous groups as small components against major components did not free this new term from its negative implication nor from the feeling of vulnerability; being 'small components' is not better than being 'minorities'. It was then found that the solution would solve nothing as long as the change of words in the Constitution does not solve the problem of the socio-cultural context which bestows negative implications involving discrimination and vulnerability on the word 'minority'. Changing the words in the text does not mean changing the reality.

In this book, we mention the term 'minorities' beyond the context of this semantic conflict to mean "a group in a non-dominant position who are numerically inferior to the rest of the population of a State and whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion, or language".¹

¹Francesco Capotorti, Study on the Right of Person belonging to Ethnic, Religious and Linguistic Minorities, United Nations, New York, 1979, p. 96.

A definition of a 'minority' offered by Francesco Capotorti, Special Rapporteur of the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, which is the most internationally accepted definition.

From Security Approach to Integrated Approach

While some of the book's analyses may be shocking or may cause discomfort, they will test the reader's ability to listen to and accept others. The analysis does not aim at aligning with the majority culture or identifying with the interests of some parties; rather, it aims to make us learn from our differences as much as possible, and know the underlying reasons of the failure of the post-independence state in converting communities into a society.

I would be happy if this book was seen as an endeavour to detect the structural imbalance between the state and the society in modern Iraq (1921-2003) and to replace viewing society from the state's perspective with viewing the state from society's perspective, or as legalists put it, to protect non-ruling groups from state hegemony or abuse of power.

The educational role of the book (introducing minorities, their identity, memory, demands, etc.) will grow with a call to reform the dominant culture that involves discrimination, is inhabited by ghosts of conspiracy and determined by secrecy and confidentiality. Thus, our discourse would surpass academic traditions under which intellectuals have lived for ages, which adopt a 'security approach'¹ in handling minorities as a threat to national unity, and

¹The information about minorities or religious or national pluralism of the Iraqi society was not available for the public, and relevant printed matters were stamped with the phrase 'limited circulation' on them; only security services, rather than universities or scientific research centers, had information and tried to invest them. He who owned information controlled the public domain and formed the reality. See for example: "*The National Distribution of Iraqi Population*", and its second part "*The Religious Distribution of Iraqi Populations*", General Security Directorate, 1977. In an atmosphere of a sceptic and plotting security, minorities are re-defined as the fifth column and a factor that disintegrates national unity. See for example: Saad Aazami, "*Religious and National Minorities and their Impact on the Political and Social Situation in Nineveh Governorate*", Security Development Center, 1982.

would also try to correct the traditional myths about minorities and the attempt to defame their identity.¹

By developing a comprehensive approach for the minority problem through adopting multiculturalism, this book draws a map of how to handle the wounded memory of minorities, and then our goal would eventually become to raise the identity question which concerns all of us in a new context.

My contribution to the writing of some texts with researchers, the writing of the identity-related parts, and the reformulation of persecutions as a wounded memory has become the main theme of the book, while the conclusion was the result of long discussions about the elements necessary to develop an integrated approach for the problem of minorities in Iraq.

The continued flow of feedback with researchers as well as repeated reformulation, additions and clarifications have made the draft twice as long as its current length. Technical considerations made me rewrite the original draft in its current form so as to be easily received by readers and translated into English, a possibility that would have been difficult had it not been for Thirsa de Vries of IKV PAX CHRISTE (Netherlands) whose love for Iraq was behind the idea of publishing this book in two languages and in as short a time as possible.

This work is a spiritual journey to explore the 'internal other' or the 'other ego'; a trip that would not have arrived at its destination without the assistance of many colleagues and friends, and namely professor Joseph Yacoub, the French minority scientist who volunteered to write Chapter I, and journalist Tamar Morad who translated the Foreword written by professor Shmuel Moreh for his book "*Iraq's Last Jews*". I would also thank Palgrave Macmillan publishers in New York, which re-published it. Through his previous contribution to "*Masarat*" magazine² and

¹An example of this is some writings by the greatest Iraqi historian, Abd al-Razzaq al-Hasani who is noted for his book "*History of Iraqi Marshes*", as well as some writings by historian Abbas Ezzawi, author of "*The History of Iraq between Two Occupations*".

²"*The Iraqi Novel and the Shia*", "*Masarat*" magazine, Issue 15 of 2011.

current contribution to this book¹, historian Dr. Ronen Zeidel has proved pioneering in a field that might encourage Arab and Iraqi scholars to follow it.

My deep gratitude to my friend researcher, Dr. Fanar Haddad of the Middle East Institute, National University of Singapore, for his invaluable contribution to the publication of this book. I would also like to thank Ali Barazi, Director of the Syrian European Documentation Centre in Damascus, Syria for translating the book into English, except Chapters 1, 2 and 19 and Dr. Haytham Al-Zubeidi and Khalidah Hamed for their assistance in the English translation. For the Arabic version, I would like to thank Jawdat Jali who translated Joseph Yacoub's chapter from French, Mustapha Nasser who translated Ronen Zeidel's chapter from English and Bahaa Salman who translated Shmuel Moreh's chapter from English. Many thanks also to Dr. Jabbar Sweis who revised the final Arabic text and Mohamed Al-Djeili, owner of Al-Rafidain Publishers who supervised the printing and publishing process.

¹"*Minorities in the Iraqi Novel (Kurds)*".

1) La Reconnaissance Internationale de la Diversité Culturelle Et Des Minorités

Leur Statut Dans le Monde Arabe

Joseph Yacoub¹

Introduction

Nous assistons à l'avènement du discours minoritaire, son insertion dans le droit, son inscription dans l'espace social, son appropriation par les hommes, son entrée dans l'enseignement supérieur, accompagné d'une multiplication de recherches à ce sujet. Les médias, quant à eux, abondent d'articles sur les mouvements minoritaires et autochtones dans le monde.

Reconnaître les minorités c'est d'abord admettre la diversité et le pluralisme culturel et politique.

L'univers est divers, et ses peuples aussi.

La diversité culturelle revêt une grande actualité et importance. C'est un fait constatable quotidiennement, qui nous rappelle, s'il en

¹Professeur honoraire de l'Université catholique de Lyon, Joseph Yacoub est spécialiste des droits de l'homme, des minorités dans le monde, des peuples autochtones et des chrétiens d'Orient. Il est l'auteur, entre autres publications, de:

- *Les minorités dans le monde. Faits et analyses*, Desclée de Brouwer, Paris, 1998, 924 pages.

- *Au-delà des minorités. Une alternative à la prolifération des Etats*, Ed. de l'Atelier, Paris, 2000.

- *Au nom de Dieu! les guerres de religions d'aujourd'hui et de demain*, Ed. J.-C Lattès, Paris, 2002.

- *Les droits de l'homme sont-ils exportables? Géopolitique d'un universalisme*, Ed. Ellipses, Paris, 2004.

- *Fièvre démocratique et Ferveur fondamentaliste. Dominantes du XXIè siècle*, Ed. du Cerf, Paris, février 2008.

- *L'Humanisme réinventé*, Ed. du Cerf, Paris, mai 2012.

était besoin, que nous vivons dans des sociétés désormais multi-ethniques, multiculturelles, multiculturelles et multilinguistiques, faites de plus en plus de différences d'appartenance, voire de métissages, de mariages mixtes, où l'uniformité de naguère a cédé la place à la polyformité. Le monde est devenu multiple, doté désormais de caractéristiques communes, et aucune société n'y échappe. Il n'y a pratiquement pas de pays homogène et chaque société, devenue en quelque sorte, un microcosme de la planète, inclut maintenant une mosaïque de nationalités et de peuples qui s'imbriquent de plus en plus.

L'essor de ce mouvement s'est trouvé accentuer sous l'effet du poids de l'histoire et de ses blessures, la réactivation des mémoires, le tracé des frontières et les divisions des ethnies, les déplacements de populations, les conséquences du colonialisme et de la prise de conscience par les peuples dominés de leur histoire, des phénomènes migratoires, des affirmations identitaires et de la multiplication des modes de vie et des modèles culturels qui s'en suivent, de la mobilité internationale, des interconnexions entre les peuples et des échanges scolaires et interculturels, du développement du tourisme et des voyages, de l'apprentissage des langues étrangères, le développement des traductions, des intégrations inter-étatiques et régionales.

Aussi, face à ces mutations, dont certaines sont sans précédent, on est conduit à se poser des questions.

A-t-on suffisamment creusé la notion de diversité culturelle et culturelle? Qu'entendons-nous par cette notion? Quel en est l'impact sur les identités traditionnelles, nationales et religieuses? Ces identités se trouveront-elles altérées avec le temps?

Quels sont ses liens avec les notions d'Etat, d'intégration, de citoyenneté, de sécularisme, etc.?

D'autre part, la diversité une fois reconnue, comment l'aménager et sous quelles formes, en tenant compte à la fois des différences et de la cohésion du tissu social, du rapport identité / altérité, et en garantissant la paix civile, la stabilité du corps socio-politique et une vision collective.

Outre les caractéristiques de la diversité culturelle et ses expressions, quelles sont ses incidences? Pourquoi cet intérêt pour

la diversité culturelle et quelle est l'origine intellectuelle du débat sur cette question?

En outre, la diversité culturelle est désormais entrée dans le discours des droits de l'homme et de la gouvernance démocratique. Des normes internationales ont été adoptées (ONU, UNESCO, Conseil de l'Europe¹, Organisation des Etats américains...) en vue de la valoriser et de la doter d'un statut juridique. Ces normes engagent les pays signataires en termes d'observances et d'obligations, reconnaissant les spécificités culturelles des peuples et des communautés et la légitimité de leurs expressions. La diversité est devenue un concept majeur à l'échelle tant nationale qu'internationale et une pratique institutionnelle. La diversité culturelle constitue pour l'UNESCO « *un patrimoine commun de l'humanité* ».

Par ailleurs, le fait que la diversité culturelle soit entrée dans le discours des droits de l'homme, qu'est-ce cela induit?

La notion de diversité culturelle a trouvé une définition globale et des assises validantes de nature anthropologique et juridique, notamment à la Conférence de l'UNESCO à Mexico en 1982.

Il est vrai que depuis quelque temps, les publications se multiplient sur la diversité culturelle dans plusieurs langues. On s'efforce d'y voir un peu plus clair. Mais cette notion resterait incomplète sans l'étude des expressions par lesquelles elle se manifeste et des signes à même de la traduire, c'est-à-dire de la rendre visible et à proximité.

Pourquoi cet intérêt pour la diversité culturelle?

L'attention et l'intérêt porté à la diversité culturelle et au multiculturalisme sont dus à plusieurs facteurs, parmi lesquels on

¹Le Comité des Ministres du Conseil de l'Europe a adopté une Déclaration sur la diversité culturelle, le 7 décembre 2000. Le même Conseil a adopté un Livre Blanc sur le dialogue interculturel, Vivre ensemble dans l'égalité de dignité, juin 2008, Strasbourg, 70 pages.

On peut citer également la Convention culturelle européenne, adoptée le 19/12/1954, la Déclaration de Wrocław sur cinquante ans de coopération culturelle européenne, de décembre 2004, et la Déclaration de Bakou sur le dialogue interculturel, 2-3 décembre 2008.

peut relever la résistance à une mondialisation uniforme, la résurgence de la question des identités, la montée des revendications ethniques et religieuses dans le monde, la poussée des régionalismes, la renaissance des particularismes, des cultures populaires et des traditions locales, lesquelles viennent secouer les identités classiques, montrant par là que les identités ne sont pas monolithiques, mais évolutives, les problèmes concernant les minorités nationales et les peuples autochtones.

Tous ces facteurs ont contribué, à l'évidence, à rendre la diversité plus visible et plus actuelle. D'ailleurs, la prise de conscience des cultures et de leur diversité a entraîné une floraison de déclarations des droits de l'homme, autant de manières, n'est-ce pas, d'exprimer les particularités et de tendre vers l'universel.

L'origine intellectuelle du multiculturalisme.

D'où vient le multiculturalisme?

Disons d'abord que le multiculturalisme n'est pas une nouveauté dans l'histoire de l'humanité. Le multiculturel a toujours existé. Ce qui prouve que la culture est quelque chose de mouvant et non statique. Le domaine des langues suffit, à lui seul, pour s'en rendre compte. Chaque langue porte dans ses entrailles les marques d'une autre langue. Les langues sont pour ainsi dire plurielles. L'arabe, l'hébreu et le syriaque (ou araméen) sont trois langues sœurs, à même de rapprocher leurs locuteurs. Ils appartiennent à la même souche sémitique commune. Car les cultures se sont enrichies par leurs contacts et emprunts mutuels et pourraient servir de traits d'union. La langue est donc un vecteur de rapprochement, qui, s'il est utilisé à bon escient, pourrait réduire les tensions.

Pour comprendre ce phénomène, il faudrait comparer deux approches philosophiques et anthropologiques différentes. En termes philosophiques, c'est la question de l'un et du multiple qui se pose. Un pur homme abstrait, détaché des appartenances, sans contexte historique, caractérise la première philosophie. Quant à la deuxième, elle considère l'homme d'emblée comme un être situé et culturellement conditionné, fils d'un lieu, produit d'une histoire, qui n'est pas en a-pesanteur et ne vit pas en dehors de

l'atmosphère sociétale dont il subit la pression. A cet égard, chaque culture traduit et représente à sa manière une figure de l'humanité, celle-ci ayant par définition une multiplicité de visages. Toute culture est porteuse d'universel et aucune n'est immuable, sinon elle se meurt. Les cultures sont des ensembles dynamiques, qui, au cours de leurs parcours, se rencontrent, s'embrassent et échangent.

Pour ce qui est de la filiation intellectuelle du multiculturalisme, on peut dire que la culture humaine s'est toujours trouvée confrontée à ces catégories de pensée que sont le singulier et le pluriel, l'abstrait et le concret, le global et le local. Certains ont tendance à abstraire et à chercher l'essentiel sans être suffisamment attentifs aux réalités. D'autres, plus soucieux des données culturelles, voient l'universel émerger du cœur même de l'existence et des cultures, et d'aucuns vont parfois jusqu'au culturalisme.

Aimée Césaire résumait bien cette problématique. C'est grâce à son identité, dit-il, qu'il se sent universel. Il écrit : *« Nous n'avons jamais conçu notre singularité comme l'opposé et l'antithèse de l'universalité. Il nous paraissait très important -en tout cas pour moi - de poursuivre la recherche de l'identité. Et, en même temps, de refuser un nationalisme étroit. De refuser un racisme, même un racisme à rebours. Pour être universel, nous disait-on en Occident, il fallait commencer par nier que l'on est nègre. Au contraire, je me disais : "Plus on est nègre, plus on sera universel." Une identité, mais une identité réconciliée avec l'universel. Chez moi, il n'y a jamais d'emprisonnement dans une identité. L'identité est enracinement. Mais c'est aussi un passage. Passage universel. »*¹

La diversité culturelle et les minorités

C'est par une approche multiculturelle des sociétés qu'on peut saisir la question des minorités.

Les minorités, c'est d'abord une histoire de biodiversité humaine, qui en illustre la traduction. L'univers est divers et ses peuples aussi. La diversité culturelle est un signe de beauté du monde. Elle est désormais une réalité fondamentale de l'humanité.

¹Voir Le Courrier de l'UNESCO, interview, mai 1997, Paris, p. 5.

Le champ minoritaire occupe désormais le devant de la scène partout dans le monde, influe sur les structures constitutionnelles et politiques des Etats et conditionne les relations internationales. Cette diversité est riche de plusieurs milliers de communautés ethniques, linguistiques, nationales, culturelles, religieuses et confessionnelles, linguistiques, nomades, territoriales, transterritoriales, non territoriales, indigènes, autochtones, tribales.

Les mouvements minoritaires se multiplient d'une manière significative, amplifiés par la mondialisation. En l'espace de quelques décennies, en particulier depuis 1970, la configuration ethno-culturelle du monde et la répartition territoriale des populations, sous l'effet des flux migratoires, des interconnexions entre les peuples, du processus d'intégration inter-étatique, du phénomène des diasporas et de la prise de conscience, se sont considérablement modifiées. Le nombre d'Etats a nettement augmenté en un temps historique relativement court et le processus de régionalisation et d'autonomisation va en s'accroissant. Les sociétés, de plus en plus métissées, sont devenues multiculturelles.

Ce problème ne concerne pas seulement un continent, il embrasse toute la planète : l'Europe (Catalogne, Ecosse, Pays basque, etc.) comme le reste du monde. Le monde arabe est également interpellé par ce problème. Des communautés prennent conscience de leur identité, des peuples se réveillent, s'organisent et s'activent d'une façon nouvelle et font ainsi irruption sur la scène internationale.

Les minorités sont devenues un sujet de droit, c'est-à-dire une catégorie juridique, intégrée désormais dans le droit international, le droit régional et le droit national d'un nombre important d'Etats.

Le contexte stato-national

L'archéologie des Etats révèle partout l'existence de minorités et de peuples autochtones. Chaque formation stato-nationale a laissé sur ses marges des personnes et des communautés minorisées en mal d'assimilation. Quand on observe les réalités sociales, on constate que quasiment tous les Etats ont sur leur territoire des groupes de personnes d'appartenance différente, caractérisées par

leur propre identité ethnique, culturelle, religieuse ou linguistique. Et tout Etat qui vient au monde, produit en quelque sorte ses minorités. On le constate davantage depuis trois décennies avec la multiplication des revendications à l'échelle planétaire.

Cela pose évidemment la question de l'Etat national, sa nature, son aménagement institutionnel et ses formes d'organisation et de gestion (unitaire, décentralisé, fédéral, confédéral, multiethnique, plurinational, autonome). Ces communautés font désormais partie du paysage social à l'échelle du monde. Elles bénéficient de plus en plus de visibilité, après des décennies, voire des siècles d'occultation et d'assimilation. Il existe sur notre planète plus de 7000 peuples et communautés, plus de 6700 langues, un grand nombre de religions et de croyances, pour 194 Etats.¹

Soixante-dix Etats dans le monde ont sur leurs territoires des communautés autochtones minorisées, ce qui représente plus de 370 millions de personnes. Par ailleurs, l'introduction du discours autochtone est venue bouleverser un pan entier de notions juridiques et sociales, comme le droit des peuples à l'autodétermination, la notion de peuple distinct, l'autonomie, les finalités du développement, l'universalité du droit, le lien à la terre, le rapport au patrimoine et au passé, les particularités des peuples, les droits individuels et les droits collectifs et communautaires, le sens et le respect des traités conclus avec les peuples indigènes, l'enseignement et l'écriture de l'histoire.

Par ailleurs, l'intérêt intellectuel et scientifique pour les questions minoritaires et autochtones se multiplie. Au niveau politique, durant ces dernières décennies, de nombreuses réformes constitutionnelles et législatives ont été entreprises dans divers pays, qui reconnaissent les minorités et les peuples autochtones dans leurs droits civils, politiques, économiques et culturels. On peut citer, parmi tant d'autres exemples, le Cameroun, l'Equateur, le Burundi, le Brésil, le Guatemala, la Bolivie, la Norvège, l'Irak, la Finlande, le Canada, l'Espagne, le Royaume-Uni. Quant à l'Inde, c'est un précurseur en la matière.

¹Voir notre livre, *Les minorités dans le monde. Faits et analyses*, Desclée de Brouwer, 1998, Paris.

De quoi s'agit-il? Comment approcher ce phénomène d'envergure mondiale? Sommes-nous entrés dans l'ère des minorités et des peuples autochtones? Quel est leur statut?

Les prescriptions du droit international sur la diversité culturelle et les minorités.

S'il est vrai que la diversité culturelle est une réalité sociétale et anthropologique, il est important d'ajouter que le droit international est venu la consacrer.

La communauté internationale (ONU, UNESCO, Conseil de l'Europe, Union européenne, Organisation sur la sécurité et la coopération en Europe, les organisations régionales) a adopté des normes pour la protection et la promotion des minorités, accompagnées parfois de mécanismes d'application. Le droit international prescrit aux sociétés majoritaires qui ont des minorités un ensemble de droits en faveur de ces populations et le devoir de protéger leur existence et leur identité.

En outre, les systèmes régionaux de promotion et de protection des droits de l'homme intègrent désormais dans leur corpus juridique, certes à des degrés divers, les minorités. C'est le cas notamment d'un certain nombre de pays d'Europe, d'Amérique latine et d'Afrique.

Nous allons examiner, tour à tour, les normes adoptées par l'ONU et par l'UNESCO sur la diversité culturelle et sur les minorités.

L'ONU et les droits culturels

Trois instruments de l'ONU sont à retenir: la Déclaration universelle des droits de l'homme de 1948, les deux Pactes internationaux des droits de l'homme de 1966 et la Déclaration des droits des personnes appartenant à des minorités nationales ou ethniques, religieuses et linguistiques de 1992.

D'abord, La Déclaration universelle des droits de l'homme de 1948 entérine les droits culturels (art. 22 et 27.1).

** Les deux Pactes internationaux des droits de l'homme de 1966.*

Le Pacte international des droits économiques, sociaux et

culturels est, lui, très clair sur les droits culturels, consacrés à l'article 15.

L'article 26 du Pacte international des droits civils et politiques proclame l'égalité devant la loi de toutes les personnes et prohibe toute forme de discrimination « *notamment de race, de couleur, de sexe, de langue, de religion, d'opinion politique et de toute autre opinion, d'origine nationale ou sociale, de fortune, de naissance ou de toute autre situation.* »

Quant à l'article 27 de ce Pacte, il est consacré aux minorités. Il érige, et pour la première fois, les minorités en matière de droit international: « *Dans les Etats où il existe des minorités ethniques, religieuses ou linguistiques, les personnes appartenant à ces minorités ne peuvent être privées du droit d'avoir, en commun avec les autres membres de leur groupe, leur propre vie culturelle, de professer et de pratiquer leur propre religion, ou d'employer leur propre langue.* »

* *Déclaration des droits des personnes appartenant à des minorités nationales ou ethniques, religieuses et linguistiques*, 18 décembre 1992.

Qu'en dit cette Déclaration?

Adoptée par l'Assemblée générale des Nations Unies, le 18 décembre 1992, cette Déclaration reconnaît les minorités dans leurs droits individuels et leur identité collective.

En adoptant cette Déclaration, l'Assemblée générale de l'ONU a marqué un moment capital et une date cruciale dans les annales onusiennes.

Considérant l'article 27 du Pacte international de l'ONU relatif aux droits civils et politiques qui reconnaît les minorités, « *s'inspirant* » de ses dispositions, insistant sur les résultats obtenus dans les cadres régionaux, sous-régionaux et bilatéraux, l'Assemblée onusienne souligne la nécessité d'assurer à tous sans discrimination la jouissance et l'exercice des droits de l'homme et l'importance de ce projet de déclaration sur les minorités.

Composé de neuf articles, ce document énonce les droits des minorités et précise les obligations des Etats à leur égard.

L'article premier est de la plus haute importance. Il stipule que « *Les Etats protègent l'existence et l'identité nationale ou ethnique,*

culturelle, religieuse ou linguistique des minorités, sur leurs territoires respectifs, et favorisent l'instauration des conditions propres à promouvoir cette identité. »

Parmi les droits principaux octroyés aux minorités, il convient de mentionner :

- *droit de jouir de leur propre culture, de professer et de pratiquer leur propre religion et d'utiliser leur propre langue, en privé et en public, librement et sans ingérence ni discrimination quelconque (art. 2, para. 1).*
- *droit de participer à la vie culturelle, religieuse, sociale, économique et publique (art. 2, para. 2).*
- *droit de prendre une part effective au niveau national, et, le cas échéant, au niveau régional, aux décisions les concernant selon des modalités qui ne soient pas incompatibles avec la législation nationale du pays (art. 2, para. 3).*
- *droit de créer et de gérer leurs propres associations (art. 2, para. 4).*
- *droit d'établir et de maintenir, sans aucune discrimination, des contacts libres et pacifiques avec d'autres membres de leur groupe et avec des personnes appartenant à d'autres minorités, ainsi que des contacts « au delà des frontières » avec des citoyens d'autres Etats auxquels elles sont liées par leur origine nationale ou ethnique ou par leur appartenance religieuse ou linguistique (art. 2, para. 5).*

Dans ce régime de protection des minorités, on précise également les devoirs des Etats à l'égard des minorités (art. 1, para. 1). A cet effet, les Etats promettent d'adopter « *les mesures législatives ou autres* » (art. 1, para. 2) qui sont nécessaires pour préserver l'existence et l'identité des minorités.

Il est prescrit, par ailleurs - mais sans caractère obligatoire intrinsèque - que les Etats « *devraient* », « *dans la mesure du possible* » oeuvrer pour que ces personnes aient la possibilité d'apprendre leur langue maternelle ou de recevoir une instruction dans cette langue et, « *le cas échéant* », d'encourager la connaissance de leur histoire tout en apprenant à connaître la société dans son ensemble (art. 4, para. 3 et 4).

Les Etats devraient aussi envisager des mesures pour que les personnes appartenant à des minorités puissent participer au progrès et au développement économiques de leur pays (art. 4.5).

Qui plus est, des programmes de coopération et d'assistance entre Etats, dit le texte, devraient être élaborés et mis en oeuvre en tenant compte des intérêts des personnes appartenant à des minorités (art. 5.2).

Toutefois, on précise que rien dans cette Déclaration ne peut être interprété comme autorisant une quelconque activité contraire aux principes de l'égalité souveraine, l'intégrité territoriale et l'indépendance politique des Etats (art. 8, para. 4).

Le dernier article s'adresse aux organes et institutions spécialisées des Nations Unies (comme l'Organisation internationale du travail (OIT), l'UNESCO, l'OMS, etc..) lesquels, chacun dans son domaine, contribueront « à la pleine réalisation des droits et des principes énoncés dans la présente Déclaration. » (art. 9).

La contribution de l'UNESCO sur la diversité culturelle.

Depuis son *Acte constitutif* (16 novembre 1945) jusqu'à la *Convention sur la protection et la promotion de la diversité des expressions culturelles*, adoptée le 20 octobre 2005, l'UNESCO a nettement contribué à protéger le patrimoine mondial culturel et naturel des peuples dans sa diversité.¹

Les normes adoptées

1- *Déclaration des principes de la coopération culturelle internationale*

Adoptée le 4 novembre 1966, la Déclaration des principes de la coopération culturelle internationale est un hommage aux cultures du monde, reconnues, toutes, dans leur dignité, leurs spécificités et leur interaction.

2- *Recommandation sur la sauvegarde de la culture traditionnelle et populaire*

La Conférence générale de l'UNESCO a adopté le 15 novembre 1989 une Recommandation consacrée à la culture traditionnelle et

¹Voir notamment la Convention pour la protection du patrimoine mondial, culturel et naturel, adoptée par l'UNESCO en 1972.

populaire, qui « *fait partie du patrimoine universel de l'humanité* ». La culture traditionnelle et populaire est considérée comme « *un puissant moyen de rapprochement des différents peuples et groupes sociaux et d'affirmation de leur identité culturelle* ». On souligne l'importance de ces formes culturelles « *en tant que partie intégrante du patrimoine culturel et de la culture vivante.*»

De 2001 à 2005, l'UNESCO a adopté trois instruments d'importance :

3- Déclaration universelle sur la diversité culturelle.

La Déclaration universelle sur la diversité culturelle a été adoptée à l'unanimité le 2 novembre 2001. D'une très grande importance, ce texte qui veut assurer la préservation et la promotion de « *la féconde diversité des cultures* », est composé d'un préambule assez détaillé et de douze articles. Cette Déclaration définit la culture, traite de l'identité, de la diversité et du pluralisme (art. 1-3), de la diversité culturelle et des droits de l'homme (art. 4-6), de la créativité (art. 7-9) et de la solidarité internationale (art. 10-12).¹

4- Convention pour la sauvegarde du patrimoine culturel immatériel

Au sein du corpus normatif de l'UNESCO et de ses instruments multilatéraux à caractère contraignant, il est important d'insister sur la Convention pour la sauvegarde du patrimoine culturel immatériel, adoptée le 17 octobre 2003, qui met en exergue l'importance du patrimoine culturel immatériel comme « *creuset de la diversité culturelle* » et son rôle inestimable comme, « *facteur de rapprochement, d'échange et de compréhension entre les êtres humains* » (préambule). Ce texte revalorise les cultures populaires et leurs expressions orales.

¹Sur cette Déclaration, voir:

- Déclaration universelle sur la diversité culturelle, une vision, une plate-forme conceptuelle, une boîte à idées, un nouveau paradigme, UNESCO, Série Diversité culturelle, n° 1, 2003, 61 pages.
- Déclaration universelle de l'UNESCO sur la diversité culturelle, commentaires et propositions, Série Diversité culturelle, n° 2, 2003, 158 pages.

5- Convention sur la protection et la promotion de la diversité des expressions culturelles

Le 20 octobre 2005, la Conférence générale de l'UNESCO a approuvé la *Convention sur la protection et la promotion de la diversité des expressions culturelles*. Dans la lignée de la Déclaration sur la diversité culturelle, cette Convention affirme que la diversité culturelle « est une caractéristique inhérente à l'humanité » et qu'elle constitue « un patrimoine commun de l'humanité ». Elle a pour but de protéger et promouvoir la diversité des expressions culturelles, matérialisées et transmises notamment par les activités, biens et services culturels, « vecteurs contemporains de la culture ».

Le multiculturalisme et les minorités : une réalité du monde arabe.

La thématique multiculturelle et la question minoritaire sont importantes et d'une grande actualité dans le monde arabe, en particulier en ce moment, avec le Printemps arabe, où ce monde connaît des changements sans précédent, en termes de démocratie et dans le domaine des libertés publiques et des droits de l'homme.

Le Monde arabe est multiple et complexe par sa géographie, son histoire, son anthropologie ethnique et culturelle. Il existe à l'évidence des caractéristiques communes, des points de convergence, mais aussi des différences entre les pays arabes. Ce monde, uni par la langue, l'histoire, la religion, la culture et une communauté de destin, est fait d'une pluralité d'appartenances ethniques, nationales, culturelles, linguistiques, confessionnelles et religieuses, dont les origines sont lointaines et les liens souvent enchevêtrés.

Il est l'héritier d'empires multi-nationaux, à pluralisme identitaire, religieux, culturel et juridique, reconnaissant les communautés et leur droit coutumier (empire assyrien, babylonien, byzantin, arabe, ottoman...).

Longtemps hostile à toute reconnaissance identitaire, depuis la mise en place des Etats-nations à caractère rigide et très centralisé, au lendemain de la première guerre mondiale, le Monde arabe est concerné par le problème des minorités ethniques, culturelles et religieuses.

Cet ensemble géographique assez vaste fut de tout temps un carrefour de peuples et de religions, et un haut lieu de civilisation, où le passé reste très présent. Il suffit, à cet effet, d'interroger son histoire pour s'apercevoir qu'il n'est ni uniforme ni monolithique, et qu'il englobe des populations qui furent souvent marginalisées par l'historiographie dominante et injustement traitées par les politiques officielles. Ce sont pourtant des populations autochtones, natives de ces contrées depuis la plus haute antiquité, qui remontent aux Mésopotamiens (Sumériens, Akadiens, Assyriens, Babyloniens, Chaldéens), aux Araméens, aux Phéniciens, aux Cananéens, aux Berbères, etc.

Composé de plusieurs minorités de différentes catégories, la situation diffère suivant les pays, selon les idéologies et les régimes politiques. Le traitement des minorités peut varier à l'intérieur d'un même pays et certaines communautés se trouvent réparties sur plusieurs Etats. Ce traitement va de la reconnaissance communautaire et confessionnelle (comme au Liban) à l'absence de liberté de culte, dans certains pays, pour les non adeptes de la religion dominante.

Il est vrai que le Monde arabe est nationaliste, lequel s'explique par l'histoire et la lutte contre la domination coloniale, qui se dit fier de son appartenance nationale et de son identité. Cela étant dit, il existe plusieurs visions du nationalisme, qui varient d'un nationalisme exclusif à un nationalisme souple.

Un exemple.

Premier secrétaire général de la Ligue des Etats arabes (1945-1952), Abd Al-Rahman Azzam, égyptien, déclarait en 1946 à propos de l'identité arabe, sur des accents prophétiques concernant la succession des civilisations qui ont jalonné l'histoire de ce monde : *« Je crois que tout ce qui se déroule en ce moment dans le monde, n'est que la préparation d'un message nouveau, et j'espère en Dieu qui nous a fait naître en cette terre, qui nous a fait les héritiers des Pharaons, des Babyloniens, des Phéniciens, des Chaldéens, des Carthaginois, des Araméens et des Arabes par la suite, qui nous a légué en héritage les grandes religions prêchées par Moïse, Jésus et Mohammad et qui nous a longuement éprouvés afin de nous purifier. J'ai foi dans le message de cette nouvelle nation, la nation de l'avenir »*

(...) »¹ S'adressant aux Arabes, il les exhorte en leur disant : « *O Arabes (...) vous êtes les héritiers de religions et de civilisations qui remontent à l'aube de l'histoire. Que l'endurance et la tolérance soient vos qualités prédominantes, comme elles l'ont été chez vos pères.* »²

Mais cette conception pluraliste n'a malheureusement pas prévalu.

Le multiculturalisme et les minorités ont-ils un statut dans le monde arabe?

Quant à la reconnaissance du multiculturalisme, elle peine à se traduire réellement dans les faits, et c'est souvent à la suite de conflits que cela se réalise. D'ailleurs, il est intéressant à cet égard d'observer l'évolution des Constitutions de certains pays arabes, passés d'un Etat-nation très unitaire, à la reconnaissance de la diversité.

Pour ce qui est de la gestion pratique de la multiculturalité, elle est loin d'être prise en compte par les Etats. Et dans les cas où elle retient l'attention des pouvoirs publics, ses modalités pratiques d'exercice restent à un niveau insatisfaisant et susceptibles de changements.

En conséquence, les questions suivantes se posent : y a-t-il une législation appropriée sur cette thématique? Existe-t-il une représentation politique des minorités? Quel est le poids de la société civile et des associations de défense des minorités? Qu'en est-il de la liberté de conscience et de religion?

Par ailleurs, comme nous l'avons indiqué, la société internationale a adopté des normes sur la diversité culturelle et les minorités, qui engagent les pays arabes ayant souscrit à ces instruments.

Pour sa part, la Ligue des Etats Arabes a adopté une Charte arabe des droits de l'homme, au Sommet de Tunis, le 23 mai 2004,

¹Cité par Anouar Abdel-Malek, *La pensée politique arabe contemporaine*, Ed. du Seuil, coll. Politique, 1970, Paris, pp. 215-216.

²Ibid, p. 216.

qui contient quelques clauses sur le multiculturalisme et les minorités.

Y a-t-il une évolution dans la perception arabe du multiculturalisme et des minorités?

Quand on observe les réalités arabes ces deux dernières décennies, on constate qu'on est passé progressivement -certes timidement - d'un nationalisme exclusif, qui ne souffrait aucune exception, à un nationalisme moins rigide.

Cela pose des questions d'ordre philosophique, anthropologique et politique. Apparemment, il existe des difficultés théoriques et conceptuelles à concilier l'absolu et le relatif, le global et le local, l'universalisme arabe et les particularités culturelles et nationales des peuples et des communautés qui composent son univers. On constate des insuffisances dans la théorisation en matière de prise en compte de la pluralité.

Qui plus est, les questions relevant de la diversité ethnique, nationale et culturelle sont d'emblée politisées, ce qui fausse souvent leur compréhension. Il faut dire que le contexte géopolitique arabe et le positionnement des puissances étrangères est tel qu'ils ne favorisent pas toujours une lecture apaisée de ces problèmes.

D'autre part, on assiste parfois à un excès de nationalisme, entretenu par des régimes autoritaires. Il faut dire aussi que ce sujet est politiquement instrumentalisé par les pouvoirs en place qui ne se privent pas de s'en servir.

D'où l'importance de repenser les notions qui sont à la base de l'organisation sociale et de revoir leur gestion : l'Etat-nation, les formes de l'Etat, le vouloir vivre collectif et l'unité du corps politique, l'intégration et l'assimilation, l'égalité et non discrimination, traitement préférentiel et affirmative action, la citoyenneté commune, l'autonomie et le droit à l'autodétermination, l'enseignement de l'histoire et des religions.

Nous retrouvons un certain nombre de ces notions dans la Charte arabe des droits de l'homme.

La Charte arabe des droits de l'homme et la thématique du multiculturalisme et des minorités.

Adoptée le 23 mai 2004¹, au sommet de Tunis de la Ligue des Etats arabes, la Charte arabe des droits de l'homme est entrée en vigueur le 16 mars 2008, en vertu de son article 49 qui exige la ratification de sept Etats. Elle est composée d'un préambule et de 53 articles.

Malgré ses nombreuses insuffisances théoriques, cette Charte contient quelques dispositions sur les droits de l'homme, le pluralisme culturel et sur les minorités, même si l'énoncé reste parfois timide et la pratique en discordance avec les réalités. Elle se fait le chantre de la nation arabe et des religions monothéistes et des civilisations qui se sont succédées dans son espace géographique, intègre les droits de l'homme, admet l'allégeance aux principes universels et la reconnaissance des instruments fondamentaux des droits de l'homme. La Charte promeut la dignité de l'homme et sa liberté, la primauté du droit, le droit des peuples à l'autodétermination. Elle condamne toute forme de discrimination, consacre le droit à l'égalité devant la loi, celui de participer aux affaires publiques, le droit des minorités et la liberté de pensée, de croyance et de religion.

Le préambule

Le préambule est original et fournit d'emblée l'esprit de la Charte. On retrouve en force la référence à la nation arabe et une reconnaissance des différences, mais limitées à la dimension religieuse. On proclame la fierté d'appartenance à la nation arabe, la dignité de l'homme, la foi dans les religions monothéistes, l'intégration des droits de l'homme, la primauté du droit, l'adhésion aux valeurs et principes universels.² Il s'agit là de «

¹Au terme de la révision de la Charte de 1994, composée de 43 articles.

²Pour le texte de la Charte, voir Travaux et Jours, n° 80, printemps - été 2008, Université Saint-Joseph de Beyrouth, pp. 185-207.

Le même numéro contient deux articles d'analyse sur la Charte:

- Ahmed Mahiou, La Charte arabe des droits de l'homme, pp. 209 - 237.

concrétiser les principes éternels de fraternité, d'égalité et de tolérance entre les êtres humains consacrés par l'islam et les autres religions révélées. » On se dit « fiers des valeurs et des principes humanitaires que la nation arabe a établis au cours de sa longue histoire, lesquels ont contribué, dans une large mesure, à la diffusion des sciences entre l'Orient et l'Occident, faisant de la religion le point de mire du monde entier et la destination privilégiée des personnes en quête de savoir et de sagesse. »

Défense des droits de l'homme

On proclame «*la foi dans l'unité de la patrie arabe* » et on défend « *le droit des nations à disposer d'elles-mêmes, à préserver leurs richesses et à se développer. »* On affirme également « *la primauté du droit »* et son apport « *à la protection des droits de l'homme envisagés dans leur universalité et leur complémentarité. »* On se dit certain « *que la jouissance par l'être humain de la liberté, de la justice et de l'égalité des chances est l'aune à laquelle se mesure la valeur de toute société. »*

Le texte « *réaffirme »* aussi les principes de la Charte des Nations Unies, de la Déclaration universelle des droits de l'homme et les dispositions des deux Pacte internationaux relatifs aux droits de l'homme de 1966, et dit « *tenir compte »* de la Déclaration du Caire sur les droits de l'homme en Islam¹.

Le contenu de la Charte

La Charte proclame des droits individuels et collectifs, le droit des peuples à l'autodétermination, et consacre les droits civils, politiques, économiques, sociaux et culturels.

Identité nationale, civilisation commune et droits de l'homme

L'article premier marque une innovation. Il vise à concilier l'identité nationale et les droits de l'homme, les valeurs universelles et les particularités culturelles propres au Monde arabe.

- Nabil Maamari, La Charte arabe des droits de l'homme de 2004, pp. 239 - 256.

¹La référence à la Déclaration islamique du Caire, qui figurait dans la Charte de 1994, quoi que formulée différemment, n'a pas été supprimée.

Il s'agit de réaliser les objectifs qui suivent :

a) « *Placer les droits de l'homme au coeur des préoccupations nationales dans les Etats arabes (...)* » et en faire de grandes orientations ;

b) « *Inculquer à l'être humain dans les Etats arabes la fierté de son identité, la fidélité à sa patrie et l'attachement à sa terre, à son histoire et à ses intérêts communs et faire en sorte qu'il s'imprègne d'une culture de fraternité humaine, de tolérance et d'ouverture à autrui (...)* » conformément aux droits de l'homme ;

c) « *Préparer les nouvelles générations dans les Etats arabes à une vie libre et responsable dans une société civile solidaire fondée sur l'équilibre entre la conscience des droits et le respect des obligations et régie par les valeurs d'égalité, de tolérance et de modération ;*

d) « *Enraciner le principe selon lequel tous les droits de l'homme sont universels, indivisibles, interdépendants et indissociables* ».

Droit des peuples à l'autodétermination

L'article 2 consacre le droit des peuples à l'autodétermination et le droit à la résistance contre l'occupation étrangère. L'autodétermination des peuples, qui est un droit collectif, devient un préalable et une base à la jouissance des droits individuels, qui nous rappelle la Déclaration sur l'octroi de l'indépendance aux pays et aux peuples coloniaux (1960), et l'article premier des deux Pactes internationaux relatifs aux droits de l'homme, adoptés par l'Assemblée générale de l'ONU en 1966.

Condamnation de la discrimination sous toutes ses formes

Chaque Etat partie à la Charte s'engage à garantir à tout individu relevant de sa juridiction le droit de jouir des droits et des libertés sans distinction aucune... (art. 3).

La Charte consacre également le droit à l'égalité devant la loi (art. 11), le droit à la liberté et à la sécurité de tout individu (art. 14) et le droit de participer librement aux affaires publiques (art. 24).

Droit des minorités

Il est dans les traditions orientales et l'héritage arabe de reconnaître des statuts particuliers aux communautés non musulmanes (chrétiennes et juives). Ce statut religieux peut être couplé

avec la langue liturgique et des éléments de culture dès lors que cela facilite la pratique et l'exercice des cultes. Il est rare cependant de voir reconnaître des droits aux minorités, au-delà du domaine religieux et en partie culturel. Or la question des minorités est plus globale et dépasse le champ religieux, car elle touche à un problème général d'identité et d'appartenance. Par voie de conséquence, elle interpelle l'identité et interroge la relation à l'autre.

Toutefois, la Charte arabe marque une légère évolution. Elle reconnaît explicitement les droits des personnes appartenant à des minorités qui « *ne peuvent être privées du droit de jouir de leur culture, d'utiliser leur langue et de pratiquer les préceptes de leur religion.* » (art. 25)¹ On ajoute que « *la loi réglemente l'exercice de ces droits* ». ²

Liberté de religion et de pensée

Quant au droit à la liberté de pensée et de conviction, de croyance et de religion, il est reconnu, y compris dans ses manifestations et la possibilité laissée aux parents d'assurer « *librement l'éducation religieuse et morale de leurs enfants.* » (art. 30).

Primauté des droits de l'homme

Il est dit qu'aucune disposition de la présente Charte ne peut

¹Cet article nous rappelle la disposition 27 du Pacte international des droits civils et politiques, adopté par l'Assemblée générale de l'ONU en 1966, qui stipule: « *Dans les Etats où il existe des minorités ethniques, religieuses ou linguistiques, les personnes appartenant à ces minorités ne peuvent être privées du droit d'avoir, en commun avec les autres membres de leur groupe, leur propre vie culturelle, de professer et de pratiquer leur propre religion ou d'employer leur propre langue.* »

²Comparée à la première version de la Charte arabe des droits de l'homme, qui date du 15 septembre 1994 (art. 37), on lit ceci sur les minorités: « *Les minorités ont le droit de bénéficier de leur culture et de manifester leur religion par le culte et l'accomplissement des rites.* »

Pour comparer les Chartes arabes du 15 septembre 1994 et celle du 23 mai 2004, lire Mohammed Amin Al-Midani, Les droits de l'homme et l'islam. Textes des organisations arabes et islamiques, 2^e édition revue et dotée de nouveaux textes, Université de Strasbourg, 2010, Strasbourg, 327 pages.

être interprétée « *de façon à porter atteinte aux droits et aux libertés protégés par les lois internes des Etats parties ou énoncés dans les instruments internationaux et régionaux relatifs aux droits de l'homme que les Etats parties ont adoptés ou ratifiés, y compris les droits de la femme, de l'enfant et des personnes appartenant à des minorités.* » (art. 43).

En conséquence, l'obligation est faite de rendre le droit domestique des pays arabes conforme avec les prescriptions de la Charte (art. 44).

On constate donc qu'il existe quelques éléments de reconnaissance du multiculturalisme et des minorités dans la Charte arabe des droits de l'homme, et une avancée - du moins théorique - en matière de problématisation des droits de l'homme.

Cela dit, il faut espérer que la réalité suivra. Au regard des transformations actuelles dans le monde arabe, quelle lecture sera faite de cette Charte et quel sera son avenir?

Cela dit, depuis les indépendances, aucune politique d'ensemble en faveur des minorités n'a été sérieusement considérée par les pays arabes. On n'a pas su suffisamment profiter des richesses que ces pays recèlent, tant le poids du nationalisme dominant était grand.

Il importe maintenant que ces nombreuses minorités soient pleinement reconnues et voient leurs droits à l'égalité et à la non discrimination confirmés.

Vu les transformations que le monde arabe connaît à présent en matière de démocratie et de libération, il est nécessaire qu'il intègre le multiculturalisme et les minorités dans son champ de pensée et son espace politique et sociétal. Pour ce faire, des réformes préalables s'imposent notamment par le développement d'une culture politique du multiculturalisme et des minorités.

L'Irak, ses nationalités et ses communautés.

Prenons l'exemple de l'Irak. A côté des Arabes et des Kurdes, on y trouve des Mandéens (ou Sabéens), des Assyriens, Chaldéens et Syriaques, des Yézidis, des Turkmènes, des Arméniens, des Chabaks, des Kakaïs, des Juifs (jadis nombreux), des Persanophones et d'autres communautés... L'appartenance minoritaire est

théoriquement reconnue et certaines communautés sont mentionnées dans la Constitution irakienne, approuvée en octobre 2005, qui stipule que le pays est multiple par ses nationalités, ses religions et ses confessions.

Il est intéressant d'analyser en particulier comment se pose la question des minorités ethniques, culturelles, religieuses et religieuses.

Reconnaissance des « composantes » de l'Irak

Le préambule de la Constitution se réfère à l'héritage de l'Irak, héritier de la Mésopotamie. Il est dit que la Mésopotamie est la patrie des apôtres et des prophètes, la demeure des Imams vertueux, et des fondateurs de cette civilisation qui a donné le premier code de loi (à savoir le code Hammourabi). On se réfère aussi à un système républicain, fédéral, démocratique, pluraliste, le respect de la loi, l'établissement de la justice et de l'égalité, l'attention portée aux femmes et à leurs droits, aux enfants, et le développement de la culture de la diversité.

L'Etat irakien se définit comme fédéral (art. 1), à régime démocratique et parlementaire. Il reconnaît des « composantes » en son sein et se dit constituer de diverses nationalités, de religions et de confessions (art. 3). La Constitution reconnaît l'égalité des Irakiens devant la loi sans discrimination (art. 14 et 16).

Quant aux langues, l'arabe et le kurde sont les deux langues officielles de l'Etat (art.4). La Constitution garantit les droits des locuteurs turkmènes, syriaques et arméniens dans les établissements publics et privés (art. 4.1). Qui plus est, les langues turkmène et syriaque sont considérées comme deux langues officielles dans les unités administratives où ces communautés sont en nombre compact (art. 4.4).¹

En outre, l'article 125 prescrit que la Constitution garantit les droits administratifs, politiques, culturels et éducatifs des diffé-

¹Ce même article prescrit que chaque région (iqlim) ou province (mohavazat) peut utiliser une autre langue locale comme langue officielle supplémentaire si tel est l'avis de la majorité de ses habitants, exprimé par référendum (art. 4.5).

entes nationalités comme les Turkmènes, les Chaldéens, les Assyriens et toutes les autres composantes de la population. Ces droits sont organisés par la loi.

Quant à l'article 116, il stipule que le système fédéral de la République d'Irak est constitué de la capitale, de régions, de gouvernorats décentralisés et d'administrations locales.

Les composantes et l'unité du peuple irakien

Mais qu'en est-il dans la pratique? Cette reconnaissance et protection est-elle effective pour les minorités? Il y a lieu de se poser des questions.

D'autre part, comment définit-on la notion de « *composante* » et quel est le lien entre ces « *composantes* » et l'unité du peuple irakien? A-t-on au préalable établi une étude sur les différentes minorités d'Irak, leurs catégories et leurs caractéristiques, de manière à les quantifier, qualifier leur apport et estimer leur contribution en vue d'une politique publique adéquate et d'une meilleure gestion administrative et institutionnelle?

Le pays a-t-il une identité, c'est-à-dire un tissu social et national qui transgresse ses différences?

Sous cet angle, la Constitution n'est pas très précise, quoiqu'il est dit que « *la Loi fondamentale est le garant de l'unité de l'Irak* » (art. 1). Il y a là, à l'évidence, un manque de cohérence.

Les composantes ethniques, religieuses, culturelles et linguistiques se doivent d'être protégées et garanties dans leurs droits sur tous les plans. Dans le même temps, l'entité irakienne nécessite d'être repensée de manière à préserver son unité dans la diversité et assurer un vouloir - vivre collectif. Dès lors, la question qui se pose est la suivante : comment s'articule l'unité de l'Irak et la diversité de ses composantes?

Aussi, constate-t-on une absence de vision d'un Irak unifié, les particularismes ethniques et confessionnels, régionalistes et religieux risquant de l'emporter sur l'intérêt national et la chose publique. D'autre part, l'équilibre, en termes de pouvoir, entre les prérogatives des provinces et celles du centre, est mal agencé, ce qui affaiblit les politiques nationales et perturbe l'harmonie sociale.

A cela s'ajoutent les appels fréquents pour réviser la Constitu-

tion irakienne en raison de ses imprécisions, ce qui lui fait perdre de sa crédibilité.

La liberté religieuse

Pour ce qui est de la liberté religieuse, il est dit que les lieux saints ont une personnalité juridique en raison de leur nature « *religieuse et civilisationnelle* ». Partant, l'Etat irakien s'engage à garantir et protéger ces lieux et l'exercice des cultes en toute liberté (art. 10). Le texte reconnaît et garantit la liberté et la pratique religieuse et de conviction : « *Chaque individu a droit à sa singularité personnelle sans préjudice aux droits d'autrui et aux mœurs publiques* » (art. 17).

L'article 41 stipule qu'en matière de statut personnel, les Irakiens sont libres de se conformer aux règles de leurs religions respectives, de leurs confessions, de leurs croyances et de leurs choix. Chaque individu bénéficie de la liberté de pensée, de conscience et de doctrine (art.42). Les adeptes des religions sont libres de pratiquer leurs cultes religieux et de gérer leurs biens et institutions religieuses et l'Etat irakien assure la sécurité des lieux de culte (art. 43).

Conclusion

Comme on l'a constaté, les minorités sont dorénavant inscrites dans le paysage mondial, reconnues et - théoriquement - protégées par le droit international. Quant à la société internationale et la société civile, elles portent de plus en plus une attention soutenue à cette question, même si la protection réelle est en deçà de ce qui est escompté.

Attentifs au respect des minorités et à leur reconnaissance institutionnelle, il s'agit de mieux les prendre en compte en vue de leur rendre justice, d'enrichir la notion de droits de l'homme, d'élargir le champ de la diversité culturelle, d'approfondir la notion d'humanité, de réduire l'une des causes des tensions internationales et de contribuer à la solidarité internationale et au maintien de la paix.

Part I
Mapping the Minorities in Iraq

2) Jews: Forced Exodus and the End of the Dream of Return

Prof. Shmuel Moreh¹

Over its 2,500 years of existence, the Iraqi Jewish community formed a homogeneous group and was able to maintain communal identity, culture, and traditions throughout the centuries—all despite multiple conquests and political upheaval, war, and plagues. They were distinguished from their Iraqi brethren by their old Arabic dialect, Judeo-Arabic, which is replete with biblical Hebrew, biblical references, and words from Persian, Turkish, and Aramaic. They were set apart by their dress, their observation of Shabbat, holy days, and Kashrut, their unique cuisine, and, among many other things, a deep yearning for their spiritual Jerusalem which they expressed in the Passover Seder. They purchased land and established yeshivot, religious houses of study, in Jerusalem and Hebron. Their social and religious life was based upon Talmudic and biblical rites, and they led an independent communal life headed by the Chief Rabbi (Hakham Bashi), who oversaw the community's educational system, religious court, and tax imposed upon Kosher meat.²

At the same time, they were well-integrated into the country in all aspects - politically, socially, and economically - and thoroughly Arabized in that their language, social traditions, and ways of life were in many ways indistinguishable from those of their Arab compatriots.

¹Professor Shmuel Moreh: Born in Baghdad in 1932, Head of the Department of English Language and Literature at the Hebrew University of Jerusalem, Chairman of the Association of Jewish Academics from Iraq.

²Ben-Jacob, A.: *The Jewish Annual Cycle in Babylon*, Jerusalem, Bnei Issakhar Institute, 1993. (Hebrew); Rejwan, N., *The Jews of Iraq: 3000 Years of History & Culture*, London: Weidenfeld & Nicolson, 1985, pp. 185-224, Kazzaz, N., *The End of a Diaspora: The Jews in Iraq during the 20th Century*, Jerusalem: Ben-Zvi Institute, 1991, pp. 245-258. (Hebrew); Twena, A.H., *Jewry of Iraq, Dispersion & Liberation*, Pts 1-7, Ramla: Geoula Synagogue Committee, 1979. (Hebrew & English).

For this reason, the disappearance of the Jewish community of Iraq is a particularly compelling story, and is distinguished from the Jewish exodus from other Arab lands by its precipitous nature.¹

The exodus also offers us a unique opportunity to understand the many political forces sweeping the Middle East in the twentieth century, including colonialism, Nazism, Arab nationalism, Communism, and Zionism, the history of all of which led to the disappearance exodus of the Iraqi Jewish community.

Iraq, as it is called today, was the home of the ancient civilizations of Sumer, Assyria, and Babylonia. It was known by the Greeks as Mesopotamia - meaning, "the land between two rivers", the Tigris and Euphrates - and by the Jews as Babylonia. In 597 BC, Nebuchadnezzar II, King of Babylonia (605-562 BC) invaded the Kingdom of Judah and brought back its Jewish king, Jehoiachin, with 10,000 of his subjects to Babylon. Eleven years later, after Nebuchadnezzar's destruction of the First Temple, he brought forty thousand Jewish captives to his capital in Babylon, ninety kilometers south of modern-day Baghdad.²

The Jewish captivity ended when the Persian King Cyrus II occupied Babylon in 538 BC and allowed the Jews to return back to their land. Some returned, but many stayed.³

Following the destruction of the Second Temple by the Romans in 70 CE, waves of exiled Jews traveled west and were assimilated among other tribes and nations. The Babylonian Jews - and those who migrated east from Eretz Yisrael - became the keepers of the Bible. Jewish culture flourished in Babylonia during the Persian regime (331-638). Jewish scholars compiled the Babylonian

¹Moreh, S. and Yehuda, Z.: *Hatred of Jews & the the Farhud in Iraq*, Or-Yehuda, Babylonian Jewry Heritage Center, 1992, 7-11. (Hebrew)

²Speiser, E.A. (Ed.): *The world History of the Jewish People*, Series I, Vol. I: At the Dawn of Civilization, Jerusalem: Rutgers U. P., 1964; Roth, Cecil. *A Short History of the Jew*, London: East and West Library, 1953; Raphael, Chaim, *The Road from Babylon: The Story of Sephardi and Oriental Jews*, London: Weidenfeld & Nicolson, 1985, pp. 15-39; Rejwan, *The Jews of Iraq*, pp. 3-16.

³Raphael: *The Road from Babylon*, p. 26; Rejwan, *The Jews of Iraq*, pp. 11-16.

Talmud starting in 474 as the spiritual codex of Judaism, transforming Judaism into a spiritual and moral movement. Starting in the year 219, the academies of Sura and Nehardea were founded in Babylon. The heads of these academies were referred to later on as "Gaons" and were considered the highest authorities on religious matters in the Jewish world.¹

In 570, the Prophet Muhammad was born in Mecca and later on, he emigrated in 622 to Medina, where Jews were active in commerce and industry. Shortly thereafter, Muslim armies conquered the regional armies and defeated the Persian Empire. The building of Baghdad during the Caliphate of al-Mansur in 762 established the most important center of culture, commerce, science, and arts in the western world. The Jews settled there, built new yeshivas, and attained important status, especially the Jewish Exilarch (Ra's al-Jalut) who was widely recognized as the descendant of King David and was the faith's highest authority.²

The Exilarch administered Jewish affairs for the community, deciding disputes and collecting taxes, and could impose bans, fines, imprisonment or flogging for punishment on religious matters.³

After the destruction of Baghdad by the Mongols in 1258, centuries of chaos followed. As late as the beginning of the sixteenth century, the conflicts between the Sunni Ottomans and the Shi'i Safawis of Persia, in addition to repeated plagues, floods, and Bedouin invasions, devastated Iraq. Baghdad was diminished

¹Goitein, S.D.: *Jews & Arabs: Their Contacts through the Ages*. New York: Schocken Books, 1955, pp. 19-45; Rejwan, *The Jews of Iraq*, pp. 94-109, 140-103, 151-152.

²Goitein: *Jews & Arabs*, pp. 33-45; Rejwan, *The Jews of Iraq*, pp. 85-103; Stillman, N., *Jews of Arab Lands: A History & Source Books*, Philadelphia: Jewish Publication Society of America, 1979; and *Jews of Arab Lands in Modern Times*: Philadelphia: JPSA, 2003.

³Benjamin of Tudela: *Rihlat Ibn Yona al-Andalusi*, Translated into Arabic by Ezra Haddad, Beirut: Dar Ibn Zaydun, 1996, pp. 131-139, 196-205; cf. Adler, M.N., *The History of Benjamin of Tudela*. London, Philip Feldheim, 1907, pp. 39-42.

to the point that it became a marginal settlement of no political or commercial importance.¹

The Ottoman rule (1534-1917) brought recovery and a degree of tolerance. Jews enjoyed relative freedom of religion, administering their own affairs, especially in education. The Jews appointed a Nasi [prince] as their head, following the end of the institution of the Exilarch in 1401, by which time the heads of the yeshivot, or academies, wielded greater religious power. The Ottoman Sultan Murad IV was reputed to have had 10,000 Jewish officers in his government. During this time, wealthy Jewish men such as Heskel Ben Yusuf Gabbay in Baghdad and Istanbul and Sassoon Saleh David in Baghdad served as treasurers for the Ottoman rulers.²

Tolerance depended on local rulers. For example, Sultan's governor in Baghdad Daoud Pasha (1817-1831) was considered one of the cruelest to the Jews and many Jews left the city during his rule. The Jewish population also declined after epidemics of cholera and typhoid.

After Da'oud Pasha's death, the Jews began to build up influence in commerce and government. The position of Nasi was replaced by the Hakham Bashi in 1849. The prominent chief rabbis of the twentieth century were Hakham Ezra Dangoor, who had been the first rabbi of Burma and began one of the first printing presses in Iraq, and Hakham Sasson Khedouri.³

The chief rabbi was also president of the community and was

¹Ben-Jacob: *A History of the Jews*; Goitein, *Jews & Arabs*, 120-124.

²Ben-Jacob: *A History of the Jews in Iraq from the end of the Gaonic Period (1038 cE) to the Present Time*, Jerusalem: Ben Zvi Institute, 1965, pp. Quf-Quf-Het (100-108); cf. Rejwan, *The Jews of Iraq*, pp. 166-168.

³On E. Dangoor, see Twena, pp. 22-24; Ben-Jacob, *A History of the Jews*, pp. 172-174.; cf. Rejwan, *The Jews of Iraq*, pp. 166-168; Moreh and Kazzaz (Eds.) *A Leader and His Community* by Shaul Hakham Sassoon. Jerusalem: Association of Jewish Academics from Iraq, 1999; Bekhor, G., *Fascinating Life and Sensational Death: The Conditions in Iraq before and after the Six Day War*. Israel: Peli Printing Works, 1990, p. 76.

assisted by a lay council, a religious court, and a schools committee.¹

The revolution of the Young Turks in 1908 adopted the slogan of *hurriya*, *'adala*, and *musawat* (freedom, justice, and equality). Liberal Arab writers and politicians supported these principles. The common people, however, rejected those concepts as infringing upon the sovereignty of Islam and the benefits of the *dhimmi*-a status to which Christians and Jews had to conform in exchange for protection of their lives and property. *Dhimmi* status forbade Christians and Jews from testifying against Muslims, riding horses, owning a home whose building height was greater than those of Muslims, holding high office over Muslims, bearing arms, or drinking wine in public, and during the rule of strict and fanatic rulers they were required to wear a special emblem on their clothes - blue for Christians and yellow for Jews. The *dhimma* also entailed a special tax that, in some communities, constituted the majority of the tax revenue.²

In the nineteenth century, new opportunities for Jews in international commerce, banking, and administration arose as a result of a handful of important events: the establishment of the Alliance Israelite Universelle school in 1864, one in a network of Alliance schools across the Middle East after their founding in Paris in 1860; the opening of the Suez Canal in 1869; the reforms of Midhat Pasha who was appointed a *wali* (governor) of Baghdad and Basra; the atmosphere of physical safety that prevailed in Iraq after Midhat Pasha (1820-1883) defeated a Bedouin uprising and made it practical for the Jews to settle in cities in southern Iraq; the construction of the first railways in Iraq in 1903; and the declaration of equal rights for non-Muslim minorities in the Ottoman Constitution of 1908. Jews flourished financially and socially, and many left for India, China, and England to engage in

¹Saadoun, H.: (Ed.), *Jewish Communities in the East in the 19th & 20th Centuries*, Iraq, Jerusalem: Ben-Zvi Institute, 2002, pp. 50-76.

²Bat Ye'or, *Dhimmi, Jews and Christians under Islam*. New Jersey & London, Associated U.P., 1985; and Bat Ye'or, *Islam and Dhimmitude, Where Civilizations Collide*, NJ, & London, 2002; Rejwan, pp. 85-93; Stillman, *Jew of Arab Lands*, pp. 157-162.

international trade, as the Suez Canal and railroads facilitated trade across the vast British Empire.¹

Among those adventurers were Sir Elie Kedourie (1865-1944), who went to Shanghai, and Sir Albert David Sassoon (1818-1896), who settled in India. Both established Jewish schools in Baghdad to help educate the wider Jewish population, and they were highly philanthropic in the countries in which they settled. Thousands of other Iraqi Jews followed them to their new outposts, and, as a result, prosperous Iraqi Jewish trading communities developed across Asia, from Calcutta and Bombay to Rangoon, Shanghai, and Kobe, Japan.²

The British alliance in 1916 with Sharif Hussein of Mecca and his Arab nationalist sons, Faisal (1885-1933) and 'Abdullah (1882-1951), against the Ottomans resulted in the creation of Iraq as a state following World War I. When the British entered Baghdad in 1917, Jews were the largest single group in the city's population, about 80,000 out of a total population of 202,000, or about one-third.³

In 1920 Iraq was placed under the British mandate. Iraqis immediately revolted against their new occupiers so the British allowed them to form a self-governing kingdom under British advisory administration. After the expulsion of King Faisal bin Hussein from Damascus in 1920 by the French, a Jewish former member of the Ottoman Parliament, Sir Sassoon Hezkel, joined

¹Ben-Jacob, *Babylonian Jewry in Diaspora*; Rejwan, pp. 26, 182-184.

²Elias, F. and Cooper, J. Elias. *The Jews of Calcutta, the Autobiography of a Community 1798-1972*. Calcutta: Jewish Association of Calcutta, 1974; Kranzler, David. *Japanese, Nazis & Jews in Iraq, 1938-1945*. New York: Yeshiva University Press, 1976; Ben-Jacob, *Babylonian Jewry in Diaspora*; Cernea, Ruth Freedman. *Almost Englishmen, Baghdadi Jews in British Burma*, London, Lexington Books, 2007.

³Rejwan, pp. 210-216; Saadoun, *Iraq*, pp. 31-38; Eppel, M. *The Middle East in Our Times, Book 2 Iraq-Monarchy, Republic, Tyranny*. Ra'anana: Open University of Israel, 2005, pp. 27-32 (Hebrew). The best biography of Sassoon Hezkel is written by Meir Basri, *Eminent Jewish Men of Modern Iraq*, ed. S. Moreh & N. Kazzaz. Jerusalem: Ass. of Jewish Ac. From Iraq, Vol. 1, pp. 28-37.

the Cairo Conference on the Middle East, headed by Winston Churchill. Hezkel backed the recommendation of crowning Faisal King of Iraq. As an acknowledgment of his abilities and loyalty, Heskell was appointed minister of finance in the first Iraqi government of King Faisal I, where he served for five years and continued to serve the country as a member of parliament until his death in 1932. Heskell greatly benefited the Iraqi economy by insisting on payment in gold rather than banknotes for Iraqi petrol in negotiations with the British Petroleum Company.¹

Faisal, who was educated in Istanbul and was influenced by the Young Turks' liberal ideology, genuinely seemed to believe in religious equality, even coining the dictum: "Religion is for God, the Fatherland is for everyone",² giving priority to patriotism over Pan-Arab and Pan-Islamic sentiments.

The 1920s and 1930s were considered a golden age for the Jews of Iraq, thanks in large part to the modernizing influence of the British and Faisal's friendly policies.³

In 1919, he signed the Faisal-Weizmann agreement, declaring sympathy for the national aspirations of the Jews to create a homeland in Palestine. In that decade, Iraq was a small country of less than three and a half million (compared to 25 million today).⁴

Two-thirds of the Jews lived in Baghdad; Basra had the second-largest concentration of Jews in the country and there were also Jewish communities in Mosul in the north, Kirkuk, Arbil, Sulaymaniyah, Khanaqin, Ba'qubah, Al-Kut, Al-Amarah, Al-Hillah, and Al-Nasiriyah.⁵

¹Rejwan, pp. 215-216.

²Basri, *Eminent Jewish Men of Modern Iraq*, Vol. 2, p. 9.

³Kazzaz, *The End of a Diaspora*; Shiblak, 'Abbas, *Iraqi Jews: A History of a Mass Exodus*. London: Saqi Books, 2005, p. 50. See mainly, Violette Shamash, *Memories of Eden*, (ed.) Mira & Tony Rocca, London, Palgrave, 2008.

⁴Saadoun, *Iraq*, pp. 31-38; Longrigg, S.H., *Iraq 1900 to 1950*. London: Oxford U.P., 1953, pp. 1-27.

⁵Kazzaz, pp. 29-32.

In this period, many Jews felt secure in Iraq and actively participated in the country's development.¹

They built social clubs where they met often to listen to music, talk, and play cards, including in places such as the Laura Khdoorie (Kedourie) Club, the Zawra' Club, and the Rashid.²

Meir Elias founded the Meir Elias Jewish Hospital in 1910 and Sir Elie Kedourie founded the Rimah Kedourie Hospital for ophthalmology, named for his mother.³

They contributed to the political system as representatives of parliament and as civil servants, to education and culture as writers and journalists and musicians, and to the commercial, industrial, and financial prosperity of the country as merchants and government officials. The most prominent Jews had good relations with the monarchy; for instance, when Sir Elie Kedourie visited Baghdad from Shanghai, he was received by Faisal I, and when Faisal I visited London he was a guest at Kedourie's mansion. The community built dozens of schools with high educational standards and an emphasis on foreign language, many of which were attended by Muslim and Christian pupils, though the majority of students were Jewish.⁴

Half of the Iraqi students who received government scholarships to study abroad were Jewish.⁵

But the Jews' command of European languages and their

¹Rejwan, pp. 214-215.

²Meir, Yosef, *Socio-Cultural Development of Iraqi Jews since 1830*. Tel Aviv: Naharayim, 1989, pp. 232, 314, 332.

³Longrigg, *Iraq*, pp. 53, 170, 391; Darwish, Salman, *All Quiet in the Surgery*, ed. N. Kazzaz.

Jarusalem. Ass. of Jewish Ac. From Iraq, 1981, pp. 49, 199; Yosef Meir, *Socio-Cultural Development*, pp. 6-8, 81-82; Bekhor, p. 20 and 62.

⁴Meir, Y., *Socio-Cultural Development*, 105-253; Bekhor, pp. 37-60.

⁵Shiblak, *Iraqi Jews*, p. 42.

international outlook also caused the Iraqi populace to identify them with Britain and France, the European occupying powers in the region.¹

And even during this peaceful period, other Iraqis decried the Jews' apparent control of the economy, generally superior social status, and the fact that they were disproportionately represented in government offices.²

In 1930, the Anglo-Iraqi Treaty, between the UK and British-controlled Iraq, set out the basic terms of Iraq's nominal independence two years later at the termination of the British mandate and paved the way for Iraq's admittance to the League of Nations in 1932.³

When Iraq gained its independence that year, many Iraqi ex-Ottoman officers considered the establishment of an Iraqi state a first step to a larger Pan-Arab state promised to the Hashemite dynasty for joining the British against the Ottomans during World War I. In addition, many Iraqi nationalists sought to restore the Caliphate to Arabs. Together, these groups formed an obstacle to a Western, secular political world order in Iraq and opposed any non-Arab or non-Muslim religious or ethnic activities.⁴

The secularists held the upper hand as long as Faisal I was king. Among them was the former military attaché to the Ottomans, the Jewish journalist and MP Salman Shinah who established the first Jewish magazine published in literary Arabic, *Al-Misbah - Ha-Menora* (The Lamp) (as a symbol of the Jewish people) (1924-1927), which had a strong Zionist orientation. Its coeditor, Anwar Shaul, also published the weekly magazine *Al-Hasid* (The Harvestman), between 1928 and 1939. Although Anwar Shaul became one of the defenders of Iraqi patriotism and Pan-Arab policy, his

¹Moreh in *Zion & Zionism* by Misgav Yerushalayim, pp. 419-441.

²Rejwan, p. 214.

³Louis, W.R., *The British Empire in the M.E.*, 1941-1951. Oxford: Clarendon Press, 1984, p. 322.

⁴Darwish, Salman, *All Quite*, pp. 100-107.

magazine *Al-Hasid* was closed on the eve of World War II under pressure from Iraqi and Palestinian pro-Nazi nationalists.¹

Many of these Jewish writers joined forces with liberal and leftist groups and wrote patriotic poems and short stories in praise of Iraq and in support of social and cultural reforms such as the liberation of women, inter-religious harmony, and criticized corruption in administration. The Jewish schoolmaster of Mesouda Shemtob primary school, Shaul Haddad (b. 1910), published the journal *Al-Burhan* (The Proof) to defend the Jewish minority against escalating Nazi activities. The poet Abraham Obadia wrote at his first stages of poetic activities in praise of the Iraqi royal family and supported Iraqi patriotism. The economist Meir Basri, who joined the Iraqi Foreign Office, published articles on the Iraqi economy as well as poems and short stories on Iraq's social problems. Both Basri and the Jewish writer Ya'qub Balbul (Lev) edited the magazine *Al-Tijara* (The Commerce) (successively, 1938-1945, 1945-1951), published by the Chamber of Commerce in Baghdad.²

The Jews' success at unifying religious Zionism and Iraqi patriotism ended with the death of King Faisal I in 1933. The Iraqi government began to employ Sunni Palestinian teachers who had taken refuge in Iraq since the riots of 1929 in Palestine and the massacre of the Jews of Hebron, and then after the revolt of 1936 in Palestine. Iraqi and Palestinian nationalists increased their pro-Nazi activities forming the quasi-military organization Al-Futu-

¹Moreh, S., "The Role of the Palestinians in Incitement to the Farhud Massacre in Iraq", in *Zion and Zionsim*, Jerusalem: Misgav Yerushalaim. The Hebrew University, 2002, pp. 419-441; Moreh, "The Farhud in the Literary works of Jews from Iraq", in *Misgav Yerushalayim Studies in Jewish Literature*, Jerusalem: The Hebrew University, 1987, pp. 143-151; Kazzaz, pp. 149-157; Moreh, *Arabic Works by Jewish Writers*, p. 103.

²Dabby-Joury, Lilian, "The Writer & Poet Ya'acov Lev (Balbul), in Ya'acov Lev (Balbul): *The First Ember & A Mind's Plight*, ed. S. Moreh. Jerusalem: Ass. of Jewish Ac. from Iraq, 2006, pp. iv-vi; Moreh, Y. Balbul and his *al-Jamara al-'Ula*, *Ibid*, pp. 9-16 (Hebrew), pp. 17-21 (Arabic).

wa and the nationalist Al-Muthanna Club that incited violence against Jews.¹

The resulting anti-Jewish, Pan-Arabic sentiment put an end to the government's tolerance of Jewish preeminence in commerce and influence in the political sphere, but especially of Zionist activities. Hebrew language lessons at Jewish schools were abolished in 1936 and quotas were imposed on Jews in institutions of higher learning. Jewish teachers from Palestine were expelled.²

Palestinian leaders were given hospitality, support, and the freedom of political activity in Iraq. They included the Mufti of Jerusalem, Hajj Amin al-Husayni, who had been expelled from Jerusalem by the British; Jamal al-Husayni, head of the Arab Party; 'Abd al-Qadir al-Husayni, a Nazi supporter who studied in Germany; Musa al-'Alami (1897-1984) who because of his involvement with the Arab rebellion, was dismissed from his position of the Palestine Government Advocate; and the Palestinian nationalist activist and poet Burhan al Din Al-'Abbushi, who called for the people and the government of Iraq to expel or massacre the Iraq's Jews.³

The activities of these Palestinian nationalists and of Dr. Fritz Grobba, Germany's consul in Baghdad, led to the establishment of the pro-Nazi government headed by Rashid 'Aali al-Gilani in April, 1941. At the encouragement of the Mufti of Jerusalem and his entourage, Gilani instigated war with the British. The war was short. The British reoccupied Iraq to protect the flow of oil to the allies and out of fear of a broader German invasion to the Middle and Far East. The British victory over the Iraqi army at the end of May 1941 created a brief vacuum of leadership and security in Iraq that led to the pogrom against the Jews of Baghdad known as the Farhoud (June 1-2, 1941) in which 130 Jews in Baghdad and 9 Jews

¹Rejwan, pp. 217-224; Kazzaz, pp. 217-221.

²Cohen, Hayyim, "The Anti-Jewish Farhud in Baghdad, 1941." *Middle Eastern Studies*, Vol. 3, No. 1, October, 1966, pp. 2-17; Moreh and Yehuda, *Hatred of Jews*, pp. 189-210.

³On these Palestinians activists, see Y. Shimoni, *Biographical Dictionary of the Middle East* and *Political Dictionary of the Arab World*; Moreh in *Zion and Zionism* by Misgav Yerushalaim.

outside Baghdad were killed and some 2,500 injured. During the Farhoud, the British army was camped outside Baghdad, abstaining from interfering under the pretext that the violence was an internal matter. Jews' houses and shops were looted, women and children were raped, and others were kidnapped and brutally killed. The Palestinians took active part in the incitements against the Jews.¹

The Farhoud was a pivotal event in the history of the Jews in Iraq. It divided the Jewish community into three factions. First was the patriotic faction, which consisted of intellectuals, professionals, and wealthy merchants. They believed that their future lay in Iraq as loyal citizens. Their intellectual leaders included Anwar Shaul, Meir Basri, Dr. Salman Darwish and his brother, the short story writer Shalom Darwish, Ya'qub Balbul and Ibrahim Obadia. Second were the Jewish Communists. They were convinced that the only solution to the problems faced by minorities in Iraq was a Communist revolution, which would bring freedom and equality to all. This group was well organized and enjoyed solidarity with and the appreciation of much of the Muslim Shiite majority and various ethnic and religious minorities throughout Iraq. Among their intellectual leaders were Yusef Zilkha, Masroor Qatan, Yehizkel Kojaman Eliahu Hourie, Sami Michael and Shimon Balas. Last were the Zionists. Some of them, as reported in the narratives of Mordechai Ben Porat and Shlomo Hillel, already had relatives in the Holy Land at the time and were convinced that the only solution for the Jewish minority was the establishment of a national home in Eretz Yisrael [the biblical land of Israel] where they could live in security and equality.

After the establishment of the State of Israel in 1948, and especially after the humiliating defeat of the Arab armies, Arab

¹According to a recent list of names prepared by Dr. Zvi Yehuda and read during a ceremony in memory of the Farhoud on June 4, 2007, at the Babylonian Jewry Heritage Center in Or-Yehuda. Cf. also note 29 above. See also Kazzaz, pp. 206-209, Kazim Habib, *al-Yahood wal-Muwatana fi'l-Iraq*, Sulaymaniyya, 2006 and Tony Rocca in, V. Shamash, *Memories of Eden*, on the Farhoud the last part of the book, in note 18 above.

nationalists in Iraq (and throughout the region) came to identify Jews with Zionism.¹

In July, 1948, two months after the outbreak of the War of Independence, Zionist affiliation was made a criminal offense in Iraq.² Later that year came the hanging of Shafiq 'Adas, a wealthy Jewish merchant from Basra accused of selling arms to the Zionists in Palestine. The event was another pivotal one for the community, as many Jews viewed his brutal death as a sign that the Jews had no future in Iraq. The government issued edicts removing Jews from many aspects of public life, cancelled the operating licenses of Jewish bankers, forced wealthy Jews to subsidize the Iraqi war effort in Palestine, and imposed restrictions on travel and the buying or selling of property.³

For Jews, the Farhoud, the ongoing daily assaults and persecutions against them, and 'Adas' stunning murder gave rise to the spread of the Zionist underground movement in Iraq and its attempts to help Iraqi Jews escape to Israel. In the 1940s, Jews began escaping from Iraq, first in small numbers via Syria and Lebanon to Palestine, then in large and growing numbers to Iran at the end of the decade, aided by Zionist emissaries who soon set their sights on transferring increasingly large numbers of Iraqi Jews to Israel. Frustrated and embarrassed by the illegal escapes, the Iraqi government issued the Citizenship Revocation Law in March, 1950, enabling Jews to revoke their citizenship and leave the country legally and permanently.⁴

Virtually the entire Jewish community of some 140,000⁵ (most of whom lived in Baghdad) on the eve of the exodus later named Operation Ezra and Nehemiah registered for this right, among

¹Kazzaz, pp. 270-286; Esther Meir, *Zionism and the Jews in Iraq, 1941-1950*, Tel Aviv: Am Oved Publishers, 1993, pp. 1-8; Moreh and Yehuda, *Hatred*, pp. 187-193.

²Shiblak, *Iraqi Jews*, p. 24.

³Cohen; Kedourie; Kazzaz, pp. 275-293, see especially pp. 287-293.

⁴Hillel.

⁵Figure from Babylonian Jewry Heritage Center.

them nearly all of Iraq's 20,000 Kurdish Jews, who lived in the north and were mostly poor, uneducated rural farmers.¹

After the registration process, the government enacted a second law in 1951 in which the properties of those who renounced their Iraqi nationality to leave Iraq had their assets frozen, rendering them penniless refugees in Israel. Most other Arab countries followed suit and expelled or persecuted their Jewish citizens.²

By the end of the period of the mass exodus, only about 6,000 Jews remained in Iraq. Those who stayed behind in those years-in many cases, wealthy Jews or those with great stature in Iraqi society-initially prospered once again, especially between 1958 and 1963, under the liberal government of 'Abd al-Karim Qassem (1914-1963), which overthrew the royal family, executing many of them including the young king Faisal II and the Crown Prince 'Abd Al-Ilah.³

During Qassem's 1958 coup, Jews were falsely charged with having committed arson to petrol tanks on the outskirts of Russafa in Baghdad and anti-Semitic elements seeking revenge destroyed the Laura Kadoorie School for Girls, then occupied by Palestinian refugees. But life returned to normal for Jews about two months after the coup, and Qassem gave complete freedom and equal rights to the Jews throughout his regime.⁴ In 1961, however, he destroyed the Jewish cemetery in Baghdad to make room to build a tower in imitation of 'Abdul-Nasir's tower in Cairo.⁵

After Qassem's overthrow in 1963 by the Ba'ath Party under Hasan al-Bakr (1914?-1982) the Jewish community began to suffer again. Al-Bakr's coup lasted 10 months, until the government of 'Abd al-Salam 'Aref (1920-1966) took over. 'Aref confiscated the

¹Raphael, pp. 226-227; According to the Babylonian Jewry Heritage Center, 95 percent of the 20,000 Jewish Kurds in Iraq immigrated to Israel during Operation Ezra and Nehemiah.

²Gilbert, *Jews from Arab Countries*, pp. 1-15.

³Kazzaz, pp. 15-21. A description of Princess Badi'a, an eye-witness of the massacre, see Al-Sheakh-Ali, pp. 307-347.

⁴Shaul, pp. 291-293, Darwish, p. 90.

⁵Sassoon, pp. 307-309; Babylonian Jewry Heritage Center.

remainder of the Jewish cemetery, denied Jews passports, and enacted a series of other discriminatory measures against Jews including exclusion from colleges and stripping any Jew of his or her citizenship if he or she were out of the country for more than three months. After his death in 1966-when his helicopter exploded in an apparent assassination efforts of political opponents - Abd al-Salam Aref's brother, 'Abd al-Rahman 'Aref (1963-1968), took over but the conditions of the Jews remained similar to those during his brother's reign.¹

In 1968, a year after the defeat of the Arab armies by Israel in the Six Day War of June, 1967, the Ba'ath Party came into power again under al-Bakr. Backlash from the war, and the brutal regime led by al-Bakr but largely controlled by his nephew, Saddam Hussein (1937-2006), led to what became the last chapter in the history of the Iraqi Jewish community. At the end of the Six Day War, only about 3,350 Jews remained in Iraq-but that number diminished to just a few hundred Jews by the middle of the 1970s.²

In 1969, the regime, humiliated and frustrated by the Arab defeat in the Six Day War with Israel, terrorized the community with a wave of arrests and hangings of innocent Jews, most notably the January 27 hanging of nine Jews whose bodies were showcased in Baghdad's central square. Jews were thrown out of public and private sector jobs, intermittently denied passports, suffered restrictions on travel inside Iraq, had their bank accounts frozen and business licenses revoked, and had their telephone lines disconnected, among other discriminatory measures. Many Jews escaped between 1970 and 1973 with the help of Kurdish smugglers in northern Iraq. By the middle of the decade, the community was virtually extinguished, ending 2,500 years of Jewish Babylonian exile.³ Nowadays, fewer than a dozen Jews associated with the community live in Iraq, mostly the elderly.⁴Children of Jewish

¹Kazzaz, pp. 20-22; Bekhor, pp. 141-142.

²Kazzaz, p. 183.

³Ibid.; Carole Basri; interviews conducted for this book.

⁴Babylonian Jewry Heritage Center.

women married to Muslims are called Ibn al-Yahudiyya, and some of them acquired high education.

Debate continues to this day about the reasons for the demise of Iraq's Jewish community. Burgeoning anti-Semitism, the result of the Nazi influence in the 1930s and 1940s, however, is only a partial explanation for the impetus behind the emigration of 1950-1952. Others put more emphasis on Arab nationalism and the creation of the State of Israel as the impetus for the upheaval; yet others emphasize the work of Zionist activists and emissaries from Israel who are claimed to throw bombs on Jewish cafés and synagogues. This version is popular in the Arab world.

Many Jews from Iraq wrote their memoirs mainly in Hebrew, some in English. Many praised their Iraqi friends and their social and cultural ties, their tolerance and their sorrow to leave them. However, the old generation of writers claim that even for the well-off, Jews within Iraq were second-class citizens, evidenced in many ways, starting with the pole tax they were forced to pay as *dhimma* during the Ottoman regime (when Zionism was a negligible issue) to the common need among Jews to bribe officials and police in order to conduct business and get on with daily life, to assure the protection of their neighbors or influential officials, and to intermittent restrictions on travel and commerce. For the Jews, escaping to a Western country or to Israel would mean they could breathe freely. The Farhoud put this all in sharp focus: being a second-class citizen might be tolerable, but being the target of arbitrary physical violence was not. Other Jews were pulled by the Zionist dream of a country where they could live freely. For many, Israel and the West offered a chance for prosperity, at least for their children.

3) Christians in Iraq: Decreased Numbers and Immigration Challenges

Ara Bedlian¹

The ongoing immigration of Christians represents a threat to the Iraq identity. It threatens to change the country's cultural and religious diversity into a one-colored model, hence breaking with the pluralistic history which has distinguished Iraq from the Arabian peninsula which has been monocular since 14 centuries. This is a risk of changing into a "barren monocular identity"² that would cut Iraq off its Christian roots. Christianity entered Iraq around the middle of the first century AD. The Bible tells us about persons from Mesopotamia who were living in Jerusalem when Saint Peter, one of the twelve apostles of Jesus Christ, delivered his speech (Apostles 2:9).

With the advent of the seventh century, the Mesopotamia Church had more followers than any other Western Churches. Its religious influence had reached across Persia, Middle Asia, China, India and the Southern parts of the Arabian peninsula.³

When the Muslim Arabs arrived in Iraq in 637 AD, most of the native Iraqis were Christians. The new rulers made use of the Christian expertise and skills in medicine, translation and other sciences of the time, which contributed to building the Arab-Islamic civilization which flourished in Iraq.

With the emergence of modern Iraq in 1921, the Christians also participated in building the country, which had many brilliant pioneers in arts, music and literature, such as Anstas Mari al-Karmali, Rafael Batti, Father Yusuf Habbi and many others.

The Christians' active contribution continued during both the

¹A researcher of Armenian origin, specialized in the History of Church in the East and in Christian-Muslim dialogue.

²Sa'ad Salloum: Lecture on *the Protection of Minorities*, Al-Rajaa Cultural Association, Baghdad, 20 October 2011.

³Suha Rassam: *The Origins of Christianity in Iraq, Masarat*, Issue 14/ 2010, p. 23.

Monarchy (1921-1958) and the Republic (1958-2003). In the 1980s, about 35% of the Iraqi qualified professionals were Christians, an indication of high competency compared to their percentage of total population. But the situation took a different course, when many Christians started to migrate in the last three decades, and this increased greatly after the US invasion of Iraq in 2003, where immigration started to become a phenomenon threatening the Christian existence in Iraq. Almost two thirds of the 1,500,000 Iraqi Christians left the country. The Christian existence in many cities/quarters known to have major Christian communities, including Basra, al-Habbaniyya in Al-Anbar and al-Doura neighbourhood in Baghdad, has almost evanesced. From 20% of total Middle East population one century ago, Christians now hardly represent 5%, and the percentage is still going down.

Statistics indicate that 50% of the total number of immigration applicants are Christian. 30,000 Christian citizens have left Egypt, Lebanon and Iraq for good in the past two years. In 2007, UNHCR statistics revealed that about 40% of the Iraqi displaced people who fled to neighboring countries were Christians; a very high percentage compared with that of Christians in Iraq.

Iraqi Christians: Identity and Sects

The Iraqi Christians are characterized by diversity. Many sects including Armenians, Syriacs and Romans are divided into Orthodox and Catholics. We also have the Chaldeans, Latin Catholics and orthodox Copts in addition to the two sects of the Ancient Church of the East, and the Eastern Church (Assyrian), let alone the Protestant, Anglican, the Seventh Day Adventists (Sabbathians) and other Anglican Churches.

Meanwhile, the identity of Iraqi Christians can be categorized on a nationalist basis (Assyrians, Chaldeans, Armenians or Syriacs) or on a religious basis (Catholics, Protestants, Orthodox or Sabbathians). The current well-known Chaldean Patriarch Immanuel III Dalli was ordained a member in the Vatican Consistory in 2007. There are political parties which represent the Chaldeans of Iraq such as the United Chaldean Democratic Party, the National Chaldean Council and the Mesopotamia National

Union. The Assyrians are represented by the Assyrian Democratic Movement (ZOAA), led by Unadim Kanna. The Syriacs, fewer in number than the Catholics and the Assyrians, are represented by the Syriac Independent Gathering Movement and they are divided into Catholic and Orthodox. The Orthodox Armenians have many churches in Iraq, all chaired by Archbishop Avak Asadurian, whereas the Catholic Armenians are headed by Archbishop Immanuel Dbaghian.¹

This existence and diversity is at risk today. Many people started to express concern. In October 2010, the Vatican *Synod* of Bishops for the Middle East was held and the Archbishop of Chaldeans in Kirkuk, Louis Saku expressed concerns about the "deadly immigration of Iraqi Christians." He asserted that "the deadly immigration that inflicts our churches is inevitable; immigration is the biggest challenge that threatens our very existence." He also warned against "the extinction of the Christian community in Iraq and other Middle East countries."

Christian Refluence

The reasons behind the Christian refluence in Iraq are numerous. At the personal level, motives that encourage immigration include, among other things, promising job opportunities in the West; the desire to marry and build a family; and higher study and the consequent unwillingness to return.

At the social level, viewing the Christians as "minority" creates a feeling of vulnerability and makes the Christians feel as if second class citizens. Even if the freedom of conscience is guaranteed, it is restricted by the laws and certain practices. This has caused the Christians to feel estranged and that there is no future for their children in their home countries. Other practices including discrimination and deprivation of the rights to access leading positions especially in security, army and government institutions have highlighted the Christians' weak influence in the Iraqi society and created additional motives for them to leave the country.

¹Khoshaba Hanna al-Shaikh: *Christian Sects in Iraq*, Masarat, Issue 14/2010, pp. 28-34.

The Christian collective memory has deep trauma reflecting the oppression the Christian people of all sects had encountered during World War I in Hikari, south of Turkey in 1915, in Mardin, Sa'rad and al-Jazeera, as well as in Smeel, North of Iraq in 1933, where more than 4,000 persons were killed, including children, women and elderly people. Those incidents created 34 villages of Iraqi immigrants in Syria. This was followed by the turbulence of the North (since the beginning of the Kurdish Revolutionary Movement in 1961 till 1975), which left many Christian villages burned down and thousands of Christian inhabitants displaced.

This memory surges from time to time when political stability is lacking. The country had three wars since 1980, let alone the economic sanctions since the early 1990s till the US invasion in 2003. The chaos of the occupation peaked during the period of sectarian violence (2006-2008). This further complicated the scene, particularly because the US invasion of Afghanistan and Iraq have kindled antagonism and hatred against the West, wrongly described by many as "Christian" West. Moreover, the political tension hovering since the mid twentieth century due to the Arabic-Israeli conflict cast shadows of instability throughout the region. Some accuse the West of having a political agenda aimed at evacuating the East from its Christian people and encouraging their immigration even from the countries where they do not face any oppression, like Syria and Jordan.

A Christian Zone: Is It a Viable Solution?

In spite of the minorities rights guaranteed by the Constitution and the parliamentary representation guaranteed by the quota (5 out of 275 seats in the Iraqi Council of Representative), which considers the status of the Christians among other minorities in Iraq, the security situation made the state unable to protect its citizens and ensure them a secure future. This has pushed some political leaderships to approve the idea of creating a Christian zone in the plain of Nineveh, a clear expression of helplessness. Such an idea has many risks. It would create a Christian canton, hence threatening to turn Iraq into culturally and geographically closed islands of religions and sects.

Other parties called for internationalising the case of Iraqi Christians; another quite risky scenario. For it may be interpreted as if the Christians are calling for Western protection and may be exploited as excuse to interfere in the country's internal affairs, which would further complicate their situation.

This proposal was for example raised during the Second Conference for the Assyrians Cultural Front held in Beirut in May 1998. The closing statement called for assigning an area for the Christians in the North of Iraq under international protection, whether by the Allies or by the United Nations. The latest in such calls came from the head of a human rights organization who asked the UN to protect the Christians in Iraq.¹ Meanwhile, many others oppose such calls, but they believe a province should be allocated for them, or may be a militia to protect them since the government is not able to do so.

On the other hand, some voices urged the Christians to leave Iraq even from inside the Church (Archbishop of the Assyrian Orthodox in Britain, Athanasius Dawood). Others including officials, politicians or Church figures called them to stay and not emigrate.² However, we still find that the result is not very different; the number of immigrants is in the rise, both to the north of Iraq and abroad.

Remedies for the Immigration of Christians

The statistics of the number of Iraqis residing in the neighboring countries waiting for their immigration applications to be resolved, have become scaring. In Syria, for example, the number has exceeded 30,000 persons and in Jordan, it is 15,000. In the western countries, unofficial estimates put the number at 400,000 in the

¹Abram Shbira: *The International Protection for the Christians of Iraq: A Blessing or a Curse?* <http://www.aenkawa.com/forum/index.1>

²In contemporary history, we have models emphasizing firmness and endurance such as Mar Shamoun XIII, the Patriarch of the Church of the East at that time, when he said his famous words: "My people fought and gave sacrifices, and suffered the most horrible suffering that can be imagined for the soil of their country, not for immigrating to other areas."

USA, 50,000 in Canada and 40,000 in Sweden and Holland.

The *Synods* of the Catholic Archbishops referred to the challenges of immigration to the western countries or other host countries like Syria, Jordan and Turkey, and provided significant recommendations to address those challenges, whether legal, humanitarian, or parishioner.¹

Immigrants usually spend a long time (years sometimes) in the countries where they applied for re-settlement, before their requests are accepted by some western country. This may influence their income due to the lack of job opportunities and the very high prices in some countries.

Immigration is a complicated phenomenon with no ready-made solutions. But I think there must be an approach that can devise balanced and integrated solutions, engaging many parties. There are three major players with influential roles: the government, the civil society organizations and the Church with its various sects.

- The government has to regain the trust of its Christian citizens. It should try to remove any concerns they may have about their civil rights or their belonging to a "minority."
- Policies should be developed to limit immigration through providing incentives that encourage the Christians to stay home and not to think of immigration. The Ministry of Immigration has to implement policies that ensure safe return of thousands of Iraqis from the neighboring countries.
- Enhance the Christians' participation in different state institutions, even the military and security bodies, for they have been deprived of this role for decades, then the sectarian quota came to increase their marginalization like other small minorities of Iraq.
- An official awareness campaign to warn against immigration risks (conferences, symposiums and forums).

¹Recommendations of the Synods of the Catholic Archbishops of the Middle-East, available at: <http://www.onislam.net/arabic/newsanalysis/documents-data/126155-.html>

- Enhance partnerships between the state and the civil society and increase coordination among the NGOs and the Higher Commission of Human Rights to tackle the immigration risks.
- Adopt a legislation protecting the minorities and maintaining the rights of the small components including the Christians.

The Role of the Church in Saving the Christian Existence

Talking about the role of the Church, we may refer to the invitation of Pope Benedict XVI and the document of the Synods of Catholic Archbishops which discussed the means "to save its Christian minorities and consolidate coexistence between Christians and their Muslim neighbors." The Document called for cooperation, whether among the Catholic Churches or between those and other churches, so as to make the Christian voice clearly heard in the Middle East. The Document also advised the Catholic Churches to be open to other religions, to simplify their rites and to increase the use of Arabic language in their rituals. Such advices are much like reforms initiated by the Catholic Church in the Second Vatican Council of 1960s.

The Document also asserted that "the Catholics as well as other Christian citizens and Muslim thinkers and reformers have to support the initiatives that aim to conduct in-depth researches about the concept of positive secularism of the state. This may help terminate the religious nature of government and may allow more equity among the citizens of different religions and consequently enhance a solid democratization process with a positive form of secularism." In addition, it encouraged the Christian - Muslim dialogue so as to bridge the gaps and reach unified visions toward many complicated issues, and establish a common ground for dialogue based on the commonalities, particularly those related to the social, economic and political challenges. It also called for understanding the other from his own perspective not from a critical perspective that focuses mostly on disputed areas. Dialogue should be open and transparent. It should denounce violence and extremism and promote the spirit of love, forgiveness and coexistence.

4) Yazidis: A Deep-Rooted Community in an Unstable Present

By Khidher Domle¹

Yazidis constitute one of the oldest ethnic and religious communities in Iraq. Though the origins of their religion date back thousands of years in Mesopotamia, they are currently facing challenges that may unprecedentedly re-formulate their identity.

Etymology

(*Yezi*) means God, (*Ye zdai*) means the Creator in Kurdish, and (*Ezwan - Ezdan*) means God in Farsi. So, a *Yazidi* means "slave of the Creator".

So, *Yazidis* would call a member of their community a *Yazidi*, which means (*he created me*), and hence is not derived from *Yazid I*, a deceptive name given to them in order to falsify their identity and beliefs. This difference in the name explains why this closed community is deeply misunderstood by the public.

Geographic Distribution and Demographic Size

Yazidis exist in such countries as Syria, Turkey, Armenia and Georgia, but they mainly live in the north and western-north of Iraq, namely in the area surrounding Sinjar Mountain to the west of Mosul (120 km), in Shekhan District to the eastern-north of it, in some villages and towns of Talkeef District, in Beshiqa, and in Zakho and Semel districts in Dohuk governorate.²

According to their own estimates, *Yazidis'* number in Iraq is around 560,000; but there is no official statistics. Thus, they are considered the second largest religious minority after the Chris-

¹A *Yazidi* researcher specialized in minorities, manager of media at Dohuk University.

²Arshad Hamad Mahho: *Yazidis in the Books of British Travelers from the Beginning of the 19th Century to the End of World War I*, Mukiryani Establishment for Research and Publishing, Dohuk, 2012.

tians, and given the enormous emigration of the Iraqi Christians, they may exceed the Christians who remained in the country.

Social Classes and Religious Ranks

The *Yazidi* community consists of social classes and religious ranks:

- *Al-mir* (the prince): their religious and worldly leader in Iraq; he lives in Ain Sfni city in Shekhan district. The current *mir* is Mir Tahsin Saied, the prince of *Yazidis* in the world.
- *Baba Sheikh*: the spiritual leader of all *Yazidis* around the world. He is like the Pope for Christians. Currently this position is occupied by *Khatto Baba Sheikh Hajji Baba Sheikh Rasho*, who also lives in Ain Sfni.
- *The Sheikhs*: they are forty Sheikhs divided into three factions: *Adani*, *Achammsana* and *Qatani*.
- *Al pir*: a Farsi word meaning ‘*the method Sheikh*’; there are forty *pirs* who regulate the religious affairs of the followers.
- *Al Fakir*: a Sufi wearing sacred ‘rags’. They are worshipping hermits.
- *Al Qawwal*: religious groups specialized in playing tambourine and piccolo at religious occasions. They every year travel from one *Yazidi* village, town or city to another holding the peacock symbol.
- *Al Mureed* [the follower]: ordinary people of the *Yazidi* community; they form the lowest religious rank. Each *mureed* should have a *Sheikh*, a *pir*, a *mureed* and an afterlife brother. They give *zakat* to *Sheikhs*, *pirs*, *mureeds* and afterlife brothers. They do not get married to members of the *Sheikh* and *pir* classes, who do not get married between each other as well.
- *Al Kojak*: specialized in parapsychology and metaphysics, they forecast and communicate with spirits, and treat patients spiritually.¹

¹Masarat Magazine, a special issue on *Yazidism*, issue 2, 2005, p. 130.

Reference Religious Authority of *Yazidis*

Yazidis have a religious authority called the Supreme Spiritual Yazidi Council, consisting of:

- The prince: who is currently Mir Tahsin Saied, the prince of *Yazidis* in Iraq and the world, chairman of the Supreme Spiritual Yazidi Council.
- *Baba Sheikh*: the spiritual leader of the *Yazidis*; he is in charge of all religious affairs and relevant legislations, which are made in agreement among the Council members and upon the Prince approval.
- Head of *Al Qawwals*: he is in charge of religious texts memorizers and chanters of invocations during the peacock parade (*sanjaq*).
- Then comes the *Sheikhel Wazir*, whose job is to organize the peacock parade throughout the *Yazidi* regions, accompany *Al Qawwals* and explain and define their works.
- Then, there's the *Peshimam* who is in charge of the community affairs such as marriage arrangements in the *Yazidi* villages.

Roots of *Yazidism*

Yazidism is an old distinct monotheistic religion that bears the heritage of the old natural *Achammsana* religions, such as the *Mithraism* in the Mesopotamia as well as in the Iranian and Hindu-Iranian part, i.e. it is one of the oldest Kurdish religions in the East.

In worships, *Yazidi* is a monotheistic religion, and not bi-theistic as some researchers introduced it. In its philosophy, a pure evil does not exist; good and evil have one source; God is the source of everything in *Yazidism*.¹ Ancient religions of the East have common roots and links; the *Yazidi* community bears the heritage of those ancient religions of the East. The Nature's main symbols and elements have a significant position in *Yazidism*:

¹Religious Eids in Iraq, prepared and introduced by Khidher Domle, Erbil, 2012.

water, air, earth and fire. Researchers and interested persons can detect the representation of those elements to a large extent in the verbal *Yazidi* heritage, as well as the *Yazidi* mythology, which canonizes those elements as represented in religious practices in various temples and shrines. For example, when *Yazidis* welcome a new year in *Lalish* Temple by the end of the final day of the year according to their eastern calendar, which precedes the Gregorian one by fourteen days, on an Eid called (*Seh Rsal* = New Year Day), they chant religious hymns, lighting lamps in the temple courtyard to show that they welcome the new year by light and shine. In the Temple itself, a visitor can realize how sacred the Earth is, and how sacred the water is in *Kanya Spî* [white spring], in which *Yazidi* get purified and are baptized to be born as a *Yazidi*, a ritual that takes place in *Lalish* Temple; the oldest part of it.

Lalish Temple is the *Yazidis'* sacred place. It is 45 km to the east of Dohuk in an invincible valley. Archaeological studies point out that it is more than 2000 years old, and is considered an important site in *Yazidism* mythology. Its sacredness stems from the belief that creation started there after the Flood. The Temple is opened for all visitors, save a place devoted for the *Yazidis* practices of pilgrimage and baptism.

Holy Books of *Yazidism*

Yazidism depended on verbal heritage and the conveying of mythology through hymns, stories and poetry (utterances and *Sabqat*), but gradually, *Mushafs* [holy books] were written down in limited numbers in order not to be circulated by the public, so that the religion secrets will not be revealed. *Yazidism* after all is not a preaching religion; thus, we deduce that these books were written down late after the appearance of *Yazidism*. These books are:¹

- *Achammsani Mushaf* of secrets: the *Yazidis* attribute it to the epoch of Prophet Noah; it was written in Aramaic.

¹Masarat, *ibid.* p. 130.

- The Sun *Mushaf (Roj)*: a part of the *Achammsani Mushaf* of secrets (philosophical - historical).
- The Black *Mushaf (res)*: it contains the story of creation and the universe, as well as the story of Adam and Eve, and tells about the *Yazidi* kings and the Flood.
- *Jalouh*: *Yazidis* believe that it is sent from heaven as a revelation to the faithful through *Melek Taus* [peacock angel] in Kurdish. It talks about God's mightiness, and the authorities given by God to *Melek Taus*, who is considered a luminary phenomenon and the second name of God.

Yazidi Identity: History and Contemporary Manifestation

Kurdish identity of *Yazidis*: historical references addressing the spread of *Yazidism* in Kurdistan have not identified a *Yazidi* identity outside its Kurdish determinant, because there are main elements such as the Kurdish language, which is the language of *Yazidis'* texts and invocations. Even in the areas where some *Yazidis* speak Arabic due to the systematic Arabization policy, everyone communicates and chants religious texts, songs and invocations in Kurdish. Meanwhile, *Yazidis* are geographically attached to Kurdistan and their main temple (*Lalish*), 45 km to the east of Dohuk, is still there for more than 2000 years. This is also shown in archaeological studies about the origins of Kurdish people in *Sinjar, Boutan, Wan, Amad, Qamishli* and *Benguin*.

There is an important element of *Yazidis* as keepers of ancient Kurdish cultures; *Yazidi* community maintains a deep-rooted civilizational heritage, which is an important part, not only of the Kurdish heritage but of the Middle-Eastern heritage as well. In addition to the religious texts, there are the stories and tales, which are part of the Mesopotamian rich heritage. When at a time the story of Nebuchadnezzar had not been discovered and *Yazidis* did not know writing and reading, they used to narrate his story in Kurdish.¹ *Yazidis* still narrate the stories of the Flood and

¹*Lalish Magazine*, issue 16, Dohuk, 1999.

Alexander the Great verbally in Kurdish, in addition to other stories canonizing prophets and messengers and talking about the Creation, and many other stories and achievements, which constitute an important civilizational reservoir.¹

Falsification of Yazidis' Identity: the Baath Party policy of systematic Arabization falsified the *Yazidi* identity; a *Yazidi* ID card would be marked 'Arab' in terms of nationality. Sticking to the Kurdish identity would mean that a *Yazidi* becomes subject to governmental prejudice. That is why the Baathist government, whenever referring to this authentic component, insisted that the name *Yazidi* was derived from *Yazid I*. Hiding their identity under the former regime for fears of the devastating Baathist policies, explains why the *Yazidis* have not thought of their identity until 2003, especially when *Yazidism* was listed in the Constitution as an official religion beside Christianity and Mandaean. *Yazidis* now have their own *Waqf* department within the non-Muslim *Waqfs* in the federal government.

The religious determinant of identity: religion is a basic determinant of the *Yazidi* identity; it distinguishes *Yazidis* from others. The Constitution recognizes them, but it stipulates that Islam is the official religion of the State and a main source of legislation and that no law can be enacted if it contradicts the proven Islamic provisions. This makes such recognition incomplete, especially with the fears of Islamization and imposing the identities of bigger religious on smaller ones, which pushes the latter to stick to their narrow religious identities instead of moving towards a broader identity based on citizenship for everybody.

Big identity and small identity: similarly, clinging to the religious determinant of identity happens as a natural reaction by many religious minorities, because they are subject to oppression, negligence or assimilation by the bigger identity (nationalism). The Prince of *Yazidis*, Tahsin Saied, for example, stated during official meetings that *Yazidis* are Kurdish, which is acceptable, but

¹Khidher Domle: *Yazidis' identity in their heritage*, *Al-jisr Magazine*, Erbil, issue 5, 2012, Erbil.

they have their own peculiarity and rights that should be respected, so that *Yazidis* would not indispose their Kurdish identity.¹

A developing identity: the *Yazidi* identity is in the making; it has not taken its final form (like any other identity in Iraq). Elites usually work to develop and crystallize the collective identity in response to reality challenges. There is difference however in the roles of the political and religious representatives of the community. The religious people have a static conception of the identity due to the old inherited elements of religion, while politicians, in spite of their dynamic conception, are divided into two directions: the first calls for a Kurdish identity of the *Yazidis* (a small identity within a bigger Kurdish one); the second calls for a pure *Yazidi* identity (like all other religious minorities), especially that they have distinct ingredients that entitle them to have a culturally, religiously and politically autonomous entity.

Briefly, the *Yazidi* identity is still in the making; it has not acquired a final shape. This, however, should not be frightening; it simply reflects the *Yazidis'* options after having a margin of freedom to express themselves after 2003. The important thing in this regard is to have and maintain this margin, so that their search for the self would not be limited to sticking to an isolated identity, and that the *Yazidis* find themselves in an open environment that ensures interaction with others.

Scars of *Yazidi* Memory

Yazidis have suffered from stereotypes presented in prejudiced writings based on unreliable sources and inaccurate opinions about them. Some said *Yazidism* is centered around Satan worship; some tried to falsify the *Yazidi* identity by attributing it to an Arab component. Such stereotypes, in addition to the *fatwas* issued in different periods considering them faithless whose killing was permissible, have led the *Yazidis* to isolation and cut their connections with their surroundings.

Those who get to know the *Yazidi* community will find a

¹A meeting with Prince Tahsin Saied by the researcher at his house in Dohuk, April 2008.

different image from what they have read or heard. In this context, Judge Zuhir Kadhim Abboud says: 'He who lives with *Yazidis* knows about them more than this who reads about them; in spite of their historical suffering and the terrible tragedies of their past, they still enjoy a spirit of merriness and love toward people, nature, colours, dance and simplicity.'¹

Due to their beliefs, *Yazidis* have undergone a lot of oppression, especially during the Ottoman era, particularly by the end of the 19th century, when the Ottoman government tried insistently to force *Yazidis* to embrace Islam and join the Ottoman military service, which was a reason for instability in their regions until the end of the Ottoman rule. Many decisions were made, which caused the killing and displacing of thousands of *Yazidis*, especially in the campaigns of Prince Muhammad Basha al-Rawanduzi (1832), Fareeq Basha, Nadhem Basha and other Ottoman walis.

These campaigns were an extension of the policy of spreading Islam in *Yazidis* places in Kurdistan, which reduced their existence to few scattered places, while they had existed from the west of Mosul to Kirkuk in the east, and to the eastern-north of Iran and to Wan, Batman, Diyar Bakr and Hakkâri in the current Turkey.² After establishing modern Iraq in 1921, *Yazidis*' conditions were not improved. Their contemporary history can be divided into four stages:

The first stage covers their relationship with the royal Iraq. *Yazidis* still remember the royal government campaign against them, when they refused compulsory military enrollment in Sinjar in 1935. Because of that, *Yazidis* paid a lot of victims as a price to their independence, in addition to the official defacement of their community.

The second stage started when the Baath Party assumed power in 1968 and ended with the invasion of Kuwait by Iraq in 1991. In

¹This author has many books about *Yazidism*, mainly: *Views to Yazidism*; *Sheik Adi bin Mussafer: Updater of Yazidism*; and *Tawoos, King of Yazidis*.

²Dr. Adnan Zayyan Farhan: *the Yazidi Kurds in Kurdistan Region*, Sulaymaniyah, 2004.

this stage, the systematic Arabization policy started with a view to change the *Yazidi* identity and to displace them. The first campaign took place in 1974-1975 after the failure of negotiations between the Kurdish movement and the Iraqi government. The government started by destroying nine *Yazidi* villages in Shekhan and congregating their population in *Meh Het* complex. It did the same in around 130 villages in Sinjar and gathered the population in 12 complexes under Arabic names such as Qahtaniya, Qadisiyah and Al-Risalah. Then it displaced the population of nine villages in Zakho district, in Deirboun and Bishabour near the Turkish borders and housed them in villages close to Dohuk. This was the first official Arabization campaign in Kurdistan by the Baath Party, targeting the *Yazidis* directly. The extreme cruelty against the *Yazidis* critically affected their feeling of belonging to this state.

The Baath Party attempts to change the nature of the *Yazidi* community did not stop at this point; Yazidis were officially registered as Arabs in the 1977 census, in spite of their rejection, which was an official blow by the government to an authentic community.

The efforts to change the demography and identity of *Yazidi areas* went on by giving their villages and districts Arabic names and registering them as Arabs in the government records. Thousands of Arabs were housed in *Yazidi* villages in Sinjar and Shekhan.

After the Second Gulf War in 1991 and the defeat of the Baathist regime, the conditions in part of the *Yazidi areas* changed after the uprising of 1991 in Kurdistan. This was the third and most important stage of the *Yazidis* contemporary history. They now had a chance to express their identity. The *Lalish* Cultural and Social Center was established and more attention was given to *Yazidi* cultural and administrative affairs. For the first time, they had the right to teach *Yazidism* in their schools in Kurdistan and for the first time, there were *Yazidi* ministers in Kurdistan Regional Government, then MPs, general managers and many persons in public positions. A general directorate of *Yazidis* affairs was established in the Kurdistan Region Government, as well as

many *Yazidi* civil society organizations supported by this government, inside and outside its territories.¹

Qualitative Change and Challenges after 2003

At the national level, *Yazidis* witnessed a qualitative turning point after 2003. We saw movement at many levels; for the first time, the 2004 National Assembly had *Yazidi* members, most prominently *Adel Nasser* and *Kamiran Kheiri Baik*, and *Yazidis* were mentioned in the Constitution of 2005. A *Yazidi Waqf* department was established in Baghdad within the non-Muslim *Waqfs* Department. *Yazidi* MPs were in the Parliament, and for the first time, a *Yazidi* minister (Dr. Mamo Farhan Othman, Minister of Civil Society) was appointed in the government of Iyad Allawi.

Though there are Constitutional articles ensuring the rights of religious minorities, including the *Yazidis*, the reality is different, because these articles have not been interpreted to effective legislations due to the domination of the politicized Islamic parties on the key positions of Power.²

The situation is even more complicated due to the fact that 90% of the *Yazidi* regions are subject to conflict between Kurdistan Region Government and the federal government in Baghdad, especially in Sinjar, Shekhan and Talkeef districts and Beshiqa town in Ninaveh. Because the future of these areas is unclear and because of the struggle over them, thousands of *Yazidis* have emigrated from Iraq to Europe and some other countries, especially after the increased terrorist attacks against them in 2005-2007. These attacks emptied Mosul completely of *Yazidis*, where hundreds of their families had lived before 2003, not to mention the thousands who used to work in projects, factories and restaurants. They emigrated from Mosul in three ways:

¹Munira Abu Bakr: *Yazidis Position in the Government of Kurdistan*, Sulaymaniyah, 2011. Delshad Numan Farhan, *Sufferings of Yazidi Kurds under the Iraqi Governments 1921-2002*, Dohuk, 2010. And Dr. Khalil Jundi, *Initial Reading of the Position of Yazidi Kurds in Iraq*, *Lalish Magazine*, issue 21, Dohuk, 2004.

²Minorities in Iraq Report: Looking for Equity and Equality, a CDO program, Sulaymaniyah, 2012.

1) More than 1,300 *Yazidi* families fled from Mosul after selling their assets at low prices.¹

2) Thousands of workers left the city because of the violent attacks, which targeted the religious minorities, especially *Yazidis* and Christians.

3) Students, employees and teachers left Mosul universities and institutes to Kurdistan Region and its academic institutions; the number of students enrolled in the Kurdistan Region universities in 2008-2009 and 2009-2010 exceeded 1000.²

One of the most fatal terrorist attacks against the *Yazidi* regions killed and injured 800 persons in *Siba Sheikh Khidir* complex and *Ker Ozir* town in Sinjar district in four huge explosions that targeted the civilians in August 2007 and caused the destruction of more than 300 houses completely, and the same number partially. Also, the attacks of August 14, 2007 were among the most violent and caused the greatest number of casualties throughout Iraq. Moreover, an armed terrorist group killed 23 *Yazidi* workers in a cruel way in the middle of Mosul in April 2007, in addition to other aggressions on the highway between Mosul and Sinjar and inside Mosul, Baghdad and other places.

These attacks have resulted in increased demand for emigration; around 1000 young people left Shekhan district to Europe in the second half of 2007 according to a report published by Shekhan cultural center in 2008, in addition to thousands in other regions. This situation was aggravated by the poor services due to the administrative dualism; the federal government had not implemented service projects in those regions, and Kurdistan Region Government failed to do so, because those areas were not officially under its control. This affected the education and increased illiteracy and spinsterhood, in addition to many regrettable social phenomena. The last was suicide; the *Yazidi* Association for Solidarity and Brotherhood (head office in Beshiqa) mentioned in

¹Report by the *Yazidi* Association for Solidarity and Brotherhood, 2005.

²Statistics of *Yazidis'* Lalish Cultural and Social Center in Dohuk, which took charge of the students' transfer file.

its report about suicide that the number of females who committed suicide has increased, especially in Sinjar District. In 2011, there were more than 70 cases; 58 of them were women. The numbers kept rising in the first 6 months of 2012, according to the Association.

This tragic background explains why the *Yazidi* community isolated itself again after the short relative openness. Though the openness spring did not last long, it proved the high potential and creativity of the *Yazidi* community once given a chance. In Ninaveh, the *Yazidis* issued more than ten magazines and newspapers, run more than 20 civil organizations, and carried out cultural and civil activities, festivals and cultural seminars.¹

Though *Yazidis'* political representation has not met their expectations, their presence is better than before. The successful voting for the Constitution in Ninaveh was owed to their active participation. While there were no *Yazidis* in Ninaveh administrative institutions in the past, there are now nine *Yazidi* members in the Governorate Council and six on the Kurdish Alliance List in the Parliament, in addition to an MP representing the *Yazidi* quota, and many other contributions in spite of the deteriorated conditions in their regions, which have been largely damaged because of the struggles in Ninaveh among different players (the central government, Kurdistan Region government and the so-called Iraq Islamic State.)

Unpredictable Future

The current situation of *Yazidis* is related to the organisation of their internal affairs in terms of how to face future challenges including the changes affecting the religious traditions. Compliance with religious rules has retreated and the influence of the religious authority has declined. Abandoning *Yazidism* has become a phenomenon and the community tends to be more open to other communities.

Other challenges include the weakening *Yazidis* religious and

¹According to Abdulghani Ali Yahya in a widely published e-article.

administrative authority, because it failed to keep up with the religious and social changes of the *Yazidi* community, as well as the accelerating changes in the Iraqi politics. "Getting the *Yazidi* house in order is a big challenge due to the weak religious authority", says the *Yazidi* activist and politician Mirza Danaye. "The officials and members of the Spiritual Council do not care about the changes taking place in Iraq", not to forget the emigration of thousands of young *Yazidis* to Europe.

Today, *Yazidis* seek to increase their political participation. Representing the independent *Yazidi* List, Danaye officially filed a case to the Federal Court to increase the *Yazidis*' percentage in the political quota, and he won a ruling stating that the number of *Yazidi* candidates under the quota system should be determined according to the number of *Yazidi* population.

The current situation of *Yazidis* will depend on the unstable political situation; there is great fear of the future among them in addition to the challenges of emigration, terrorist operations, prevalent extremism (which is considered their major challenge at present) and the failure to enforce the laws on minorities' rights.¹

Reports addressing the *Yazidis*' issues highlight other challenges including the impact of the problem of the disputed areas on the service provision in those areas which are neglected by the federal institutions, prevalent religious extremism, the continual attacks against *Yazidis* in many areas and unemployment and illiteracy, especially among women.

In addition, the *Yazidi* religious establishment is controlled by a theocratic system making it incompetent to face these challenges. Moreover, *Yazidis* do not have a unified reference authority, though it formally exists, and perhaps its influence will fade away with the death of its prominent and old figures. However, opening cultural centers and activating the cultural and civil movement in the *Yazidi* community constitute an important factor in facing these challenges, now that they have an effective academic elite whose influence will appear very soon.

¹CDO Report "The Minorities in Iraq: Seeking Justice, Equality and the Fear from Future", Sulaymaniyah, 2012.

5) Sabian Mandaeans: A Millennial Culture at Stake

Raad Jabbar Saleh¹

Sabian Mandaeans are the oldest community to live in Mesopotamia and their religion is the oldest in the world. They constitute living evidence of Mesopotamian civilization; however, after tens of centuries of continuous existence in Iraq, there are now only a few thousand of them.

Etymology

The word 'Sabians' is derived from the Aramaic verb 'saba' that in the Aramaic Mandaean language, means 'tinctured' or 'baptized' which refers to an important and basic ritual in their religion: immersion in flowing water and getting tinctured (baptized) in it. The word 'Mandaeans' is an attribute meaning knowledge; it is derived from the Aramaic verb 'yada - ada' which means 'to know'. Thus, 'Sabian Mandaeans' means the tinctured, baptized people who know about God and monotheism.

Language

The Sabian Mandaeans speak Mandaean, a dialect of the Eastern Aramaic language. Academics and specialists of Semitic languages say it is the purest branch of Eastern Aramaic that, beside Mandaean, includes Babylonian and Syriac. The reason for this is that Mandaean has not been influenced by Hebrew vocabulary as was the case with Jewish dialects, nor by Greek vocabulary as was the case with Christian dialects. After Sumerian it was the language of early Iraqis and it was common in the middle and south of Iraq.

Like other Aramaic languages, Mandaean is written from right to left. Its letters are connected in writing, i.e. each letter of a word is connected to the letter before it and to the letter after it. Some

¹A researcher living in Baghdad; Vice-chair of the Sabian Mandaeans' Public Affairs Council, Rapporteur of all Sabian Mandaeans' Council and head of Mandaean Research and Studies Center.

letters are connected only to the ones before but not to those after them. The Mandaean alphabet consists of twenty-four letters, starting and ending with *aleph* (ܐ). There are no dots and consonant letters are not vocalized; instead it has vowels, which are *aleph* (ܐ), *wow* (ܘ) and *yaa* (ܝ), and are called *alhalka*, *alshakka* and *alaakssa*, respectively.

Geographic Distribution

Sabian Mandaean settlements were located near the rivers of southern Iraq and the Ahvaz region of Persia (Iran); regions that used to form one geographic continuity. The major cities in which they lived were Al-Basrah, Attayeb in Maysan, Al-Amarah, Al-Kahlaa, Al-Majar Alkabeer, Al-Misharrah, Al-Nasiriyah, Suq Al-Shuiokh, as well as Mandily and Wasit. In Ahvaz of Iran, they settled in Abadan, Al-Muhammarah, Shoshter and Dizful. Some of them moved to Baghdad, into which migration started in the early 20th century, and it has become the major center of Sabian Madaeans. Some of them moved to Al-Deewaniya, Al-Anbar and Kirkuk. During the post 2003 instability and insecurity that saw crime and attacks against minorities sweep the country, many Madaeans escaped to northern Iraq and settled in Al-Sulaymaniyah and Erbil.

Origin

Tracing the Sabian Madaeans' history is not easy, for many reasons; mainly the lack of research and investigations in the areas where they exist, especially in the deltas of the Tigris and the Euphrates in South Iraq due to the area's nature and its continuous change because of floods and alluvial additions. Another reason is their strict religious isolation over long periods of time, which came as a result of the severe persecution they faced; hence they preferred to isolate themselves to maintain their beliefs. In addition, a lot of books addressing their history and heritage have been lost or destroyed. Most researchers believe that their first existence was in Iraq, because:

- There are historical testimonies indicating that they lived in Iraq long before the appearance of John the Baptist and that, at the beginnings of the first millennium A.D., they emigrated

from Palestine to Iraq where the flowing water they needed for their religious ceremonies and rituals was available and the climate was suitable to perform them.

- The Tigris and the Euphrates were mentioned in their ancient literature and religious texts.
- Their ceremonies and traditions are similar to those of the Mesopotamians.

Religion

The Mandaean religion is based on five pillars:¹

- **Monotheism:** Mandaean is the first monotheist religion; Allah, whose name is blessed, is the God of all worlds, whose might is unlimited as described in their holy book *Kenza Raba*.
- **Prayers:** or 'brakha' in Mandaean, which means blessing or being blessed by mentioning the name of God. It is practiced three times per day: at dawn, at noon and at sunset and it should be preceded by washing the face, mouth, eyes, nostrils, ears, knees, feet and private organs with flowing water while saying specific invocations for each organ being washed. In Mandaean, this ritual is called 'al rashama' which means ablution. The Mandaean prayers are religious readings magnifying the Creator and asking him for mercy. During prayers, a Mandaean should stand facing north and bow whenever the name of God is mentioned. The north for Sabian Mandaean is the *kiblah* to which they direct their faces when performing the prayers and all religious ceremonies. They believe that the World of Lights or the gates of the World of Lights are located in the north.
- **Fasting:** there is a small Lent and a big Lent. The former is aimed at the body with Mandaean refraining from eating meat or slaughtering animals on discontinuous and specific days of the year totaling 36 days. The second is aimed at the soul and is performed by refraining from doing anything that stains a

¹See the special issue of Masarat Magazine about the Mandaean in Iraq, issue no. 9, 2007.

Mandaean's relationship with the Creator or with brothers in humanity.

- **Sadaka:** or 'zadaka' in Mandaean; it is anything donated by a Sabian Mandaean to a deprived brother in humanity; it can be cash or in kind, but it should not be spoiled by announcement.

- **Baptism:** or 'masbata' in Mandaean; it is an imperative obligation. Infants are baptized 30 days after their birth; adults are baptized before marriage and one week after marriage; a woman is baptized one month after delivery. Baptism is practiced on Sundays and on religious days and occasions. It is performed for males and females in the same way, but separately. A Sabian Mandaean may be baptized more than once and whenever s/he wants. Baptism should be performed in flowing water; the religious clothing worn in these occasions is called 'rasta' and is made of white cloth symbolizing purity. Baptism for Sabian Mandaeans is purification of the soul; the immersion process and holding one's breath under water symbolize death or demise, and coming up again symbolizes the birth and creation or rebirth. This death and rebirth process is accompanied with prayers, hymns and invocations recited by the baptizer and repeated by the baptized who declares his/her penitence and asks God for mercy, forgiveness and guidance.

Mandaean Religious Texts

The *Kenza Raba* is the Sabian Mandaeans' main holy book. It is written in the Mandaean Aramaic language and it consists of 'boothas' that are similar to the *suras* of the Quran or the books of the Bible. A *bootha* consists of many glorifications of God. The book is divided into two sections. The "Right" section contains the religious texts related to the Creator's monism and qualities as well as the creation, the creation of Adam, reward and punishment, impositions and duties, commandments and guidelines. The "Left" section is limited to the soul and its journey to the afterworld as well as death affairs and ceremonies. It was translated into Arabic in 2001 in Baghdad by Dr. Sobieh Madloul el Suhairi and Dr. Yusuf Qouzi.

The second Sabian Mandaean holy book is '*Drasha ed Yahiya*', which means the Teachings of John the Baptist. It contains a set of texts about John the Baptist and his early life, teachings and commandments and the Mandaean emigration from Palestine to the Euphrates. The book was translated into Arabic by Amin Fa'il in 2001.

Sabians have another set of books that can be described as ceremonial as they address religious ceremonies in details. These include the '*Inyani*' book that is devoted to invocations, prayers, chants, hymns and thanking, praising and glorifications of the Creator. Another book is the '*Qalasta*' that covers marriage, ceremonial invocations and chants, hymns for married people, baptism as well as the invocations, prayers and thanking and glorifications of the Creator.

Symbols

Madaeans have a sacred symbol that is equal to the Christian Cross. It is '*al Drafsha*', which is pronounced often as '*Drafsh*', an Aramaic word meaning banner or flag.

The *Drafsha Taqana* (the full Mandaean name for *Drafsh*) that means the neat or great banner, is a religious banner that is raised when performing religious ceremonies. It consists of two olive twigs symbolizing peace placed as (+) to indicate the four directions; this twigs are tied to myrtle twigs to indicate the uncreated life and placed on a white piece of cloth as a symbol of purity.

Religious Ranks

The Mandaean religious ranks are as follows (in ascending order):

- *Al-Halali*: is the person who has completed the baptism of this rank and whose study is limited to some religious books. He should be married to a virgin; getting married to a non-virgin woman would deprive the man of his religious rank. His duties are to help a clergyman perform his ceremonies. It can be considered a preparation stage for *Al-Termeetha* rank.

- *Al-Termeetha*: it means the pupil; it is the first religious rank assigned to *Al-Halali* who has completed his religious study. Attaining this rank is an occasion marked by the *Attarassa*, meaning the devotion. This is a set of ceremonies lasting eight days performed by the *Gnsbera* who is considered the spiritual father of *Al-Termeetha*. The *Attarassa* usually starts on a Sunday and concludes on the following Sunday.

- *Al-Gnsbera*: it means the one who understands or memorizes *Al-Kenza*; it is the rank to which *Al-Termeetha* is promoted after memorizing *Al-Kenza Raba* and its explanation and interpretations, as well as gaining some familiarity with other religious books. The ceremonies of this promotion are performed by a *Gnsbera* with the assistance of two *Termeethas*. A person seeking this rank should be married, should have children and should be virtuous, respected, graceful and well-educated.

- *Al-Reesh Umma*: it means the head of the nation. The person reaching this rank is considered an authority in religious affairs. A *Gnsbera* is promoted to this rank after consecrating seven *Termeethas*.

All ceremonies of this religious graduation as well as most if not all other religious ceremonies are practiced with flowing water near a river. Flowing water, which is called 'yerdena' has a great holiness in the Mandaean religion; it springs from the World of Lights. It is created and it contributes to the creation process. It is a living substance, of which every living substance is created; without water there would have been no life on Earth.

Sabian Mndaean Crafts

Sabian Madaeans used to work in certain crafts that were almost exclusive to them, such as metallurgy, which provided simple agrarian society with necessary tools (spades, scythes, cane cutting knives etc.), hunting tools (such as spears), and some products that are used in other crafts such as the nails used in boat building and maintenance.

The second craft was carpentry, where they built and maintained boats, a profession they excelled in until recent times. The wood boards used to make boats were brought from Al-

Basrah, which imported them from the Far East through the Arab Gulf, or were acquired from northern Iraqi timber. Mandaean were also well known for making furniture; the boxes used to keep clothes and valuables were a Sabian product that exhibited various Sabian arts such as manual carving, engraving and decoration with brass nails. These boxes were among their most prominent products and were to be found in many homes across the marshes.

Gold work, one of the oldest arts in Mesopotamian civilization, has been associated with the Sabian Madaeans in Iraq's modern history; at the beginning of the 20th century, they were called 'the Ammarian silver smiths'. Mandaean goldsmiths became famous for engraving and composing black enamel that became famous locally and internationally.

From Isolation to Counter Emigration to Cities

Throughout their history, the Sabian Madaeans have been subjected to displacement, discrimination, killing, forced religious conversion and other forms of persecution. The genocide and ethnic cleansing campaigns they faced under Ottoman Rule and beyond forced the Madaeans to leave their cities and live in Iraq's remote southern marshes in order to survive and to protect their religion and ceremonies.

After the establishment of modern Iraq in 1921 and with the relative openness adopted by the new state towards religious communities and minorities and given the economic opportunities and better standards of living in the cities, the Madaeans, who excelled in handcrafts including metallurgy and carpentry abandoned their isolation and migrated to big cities like Al-Basrah, Baghdad, Al-Nasiriyah and Al-Amarah.

That was not a mere geographic move; it was a major step toward opening to urban society where the Madaeans persistently sought to prove themselves in the new society. They were forerunners in enrolling their children at schools and urging them to learn and get high degrees. There were many Mandaean scholars and authors like the famous scientist Abdul Jabbar Abdullah who made international scientific achievements in physics and became the first president of Baghdad University; astronomer Abdulathem

Al-Sabti whose name was given to a small planet; poet Abdul Razzak Abdul Wahid; poet Lami'ah Abbass Amarah; researcher Aziz Sbahi; scientist Tahseen Issa among others.

Entering modern schools and colleges led many Mandaeans to the political arena. Political parties had a distinguished presence on university campuses at the middle of the 20th century. Given that at that time ideological commitment (leftism, liberalism and nationalism) was stronger than religious ones, the Mandaeans had no initiative to develop their own identity. Their demands were so simple: to recognize their Eids as official days, like other religious sects.

Change to the Sect's Structures and Development of Modern Identity

In the early 1980s, the Mandaeans' social, cultural and political structures clearly changed. There was a serious attempt to crystallize their religious and cultural identity and three councils were formed to lead the sect:

- **The Spiritual Council:** which consists of all clergymen and takes care of religious affairs. It is chaired by the head of the Sabian Mandaeans' community in Iraq and the world, Gnsbera Sattar Jabbar Hilo.
- **House of Commons:** which consists of representatives of each family/clan, freely and directly elected by their families. This House is like a parliament whose mandate is to legislate and supervise.
- **Council of Affairs:** which is exclusively elected by the House of Commons via free and direct voting. It manages the daily life affairs of Sabian Mandaeans through many sections thereof.

After the development of a modern Sabian Mandaean identity along religious lines, the sect, managed to impose itself as an actor on the Iraqi scene and to introduce its identity on the basis of citizenship meaning that Mandaeans are Iraqis with rights as well as duties towards the community. After tireless efforts, and having been denied any representation in the Iraqi Governing Council (2003), the Mandaeans managed to get a seat in the Transitional

National Assembly (2005); the seat was occupied by Subhi Mubarak Mal-Allah.

Upon an initiative by Mandaean leaders, a meeting of most political parties and blocs and political and religious authorities and figures was held to urge them to enlist the Mandaeans in the Constitution as 'indigenous people of Iraq'. They were listed among the Iraqi people's components in Article 2-2 of the Constitution of 2005.

Due to their small number, distribution among so many Iraqi governorates and officially staying away from any political parties or alliances, the Mandaeans did not get any representation in the Council of Representatives in the first term (2006-2010). This urged them to try again and after visits and petitions to most partisan, religious and political bodies, they managed to get a seat in the Council of Baghdad Governorate in its second term (2008-2012) according to the quota system. And the seat was occupied by Ali Hussein Zahroun. They also got a seat in the second term of the House of Representatives (2010-2014), which was occupied by Khaled Amin Roumi who had been named by the Sabian Mandaeans' Council of Commons; the way to select candidates to official positions.

In spite of this political representation, the Mandaeans believe that religious and ethnic discrimination in nomination to government positions and official posts, have deprived them of many positions they deserve.

Old Wounds and Modern Challenges

The Sabian Mandaeans have been subjected to displacement and religious, political and social discrimination, as well as genocide campaigns mostly ignored by history books. The following are only examples: magistrate Abi Sa'eid Al-Hasan bin Yazid Al-Istakhri (940 A.D.) made a *fatwa* legitimating the killing of Sabian Mandaeans in Baghdad, during the era of the Abbasid Caliph Al-Kaher Billah; the killing of hundreds of Mandaeans by Muhsen bin Mahdi, when he was the ruler of Al-Amarah City in the 14th century; the killing of thousands of Mandaeans in South Persia in 1782, a crime that only few escaped, and the biggest

genocide crime they had faced since the Jewish extremists' crime in Palestine (70 A.D.). The genocide of Shoshter City in 1870 was of no less cruelty.

These genocides decreased the Mandaeans' numbers significantly, especially that the Mandaean is not a missionary religion; it forbids marriage to outsiders. However, the Mandaeans did not start to emigrate until the 1970s and for personal motives. After the Iraqi-Iranian war (1980-1988), the invasion of Kuwait by Iraq (1990) and the economic sanctions (1990-2003), their emigration increased but it only started to take a collective nature after the occupation of Iraq (2003); chaos was everywhere and Mandaeans became an easy target for criminal gangs. They were subject to cruel killing, theft, armed burglary and kidnapping, all encouraged by the fact that they are a peaceful minority whose religion forbids killing and fighting and most of them are rich and many are goldsmiths. At the same time they were attacked by extremist religious groups who considered them faithless and, on that basis, committed murder, expropriated their movable and immovable properties, forced their women to wear scarves and raped tens of them and coerced some of them into forced marriages after being kidnapped and raped.

Mandaeans face extinction

While emigrating from Iraq, Mandaeans did not seek a specific destination; they were scattered throughout the world to Australia, Sweden, USA, Holland, Germany, Canada, Denmark, Norway, Syria, Jordan, UAE, Finland, Austria, Belgium, France, England, New Zealand, Poland, Romania, Italy and others. This random distribution is attributed to the fact that their emigration was not formal or under international patronage; a Mandaean has not had the right to choose the country of destination and to join other Mandaeans. This has divided families across several cities within any one country due to the regulations in place designed to deal with refugees. The matter is aggravated by the secrecy in which Mandaeans emigrated and the instability of one's place of study, work or other reasons.

International agencies ignored petitions calling for the gathering

of Mandaean refugees in one country and that were grounded in fears that the Sabeans Mandaeans are threatened with extinction and loss of their culture. Their leaders viewed emigration as a personal decision and firmly rejected their displacement from the homeland of their forebears.

Given their small numbers, this distribution of Mandaeans throughout the world would dissipate their capabilities and complicate their struggle to survive and protect their ancient language and culture. They face another challenge which is the diversity of languages in the countries where they live and the absence of a common language through which to communicate with each other. Mandaean is no longer a spoken language; it is limited to ceremonies by clergymen and a few interested people. Meanwhile, Mandaean is not a missionary religion and it forbids marriage to individuals from other sects which will affect their existence and survival.

The fact that the new Mandaean generations are integrated into the cultures of foreign countries and have forgotten their original culture will affect religious ceremonies, customs and traditions in the future. Furthermore, the fact that water-based religious ceremonies remain a central part of Sabeans rituals means that they may be incompatible with the environment and climate of some countries. Such issues are placing the Mandaeans' very existence and future at stake.

6) Baha'is: Religious Minority in the Shadow

Dr. Ali Ahmad Rasheed¹

Baha'is are a small religious minority in Iraq. The religion they embrace is a modern one and of the contemporary world. The Baha'i family in Iraq is a model of the human unity they call for; they descend from various religions, backgrounds and ethnicities. They have close relationships with their Muslim or Christian families, as well as with their friends, relatives and neighbors; thus, they are entwined with all religions, communities and minorities.

Geographic distribution and demographic size

Baha'is are spread throughout Iraq's cities, towns and villages from the North to the South. In recent years many of them settled in Iraqi Kurdistan, especially in Sulaymaniah, due to better security and social stability.

Since there is no official recognition of the Baha'is and their institutions and given the difficulty of counting the followers of any religion in the world, there are no accurate estimates of Baha'is numbers in Iraq. However, they are estimated at several thousands distributed among the country's different regions.

This is not the case in Iraq alone: there are no authoritative official statistics for the number of Baha'is in the world because they live under extraordinary conditions in the Middle East where, in most cases, their religion is not recognized. According to the website of the Baha'i World Community, Baha'is exist in more than 235 countries, and they have different religious origins and belong to various races, ethnicities, peoples, tribes and nationalities.²

According to other neutral websites interested in estimating the numbers of various faith groups there are around 7 million Baha'is

¹Head of Eleshraq for Research and Studies Center. This article is co-written with Mr. Dhia Yacoub, a Baha'i from Iraq.

²<http://info.baha'i.org>

in the world.¹ Thus, their religion is the most geographically widespread. However, their major concentrations are in India, Iran and the USA.

Baha'is have small communities in most Arab countries including Egypt, where they have had many administrative centers and bodies until the 1960s when they were closed by presidential decree.

Some Baha'i sources say there were 5,000 of them in Baghdad when the city's population was only 60,000 by the end of the 19th century. That number, however, decreased gradually to a great extent in Iraq during the last century because of the restrictive policies of successive governments.

The situation changed in the last decade, especially after 2003, and now Baha'is live in cities and villages and in many cases lead a somewhat obscure life. There is no sure information about their numbers but they undoubtedly form but a small percentage of the Iraqi population. They have not enjoyed any official care or media coverage because most people are unaware of their existence, save few who have relationships with them: relatives, neighbors, friends, colleagues and also those who hold positive views of them as opposed to the common stereotypes.

Beliefs

Since its beginnings in Persia, Baha'ism aimed to unify all peoples and all beliefs. In 1844, against a backdrop of socio-political and economic instability and frustration at the corruption of state and society and the long and costly struggle between Sunnis (Ottoman state) and Shiites (Iran), a new religious movement appeared in Shiraz led by Sayyid Ali Muhammad Ridha al-Shirazi.

¹<http://www.adherents.com/Religions By Adherents.html>

See also the following web page to learn more about the number of Baha'is in some world countries set in order from the largest to the smallest: <http://alBaha'iyah.global-et.com/index.html>

In such circumstances, the need for a Savior emerged stronger than ever before, especially among the communities that have an appropriate theological and historical background for the salvation notion. Thus, Sheikh Ahmad al-Ehsa'e (1753-1826), an Arab from al-Ehsaa region in Arabia, came to Iran and introduced new insights about salvation.

Al-Ehsa'e had many followers. One of these followers was Sayyid Kazim al-Rashti, who succeeded al-Ehsa'e, disseminated his ideas in Iraq and mobilized a lot of followers. A notable one of them was a woman known as 'Fatima Zarin Taj' (1814) who was later nicknamed as 'Qurrat al-Ayn' and 'Tahirah' and who was, for Baha'is, the equivalent of Virgin Mary of Christianity and Fatima el-Zahraa of Shiism. Another figure was 'Mulla Husayn-i-Bushru'i', who looked for al-Mahdi al-Muntazar or for a successor of al-Rashti after the latter's death, until he finally met Sayyid Muhammad Ali Shirazi and declared that he was the Bab after al-Rashti and believed in him together with 17 others, including Tahirah Qurrat al-Ayn. Those 18 persons were given the title of 'Hurouf al Hay'.

In the 1848 Conference of Badasht, a place near the city of Shahroeh, two currents emerged: one of them believed that the new creed must be kept within the framework of Islam as a reformist insight, the other called for complete independence from Islam and for establishing a new calling. Here Qurrat al-Ayn appeared in the conference without a scarf on her face and made a revolutionary eloquent statement, generating great disturbance among the religion's followers, as well as their opponents. During the conference the new salvation creed was officially announced as a separate religion known as the 'Babism'.¹ Eventually, the Bab was prosecuted and executed by firing squad in public in 1859. After that, Merza Hussein Ali al-Nouri, known as 'Bahá'u'lláh', who later founded Baha'ism, was jailed for a while, after which he and his followers were banished to Iraq.

¹Hamad Hussein, *Nasrat Allah: curriculum vitae, poetry and prose of Qurrat el Ain*, Ma'aref Baha'i Institution, 1998.

Among the main sacred places of the Baha'is in Iraq are the house in which Bahá'u'lláh lived in Baghdad in al-Karkh after being exiled from Iran, and al-Radwan Park in which he started his calling. (It is said that al-Radwan Park was located in what is today Baghdad's Medicine City). Baha'is celebrate al-Radwan Eid for 12 days of April and May to commemorate the declaration of the calling by Bahá'u'lláh.

Qurrat al-Ayn followed Bahá'u'lláh in his exile to Iraq. Many rumors appeared about her after the events at Badasht. Finally, she was sent back to Iran and was sentenced to death and executed in a very cruel way. Talking about her, Iraqi sociologist Ali al-Wardi said: "Anyway, I believe that Qurrat al-Ayn was somehow a genius. She appeared in the wrong time, ahead of her time by a hundred years at least. Had she lived in our time, or in a developed society, she would have been something else. Perhaps, she would have been the greatest woman of the 20th century."¹

After Bahá'u'lláh's new calling and the social and religious conflict it caused, the Ottoman government banished him again to Istanbul, then to Edirne and finally to Akka in Palestine where he died in 1892. His son Abbass, who was nicknamed Abdul Bahá, remained there until 1908, though he was released after Turkey's revolution that toppled the Ottoman Sultan. Then, he lived in Haifa of Palestine until his death in 1921. He was succeeded by his grandson Shawki Effendi, who founded the Baha'is' Administrative Center in Haifa until his death in 1957 in London where he was buried. Eventually, the presidency of the Baha'i administrative system, the task of maintaining the religion, the Baha'i community services and the issuance of decisions were assigned to the Universal House of Justice, which is elected for five years by members of the central Baha'i bodies throughout the world. Those bodies are called the 'Central Spiritual Assemblies' (CSA).

Baha'i beliefs developed in line with the historical developments it faced, and through which it tried to keep up with the modern age. It simplified theology, but enlarged the circle of ethics and

¹Ali al Wardi: *Glimpses of Iraq's History*, part 2.

changed them from a religious ideology to approved human ethical principles, most of which are mentioned in international human rights conventions and covenants. In this way, it was recognized internationally and it participated in most UN humanitarian and service activities.

Baha'ism introduces three closely interrelated types of unity: unity of the Creator; unity of religions in terms of origin, source and goals; and unity of human race. Baha'is believe that all religions share one truth, and Baha'ism came only to explain their content, confirm their truths, conciliate among their followers, show the unity of their goals and work to achieve their high aspirations. Baha'ism encourages its followers to read the other divine books, digging deep into their meanings, because it believes that those religions have one divine source. In order to apply this principle, the invocation ceremonies organized by the Baha'is throughout the world contain, in addition to readings from Baha'i books, readings from Quran, Torah and the Bible. Their belief in the unity of religions has been culminated by including Eastern religions, such as Hinduism and Buddhism, in that unity.

Admitting the unity of the human race is a basic principle for Baha'is who built on it other rules that are organically connected with all types of equality and equity for all human beings. This includes gender equality; they believe that the ethical and psychological climate, without which global peace cannot flourish, will not become stable until women are welcomed into all fields of human activity as full partners of men. They also seriously promote international standards of human rights believing that human rights are an inseparable part of religious duties; so, they should be recognized and protected locally, nationally and internationally. Individuals should be educated to acknowledge and respect theirs and others' rights. Based on that, they introduce ideas that fit the soul of the present age regarding economic equity, cooperation among people, the need for comprehensive education and combating ignorance and illiteracy.

It is worth mentioning that Baha'is call for one international language; with the world progress and the increased communications among people, it is necessary to adopt one internationally

approved language and one font to be taught by all schools throughout the world. Such a language would be an additional language besides the native one(s) of each country. The goal is to develop better means of telecommunication among peoples, reduce administrative costs and develop stronger links among all peoples and nations.

Baha'is have no religious posts, positions or jobs; they have no vicars, monks, priests or clergies. The affairs of the Baha'i administrative system, religion preservation, Community services and decision-making are managed by the Universal House of Justice, elected for five years.

Baha'is' financial resources come from the members' donations; they may never accept donations from others to run their religious affairs. This is a basic principle which Baha'is apply throughout the world regardless of their financial status.¹

From a recognized minority to a forsaken community

Baha'is have been present in Iraq since the early days of Baha'ism when its founder Bahá'u'lláh was banished by order of the Shah of Iran and in agreement with the Ottoman Sultan in 1853 to Baghdad - which was then part of the Ottoman Empire.

Non-Muslim sects were legally recognized in Iraq by virtue of Courts' Statement No. 6 of 1917. According to articles 13, 16 and 17 of the Statement, the personal affairs of each sect would be assigned to a group of people belonging to that sect.

Since that date, civil courts started to ratify Baha'is' marriage contracts made by their Spiritual Assembly according to the provisions of Baha'ism. The Constitution of the Iraqi Kingdom of 1925 enhanced this religious freedom; it recognized clearly and explicitly the freedom of religions and beliefs, which gave the Baha'is a chance to complete the spiritual councils (the CSA and

¹For more information about Baha'is' original references of Baha'ism see the website of Baha'i references of the Global Baha'i League, which has a huge library in Arabic, Persian and English. <http://reference.Baha'i.org/ar>.

the local spiritual assemblies) and they established an official and public head office in Haydar Khaneh to practice their religious rituals and social activities. They call this office 'Hazirat el-Qudus'¹

After the issuance of the Associations and Unions Law in 1931, the CSA submitted to the Ministry of Interior a document titled, 'The Constitution of the Baha'i Community in Iraq'. The CSA's nine members declared that they had been elected by representatives of Baha'is throughout Iraq in the meeting convened in Baghdad on 21-23 April 1931. As of that date, the rights, duties and responsibilities became part of the CSA's mandate, and it served as the administrative body of a religious association with permanent entity for 68 years (1863-1931). The CSA was invited to manage and organize the spiritual affairs and it found that it was necessary to give its social and administrative functions a clear legal form.²

In 1936, the Iraqi Ministry of Interior issued the Official Guidelines, which stated that the major social components of Iraq were: Muslims, Christians, Jews, Yazidis, Sabians as well as a small number of Baha'is, Majous etc., which meant an official recognition of their entity.

By the end of the 1930s, the CSA purchased a big piece of land in al-Sa'adoun Quarter and got an official license to build a central Hazirat el-Qudus, because the old one in Haydar Khaneh had fallen into disrepair. The building was designed to be a spiritual and administrative center for all Baha'is in Iraq.

In 1952, a Baha'i donated a piece of land in new Baghdad to be the Baha'is' graveyard in the capital. The CSA got the official approvals of the Ministry of Health and Baghdad Governorate to build the graveyard. Since then, Baha'is officially bury their dead people according to the Baha'i rituals.

¹Important Milestones in Baha'ism Movement in Iraq, Zahrat Nissan Magazine, July 27, 2007.

²Rafa'ah Abdulrazzak Muhammad: *Baha'u'llah House in Sheikh Bashar Quarter*, An Iraqi memory Annex, Al Mada Newspaper, 07/11/2010.

From the first census in Iraq in 1934, Baha'is specified their sect in census forms and civil status records. They did the same in the census of 1947. In the census of 1957, three main religions - Islam, Christianity and Judaism - and three religious sects - Sabian, Yazidi and Baha'ism - were listed. In the census of 1965, al-Kerrada Al Sharqia was found to have the biggest number of Baha'is in Baghdad with 241 persons.

The Baathist Coup of 1963 marked the end to their freedom to practice their ceremonies. On August 6, 1963, the authorities decided to cancel the registered contracts of Baha'i Assemblies and considered that this sect was not a doctrine. In April 1965, the Authorities made an order to close the Baha'i Assemblies and to appropriate their properties throughout Iraq according to the National Security Act No. 4 of 1965.

After the Coup of July 17, 1968, Baha'is petitioned to President Ahmad Hassan al-Bakr to reopen their temples, but the Authority was at the time thinking of enacting a law prohibiting Baha'ism. Such a law was indeed enacted and issued in the official gazette on May 18, 1970.¹ It stated that the promotion of Baha'ism and belonging to any assembly or body disseminating or calling for Baha'ism in any form was forbidden and that all Baha'i assemblies should be closed, their activity should be terminated, their properties and assets should be dissolved, and that security departments should keep all their documents. Anyone violating the Law would be punished by imprisonment for at least 10 years.

Thus, all Baha'i activities were legally terminated. The building of the Baha'i Assembly in al-Sa'adoun Quarter became a security department and a number of those accused of embracing Baha'ism were prosecuted and imprisoned by the Revolutionary Tribunal. By the end of the 1970s anyone who promoted or embraced Baha'ism was sentenced to death.

The Decision of the Civil Status Directorate No. 358 of 24/07/1975, which froze the registration of Baha'is in Civil Status Registries had physical and emotional consequences such as:

¹Law No. 105 of 1970 which prohibited Baha'i activity.

1. Their marriage contract would not be registered in the Civil Status Registry.
2. A Baha'i would not be given an ID card or a certificate of his/her status in the registry.
3. Newborns would not be registered on their parents' registry which meant they would not get ID cards.

This meant simply that a Baha'i would be deprived of the simplest citizenship rights such as getting a passport, employment, enrollment at schools and universities, purchasing and selling dwellings and other properties, as well as any other action in which a citizen is required to present an ID card.

That decision is still effective though it was issued by the Director of the Civil Status Department and repealing it would only need a similar decision from the current Director in accordance with the principles of the Constitution ensuring the freedom of religion and belief which abrogate all actions, decisions and orders limiting religious freedoms.

In 1979, when Saddam Hussein assumed power, the law prohibiting Baha'ism was amended and the punishment was increased to life imprisonment, and to execution in case of repeating the prohibited activities.¹

The Baha'is kept living in the shadows throughout the years until 2003 when they resumed their activities but calmly in order not to attract attention. They still fear instability in Iraq after the change which again made them a semi secret sect.

Persecution and lost rights

Baha'is in Iraq have changed from a legally recognized sect (during the royal era) to a forsaken community during the Baathist era, and then to a semi secret sect after 2003. Baha'is have been subject to imprisonment, displacement, confiscation of properties,

¹Amendment of the Law No. 105 of 1970 prohibiting Baha'i activity, Al-Waqa'i Al-Iraqiya, issue 2741, 1979.

depriving of simplest citizenship requirements and accusations that practically set the floor for their oppression, such as being agents to Russia, then to England and finally to America and Israel despite the fact that the Baha'is emphasize the separation of religion from politics and actually keep away from political activity; they forbid the founding of political parties or direct involvement in any political activity.

Many books have been written about Baha'is. Most of these books contain provocative materials encouraging violence against them and accusing them of different things such as undermining religions, calling for atheism and profligacy and being fabricated by colonialists and Zionism, etc.

In spite of the aforementioned verbal and actual violence against Baha'is, there are recent developments by some Shiite scholars in Qom and al-Najaf towards a new tolerant view of Baha'is, namely the Fatwa made by Ayatollah Muntazeri in 2009 which called for respecting their citizenship rights despite their religious differences with Muslims.

A study about religious minorities in Iraq was published with an objective view of religious minorities, including Baha'ism; it reflects more openness at the level of religious elites in al-Najaf.¹

At the governmental level, the Nationality and Passports Department of the Ministry of Interior abolished, in April 2007, Decision no. 358 of 1975 which prohibited giving a national ID card to Baha'is. In May 2007, ID cards were given to a few Baha'is but this was suspended under the pretext that Baha'is have been registered as Muslims since 1975 and there is a government law that prevents Muslims to convert to another religion.² Thus,

¹A study by Hujjat el Islam Sayyid Jawad al Khoei; it was published on Al Khoei Islamic Foundation website:

<http://www.alkhoei.com/arabic/pages/book.php?bce = 144&itg = 52&-bi = 138&s = ct>

²In 2007, the Council of Ministers Secretariat sent a secret letter to the Ministry of Interiors stating that Law 105 of 1970 was still in effect, and Baha'is should not be registered as Baha'is in their ID cards.

Baha'is, whose religion was changed in their ID cards to Islam after Decision 358 of 1975 took effect, could not correct their religious status in their ID cards to become Baha'is nor were their children recognized as Baha'is.¹

Baha'is hope to have their religion recognized officially and to have it displayed on their ID cards. Some official bodies offered to compensate them for the arrests, imprisonments, deprivation of civil rights and confiscation of properties but they refused to get any compensation because their faith tends to enhance their preference of high spiritual values.

Baha'is do not seek parliamentary representation because they keep away from politics; rather, they prefer to work for community advancement through voluntary activities in many domains such as education, poverty reduction, ethical leadership, women's empowerment, etc.

Like other Baha'i communities throughout the world, Iraqi Baha'is have begun carrying out activities reflecting their interest in the communities they live in. Their work serves and develops these communities and is commensurate with the Baha'i belief that each individual is responsible for taking part in the building of a new civilization representing the unity of the human race.

In addition to worship and invocation assemblies held with a view to establishing a spirit of unity among all people through entreating and supplicating the Creator, Baha'is promote programs to strengthen spiritualism and ethics targeting different age groups. They target children with lessons that enhance their talents and spiritual abilities and target adolescents with programs that help them form a strong ethical identity in their early adolescence and enhance their abilities to contribute to the community welfare and goodness. Finally they target adults with capacity building programs so as to assume responsibility for their material and spiritual progress.

¹Religious Freedoms Report, the US Department of State, October 26, 2009.

After 2003, Baha'is hoped that the change would bring better conditions with respect to their freedom to declare their identity, practice their ceremonies and beliefs and resume their ordinary life. That is why they have calmly resumed their activity in order not to attract attention.

Baha'is are still in the shadows; they live under social fears of revealing their identity and prefer to avoid showing their practice of rituals. Moreover, they have been isolated by a discriminatory culture that afflicts the Iraqi society and by the authorities' attitude that deprived them of their properties, prevented them from calling for their religion and finally decided in the late 1970's to sentence whoever belonged to them as a community or a religion to death. In spite of that, they have no tendency or intention to emigrate because their faith emphasizes the individual's service to their regions and homelands.

7) Black Iraqis: Scarred Memory and Recovered Identity

Jalal Dhiab¹

Black Iraqis do not have the same parentage; they are from various African origins. Their forebears were brought in different stages of history and they resided in various places. There are the Nubians (from Nuba) and the Zanzibari (from Zanzibar island in the Arab Sea, Yemen), from which the word "Zinji" [Negro] was derived and given to the Black Iraqis during their revolution known as the Zinj Revolution. Some blacks came from Ghana and other from Habasha (currently Ethiopia).

Geographic Distribution and Demographic Size

During the first half of the 20th century, the Black Iraqis lived in south and middle Iraq, with the majority living in Al-Basrah due to the need of landlords, merchants and aristocrats for individuals to protect and support them in the recurrent conflicts. Al-Basrah, at the time, did not have the type of tribal society as other governorates, such as Thi Qar and Maysan. Thus, aristocrats depended on the Black Iraqis in their confrontations and to serve their needs. That is why they brought lots of them from Nuba (in Egypt), Eritrea and Habasha and used them in daily affairs. The Saadouns, the Nakeebis, the Shiekh Khazaal el Ka'abis were among the first influential families to enslave the Blacks and use them in farms, marine and commercial works.

Before the revolution of 1958 which put an end to feudalism and terminated the influence of the landowners, the blacks had worked in Al-Faw and Abul-Khasib, where there were a lot of date warehouses owned by Kuwaitis, like Ibn Ibrahim and others. After the 1958 revolution, the Blacks settled in Al-Zubair, where they used to work. The region had large areas of land not possessed by anyone, which enabled them to build simple dwellings to live in.

During the war with Iran, they moved to Al-Zubair. When the

¹Head of the Association of the Friends of Freedom and Humanity, Secretary of the Movement of Free Iraqis.

Iranians occupied Al-Faw in 1986 and destroyed its orchards and economic businesses, Al-Zubair remained the Blacks' stronghold.

A number of Black Iraqis lives in other areas in Abul-Khasib and in Al-Hussein and Al-Jumhuriya neighbourhoods in Basra, while others live in Al-Sadr City in Baghdad (the majority of population in certain quarters of this city are Blacks), and in Thi Qar, Maysan and other governorates.

History in Iraq

The existence of the Blacks in Iraq is connected with the wars and incursions that targeted the Black Continent (Africa) a long time ago. Thousands of them were taken as war prisoners and brought chained to Arabia, Iraq and Bilad al-Sham [the levant]. Others were purchased from Arab slave traders by tribe leaders and rich people.

The Blacks were used as slaves in princes' and rulers' houses. They worked under hard conditions in agriculture, reclaiming and draining large areas of marshlands. During the Umayyad and Abbasid times, in South Iraq, the Muslim caliphs gave huge areas of land to leaders of the fighting armies, which invaded the world in the far east and west. Those leaders used the Blacks to reclaim and cultivate the lands, because most fighters were busy making conquests to expand the Islamic Empire. Thus, it was necessary to bring huge numbers of Blacks to South Iraq, where there were large agricultural lands covered with marshes, and where they worked under hard conditions and suffered from psychological, social and economic pressures.

They were mainly fed on *hess* (paste made of date core flour with some oil). *Hess* is still connected until now with the poor class of the Blacks, who constitute the extreme majority.

Revolution against the Islamist Empire

Because of the hard conditions under which they lived in the Islamic Empire, the Blacks revolted for the first time under the leadership of a champion of theirs, *Sher Zinji*, which means Lion of the Blacks. That was in 689 A.D., i.e. at the beginning of the rule

of the notorious Umayyad governor in Iraq, Hajjaj bin Yusuf Al-Thakafi who cruelly quenched the revolution. After that, the Blacks remained under the same conditions, which were getting worse over time until the appearance of Ali bin Muhammad Al-Alawi, who descended from Zayd the Rebel, son of Muhammad Al-Baqir son of Ali bin Al-Hussein, who revolted in Kufa in 738 A.D. against the Umayyad caliph Hisham ibn Abd al-Malik. The revolution was quelled and Zayd was killed and crucified at the Al-Kannasah Gate in Kufa.

Ali bin Muhammad thought the terrible conditions of the Blacks would provide a social basis for his revolution against the Abbasid Caliphate represented by Caliph Al-Mu'tamid bi-llah and then his brother Al-Mowaffak, who mobilized soldiers to fight the *Zinji* rebels in Al-Basrah and destroy their movement which lasted for 15 years.

The *Zinj* Revolution (869-884 A.D.) faced a smear campaign that linked the Blacks to very ugly and criminal acts. They were also held responsible for acts they had not done, because they dared to challenge the caliph authority, which was then a political and religious taboo.

Historians did not shed light on the Revolution. They intentionally disregarded or hid its reasons and the conditions of the Blacks under the Islamic rule, until it was brought to light again by Dr. Faisal Al-Samer, Minister of Guidance during Abd-ul Rahman Arif era (1966-1968). With his objective view, Al-Samer was able to understand the Movement essence, nature and reasons, which were neglected or falsified by history books.

The Blacks suffered from the negative consequences of the Revolution for long; the Abbasid State tried to erase their identity by distributing them among the clans with a view to weaken them and kill their revolutionary spirit by convincing them that they were slaves by nature and that slavery would be their destiny.

Thus, the Blacks were affiliated to this clan or that formally, but this affiliation was different from the normal tribal links among the members of the same lineage. Therefore, a Black could not establish his own lineage tree. The view that the Blacks are slaves and inferior became deeply rooted in minds and hearts. They

remained at a low level in the clan hierarchy, with a sense of contempt, and some clans classified the Blacks lower than the Gypsies (Kawliyah).

Due to this inferior status, they were deprived of the simplest human requirements. They were sold as slaves at very low prices, lower even than those of animals, and were separated from their families by force. Moreover, there are stories about how some sheikhs would kill them as a kind of entertainment. A sheikh would say to his guests: "I will show you how to shoot a Black down." Some southern sheikhs would have sex with their wives in front of their black servants, who would wave some garment to ease the temperature over the sheikh and his wife during the intercourse, which was a way of contempt and disapproval to Blacks' humanity.

Discrimination against the Blacks: a Socio-cultural Context

Apart from Faisal Al-Samer's *The Zinj Revolution*, which addressed the Blacks' tragedy under the Umayyad and Abbasid dynasties, and the reasons of their revolt against the Abbasid Caliphate, authors and researchers have not mentioned the sufferings of the Black Iraqis, the socioeconomic oppression that they were subject to, the tragic conditions under which they lived and the effects that still cast heavy shadows over their different conditions.

This can be explained by the nature of the predominant culture, which is based on hiding the facts and forging history to match the power interests, as well as by the discrimination of the socio-cultural context. The language itself implies discrimination. The word "slave" is still given to the Black ranking them at the bottom of the social pyramid; it is full of humiliation, on one hand, and blind obedience, lack of will, dubious origins, contemptible lineage and lost freedom, on the other hand. It explains the intellectual and social context, in the atmosphere of which these dehumanizing properties exist. In South Iraq (namely, Al-Basrah, Thi Qar and Maysan,) where most of the Black population lives, they live in

squalid dwellings, do inhuman works, and are used by sheikhs and rich people in their houses like slaves.

The predominant religious mythology about the Blacks' conditions justifies this slavery. It states that the Blacks have descended from Ham, a son of Noah, who was cursed by his father because he was impolite and laughed at him while he was sleeping naked after having drunk glasses of wine, according to the biblical mythology that feeds the minds of people. This story seems to be suitable to justify the discriminatory attitude against the Blacks and legitimate their enslaving and contempt, as a punishment to them because of their ancestor's contempt to his drunk father.

Similarly, other tales were woven about the inferior essence of the Blacks, which justified considering them biologically inferior. Literature also reflected this discrimination, like Al-Mutanabbi's poem, in which he lampooned Kafur. He said:

When you purchase a slave, purchase a stick as well
Slaves are ill-natured stinkers like hell
Who taught the *Eunuch Black* to do a noble thing?
His white folks or his noble fathers?

This poem is full of racism; yet it is celebrated together with its poet and is still taught at the Iraqi schools as a masterpiece, hence reflecting the society's stereotyped attitude toward this down-trodden group. This also explains the discriminatory social traditions against the Blacks and why their marriage to persons in their social ambience is rejected, which can be classified among the other forms of class and social discrimination. For example, it is illegitimate for a commoner to get married to an Alawi women (who is believed to descend from Prophet Muhammad and his lineage). It is also illegitimate for some craftsmen, such as blacksmiths and farmers, to marry women of peasants who grow vegetables (*Hassawiyah*). In this regard, the failure of a Black to get married to a woman from his external social environment is considered a shame in common traditions, and implies discrimination that reinforces the concept of inferiority among the Blacks.

The religious aspect helped in giving legitimacy to the contemptuous conditions of the Blacks. The Quran has not been

clear on the question of abandoning slavery or forbidding it. It is true that Quran called for the emancipation of slaves, but as a kind of a philanthropic deed by a Muslim and not as a duty. It was up to the individual to decide. However, there has been a big gap between reality and the Quranic instructions.

The absence of a clear and straightforward text that calls for the emancipation of slaves or forbids enslaving people and set clear limitations in this regard, opened the door for slavery to grow and become dreadful. While the text was clear in forbidding marriage to a fifth woman, it did not forbid enslaving 1000 blacks; slaves were considered a man's property, and that was normal in Islam.

The Blacks' Cultural Revival

The Blacks not only have a distinct cultural identity, but such a vital identity has been a major determinant of Al-Basrah cultural identity, and therefore it influenced the folklores of the Gulf region as a whole. The popular historian Hamed el-Bazi of Al-Basrah says that Al-Basrah folklore, be it music or songs, is African; the Blacks brought them to Al-Basrah when they were brought to Iraq. Famous singers and players, who introduced the authentic art and singing of Al-Basrah with its *zinji* flavor, were Blacks: Hussein Batour, king of *Al-Khashaba*, his brother Muhammad Batour, Abu Yusuf Al-Awwad, as well as the female artists, such as Razqiya el-Dakkaka, Umm Ali (who had a well-known band holding her name), Rabi'a and others. The Blacks have left their touch on the country throughout the years. Some researchers believe that the names of some villages in Abul-Khasib like Mhijran, Hamdan and Yusufan are simply those of certain leaders of the *Zinj* Revolution.

The rites performed by the Blacks have been circulated orally from the founders of those rites to their children without being written down. This depended on the way those children belonged to their community, which is a minority from Africa; they settled and started to constitute their community and practise their own rites, a part of which had been brought with them and comforted them in their exile.

Those rites are performed in certain places called *makayed* (plural of makeed) in specific areas of Al-Basrah, such as Al-

Zubair and Abul-Khasib (Almheila quarter). Old Al-Basrah is the most important of them for it has two quarters, Al-Hakkakah and Al-Mujeibrah, and they represent the most important places for the community rites. The community has been living there for hundreds of years; some families have moved from there and established smaller *makayed* of their own.

The rites of *Ankruka*, *Wakendo*, *Inzerivo*, *Jatanka* and *Liwah* have come from the coastal area of Kenya; they are traced back to the Mombasa tribes; and it is no wonder that singing there still has the coastal identity of those tribes. There are also the Nubian rites, which come from Nuba in south Egypt, and the Haboush rites, which come from Habasha, and other rites from Zinjibar.¹

Those dances and religious rites are performed in houses, as a way to treat psychological and physical diseases. The most famous of those is 'Wanika' house, named after Mama Wanika and located in Old Al-Basrah, in addition to some other houses and *makayed*. During the rites, flags and a symbol representing a ship and anchor are raised as an expression of nostalgia to homeland and how the Blacks have been brought chained from Africa. Different musical instruments, like *almerwas*, *mandolin*, *kikanka*, *woobato*, *emsondo* and *alsernai*, take part in the dances and rites.

During the rites, tunes kept in the Blacks' memories are played as a folklore heritage, under the African names and according to their original place (Habasha, Nuba and other ilits and songs that are still sung in their African languages), to the specialty played and to the masters (spirits) of the tune and the inherited songs and tunes, and finally according to the purpose of the rite. Usually, the rites are performed "for a specific celebratory purpose, such as healing a patient or supervising some specific rites of passage, such as birth, circumcision, marriage or death, or to request help from metaphysic powers."²

The musical instruments that accompany the rites are made of

¹Thawra Yusuf Yacob: *Aesthetic Use of Visual Popular Rites in Iraqi Dramatic Shows*, a doctorate dissertation in drama arts, Faculty of Fine Arts, Baghdad University, 2003.

²Thawra Yusuf Yacob, *ibid.*

different kinds of hollowed tree trunks. Some are covered with animal leather on both sides and some on one side only. They take different sizes and shapes. The famous types of these instruments are the *emsondo*, *mandolin*, *kikanka*, and *woobato*. *Alsernai* is a reed pipe made of a special kind of wood with a mouth like a trumpet's.

Most tunes and rites are accompanied by singers and dancers of both sexes, some of which wear belts containing dry covers of sheep hooves, which give the tune some additional melodic tone when they hit each other with the dancer's movement. The rite usually starts with solo singing by the *Baba*, and then becomes collective until the end. The *Baba* usually calls the *makeed* followers "*3iyalna*" [our family], which means our sons and daughters.

Lots of people, not only the Blacks, of all society classes and components visit Wanika house, Molla Adnan *makeed*, Jaseem Farhan *makeed*, Abu Khshoum *makeed*, Umm Sakla *makeed*, Mama Fadhila *makeed*, etc. for treatment. The position of the Mama or Baba, who is the spiritual reference for each group following this *makeed* or that, is bequeathed by the former Mama or Baba to chosen people who will be licensed to perform the rites.

Though these rites have continued, the Blacks' cultural identity has much weakened and it still lacks a collective consciousness that would make it a pillar for an old cultural identity to be revived. That, from our viewpoint, is due to the fact that the Blacks, who lived among the clans, linked themselves to the heritage of those clans and tribes and adopted their religion or doctrine, so you would see among them Shiites and a Sunnis, and in towns, you would see individuals with ideological belonging to Arab nationalist or leftist parties, or even Islamic parties.

On the other hand, the Blacks remained without a unifying project that expresses their aspirations, which made them lack the means of expression and the necessary tools to revolt against their discriminatory and depriving conditions. Thus, the Blacks living in Rabi'a of Mosul, Ain Tamr of Karbala, Suq Al-Shuiukh of Al-Nasiriya, Al-Majar and Al-Kehlaa of Maysan and other places, have abandoned their artistic and intellectual heritage and lost their connections with their roots, while some Blacks in Al-Basrah

kept a link, even if not strong, with the folklore of their original countries.

Political Effectiveness and Representation

Throughout the contemporary history of Iraq, no Black has assumed a political position or played a remarkable role in politics. This is attributed to the fact that they were viewed as inferiors, which restrained their motivation and secluded their activists at all levels. The proportion of Blacks with higher education is the lowest among all minorities, and the same is true for high military and police ranks. In Al-Basrah, where the largest number of Iraqi Blacks live, the governorate bodies almost do not have Blacks in high positions, with very few exceptions. However, the change of 2003 in Iraq encouraged some Black intellectuals to express the ideas, hopes and ambitions suppressed throughout history. In 2007, the first movement that calls for the Blacks' rights and for ending injustice against them was born. The Movement of Free Iraqis, is a political movement expressing the Blacks' aspirations, defending their causes and seeking to revive their identity.

This Movement is not based on racial foundations (though it targets the Blacks and defends their rights only); it is not a racial organization. The Blacks have not descended from one race; albeit having common sufferings, a common destiny and they aim to have their human freedom. Additionally, this movement is secular and does not belong to any religious, sect or doctrine; its main concern is to combat discrimination against the Blacks and defend their rights.

Despite the emergence of this movement, the Blacks are still suffering from discrimination. They have not been invited by anyone to participate in public life, and have not been given a chance to proclaim their rights; in addition to the contemptuous views towards them. Hence, they remained out of the political process, under the pretext that they are part of society and enjoy what everyone enjoys. However, if this had been the case, there would have been black ministers, MPs, or general managers.

The Blacks aim only to gain the rights of citizenship and activate the Constitution articles implying equality and equal

opportunities. Then, they will have the rights to political representation and moral and financial compensation for the years of deprivation and to equality in life. The contemptuous views towards them, still a barrier impeding their hopes and aspirations, must be criminalized. However, this should be through enacting a law against discrimination, as is the case in the USA and other countries.

The Iraqi Blacks also hope to have access to public media to communicate their feelings and ideas about the exclusion and marginalization policies, and to give them a chance to express their sufferings and dreams.

The dark-skinned Iraqis seek emancipation from the burden of the past and the scars of their memory with a view to self-realization and recovering their stolen humanity. Perhaps the first steps on this way should be an official apology for their suffering from racial discrimination, the abolition of the texts and ideas that publicize racism in textbooks, and enabling religious institutions take a strict attitude against discrimination. They must also be given the right for representation according to the quota system like other minorities, at both the national parliament and local governments, so that they could express their demands and hopes.

8) Faili Kurds: the Curse of Compound Identity and Scars of Collective Memory

Dr. Farida Jassim Darah¹

The Faili Kurds are a minority with a multiple-element compound identity. While ethnically they are Kurds, they belong to the Shiite sect (most Kurds are Sunni Muslims embracing Shafi'i Doctrine). Another distinctive feature is that they speak a different dialect (Faili Luri, and Bakhtiari), which differ from the rest of Kurdish dialects (Sorani, Badini and Zazki).

Etymology

There are different views about the origin and meaning of the word "Faili". While some researchers believe it is used to refer to revolutionaries, rebels, or insurgents, others believe it has the meaning of bravery or courage, qualities, characterizing mountain inhabitants.²

Still, others believe that the term is derived from Fahlawi, the language of Failis' ancestors³, the language of sacred Parsee faith and other pertinent faiths. Researcher Hamid Azad holds that Faili is derived from the word Fahla or Bahla used to refer to the Failis' territory. In 1600 AD, the first Peshtigo governors, Hussein Khan conferred the title 'Faili' upon himself, and ordered the title to be engraved on his tombstone. It was the first time the word Faili appeared, nearly one thousand years after Islam. Since then the word Faili, a variation of Fahli, has been used. The change from Fahli to Faili reflects a common feature in the evolution of Iranian languages whereby the ح is substituted with a ي.⁴ Others also

¹Department of Sociology, College of Arts, Baghdad University.

²Ahmed Naser al-Faili: *Faili Kurds, Past and Present*, Shafaq Foundation for Culture and Media, Baghdad, p 15.

³Salim Matar: *Controversy over Identities: Loyalty Struggle in Iraq and the Middle East*, Raha Neki Sama Foundation, 1963, p 269.

⁴Mohamed Taqi John: *The Story of Faili Kurds: Ordeal of Loyalty and Reconstruction*, Dar-ul-Dia' Publishing House, Najaf, pp 53-54.

believe that the word Faili was used after the death of Shah Nader in 1747 AD, when Kurdish Faili tribes took part in the civil wars that swept Persia and eastern Kurdistan. Those tribes played a great part in the political life of Persia during the reign of the Zindagi principdom (1750 - 1779).¹ Since then the word Faili came into existence, and was used to refer to Luristan as a whole. At a later stage, it was limited to Peshtigo inhabitants after the decline of their rule. Then, the name was exclusively confined to the Kurds of Iraq.

Researcher Shopril pointed out that Failis are Kurdish tribes that inhabited the mountainous areas between Turkey and Iran. Iraq's name was not mentioned at the time, because it was part of the Ottoman Empire.²

Failis: Shiite Kurds

The term 'Faili' became commonly used in the early nineteenth century to refer to the population living in the far south of Kurdistan, specifically Bashtico. They were bounded by Iraq's modern borders after the territorial demarcation between Iran and Turkey in 1905. The term later assumed a sectarian rather than ethnic denotation. When someone says he is a Faili, it immediately comes to our mind that he is a Shiite Kurd, and not a Sunni. However, a large number of Mandali and Khanaqin residents as well as the Southern Kurds do not use the term Faili to identify themselves, despite the doctrinal attribute that brings them together. Two reasons may be cited for this situation: first is their rural background. In the 1970s, the Baathist regime, as part of their policy to change the demographics of the region, forced them out of their areas to Baghdad and other provinces far from their original homes. That is why they still think and behave according to a rural mentality: unlike the Lori Failis who are indigenous

¹Saad Iskandar: *The Faili Kurds of Baghdad and al-Baath Regime*, from *Ethnicity and the State: The Kurds of Iraq, Iran and Turkey*. Editors: Dr. Faleh Abdul Jabbar and Hisham Dawood.

²Ahmed Naser al-Faili, op cit, p 16.

Baghdadis with urbanized behaviour, other Failis will introduce themselves through tribal titles. The second reason is that the term Faili before 2003 was used to refer to Kurds whose official papers indicated affiliation with Iranian citizenship or holding a permanent Iraqi residence without citizenship status meaning that historically they were not Kurds with Ottoman citizenship. Many of them would avoid using the word Faili in their family names to avoid the marginalization and displacement that affected those holding Iranian dependency status.

Geographic Distribution and Demographic Size

The Failis live along the Iran-Iraq borders in the Zagros Mountains,¹ from Jalawla, Khanaqin, Mandali and Balad Ruz in the north, to Ali El-Gharbi to the south through Badra, Jassan, Zurbatiyah, Al-Kut, Numaniya and Aziziyah, mostly in Wasit Province, in addition to some villages in Maysan Province and East Diyala Province. Failis on the Iranian side live in Lorestan, including the provinces of Kermanshah, Ilam, and Khurstan and its cities from north to south, including Khosravi, Shirin Palace, Kermanshah, Islamabad to the west, and Sarpol Zahab, Elam, and Badra in Iran, and Mehran, and Andimeshk, bordering Southern Iraq in Maysan Province.²

The existence of Failis in Baghdad, Diyala, Wasit, Najaf, Maysan, Nasiriyah, Diwaniyah, Basra, Muthanna, Karbala and Babil, all located outside the boundaries of Kurdish provinces, represents another feature, besides Shiism, which differentiates them from the Kurds in the Kurdistan Region. Their most prominent residential areas in Baghdad at present are Kifah Road, Al-Ikari, Palestine Road, first and second Jamila, Sadr City, Al-Sha'ab, Al-Mashtal, Al-Kazimiyah, and others.³

¹*Still targeted: Unabated persecution of Iraqi Minority*, Minority Rights Group International report, 2010, p 6.

²Free Encyclopedia: Ar.wikipedia.org/wiki.

³*Shiite Kurds in Iraq*, Peace Organization for Faili Kurds, Baghdad, 2008, p 7.

Settlement in Baghdad

It is difficult to identify a specific date marking the Failis settlement in the capital. However, we may say that Baghdad at the early twentieth century reflected the ethnic and cultural diversity of the broader population of Iraq. Ethnic and religious groups, including Arabs, Kurds, Iranians, Turks, Christians, Jews and Armenians contributed to Baghdad's social, economic, political and cultural life. What helped the Failis settle down in Baghdad were the trading routes between Baghdad and Iran that passed through Minor Luristan regions. Commercial relations and sustained contact between Baghdad and those areas motivated most of Faili families to live in Baghdad.

During the second and third decades of the twentieth century, only a limited number of Failis engaged in trade with the vast majority being small wage earners, porters, artisans and workers. During that period they worked for Jewish merchants and benefited from the latter's long experience in the field of trade. By the late 1940s the Failis had become a fixture in Baghdad's commercial life. When the majority of Jews were forced to emigrate to Israel in the early 1950s the Failis soon filled the great trade gap created by the departure of Jewish merchants.¹

In the early 1960s the Failis were among the active groups in the Baghdadi community. In the mid-1970s, most of them belonged to the middle or upper middle class. Whilst some Failis remained where their jobs were in Baghdad's old neighborhoods, many had left their old neighborhoods like Agd El-Akrad, Bab El-Sheikh, Shorga, and El-Fadl at the eastern side of Baghdad and had relocated to the new neighborhoods of the new middle class such as El-Ikari, Palestine Street and Jamila neighborhood,.

This description of the rise of Failis as a socially and economically influential group explains one aspect of the Baathist regime's apprehensions that resulted in large scale displacements in the 1970s and 1980s.² In addition to their efficient contribution to

¹Saad Iskandar, *Op Cit*, pp 298-301

²*Ibid*, p 302

transactions within the Baghdad Chamber of Commerce¹ in the 1960s, the Failis constituted an effective economic lobby through their control of Shorga's commercial activities.² They also played an important role in political, social, and cultural life where prominent figures emerged. In the political sphere for example, Aziz Al-Hajj became a member of the Central Committee of the Communist Party³. In theater and television, names like Ibrahim Jalal and Salim Al-Basri were in the lime light; in the field of sociology we find Ali Al-Wardi, Mustafa Jawad (linguist) and Jaafar Khayyat (writer); in painting, artists Faeq Hassan and Khaled Al-Jader; in literature, Gha'eb Tu'ma Farman; and in music we had Rida Ali and Naseer Shamma⁴, etc.

Because of their compound identity, they had different political affiliations. In joining the left, they, like other minorities, found the best expression for their national aspirations away from the narrow-minded opinion held by the Arab nationalist movement that controlled power in Iraq between 1963 and 2003 and that considered them as a suspicious minority. Due to their ethnic background as Kurds some of them joined Kurdish parties such as the KDP and the Patriotic Union of Kurdistan whilst in other cases their sectarian affiliation as Shiites prompted others to join the Islamic Dawa Party, Badr Organization, the Supreme Council and other Shiite political parties.

Conversion to Shi'ism

The groups inhabiting the central and southern Zagros plateau and the extreme south of Iraqi Kurdistan embrace Islamic Shiism.

¹Baghdad Chamber of Commerce was established under Law No. 40 of 1926. It is the first chamber to be set up under the national rule in Iraq.

²The largest wholesale market in Baghdad and a business hub for Baghdad and Iraq for a long time.

³Hanna Batatu: *Old Social Classes and Revolutionary Movements of Iraq*, translated by Afif al-Razzaz, Vol. I, Arab Research Foundation, Beirut 1990, pp 437-438

⁴Burhan Shawi: *Faili Kurds: an Attempt to Discover Their Exact Origins*, Al-Asd'a Publications, Baghdad, 2008, p 46.

Earlier, they were Sunni and belonged to Ahl al Haq (People of the Right). Their conversion to Shiism happened in the early sixteenth century after the establishment of the Safavid state. They account for nearly 15% of the Kurdish population the majority of which, particularly those who remained under Ottoman control, are Shafi'i Sunnis.¹

The reason for their conversion to Shiism is that many of them were Alawites and belong to Ahl al Haq that holds Imam Ali in excessive reverence and thus makes them closer in many ways to the Shiites. Besides, the passage of Iranian trade caravans across Luristan, and their contact with the visiting Iranian Shiites during their trips to Najaf and Karbala are among the factors that contributed to their conversion to Shiism. The attempts by Sunni Ottomans to occupy their areas speeded up their conversion as a reaction to those plans.

Since their conversion, Shiite Kurds have collaborated with their Arab Shiite counterparts to revive Shiite practices, rituals and religious traditions², like Ashura, which commemorates the martyrdom of Imam Hussein, in addition to other events in the Shiite calendar related to the births and deaths of the Twelve Imams. Even their celebration of Nowruz³ (Spring Festival) took on a Shi'ite character: rather than attending the euphoric Kurdish celebrations in Kurdistan on the occasion, which symbolizes the beginning of the Kurdish New Year, Failis visit Imam Ali's shrine and the graves of their dead and pay alms for their souls. They also bury their dead in the Najaf cemetery with Shiite Arabs next to the tomb of Imam Ali. They believe Najaf is the third holiest place after Mecca and Medina. Moreover, Faili women wear black clothes to mourn the death of family members for at least one year

¹A group of researchers, *The Black Book of Saddam Hussein*, Chris Kutschera, translated by Khasru Butani, Aras Publishers, Erbil, 2007, p 218.

²Saad Iskandar, Op Cit, pp 297-298.

³Nowruz, the first day of the Kurdish year (21 March), is the national day for the Kurdish people and for a number of east Asia populations. It marks the new Kurdish year.

showing grief and sadness; a characteristic of southern Iraqi Shiite women who generally look sad and sorrowful compared to the happy and cheerful women of Kurdistan.

Faili Scarred Memory

The Failis' memory has suffered the pain of having their Iraqi identity questioned since the creation of modern Iraq. Over the past century, they fell victim to forced displacement and repression by successive political regimes. The Kurds of northern Iraq on the other hand did not face an identity problem like the Failis because the Iraqi government recognized them as Iraqi nationals but went to war against them because they were Kurds and because they sought the freedom and independence of Kurdistan whether in the form of federalism or as an independent state. The Failis were not even recognized as Iraqis.

From the 1920s, Failis identity was attacked. The Iraqi nationality Law No. 42 of 1924 divided the citizens into two classes: first and second. Under that Law, Ottomans were considered first class Iraqi citizens despite belonging to Ottoman Turkey and the countries under its control. A Faili's, on the other hand, was a second class Iraqi who had to acquire Iraqi citizenship even if his/her family had lived in Iraq for hundreds of years. As a result, there were Ottoman Iraqis and others of Iranian origins. Only first class citizens were recognized as original Iraqi citizens and enjoyed all the rights thereof.¹

Over half a century (1940-1991), the Failis were subjected by successive Iraqi governments to a series of displacements and were stripped of Iraqi citizenship for political, ethnic and sectarian reasons.

After the July 14th, 1958 revolution, the first republican system was born. Its temporary constitution established a true partnership between Arabs and Kurds. That action had somewhat reduced the discriminatory treatment against the Faili Kurds. This went on

¹The Black Book, Op. Cit., 219.

until the Baathist coup of February 8, 1963, against which the Failis fought in their areas in Baghdad (Agd El-Akrad, Nahda Square, Bab al-Sheikh, and Kadhimiya) and lost hundreds of their men, while thousands were sent to the concentration camps without trial and were exposed to torture and liquidation.

Three months after the coup a new Iraqi Nationality Law, Law 43 of 1963, was enacted and was even stricter than its predecessor. Its provisions were tougher and it consequently led to stripping the Failis of their Iraqi nationality without due process. As a result, the rate of forced emigration expanded extensively.¹

When another wing of the Baath Party took over through a coup on July 17, 1968, the new regime embarked on liquidating its opponents and rivals, particularly those who resisted its 1963 coup. It displaced nearly 70,000 Failis in 1969, 1970, and 1971.

Despite the agreement of March 11, 1970 between the Kurdish movement and the Baathist government the negotiations did not address the issue of Faili Kurds. After the Kurdish movement suffered setbacks in 1975 Failis were displaced to southern and western Iraq in a bid to change the demographic character of the neighboring provinces adjacent to the Kurdish areas and along the Iranian borders.

The situation climaxed with the 1979 coup in Iran and the coming to power of the Islamic government which was hostile to the Baath in Iraq and there were indicators of an imminent war between the Islamic regime in Iran and the secular regime in Iraq. The war was sparked off by the assassination attempt at Mustansiriyah University against Tariq Aziz, a prominent figure of the Baath Party regime at that time. The attempt was blamed on an opposition political activist, of Faili origin, named Samir Ghulam who was the first victim of the huge expulsion of Failis to Iran in 1980. The Iraqi citizenship of more than 500,000 Faili individuals was revoked allegedly for having Iranian origins. In

¹For further information, refer to the interview in Kurdish with the Faili political activist, Riad Jasem Faili, Roznama Newspaper, issue 594, dated 10/8/2010.

addition, their movable and immovable assets were confiscated without compensation and all their official documents were destroyed. Young people were separated from their families and detained in terrible prisons. There are between 15,000 and 20,000 persons who are still unaccounted for until now. Failis were removed from government jobs and persons married to Faili women were forced to divorce them through instigation and intimidation. Poisons and suffocating gases were used against them, and their detained children were subject to biological and chemical laboratory tests.¹

Other discriminatory regulations were issued against them, especially the Revolutionary Command Council order No. 666 of 1980. Their economic and trade activities were blocked and their money, property and bank deposits were seized throughout the days of the war. Faili men and women were placed under surveillance by the security, intelligence and party apparatuses as they were viewed as potential spies, traitors, agents and fifth column members.

Over 30 anti-Faili orders were issued by the Revolutionary Command Council. A department was created in the Council of Ministers to liquidate the displaced people's assets.² Forced displacements continued until after the invasion of Kuwait in 1990 and the defeat of the regime in the Second Gulf War. After the passing of Resolution No. 688 on April 5th, 1991 on the humanitarian situation in Iraq, and imposition of no-fly zones after which Kurdistan became autonomous and the displacement policy was frozen.

Post-change Challenges

Upon their return to their homeland, the Faili population faced complicated administrative problems in regaining their nationality. The vast majority of the repatriates were forcibly displaced from

¹Al-Bayt El-Faili website, see. www.faylee.org/docs.

²Interview with Riad Jasem Faili, Op. Cit.

Iraq from 1980. Some were elderly; others died abroad and their children were born or grown away from home. They were, like their parents, without identity documents, and a large part of them did not speak Arabic, which made it difficult for them to travel to Iraq to follow up their cases.¹

The Ministry of Migration and Displacement did not have any effective plans or strategies to ensure the return of the displaced persons and their integration into society. The Ministry stated that in 2003, nationality was returned to around 20,000 Faili families only while at least 100,000 Failis were still without nationality.² In addition, the Property Claims Commission did not deal with the property return file efficiently. It did not also do justice to those whose property had been confiscated because the former authorities stripped them off the title deeds that could have helped them get back those properties.

Article 6 of the Transitional Administrative Law for 2004 stated that "The Iraqi Transitional Government shall take effective steps to end the vestiges of the oppressive acts of the previous regime arising from forced displacement, deprivation of citizenship, expropriation of financial assets and property, and dismissal from government employment for political, racial, or sectarian reasons". Yet the interim government issued a directive titled "Iranian ethnicity cases", viewed as a continuation of the former regime's mentality with regard to addressing displaced persons as "foreigners". The directive also stated that returning them to pre-displacement legal status would be effected under 'foreigners acquiring nationality in accordance with the repealed Iraqi Nationality Law No. 43 of 1963'. That procedure categorized the repatriated persons, once again, as second-class citizens.³

¹Faili Kurdish Democratic Union, see: <http://www.kurdistanpost.com.ads.asd>.

²Minorities in Iraq: Participation in Public Life, Minority Rights Group International report, 2011, p 9.

³For more information, refer to the interview with Faili activist Riad Jasem Faili, published in (Supplement: Democracy and Civil Society), al-Sabah Newspaper, issue (2119), dated 30/11/2010.

The Ministry of Interior placed almost crippling instructions for the repatriated persons to regain Iraqi nationality. The same happened with the procedures of the two institutions of Martyrs and Political Prisoners that stated that forced émigrés would be treated as ‘detained’ rather than ‘convicted’. The Ministry of Finance refused to implement Law 16 of 2010, for compensating the persons affected by the Baath regime. Moreover, the 2012 budget had no allocations for compensating damage and property loss in respect of Faili victims.

Fragmentation and Lack of Unified Political Representation

Since 2003, numerous figures and organizations have emerged as Faili representatives.¹ However, this representation has failed to form a unified political body owing to the differences between nationalists who supported Kurdish parties, Shiites who considered Najaf their religious and political reference and put all their eggs in the basket of the Shiite political parties, and secular groups who bet on the Communist Party or National Congress Party. Most Faili organizations and movements were just a façade for the aforementioned nationalist and Islamic parties. The others organizations had little grassroots support and were simply formed for temporary electoral purposes. Therefore, many of them could not survive.

As a consequence, the Faili Kurds failed to get a parliamentary seat because their votes were dispersed among different political lists although the electoral lists of the previous parliamentary elections had about two hundred Faili candidates.² That caused them to review their options, and seek independent political representation, rather than being used on an ethnic basis (Kurdish lists) or on a sectarian one (Shiite lists).

¹Muhammad Taqi John, Op. Cit., p 131.

²Media Department, Iraqi Council of Representatives, Op. Cit.

Multiple Discrimination and Misery of Compound Identity

Like other minorities during the Ba'ath era and its political persecution against ethnic or sectarian affiliation, the Failis were compelled to change their original identity or hide behind a fabricated one by changing their tribal affinity and replacing it with Arab tribal titles. It should be noted that changing one's title entails payment of charges and bribes to senior and junior officials at the security and naturalization departments.¹

Despite the regime change, the Failis are still facing multi-faceted ethnic discrimination, emanating from national or sectarian motives. As Kurds, they constituted the most powerful ethnic minority in the country, but due to sectarian loyalties, they found themselves a minority amid the Kurdish community. Besides, successive Iraqi governments treated them in a manner different from that of the Kurds of Kurdistan who were treated as Iraqis and, as such, they had to leave the country. Thus, they faced limited displacement rather than exclusionary displacement and they did not lose their Iraqi nationality the way Faili Kurds did.

As Shiites, they belonged to a sectarian majority. But in practice, the successive Shiite governments since 2003 have dealt with them as though they were a minority on political and social levels; they differ from the majority Arab Shiites at the national level.

Of all other Iraqi groups, they continue to be viewed with suspicion; a minority group with an unconfirmed Iraqi identity. The identity card issued to most of them still shows that they are citizens 'of Iranian origin' which suggests that they do not belong to the country and that they are no more than second-class citizens. It is the plight of possessing a compound identity; they are Kurds and Shiites but at the same time they are not²! As a consequence,

¹Burhan Shawi, *Op. Cit.*, pp 19-20.

²The Black Book, *Op. Cit.*, p 217.

the compound identity caused the Faili Kurds compound discrimination: social discrimination by the Kurds of the Kurdistan Region and the Shiite majority, and political discrimination by the successive governments, which treated them as foreigners of 'Iranian dependency'.

The Failis were also targeted by militant terrorist groups for the same reason; they are Shiites on the one hand and Kurds on the other, which made them a target for the two largest groups in power: the Shiites and the Kurds. As a result, they could not take part in any of these two power groups, and they had no representation in either of them at the decision making level. Therefore, terrorist attacks took place in the Sadri Regions in Baghdad, Khanaqin, Mandali, and Saadia at Diyala, Jalawlaa, Kemet and other areas with Faili majority. The acts of systematic killing were carried out on identity basis, through a series of organized explosions, assassinations and liquidations, which badly affected their psychological, social and economic conditions.

Many of the Failis who returned to their land and houses in Diyala Province from Keh Reh Los tribe after 2003 were exposed to mass killing and assassinations. Their houses were also attacked by terrorist groups and they were threatened by the Arab tribes living in those regions to leave their properties which were seized after their displacement. As a result, many of these Faili groups were compelled to leave their land and return to Baghdad to protect themselves and their families.

Healing a Scarred Memory

The demands of the Faili Kurds are centered on ending their painful past suffering, healing their scarred memory and getting their rights like the other minorities. They were forgotten when the parliamentary quota was approved, and no single Faili was assigned a ministerial portfolio in the new government. Therefore, they remained without effective representation at the decision making level.

The Failis still face administrative difficulties when following up nationality reinstatement, including the crippling procedure of

getting new official documents¹. Therefore, they call for facilitating these procedures, repealing the system of nationality certificate and the principle of dependency-based citizenship and eliminating the Interior Ministry's complicated procedures associated with the issuing of nationality to Faili Kurds. Besides, the Faili question must have reasonable coverage by the state-funded media including documentation and archiving to enable the public to access the information related to the Failis. The Failis should also be relieved of the prevailing ideas about them and the discriminatory attributes ascribed to them, as well as people's doubts vis-à-vis their patriotism. To achieve these goals and dispose of such discriminatory attitudes, it is important to include the crimes of genocide perpetrated against the Faili Kurds in the official curriculum textbooks and urge the state-funded media, including the Iraqi media network, to highlight their suffering.

In the same context, discriminatory terms that cast doubt on the identity and affiliation of the Faili Kurds, which are repeatedly used while discussing their issue (such as deportees, persons of foreign origin, dependency, protected, fifth column, agents, conspirators, traitors, spies, foreigners etc.) must be prohibited.

The Failis call for effective and urgent government regulatory and executive measures. These include rehabilitation for Faili victims on a par with those of other ethnic groups. They also call on the Property Claims Commission to accelerate settling the issue of the confiscated properties, real estates, and land. In addition, they call for improvement of their living conditions, and provision of health and social services at the border areas (Faili areas) including the removal of mines, reclamation of arable land, supply of needed water and inclusion of these areas into the national development plans.

Some positive developments have taken place as a result of the Failis' demands for their rights over the past years. These developments have materialized in establishing an office for the

¹An interview published at the Democracy and Civil Society supplement, Op. Cit.

Faili Kurds' affairs at the Presidency of the Republic, to follow up their issues. There was also a unanimous vote at the parliament on 08/01/2011 on a resolution which described the atrocities perpetrated against the Failis as genocide. The resolution was published by the Supreme Iraqi Criminal Tribunal, and was endorsed by the Cassation Court. The resolution incriminates persons convicted with acts of killing and displacement against the Faili Kurds.¹

However, the healing process is still at its beginning and should continue until it has removed the scars of the Failis' collective memory and recovering their national identity and citizenship status.

¹Media Department at the Iraqi Council of Representatives, Op. Cit.

9) Kawliyah (Gypsies): Challenges of Adaptation in Changing Reality

Hamid Al-Hashimi¹

Etymology

Kawliyah is the local name used to refer to the Gypsies/Roma in Iraq. Many assumptions were made about the origin of this name. Our own research² shows that it also refers to Indian tribes that had some of their women practicing prostitution and dancing as religious services to clerics, and as paid service to ordinary people. Some of them were in the temple of Kawl (King Kawl). To honor themselves, Kawliyah affiliated themselves to King Kawl. Their emigration to the Middle East and Iraq followed that of other previous tribes and came at the request of the Farsi Shah.

Geographic Distribution

Iraqi Gypsies often lived on the outskirts of the big cities due to their need to keep in touch with other population groups and be in safe places near the cities. Their communities never settled down due to constant emigrating. Before 2003, the Iraqi state helped them settle down through building houses. The main places inhabited by the Kawliyah include:

- 1- Hamam Al-'Alil: a number of houses built by the government in Hamam Al-'Alil district in the 1980s in Nineveh Governorate (Mosul).
- 2- Tazah District: a camp of 30 tents (at the establishment date

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²The research was entitled "*Gypsies in Iraq: An Anthropological Study in Social Adaptation*", an MA thesis submitted to the Faculty of Arts, University of Baghdad, 1994.

in 1980s) in two rows with the leader's tent in the middle. It is linked to Kirkuk Governorate.

3- Abu Ghraib: the Gypsies settled in this area in the 1970s. It is secluded from the other population groups in a suburb, east of Bagdad.

4- Al-Kamaliya: a neighbourhood in eastern Bagdad.

5- Al-Fawwar: a Gypsy village, 10 km east of Al-Diwaniya (Al-Qâdisiyyah Governorate).

6- Kanaan: a district in Diyala Governorate. The Gypsies settled in it in late 1970s.

7- Al-Khidr: a district in Al-Muthanna Governorate (Al-Samawah). They settled in it in early 1980s after being displaced from Al-Sharaka Al-Gharbiya, an area relatively far from the Muthanna center.

8- Al-Shawmali: a neighbourhood to the west of Al-Shawmali in Babel Governorate. They settled there in the mid-1990s.

9- Al-Shatra: located in Bani Zaid in Al-Shatra District in Thi Qar (Al-Nasiriyah). The Gypsies moved there after being displaced from another settlement near Al-Fajr district in the same Governorate.

10- Some Gypsies households keep migrating especially to the north of Nineveh Governorate and the cities bordering Al-Jazeera Desert such as Shirqat, Mosul and Hawijah with nomadic-like movement.

Demography

There are no accurate statistics of the number of Gypsies because of their constant movement in the past. They do not give correct statistics for fear of revealing such things. Even censuses before 2003 did not distinguish Gypsies from other people. Based on residential areas, they did not account for Gypsies living outside villages and neighborhoods especially after they were given the Iraqi nationality in the early 1980s, where they became equal with other Iraqis in terms of legal rights and duties including the military service.

A report of the United Nations Office for Humanitarian Affairs published on March 3th, 2005 on Relief Web stated: "There are no official statistics of the total number of Gypsies in Iraq but tribal leaders put the number at over 60,000, of which 11,000 live in Al-Diwaniyah"¹. The website www.philly.com estimated that they are 50,000².

However, these estimates can not be verified particularly given the current situations in Iraq. We believe that their number exceeds the above estimates, because Gypsies are cautious and unwilling to give accurate answers and because of the constant gypsization of non-Gypsy people who settle, work, integrate or marry Gypsy persons especially women who like to live like Gypsies or work with them and cannot come back for social considerations.

Language

The Kawliyah language is a combination of several languages (Farsi, Arabic, Kurdish and Turkish) but apart from a few words used as symbols in presence of non- Gypsy people, they no longer use it. For example, when a Gypsy wants to inform his/her family or people that the police are coming, s/he says "Amd Resti Ha" or "Resti Resti" which means "police, police".

Gypsies are highly adaptable people particularly when it comes to language, costumes and religion. They managed to fully grasp and understand Arabic with a Bedouin-like accent³. Most Gypsies are about to forget their language, and children only know limited number of words due to:

- Lack of a written alphabet;
- High illiteracy levels;

¹Relief Web, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/DDAD-6A5NFE>. 30 December 2005.

²<http://www.philly.com/mld/philly/news/11823843.htm>. 3 January 2006.

³Their Bedouin-style movement and contact with Bedouins particularly in the deserts near Mosul, Kirkuk and the Euphrates as well as imitating the Bedouin life to avoid social embarrassment constitute a kind of adaptation.

- Gypsy dispersion to many small communities throughout the past centuries; and
- Constant migration and coexistence with different communities lead to acquiring new words and gradual abandonment of their mother tongue.

Social Distinction

Gypsies in Iraq have specific features that make them a distinctive subculture in the social surrounding:

- 1- Physical characteristics: including dark yellowish and coppery complexion, black straight hair and dark eyes with medium height.
- 2- Ethnic characteristics: they have Indian origins and that is emphasized by their physical characteristics, culture and language.
- 3- Economic characteristics: they practice professions that other society members do not usually practice.
- 4- Cultural characteristics (values): they practice activities that do not respect the customs and traditions of the Iraqi society.

Kinship Structure

Family is the basic social unit in which Gypsies learn their duties and principles of social upbringing. They also learn duties towards other units of social hierarchy. They adopt the patriarchal paternal system, where relationships are determined according to the kinship level and are based on the well-known proverb: "I support my brother against my cousin and my cousin against strangers".

Extended family is the prevailing pattern in the Gypsy community due to their style of living which requires gathering in specific places and the nature of their work that goes against social values in the dominant culture. In addition, the nature of their work requires that men be strong to protect their families from customers' transgressions and support family members even when they attack or cheat others.

Although Gypsy women have strong position because they are the main family breadwinners through the work they do, the father

has the last word in the family. What proves the women's status is the fact that the Gypsies prefer to have female rather than male newborns.

In the inheritance issues, the son has the upper hand and takes the lion's share. He inherits most of his father's possessions and status. Money is distributed according to the Islamic Sharia which dictates that males should take twice as much as females. It is not that they abide by the Islamic Sharia in this respect; it rather reflects the men's dominance over women. The women's high status is temporary and conditioned by their ability to generate income. When women get old and become undesirable by customers or if they are not that beautiful or have got some disability, they will be neglected and become "persona non grata" even by their families. Therefore, the status of any family member is conditioned by the economic role.

The kinship idioms are similar to those used by Iraqi people. The names in general are influenced by ecology and the economic and social environments. They are also influenced by the general culture hence reflecting social adaptability. Older people have names similar and influenced by the Bedouin and rural environments such as Shukriya, Fawziya, Allawi, Matar, Khayyun, etc. whereas the current names are contemporary and influenced by the city life such as Mustafa, Hazem, Furat, Sahar, etc. Some girls have resonant and striking names due to their work nature (like Bawn, Imtihan, Fatat, Sharbat, Khashfah, etc).

The use of the term "tribe" by the Kawliyah groups is not accurate. It is sometimes used to refer to tribal subdivisions. Researchers could not find Gypsy kinship trees or Genealogists¹ for the following reasons:

- 1- Weak ethnocentrism due to the nature of their work that generated social ostracism. That led some of them to claim belonging to well-known tribes in Iraq and the area such as Tamim and Shammar.
- 2- High illiteracy levels.

¹Elderly people who belong to well-known tribes and are highly trusted for their proven experience in genealogy and lineage trees.

- 3- Constant migration in the past and coexistence with different communities.
- 4- Pretty weak kinship relations.

Major Tribes

The most prominent Gypsy tribes include Bu-Baroud, Bu-Swailem, Bu-Helio, Bu-Dakhil, Bu-Akkar, Bu-Murad, Bu-Thanio, Bu-Shati, Al-Farahedah, Al-Mtairat, Bu-Khuzam, Bu-Abd, Bu-Nasif, Bu-Delli and Al-Nawar (the gypsies moving between Iraq, Syria and Jordan, which are classified as a tribe by the Gypsies).

Gypsies do not often live in neighbouring houses. However, we usually see one tribe or most of a tribe members living in the same area. For example, most residents of Al-Fawwar Village are from the Bu-Baroud Tribe; so the village sheikh, Nazim Jabbar, is also the tribe leader but he lost some of his power to the mayor. The former sheikh, Bazigh Taghi, was highly respected by the Gypsies and he was their representative in various government institutions.

Economic Activity

Until April 2003, the Roma's main occupation in Iraq had been entertainment, which includes music, dancing, singing, prostitution and procurement¹. They also ran small trades, mainly alcoholic drinks shops in their areas, drove taxis and made and repaired musical instruments.

These are the Gypsies' main source of livelihood. Previously, like most Gypsies around the world, they practiced many traditional crafts such as making sifts, baskets and artificial teeth fitting and blacksmithing. Some of these jobs emerged after the extinction of older, yet very common occupations. Until mid-1970s, Gypsies used to beg and wander in the streets singing

¹Procurement and prostitution are forbidden under both the Islamic Sharia and the Iraqi law. Presidential Decree No. 155 dated 21/10/1993 states that every group of two or more members who work in procurement and prostitution shall be sentenced to death. Iraq Gazette, issue No. 5354 on Friday, October 22nd, 1993.

popular poems with Rababa¹ in return for little money to buy a meal, some wheat, uncooked rice, bread, etc. depending on the generosity of Arabs specially tribal leaders and notables. Many of them would receive gifts and be hosted with their families by tribal leaders. Gypsy women would also do fortune-telling, fit artificial teeth and beg in the streets.

Entertainment (Singing, Music, Dancing)

Entertainment has always been connected with the Gypsies in Iraq and the popular saying, "a wedding at a Kawliyah" is used to describe skilled and talented people who have the opportunity to benefit from their skills. Entertainment is the Gypsies' main source of livelihood. In the past, their singing was always accompanied with the Bedouin Rababa. Later, they used other musical instruments such as lute, violin, Qanun and a range of traditional percussion instruments including all kinds of drums (Khashaba, Zinjari, Zambour etc.).

The Gypsies make their own instruments and sometimes employ non-Gypsy skilled players especially when recording cassettes designed for sale or handling important concerts. They perform concerts in their areas as commercial activity. Musical and dancing concerts are staged in many houses simultaneously in honor of their guests who visit them particularly late at night and pay lots of money for that. They pay high prices for the drinks and for kissing and flirting with the dancer or with a female companion. These entertainment sessions are called Daq wa Raqs² [striking and dancing].

The Gypsy families highly depend on their daughters for a living because entertainment depends on women. Therefore, Gypsy

¹A traditional string musical instrument made of a square piece of wood or tin with a wooden arm linked to one of its sides with strings made from the hair of horses' tails and a wooden bow with a hair string.

²"Daq", which means playing, is derived from beating the drums.

females do not get married until they are twenty-five years old or over¹, which has also increased their dowries.

The Gypsies involve their children in their work to instill the love of their professions in them and teach them the needed skills at an early age. The possibility of taking up other professions is based on their academic achievement but many families prefer that their children quit school and work with them.

Until recently, the Gypsies had poor relationship with official cultural institutions. It is limited to doing concerts on official and non-official occasions and sometimes with non-Gypsy famous bands and singers.

All the lyrics, music and tunes they sing are taken from others. The researcher has surveyed a large sample of music cassettes of female and male Gypsy singers and found that all of the songs have already been sung by Iraqi and Arab singers or by unpopular rural singers.

Religion

There is a common belief that the Kawliyah has no religion due to their work in professions that violate religious teachings in addition to certain illegal and anti-social practices, not to mention the misconceptions about them. People do not know their rituals and ceremonies including marriage, circumcision, funerals and other practices like worship and business transactions.

Most Gypsies in the world can easily adapt to their social milieus including religion, language, fashion, etc. Thus, Gypsies in Iraq are Muslims as Islam is the religion of the majority.

Kawliyah after 2003

After 2003, the Kawliyah conditions have worsened. They were the first minority to be oppressed due to the dominance of the Islamic political parties and the radical militias all over the

¹Spinsterhood and late marriage are prevalent in Iraq due to the consecutive wars and the 13-year economic embargo.

country, and to the stereotypical image of the Kawliyah and their practices which made them a "legitimate" target.

It is difficult for small groups such as the Kawliyah to protect themselves under such circumstances. In the end, they are a minority that is not accustomed to factional armed conflicts. They used to be protected by others since the time they were nomadic groups protected by the leaders of the host tribes.

One example is their displacement from Al-Kamaliya, Bagdad under the pretext that their communities were a "center for prostitution and anti-religious people and their presence in a conservative area annoys local residents". The security chaos has contributed to such unfair treatment and warned them to stop their traditional practices which were used to justify their displacement from the area, in which they had lived for decades. They were displaced into ruined and deserted military compounds on the outskirts of Bagdad. Even children, old people and patients did not survive such a collective punishment.

Kawliyah, especially female dancers and musicians, started mass emigration to the neighboring countries, particularly to Syria, Jordan and the Gulf countries. Many have settled in Dubai because it contains a lot of entertainment facilities that give them opportunity to show their skills and talents and to make a living. Iraqi female artists who worked previously in casinos formed bands and performed on the stages of these countries. It is said that many of them are working in prostitution.

Recommendations to Address the Kawliyah Problems

The Kawliyah problems include: unemployment, passive view of the society, which cause their isolation; poor service provision and negligence. Below are recommendations to the competent authorities to solve such problems:

- Change the discriminatory view towards the Kawliyah; after all, they are not all wrongdoers, outlaws, anti-religious or anti-social. They are a community with inherited traditions, customs and experiences and who have gone through different life pressures. This community includes innocent children immersed

in their traditional culture. Most of Kawliyah, like drug addicts, need redress rather than punishment.

- Provide adequate protection to Kawliyah all over the country and in line with the humane and religious values that protect the vulnerable persons, children, elders and women against the collective and arbitrary punishments imposed by unauthorized persons and institutions.

- Gather all the Iraqi Kawliyah in one area and provide them with adequate jobs for their qualifications such as farming that does not require much skill.

- Provide education, health, administrative and consulting services by central government bodies. The staff of these bodies should be changed on regular basis to avoid corruption and favoritism.

- Tighten control on those who go back to old bad practices.

- Organize their artistic talents in a modern way.

- Promote education for both sexes and for all academic stages on the long term through providing them with such facilities as:

- o Schools near their living areas;

- o Exemption from some academic fees other students often pay;

- o Providing such requirements like stationery etc. on regular basis throughout the academic year;

- o Distributing financial and in-kind rewards to Kawliyah students especially excelling ones; and

- o Exempting them from the average scores required for enrolment in certain Iraqi institutes and faculties (especially the Faculty of Fine Arts) to encourage them to continue their studies.

10) Sheikhiya: Minority within a Sectarian Majority

Ali al-Husseini

The Sheikhiya has several other names, which do not relate to the common name including *Al-Ihsa'iyah* and *al-Hasawiyah*, or *Awlad Amer/Bani Amer* [sons of Amer]. However, "Sheikhiya" remained the most commonly used name on the social or cultural levels. It reflects the affiliation which connects the sect members with the founder Sheikh Ahmad Zainuddin al-Ihsa'i, born in 1752 in the town of al-Ihsaa in Najd, and died in 1825 in Saudi Arabia.

Ironically, the name Sheikhiya was given to them by their opponents who rejected the Sheikh's ideas, in an attempt to disgrace them and tarnish their reputation. However, it seems the name was well-received among the followers, because it was associated with their ideological and religious leader.

Immigration to Iraq:

There is almost unanimous agreement that the immigration of Sheikhiya from al-Ihsaa in Saudi Arabia to Iraq took place in several and consecutive waves between the late 12th Hijri century till the early 13th Hijri century (18th to 19th century AD). There were several reasons behind that immigration, but the strongest and most reasonable reason was the religious persecution by the Wahabi salafists against Shiite Muslims, which eventually pushed them to leave their regions. The largest wave of migration took place in the 14th hijri century (19th century).

According to Sheikhiya literature, the first scholar of this sect was Sheikh Hussein al-Mazidi (died in 1883), who immigrated from al-Ihsaa to Basra with some Ihsa'i families, about 1801.

Geographic Distribution

The Sheikhiya live in two major Iraqi cities: Basra and Karbala, in addition to some villages and areas of Diyala and Thi-Qar provinces.

Karbala is the most important city for the Sheikhiya followers. It was there that their founding Sheikh Ahmad al-Ihsaai launched

his philosophy school, and they bury their dead there. Yet, it comes next to Basrah which hosts the largest number of the sect population, and is the home and seat of the present Sheikhiya spiritual leadership.

With its 200,000 members, Sheikhiya is the third largest sect in Basrah city, after the fundamentalist Shi'a and the Sunnah.

Relations with the Other Shiites

Sheikhiya is part of the Ithna-Ashariya Shiism (twelver shias) and not an independent sect. Their doctrinal principles are the same as those of the mother sect. Some people think that they emerged as a result of the conflict between the Fundamentalist (Usuli) School and the Chronicler (Ikhbari) School.

The main sectarian difference between Sheikhiya and other Shiite groups, especially the Fundamentalists (another twelver shias group), lies in the interpretation of their doctrines and in some issues related to the Holy Quran and the status of the Infallible Imam. These issues cover different levels, starting from the very doctrine through jurisprudential differences and not ending with the details and orientations set by the followers to complete the identity of the group in the socio-anthropological sense.

Ahlul-Bait [Household of Prophet Muhammad] in the Sheikhiya Beliefs

The Sheikhiya glorify the Imams of Ahlul-Bait (the descendants of Prophet Muhammad) to the extent that they consider them the main, and practically the sole, source of legislation, jurisprudence and doctrinal structures. This caused their opponents to accuse them of exaggeration in their love of Ahlul-Bait, and practicing some sort of worship to them.

For the Sheikhiya, the Imams of Ahlul-Bait have divine revelations with Godly qualities. Therefore, they gave them sublime positions and powers, such as: "God has delegated to them all what exists in the universe including creatures, provisions, life and death...etc.", and say that their knowledge is of presence,

not of attainment, which means that they know all what has happened and all what will happen by having it present in their minds and memories at all times as if they were seeing it with their own eyes.

The Sheikhiya also have certain doctrinal interpretations, which their opponents consider as weakness (ex: their view about the Resurrection, their denial of some miracles attributed to Prophet Muhammad and other details related to beliefs of their Sheikh, al-Ihsaai).

Pillars of Religion

In contrast with all other twelver shias groups, the Sheikhiya believe the religion has four pillars (1- Monotheism 2- Prophethood 3- Imamat 4- Belief in the Perfect Shiite), whereas other Shiite groups believe there are five (1- Monotheism 2- Justice 3- Prophethood 4- Imamat 5- Resurrection).

However, the most important issue distinguishing the Sheikhiya in this regard is that they devised a new pillar, other than those known by Muslims, and they called it "the knowledge of Senior Shiites: the Perfect Shiite."

In a Sheikhiya source, we find the following text which justifies the creation of a principle no other sect had ever called for or discussed.

"Our goal from the fourth pillar of the religion and doctrine is the knowledge of a pundit faqih [jurist] who has the power to issue fatwas and can tell us the hadith of the Imam, know his rulings and decide the permitted and forbidden things. This is not limited to one specific man; rather, any Shiite who is known for knowledge, jurisprudence, justice is the fourth pillar. Anyone who calls himself Shiite and has not reached the level of ijtehad [diligence] must take his religion from the faqih who narrates the Imam as said by the Hujjat: 'As for the actual incidents, go back to our hadith chroniclers; they are my evidence against you, and I am the evidence of God'."

Thus, the attribute "Perfect Shiite" applies to all the Sheikhiya scholars who act as intermediary between them and Imam Mahdi,

and through him the latter will overflow his blessings on the nation.

Additionally, it is worth mentioning here that the Sheikhiya sometimes use another name for the fourth pillar; *al-Tawali* [support] and *al-Tabaru'* [repudiation] which mean not only to pledge loyalty to Imams and renounce their enemies, but also to support those whom the Ahlul-Bait followers support and antagonize their enemies, hence citing a well-known saying.

The Centrality of the Creed of Waiting for Al-Mahdi

The presence of Imam al-Mahdi and his influence on the Sheikhiya stems from the writings of their founding Sheikh Ahmad al-Ihsa'i whose views about al-Mahdi, very central in his doctrines, created for him a school and adherents who defend him for more than two centuries.

The Sheikhiya believe in what is recently called "passive waiting" which means that they should not meddle in politics during the absence of Imam Mahdi. This accounts for the absence of any kind of theorizing for a special political Islamic form, and the absence of any calls for an Islamic state.

Ijtihad

Historically, this is one of the most critical issues which played a significant role in the division of the twelver shias into divisions and sects at the top of which come the Fundamentalists, the Chroniclers and the Sheikhiya.

The Sheikhiya believe that the legal Islamic issues have to be grounded on knowledge. They reject using doubt (dhann) as legal evidence in jurisprudential legislations and others. Therefore, the role of the *Mujtahid* [jurist] is limited to "narration and transmitting". They consider *Ijtihad* [diligence] as violation of the principle of "sticking to Sharia" because it depends on presumptive judgment, which is based on doubt and on the meaning of the texts.

This conviction made the Sheikhiya reject some evidencing tools used to devise Sharia rulings, particularly the Reason and the

presumptive consensus, based on texts that are not decisive in meaning and concept and are prone to different interpretations.

Religious Leadership and Absolute Patriarchy

This issue takes a deeper dimension with the Sheikhiya sect, in terms of the followers' dealing with the clergymen in charge of managing the dogmatic and jurisprudential affairs of the sect.

The first manifestation of the divinity and serenity bestowed by the Sheikhiya to their chiefs can be felt in the name they gave to the founder Ahmad al-Ihsa'i (the sole Sheikh). They also deem him the cornerstone of the sect and its first leader.

However, this "divine charisma" was not the exclusive title of the "Founder"; it has also been given to all the scholars who succeeded him, particularly eight sheikhs who presided over the sect during the last two centuries. Those eight clerics were the highest authority; they were the builders of the sect. Their ideas are fully accepted and respected by the followers, and are not subject of discussion, criticism or even observation.

Relations with Other Groups

The Sheikhiya mostly live in "closed" areas inhabited only by their followers. This territorial isolation could be explained by the feeling among at least some Sheikhiya members that others treat them as inferior and that such closed areas would help them avoid this feeling. It may also be explained by the doubt toward them by others who have no full knowledge of this group, and their doubt towards the others who may seek benefits through interacting with them.

The social relationship between the Sheikhiya and other groups has been eased due to the social, economic and educational developments within the Sheikhiya structures, but this could not fully or largely be the factors that pushed the sect into isolation.

However, the solidarity among the sect members does not prevent them from having good and friendly relations with other social and religious components in the areas where they live.

Moreover, the Sheikhiya have never been part to any disputes or

arguments of sectarian or doctrinal nature, maybe due to their inborn calm nature and their desire not to engage in any kind of struggle.

Tribal Affiliation

Although some Ihsa'i Sheikhiya belong to different tribes and clans, the majority of them, particularly those living in Basrah, belong to one single tribe: Bani Amer or Awlad Amer [sons of Amer]. Bani Amer is an old tribe which belongs to the Aqeel Tribe.

Despite the fact that Bani Amer is mostly labeled as Sheikhiya, from their chieftains downward, there are some members who are not Sheikhiya in belief. They are fundamentalist Shiites and some of them are Sunnis.

Economic Activity

The Sheikhiya members currently own a large number of big and significant trade centers, in addition to a group of entertainment centers, restaurants, cafes, food and ice-cream factories, hospitals, and health centers. They have also some contracting companies currently running some of the construction projects inside and outside Barsah. Al-Jaza'ir Street - a major commercial center in Basrah City - is one of their major commercial and economic strongholds.

Political Activity

The Sheikhiya had not been known for significant political activity prior to 2003. They had no remarkable participation in the political movements of opposition at the time. On the contrary, they enjoyed a peaceful and positive relation with the ex-regime and their records show no clashes with it throughout its decades in power.

However, there is no evidence that their peaceful relation with the ex-regime reflected approval of it. It could be rather the common practice of that time, to avoid the brutality and fascism of the regime. Another reason is the call of their scholars to separate religion from politics, as most of twelver shias groups do.

After the fall of the ex-regime, there was no significant change in the sect's attitude toward political participation. They maintained the same passive attitude towards politics, with the exception of a very limited participation in the local elections of 2005.

However, after 2005, the pace of political activism accelerated, and the Sheikhiya were convinced that they must participate actively in the political life given their size in the Province. The chief of Bani Amer, Sheikh Amer al-Fayiz, supported by the Sheikhiya religious leadership, established a new political party called "The Alliance of Justice and Unity" in preparation for the 2009 local and national elections.

With the Sheikhiya support, the new party managed to gain 5.5% of the votes. Later, it also managed to get one seat in the Council of Representatives, in the parliamentary elections of the same year. Thus, the sect managed to step in the Iraqi political arena for the first time in its history.

Relationship with Iran

Although most of the Sheikhiya leaders and senior founders have Iranian origin, and though their senior scholars lived for a long time in Iran, where they had many schools and followers, we did not find in the writings and literature written by the Sheikhiya opponents, which attacked their practices and ideas, any reference, assault, or any teasing and disgracing remark which indicates that the Sheikhiya might have an ambiguous or implicit relation with Iran, especially after the Islamic Revolution.

Deportation Threats

The sect members encountered serious attempts to terminate their existence as a major religious and social component in Basrah in 2006 and 2007.

These attempts took various forms including the distribution of pamphlets and letters of threat in their living areas asking them to return to Saudi Arabia, in addition to some abductions and assassinations of their members. Meanwhile, their religious center, "Al-Musawi Grand Mosque" was targeted with an RPG7 rocket,

an attack that pushed their Chief, Sayyid Ali al-Musawi to order his followers to carry weapons to defend themselves as the security forces failed to protect them, particularly because the security forces were themselves suspected and accused by the sect that they included some people who harmed them.

Under the guidance of their leader, the Sheikhiya organized a demonstration to communicate some messages, the most important of which was that they could protect themselves after the failure of the government to protect them, and that they would not compromise the threats that had inflicted some of them.

Since then, they sect has had to form some armed groups to protect its areas and they actually managed to stop the threats and overcome the most critical stage they have ever encountered since they came to the city more than two centuries ago.

11) Turkmen: The Third Largest Ethnic Group in Iraq

Zahid al-Bayati¹

Turkmen is the third largest ethnic group in Iraq after the Arabs and the Kurds. Most of them are Sunni and Shiite Muslims, but some of them are Christian (Catholic).

Origin

Contrary to the stereotype that linked the presence of Turkmen in Iraq to the Ottoman rule, Turkmen had settled in Iraq long before the Turks settled in Anatolia. Recent studies and researches show that the Turkmen's ancestors² were the Sumerians who migrated from Central Asia to the Tigris and Euphrates basin in the fifth millennium BC, where they settled in southern Iraq and founded the first human civilizations in Sumer. There are many similarities between the two peoples: clear resemblance in the grammar of Sumerian language and that of the Turkish; about 600 words are similar between the two languages; great similarity between the skulls of the Sumerians and Mongolian Turks in Central Asia; and the Turkish language is agglutinative, which encouraged some historians to prefer this idea despite the disapproval of others.

The Russian orientalist Bartold in his book 'the History of Turks in Central Asia' believes that they were three populations who inhabited the land stretching from the Caspian Sea to the borders of China, namely; Ghiz, Qarluq and Tuqoz or Agoz and they had founded the largest two empires in history: The Seljuk Empire and the Ottoman Empire. Scholar Mustafa Jawad confirms that they entered Iraq at different times and not in successive waves as some researchers think.

¹Writer and researcher in the Turkmen affairs, editor of the Turkmen Al-Ikhaa Newspaper.

²Mohammad Mehdi Bayat: *Sumerians, the Ancestors of Turkmen*, Tuz Khurmatu website.

In short, signs show how old the Turkmen settlement in Iraq is, whether they came since 3500 BC, or after converting to Islam around fourteen centuries ago at different times and not in successive waves¹.

Turkmen migrations continued during the Abbasid period and later on. They managed to establish more than six Turkmen states in Iraq over nine centuries after settling in northern and central Iraq and got integrated with the Arabs who had come from the Arabian Peninsula or with other populations who migrated from various neighboring regions in search of pasture and water in the Mesopotamian basin. All this confirms that the Turkmen existed in Iraq many centuries before the Ottoman Empire.

Identity

Turkmen have their own language (Turkmen); a Turkish dialect close to the Azerbaijani language. They also have their own social customs, traditions, behaviors, fashions and folklore etc. Their national identity is obvious in the pride of their role in resisting the British occupation of Iraq, where the spark of the 1920 revolution was triggered in Tal Afar (revolution of Tal Afar) and spread later to other Iraqi cities.

In the mid-1920s, after the border changes according to which Mosul (including Kirkuk) became part of the new state, and though the Lausanne Treaty allowed their relocation to Turkey, the Turkmen decided to remain in Iraq. In a survey by a Committee of the League of Nations about Mosul in 1925, Tel Afar notables preferred Baghdad with its Turkmen characteristics to Istanbul.

¹There are some classic literature about the Turkmen, such as Abbas al-Azzawi's book: *Iraq between Occupations*, Baghdad 1939. Modern publications about the history of Turkmen include: Shukur Saber Al-dhabit, *A Brief History of Turkmen*, Baghdad, 1962, the well-known researcher Arshad Hermazi's two new books: *The Truth of Turkmen Existence*, 2005, and *Turkmen and the Iraqi Nation*, 2003. Both are published by the Kirkuk Endowment Foundation.

Geographic distribution and demographic size

For whatever reasons, there is no accurate or official statistics on the Turkmen in Iraq. Current estimates are merely approximate; they do not take into account the displacement and assimilation suffered by the Turkmen. Some sources put them at 7% to 10% of the country's population and around 50% of them are Shiites. Many had to change to Arab nationality to survive the nationalist policies of the Baathist regime.

The Turkmen live mainly along the line between Arab and Kurdish regions, from the Syrian border near Hamrin mountain starting from Tal Afar, Nineveh in the north, through the villages surrounding Mosul (such as Rashidiya, Sher Khan, Nimrod and Nabi Yunis, in addition to 50 Turkmen villages and dozens of Shabak villages¹. This line goes on through the city of Arbil and its historical castle, then Elton Kubri towards Kirkuk, to the Tis'een area, then down to Baghdad (Taza Khurmatoo, Bashir, Tawook (Daquq), Tuz Khurmatu, Amrly and Zszla), to Diyala (Kifri, Kara Tepe, Kara Gan (Jalawla), Shahraban (Muqdadiya), Gazzrabat (Saadia), Khanaqin, Mandali and finally ending with Gazzanah and Badra east of the Governorate of Wasit.

Turkmen in Baghdad can be classified into two categories: ancient Baghdadi families with Turkmen origin which inhabited Baghdad since its early days and hence became so much "native" Baghdadis that they can only be recognized through their records, nicknames, the names of their ancestors or family titles or through their head cover known as Sayah and Jarawiya, a distinctive feature of the people of Baghdad in the twentieth century.

The other category is those families who migrated to the capital irregularly, and settled in different Turkmen neighborhoods for the purpose of trade, earn a living or study or as a result of political, security and economic pressures. With the passage of time, there emerged some neighborhoods with Turkmen majority in Baghdad, including Al-Fadl, Adhamiya, Raghiba Khatun, SulaiKh, Qanbar

¹Those Shabaks declare their Turkmen identity while the majority of Shabaks claim another identity.

Ali, Aden, Jamilah, Ur, Sha'ab City and other neighborhoods near Al-Karkh.

In the central and southern governorates, Turkmen (especially those descendants of certain clans like Bayat, Alqrgoul, Salhi, Alamrla, Al-Atraqchi, and others) live mainly in city centers but in smaller numbers than in Baghdad. You may find Turkmen individuals or families living in cities like Babylon, Amarah, Basra, Karbala, Kut or even to the west in Haditha, Al-Anbar governorate. Some of them reveal their Turkmen origin or their kinship or affinity with the Turkmen.

Familial Vs. Tribal Characteristics

Like Arabs and Kurds, the Turkmen are a tribal community characterized by loyalty to the clan leaders in rural areas, while in urban areas, family characteristics are more dominant than tribal ones. They cherish the names of their families and clans. Grandchildren and sub-families are named after their grandfathers, using titles referring to the names of families, professions or regions and other names acquired as a result of a certain quality or distinction associated with the family founder¹.

While this was a positive aspect represented by creative competition among these families and their notables, Sheikhs, dignitaries and members in various economic, social and political areas, it also represented a weakness vis-à-vis a tribal environment armed with dominant traditions. After all, the Turkmen do not like tribal segregation or the payment of blood money, not to mention tribalism or clannish partisanship, already employed in many political and electoral events, both in the era of the former regime and at present where Arab and Kurdish tribes are being deployed to gain parliamentary seats or political positions. This has revealed the underrepresentation of the Turkmen community because of its weak tribal structure and the many divisions (Sunni/Shiite, religious/secular, Islamist/nationalist, militant/moderate), which

¹For Turkmen tribes, see Dr. Subhi Saatchi, *History of Turkmen Tribes*, Fadhuli Press, Kirkuk, 2010.

have had negative impact on their representation during the past parliamentary and municipal elections.

Turkmen Overlap With Other Minorities

The distribution of the Turkmen in the country has turned the Turkmen into a balancing and pacifying factor between Arabs, Kurds and other nationalities. They overlap geographically with other nationalities and religions. For example, the Christian Turkmen in Al-Qal'at neighborhood (Castle of Kirkuk) have lived with Muslims in harmony and agreement for centuries. There was coexistence in Kirkuk among the Muslims, Christians and Jews before 1948, when the latter were displaced to Israel. Until today, Prophet Daniel cemetery (in the Qal'at, the oldest Turkmen neighborhood in Kirkuk) contains the remains of Muslims, Jews and Christians in one place. Other examples include the coexistence in Tuz Khurmatu between Muslim Turkmen and Jews; the city of Kifri witnessed some cases of marriage with Jews after they had converted to Islam. Besides, Muslim Turkmen live with Shabaks, Christians and Yazidis in Nineveh Plain and the suburbs of Sinjar, along with their coexistence with the Arabs, Kurds, Shabaks and others, in addition to past and present marriages between Sunnis and Shiites in Kirkuk, Tal Afar, Tuz Khurmatu and other Turkmen regions. There are also clear signs of such coexistence in Kirkuk, Salahuddin, Mosul and Diyala, especially between Arabs and Kurds in most areas of Diyala like Khanaqin, Saadia, Jalula, Muqdadaya and Badra and its outskirts. It is worth mentioning that the holy shrine of Imam Ibrahim As-Sameen in the Turkmen Kara Tepe in Diyala (which was targeted by terrorist attacks) is frequented by all Iraqi nationalities and denominations including Shiites, Sunnis, Turkmen, Arabs and Kurds. They all gather under its roof. The same happens in the Zainul Abidine shrine near Daquq in Kirkuk.

Conflict over the Identity of Kirkuk

After being defeated in the 1991 Gulf War, the Baathist regime launched a program to rearrange the affairs of Iraqi tribes in order to restore its crumbling authority. It created a presidential

Department concerned with such issues as the origins of tribes and the construction of family trees. Many Turkmen families had to buy cards of affiliation to the Arab nationality from genealogists¹ who excelled in fabricating family trees on demand in line with the government policy of demographic change and to avoid persecution, discrimination and marginalization that prevailed in the past three decades.

The policy of nationality change created huge pressures including the confiscation of ownership right in Kirkuk and other areas inhabited by Turkmen in Salahuddin, Nineveh and Diyala unless the Turkmen convert into Arab nationality. The process was led by the Ministry of Planning, where a Turkmen would pay up to five hundred dinars (0.25 U.S. dollar) to get the form of nationality change.

Turkmen had the right to sell but not to buy property, unless they change their nationality. In return, ownership rights would be given to persons from other Arab governorates together with a rewarding fund to construct the piece of land granted to them in Kirkuk.

The policy of demographic change in Kirkuk acquired a new form after 2003 and Kirkuk became a mirror of a new conflict. This city, considered by the Turkmen as a "mini Iraq", became the "Jerusalem of Kurdistan" in the eyes of the Kurdish political elite. Government lands as well as vacant private Turkmen property turned into Kurdish slums, as was the case with the former military camps. A planned process of demographic change started in Kirkuk and the cities with Turkmen majority in Nineveh, Diyala and Salahuddin governorates. At the same time, the lawsuits of the Turkmen properties confiscated by the former regime (such as the lands and real estate in Beigi, Tiseen, Terklan, Bashir, Tuz, Taza Khurmatu and other districts), are still locked in the cellars of the Property Claims Commission.

¹They are specialized in tracing the origins of families and tribes and developing family trees.

Wounds of Turkmen Memory

Turkmen memory is scarred with a series of planned violence throughout the twentieth century. These culminated in Kirkuk in 1959 with 25 martyrs and 130 injured (according to official statistics), accompanied by arrests and deportation of intellectuals and activists outside Kirkuk, and prevention of the publication of Turkmen newspapers (Bashir, Afaq and Kirkuk).

After the coup of 1968, where the Baath Party assumed power, a number of Kirkuk traders and workers were imprisoned. In early 1970, martyr Mohammed Saleh, President of Kirkuk Chamber of Commerce at that time, was the first Iraqi to be sentenced to death with a number of anti-Baath intellectuals.

In November 1971, actor, Hussein Ali Damirji was killed under torture, in a campaign that entailed hundreds of Turkmen students, teachers and intellectuals, after the peaceful strike that paralyzed Kirkuk schools and Turkmen cities one year after the cancellation of the Turkmen cultural rights.

In 1979, four of the most prominent Turkmen figures (Dr. Nejdet Qujaq, professor at the Faculty of Engineering at Baghdad University, retired Brigadier General Abdullah Abdul Rahman, head of Turkmen Fraternity Club, agriculture scientist Dr. Reza Damirji, Director General of Forests in the Ministry of Agriculture and businessman Adel Sharif) were arrested and sentenced to death on 16 January 1980 without trial and after being subjected to various types of torture!

Shortly after the beginning of the war with Iran in 1980, the Baath authority waged a campaign against young Shiite Turkmen in Tal Afar, Sherkhan, Shabak, Tis'een, Taza, Bashir, Daquq, Tuz, Amrla, Kara Tepe, Khanaqin, Mandali, and Qazzaniah. The campaign affected dozens of Turkmen villages, and included the killings by summary death sentences of thousands and life sentences for thousands more, for belonging to the anti-regime Islamist Dawa Party.

Turkmen were killed upon ready charges under ethnic or sectarian titles. If Sunnis, they would be tried on charges of belonging to the nationalist movements or being agents of Turkey;

if Shiites they would be tried on charges of belonging to Islamist movements or being agents of Iran. What the president of the Revolutionary Court said to the retired Colonel Abdul Hussein Mulla Ibrahim summarizes the dual targeting of Turkmen. While reading him the execution sentence, he said: "you must be executed twice: once for being a Turkmen and the other for being a Shiite!" In addition, the regime applied a policy of deporting the Turkmen from their villages and towns, and confiscating their properties (houses and lands), which is still an unresolved issue before the Property Claims Commission.

In 1991, civilians were besieged in Tuz Khurmatu after the Shabaniyah uprising. The city was hit with chemical weapons. The Popular Army militia looted civilian properties and randomly arrested hundreds of people in Taza Khurmatu, Kirkuk, Tis'een and Bashir. This militia spread horror and panic among the Turkmen who fled to the north and to central cities.

In the same year, more than 100 unarmed civilians were killed in cold blood at one night, when the Iraqi forces entered the city of Alton Copri, north of Kirkuk, arrested its inhabitants and killed them near a hill close to Al-Qasaba village.

Targeting Turkmen after 2003

After the change of 2003, the names of Turkmen cities and towns began to appear in the media headlines as a result of the terrorist bombings that consistently targeted them. They respectively took place in Kirkuk, Tis'een, Taza, Daquq, Tuz, Kara Tepe, Tel Afar and Amarli. As a result, three cities were declared disaster areas: Amrli (120 km south of Kirkuk) after a series of terrorist attacks, among which a car bomb on 01/07/2007 killed 160 persons and injured hundreds in addition to huge damage to houses and properties; Taza (30 km south of Kirkuk) after the killing of 73 people and injuring of 200 with the collapse of hundreds of houses and shops, when a car bomb exploded on 20/7/2008; and Tel Afar after dozens of suicide attacks and car bombs that killed more than 2000 civilians. It was declared a disaster city on 09/07/2009, when two suicide bombers killed dozens and

injured hundreds in addition to significant damage to houses and properties.

Turkmen Representation after 2003

Since the establishment of the Iraqi state in 1921, there was only one Turkmen Minister, Ezzat Pasha Kirkukli, Minister of Education and Health in the first temporary government of Abdul Rahman Kilani, formed on 25 October 1921. He became Minister of Works from 29 January 1921 until April 1922 when he resigned. The Turkmen then remained outside the successive Iraqi governments for nearly eighty years.

After 2003, Dr. Rashad Mandan was chosen as Minister of Science and Technology in the first government after 2003. The current government includes three Turkmen: Engineer Jassim Mohammed Jaafar, Ministry of Youth and Sports, Dr. Torhan Mufti, Minister of State for Provincial Affairs and Sheikh Muhammad Taqi al-Mawla, Chairman of the Supreme Hajj and Umrah Commission.

The current Parliament includes seven Turkmen members: five representing the Turkmen Front (Arshad Salhi and Jala Naftachi for Kirkuk, Nabil Arabo and Mudraka Ahmed Mohamed for Mosul and Hassan Salman Ozmen for Diyala) and two representing the National Alliance (Abbas al-Bayati for Baghdad and Sheikh Muhammad Taqi al-Mawla (Tal Afar) for Mosul) but the latter stepped aside for his substitute Hassan Wahab Ali after being appointed as president of the Supreme Hajj and Umrah Commission. The Turkmen lost at least two seats for Salahuddin due to competition and lack of coordination and organization between the Islamist and nationalist lists. The Turkmen today are distributed among a broad variety of political parties and Islamic and national currents, the most important of which are the Iraqi Turkmen Front headed by Arshad Salhi, Turkmen Coalition headed by Sheikh Muhammad Taqi al-Mawla, Al-Wafaa Turkmen Movement headed by Faryad Omar Abdullah Tozlo, Al-Adala Turkmen Party headed by Anwar Bayrakdar, Turkmen Eli party headed by Riad Sari Kahiah, the nationalist movement Party headed by Hussam Eddin, the Reform Movement (Kirkuk)

represented by Ammar Kahiah, and the Turkmen Islamic Union headed by Abbas al-Bayati.

Turkmen Demands after 2003

The attempts of the Turkmen political forces to obtain the post of Vice President of the Republic, as the third largest ethnic group after the Arabs and the Kurds, did not succeed. They still aspire for this post but they have some reservations regarding their representation compared with other minorities at several levels. The Turkmen culture has not been promoted to the desired level. There is not any quantitative or qualitative change in the activities of the Directorate of Turkmen Culture, which was established under the previous regime. It has even failed to keep up with its past performance, where it published 278 books in Arabic and Turkmen, in literature, poetry, story, language, translation etc. in addition to 70 issues of the monthly literary and cultural magazine *Berlek Se Si* [Union Voice] and 1082 issues of the weekly newspapers *Yord* [Homeland]. The national media policy has failed to represent the social diversity. Both of the Communication and Media Commissions and the Iraqi Media Network do not have any representatives of the Turkmen and other minorities. Still worse, the Iraqi Media Network has closed its only channel (*Atyaf*), which was broadcasting in Kurdish and Chaldo-Assyrian in addition to the Turkmen language.

Thus, the Turkmen call for restructuring the Directorate of Turkmen Culture as a public department concerned with culture and arts and for increasing the Turkmen representation in such independent bodies as the Election Commission, Commission of Broadcasting and Transmission (Iraqi Media Network), Communications and Media Commission and others.

The Turkmen seek to make Kirkuk a special territory, (a mini Iraq) with a joint administration of its various components, and to maintain the administration (32% for each of the Turkmen, Arabs and Kurds and 4% for the Chaldo-Assyrians). They also demand to give Tal Afar in Nineveh and Tuz Khurmatu in Salahuddin (both districts have majority of Turkmen) a governorate status in order to provide better services to their citizens.

Although the Turkmen did not get the vice president post, they are activating advocacy efforts to get the parliament to recognize them as the third largest component after the Arabs and the Kurds. The Parliament did fulfill this demand in its session held on Saturday, 21/4/2012, which also admitted the injustices the Turkmen had suffered over three decades of the former authoritarian rule¹.

¹An interview with MP Abbas al-Bayati, head of the Islamic Turkmen Union.

12) The Shabaks: A Minority Identity Struggling Against Major Identities

Muhammad el-Shabak¹

The *Shabaks* are a minority group living in northern Iraq which has been their home for approximately five centuries. They are Muslims with a majority of Shiites and a minority of Sunnis. Their language differs from both Arabic and Kurdish. They live with other religious minorities like Christians, *Yazidis* and *Kaka'is* in Nineveh Plains of Mosul.

Etymology

Some suggest that the name *Shabak* comes from the fact that this minority overlaps with other ethnicities and religions. *Lissan Al-Arab* dictionary states that this word means 'to mix' and 'to overlap'. The word, however, is not Arabic and there is no use looking for its meaning in Arabic. At any case, even if we draw on the Arabic meaning, we think the name refers to the overlapped relationships between this minority and other ethnic and religious minorities in a region known for its various and overlapping components. Most *Shabaks*, however, believe that the word is Persian; it consists of two syllables: *Shah*, which means the king and *bek*, which means the lord or the glorified. Thus, it means the glorified king.

Geographic Distribution and Demographic Size

Though many *Shabaks* live in many quarters of downtown Mosul, they are to be found throughout the Nineveh Plains (between the Kurdistan Region and Mosul), in a triangle-shaped area, whose base is the Tigris to the west of Mosul. Their villages (around 57) spread over a crescent-like area running from the west bank of the Khoser River in Tel Kaif to the east bank of the Great Zab River at Al-Namroud District. Between these two banks, the

¹A researcher at Hima Studies Center, which is specialized in the *Shabak* affairs.

Shabaks are distributed in Ba'sheeqa, Bartellah and Al-Hamdaniya (Qaraqoush). Outside Nineveh, the *Shabaks* do not exist, save for some *Horamans* who live in Sulaymaniah in the Kurdistan Region. These *Horamans* do not view themselves as Kurds; they have their own language, while their traditions are close to those of the *Shabaks*.¹

It was only after 2003, with the rise of terrorist attacks and the establishment of the Islamic State of Iraq in their areas, that the *Shabaks* began to migrate away from their villages and regions. Furthermore, due to the conflict between the Kurdistan Regional Government and the central government, hundreds of families had to flee to Karbala and Al-Najaf in South Iraq. These two cities are known as sacred places for the Shiites in Iraq and the world, and apart from a few cases, no similar migrations have been reported to Baghdad.

There are no official statistical data regarding the number of the *Shabaks*, but some web-based sources and some international organizations estimate the number to be more than 250,000.

Language

The *Shabaks* have their own language, which belongs to the Indo-European phylum. It has its own vocabulary and pronunciation though it has extrinsic words from other languages including Persian, Turkish and the Kurdish *Horaman* dialect.² Many attempts have been made in cooperation with international organizations (UNESCO etc.) to write down and to teach the *Shabak* language in areas of Nineveh that are home to the *Shabaks*. However, there are obstacles preventing the *Shabak* language from being recognized. Language is a basic means to retain a unified identity. If a community loses its language it will lose its identity and ultimately its existence as an independent minority. The

¹Researcher's interview with *Horaman* activists viewing themselves as *Shabaks*.

²Some claim that having Kurdish vocabularies makes the *Shabak* language a Kurdish dialect; can we similarly say that having Persian vocabularies makes the Kurdish language a Persian dialect?

Shabaks believe that recognizing their language is essential to recognizing their identity.

The *Shabak* language is written in Arabic letters but it has six additional letters. It does not use the Latin letters as in Turkish And, unlike the Kurdish language, the letters are connected as in Arabic The *Shabaks* speak their language in their daily affairs but writing in it is very limited because it is used only as a local dialect; it is not for communication with others who do not understand it, like Arabs, Yazidis, Kaka'is and Christians. Moreover, the *Shabaks* have perfectly mastered their neighbors' languages. The *Shabaks'* literature is verbal and only a limited number of hymns have been written down. There are persistent attempts to write down their language and its grammar and to open schools to teach and maintain it.

Origin and Identity

The policy that an ethnic or religious community should prove that it has a foreign origin in order to be officially recognized was a problem for the *Shabaks* since the creation of the state of Iraq. It was not sufficient to prove they have been living in Iraq for centuries; in order to be recognized, they have to prove that they have a foreign origin. Thus, they have to be Iranians from the East, Ottomans from the North or Arabs from Arabia who came to Iraq with the Islamic conquest.

Such a policy has been a big problem for the *Shabaks* because it would be very difficult to prove that they have foreign origins given the different narratives regarding their origin. Some make them out to be Arabs and classify them as an Arab clan; others believe they are Kurds¹ or Turks.² Some official Kurdish leaders claimed that the *Shabaks* and *Yazidis* are the Kurds' ancestors.³ Another

¹Ahmad Shawkat: *The Shabaks - The Forgotten Kurds*, Erbil version, July 2003.

²This was an opinion about the *Shabaks'* origin mentioned by Ahmad Hamid Al-Sarraf in a book about them, Alma'aref Print, 1954.

³This was mentioned in a meeting between Massoud Barazani and a group of *Shabak* and Yazidi Sheikhs and notables in Erbil, Salah ad-Din in 2006.

narrative says that they came with the army of Nader Shah el-Safawi who besieged Mosul in 1743. This narrative is intended to prove a foreign historical origin with a Shiite sectarian color because Mosul is known historically as a city with a Sunni majority.¹ Some think that they are a mixture of races though they have constituted a coherent community for hundreds of years; they do not marry their women to Arabs or Kurds and still have reservations on getting married to outsiders.

Myths about the *Shabaks*

Shabak-related writings since the 1940s have expressed doubts about the *Shabaks*' origin and religion. They tried to isolate them from their social surroundings and accused them of being 'extremists' who practice strange rituals and habits. As such, they were at times considered an extreme Shiite sect and an apostate offshoot of Islam at other times. Some came to claim that the *Shabaks* embrace a religion of their own and have their own holy book which motivated Hamid Al-Sarraf to write a book about the *Shabaks* in which he revealed some secrets and myths attached to their beliefs and life. The dispute about them went on until the 1950s when Abdul Mun'em Al-Ghulami wrote his book *The Remains of Secretive and Esoteric Groups in Mosul* which described the *Shabaks* as *ghulat* [extremists] worshiping the twelve Imams and practicing strange secret rituals. When the book was published some *Shabak* notables visited the then minister of education, Sayyid Muhammad Al-Sadr, and asked him to halt the book's publication as it was offensive to the *Shabaks* and their beliefs. Al-Sadr responded positively to the delegation's demands.

Such opinions encourage discrimination and aggression against the *Shabaks*. There was a dispute over lands in Mosul and a legitimate justification was needed to confiscate and occupy the *Shabaks*' lands, an action already started by some Mosul families. Because of that, the *Shabaks* lost a lot of their villages including Olmish, Bajbara el-Arbajia, Tal Bulbul and Nineveh Village. Large

¹This assumption was referred to and refuted by Kazem Abboud in his book, *Looks at Shabaks*, Rafed Foundation, London, 2000.

areas of land in their villages were expropriated and many *Shabak* families, especially those living in or close to Mosul city, hid their identity and peculiarity and joined the Mosul community in order to avoid contempt, scorn and disrespect.

During the Baathist era, writings about minorities tried to Arabize the ethnic and religious communities living in the Nineveh Plains, including the *Shabaks*. We know that, due to systematic Arabization policies, the *Shabaks*, like other minorities, had to change their identity and to pretend that they had an Arabic origin. A hectic movement started to search for links and origins connecting the *Shabaks* to pan-Arabism. Heads of the *Shabak* clans and sub-clans of Arab origins from Arabia appeared and lineage trees would be displayed in many *Shabak* houses to show their affinity to some imagined forebears. Moreover, some individuals went as far as claiming to be the head of the ‘*Shabak* tribe’ even though the *Shabaks* belong to many clans.

It was a bitter choice for the *Shabaks* to choose between two identities, neither of which reflect their free choice. They had to be either Arabs or Kurds; choosing an independent identity meant mass relegation, destruction of villages, forced displacement, execution of *Shabak* members, eliminating their peculiarity and identity and setting them as security buffers and frontlines between the then self-governed Kurdistan and Nineveh Governorate on the Blue Line.¹

Ignorance regarding the *Shabak* continued after 2003 and went beyond the general public. A well-known historian like Rasheed al-Khayoun only recently wrote about the *Shabaks* as Muslims and not followers of an independent religion, despite having lived in Iraq for a long period of time and having visited Ba’sheeqa and the Nineveh Plains where the *Shabaks* live.²

In 2007, the Iraqi Ministry of Education classified the *Shabaks* as a non-Islamic religion in a textbook that cited incorrect information from the internet. This was despite the fact that years

¹The border lines set by the UN between the Kurds and the Iraqi regime in Nineveh Governorate after the Kurdish Uprising in 1991.

²Interview with historian Rashid Khayoun, Beirut, 2007.

had passed since the regime change and that information was readily available unlike the years preceding 2003.¹

Similar to what happened before 2003 when the *Shabaks* had to choose between changing their identity and adopting an Arabic or Kurdish one in order to coexist with a nationalist dictatorship, they now have no right to declare their identity or to be proud of their culture, language or history. There is a struggle between a minor identity (*Shabak*) and a senior identity (Arabic or Kurdish). It is very difficult today to talk about your independent *Shabak* identity; you will be immediately faced with presumptions saying that the *Shabaks* are of Arabic or Kurdish origin. Such denial and assimilation of the *Shabaks* into a larger identity puts a *Shabak* before two options: to be isolated from his environment, or to adopt one of the bigger identities in order to be accepted by others and gain psychological and social stability.

Beliefs

Some historians believe that the *Shabaks* embrace the *Bektashi Qazalbash* creed, and that they have their own holy books, such as the *Buyruk* and the *Kelbenk*, which means 'the orders'; these books are written in Turkmen. These books are indeed relevant to the *Shabaks* but they are not holy ones: they are mere religious poems and hymns read by Sufis on religious occasions.

In fact, the *Shabaks* are Muslims and their holy book is the Qur'an. Most of them (70%) are Twelver Shias and the rest are Sunni. Despite their confessional fragmentation, they share the same land and the same ideological and ceremonial tradition of cognition and Sufism, because they have historically been influenced by some Sufi methods like the *Bektashi*, which was the doctrine of the Janissaries. It is known that *Bektashis* exaggerate in their love to Imam Ali, greatly dignify the Twelve Imams and always repeat three names: Allah, Muhammad and Ali.

Bektashi Sufism simplified the beliefs and canons. They do not

¹Interview with the author of the textbook, in which the *Shabak*-related incorrect information appeared.

go to the mosque on Fridays because they prefer to stay at home. In the 1940s, *Bektashism* was widely spread in the *Shabak* regions; they had certain ceremonies of praying and fasting. On Fridays, they perform a special ceremony of praying in *Takaya* [place of worship] after reading some religious poems. Fasting in *Ramadan* is not obligatory for them; they prefer fasting in *Muharram*, so that it coincides with *Ashura*, for which they practice their own abstinence.

These special ceremonies and Sufi worships had a social impact on the *Shabaks'* life. They committed themselves to the religious concept of *Taqiyya* (dissimulation) with a view to protecting their existence and beliefs. They did not engage in political affairs, avoided conflicts with their neighbors and preferred to live peacefully with others. But, since the 1950s, the religious authority in Al-Najaf managed to carry out a reforming movement in the *Shabaks'* life so that they adopt Shiism according to the tradition of the Shiite majority in Iraq. The effective influence is attributed to Sayyid Mohsen Al-Hakim, who, in a short time, managed to open many mosques and *Hussainiats* in the *Shabaks'* regions, as well as in Mosul city center. In 1952, the first *Hussainia* (*Rodat el-Wadi*) was opened, and then other ones were opened in many villages like Manara village in 1956.

This reform movement adopted Shiism as practiced by the *Shabaks* and in a few years the *Shabaks* started to send their children to theological schools in Karbala and Al-Najaf. The *Shabaks'* relationship with the Shiite religious authority grew until the mid 1970s when the *Shabaks* isolated themselves again; a move driven by the new regime's anti-Shiism policy. This reached its peak in the early 1980s, when many *Shabaks* were executed because they favored Shiite Islamic parties. When the war with Iran erupted, and due to their Shiism, the *Shabaks* were considered by security apparatus as a fifth column for Iran, and many security reports were made against the *Shabaks* who were displaced in 1989 under various pretexts, such as their unclear attitude towards the Iraq-Iran War and their disloyalty to the country. In 1995, when a new reforming religious movement appeared by Sayyid Muhammad Sadiq el-Sadr, openness towards Mosul city started and the first Shiite authorization for group worship activity in Mosul city

was made in 1998; young people started to come to study in the theological schools; there were more than 12 *Shabak* students, and those, in turn, acted as guides and mosque imams and attended religious occasions.

Wounds of the *Shabak* Memory

During the war with Iran (1980-1988), many *Shabaks* were accused of being pro-Iranian,¹ though the *Shabaks* gave many martyrs, missing people, war prisoners and handicapped in that war. Throughout the last decades, many *Shabaks* were prevented from completing their studies or from being appointed in important state offices because their loyalty was doubted, and some of them were executed under different political charges.²

As a result of its policy of Arabization and imposing Arabic identity on the *Shabak*, the Government relegated 3,000 *Shabak* families after destroying their houses. Some figures show that 30 *Shabak* villages were destroyed and their estates were confiscated.³ After 2003, the compensations for forced migrants of the *Shabaks* became a political lobbying card used by powerful Kurdish political currents against the Committee formed to follow up the enforcement of Article 140 of the Constitution. Getting compensation, or raising a compensation application for consideration requires a nomination from a powerful Kurdish party in Mosul. During the elections, compensations were used as a means to gain electoral advantages.⁴ Through their representatives, the *Shabaks* demanded, more than once, for compensations to be paid to the displaced *Shabaks* and to keep this file away from politicization.

¹Documents possessed by the Researcher issued by the Special Security Apparatus and the Intelligence Service.

²Presidential Decree No.718 of 1984.

³Document No. 1741 dated April 10, 1990.

⁴When the Researcher was following up the compensation disbursements, he found out that from among the 1200 families, which applied for compensation, money were disbursed to 20 families only, and fake charters were given to 300 people stating that the carter is due after the elections. A complaint was made to the Election Commission and to the Office of Article 140 in Baghdad.

Post-change Challenges

After the regime change, the *Shabaks* moved at different levels to project their specificity within wider society; they developed their political representation through the first entity representing them within the National Iraqi Movements on May 20, 2003. That was the *Shabak* Democratic Gathering, represented by some intellectuals and tribal figures and some elite of young people who devoted themselves to advocate for *Shabaks'* rights and identity. When Nineveh Governorate Council was formed in 2003, the *Shabaks* had a representative in it; that was Dr. Hunin Qaddo, who also represented the *Shabaks* in the National Assembly in 2004 and in the first elections for the Iraqi House of Representatives.

The *Shabaks* were also appointed as district managers in Bartallah and Ba'sheeqa in addition to more than ten members in the local and municipal councils of Al-Hamdaniya, Bartallah, Al-Namroud and Ba'sheeqa.

The *Shabaks* participated in the elections of 2005 with the National Iraqi Coalition representing the Shiites. They voted 'Yes' for the Iraqi Constitution; it was expected that three governorates (Deyala, Al-Anbar and Nineveh) would vote 'No' for the Constitution, but the *Shabaks'* attitude increased the portion of those voting 'Yes' to 52% against 48% for those voting 'No' in the three governorates.

The *Shabaks* have been subject to double targeting not only because of their positive attitude towards the change but also because they live in Mosul which was ravaged by armed groups, and especially in disputed areas witnessing struggle between the Central Government, Kurdistan Region Government and the armed groups, which form the so-called Islamic State of Iraq.

In its report of 2007, the Ministry of Human Rights stated that the *Shabaks* have suffered from the worst violent attacks of all types. The Report mentions that there were more than 500 martyrs and 3,000 displaced families from among the *Shabaks*. The number increased after the attack on Khazna village in 2008, which was followed by other attacks in 2008 and 2009, so that the number

increased to 1,200 martyrs and 6,000 displaced persons. After that the curve started to decline by the end of 2009.

The *Shabaks* feel that they are a downtrodden minority influenced by majoritarian identities and the political parties representing them, and that minorities often pay for the struggles and bargains between larger communities. Mentioning the *Shabaks* in the Iraqi Constitution has been subject to bargains among the big blocs representing the major communities of the country; Shiite representatives were subject to immense Kurdish pressure, and the failure to mention the *Shabaks*, like other minorities, has been the price of other Kurdish interests.¹

That struggle between senior identities (Shiite and Kurdish) and minor ones (the *Shabaks*) becomes clear in the efforts made by the currents representing the senior identities to push the *Shabaks* away from their own identity and to dissolve them in senior ones; this occurred in the elections of 2010, when the senior currents competed with the *Shabaks* over the seat specified to them according to the quota system by nominating two *Shabak* candidates on the lists of the senior communities' political currents.

The *Shabaks* demand that they be listed under Article 125 as an ethnic minority. With the absence of initiatives and institutions that take care of minorities' culture and protect their heritage and folklore, and the depression they feel when talking about the services in their regions, the *Shabaks* suffer and leave their original regions.

Overlapping with Other Minorities in the Disputed Areas

Due to the fact that they reside in disputed areas, the *Shabaks*' destiny might be lost amidst conflict between the Kurds and the Arabs, in addition to the struggle among minorities themselves. For that, the *Shabaks* reject labelling their regions as "disputed zones"; they are the same old regions of overlapping coexistence that were not subject to obvious conflict before 2003. Since then

¹Interview with Sayyid Ammar Al-Hakim, Head of the Supreme Islamic Council on 18/11/2007, and with Vice-president Adel Abdul Mahdi on 23/11/2007.

however, the conflict in these areas reflected conflicts among major communities trying to encompass minorities. Only after 2003 did the Nineveh Plains become a disputed zone; the area was not previously on the Kurds' agenda, and the *Shabaks*' region was not a part of the Kurdish autonomy map of the March Agreement of 1970. It also was not claimed in the March Uprising of 1991¹ and even in 2003, no one negotiated the situation of these regions or setting them under the control of this body or that. They have been a battlefield for the struggle between the Kurdish Movements and the Baathist Regime's army. It is obvious, however, that the changes after 2003 have changed the agendas and considerations, and the minorities have been the fuel of a merciless war between powers trying to expand their influence at the expense of the region's natural conditions, its plurality and its residents' interests.

If we want to talk about this region's specificity, we should talk about minorities mixing, coexisting and overlapping. The *Shabaks* live together with Christians in Telkaif, with Yazidis in Ba'sheeqa in the South, with Christians in Bartellah and Qaraqoush and with Arabs in Al-Namroud. In Ba'sheeqa however, Christians, *Shabaks* and Yazidis live together in a unique way. While such coexistence and relations with other minorities might be a strength, it is a weakness when there is a struggle for influence between the Central Government and the Kurdistan Regional Government.

The *Shabaks* have common elements with other communities, and share memories with their neighbors, but such coexistence should be established in a balanced way, otherwise, everyone will lose this fruitful overlapping.

¹Ahmad Shawkat, *The Shabaks - The Forgotten Kurds*.

13) Kakaism: Secret Confession and Symbolic Expression

Ahmad Qassim Moften¹

Kaka'is are one of the religious minorities of northern Iraq. Historians and researchers hold significantly different views about them, owing to the mystery, secrecy and symbolism shrouding their beliefs, along with a mixture of faiths and doctrines with their beliefs.

Kaka'is began as a spontaneous social group, based on youth and cavalry. Later, a mixture of ideas and beliefs derived from mysticism, Shiism and Christianity was introduced. Therefore, Kakaism is a mixture of faiths and sects, in an area, rich of ancient beliefs and religious groups.

Kaka'is are known for their glorification of certain people and maintenance of some poetry. They do not like to associate themselves with other social groups, or convert others to their faith. Like other ancient religions, such as the Yazidi and Mandaean faiths, Kakaism is not a missionary religion; it is based on secrecy and extreme reticence about the reality and nature of their beliefs.

The fear of social environment and of others' reactions has clearly underpinned such secrecy and reticence. When a Kaka'i of any cultural and scientific level speaks about his/her beliefs, s/he hesitates and looks reluctant to say anything, for fear that others could see/know that s/he has spoken about their beliefs or disclosed their secrets. The emergence of Kakaism amid a majority-Muslim environment, as a mystical group urged its followers to hide their true identity, given that mysticism is based on the visible and the invisible, or on separation between the real and spiritual worlds, so that there is a form known to all people and another concerned with secret and spiritual life.

Religious tendencies may urge the Kaka'is to conceal their secrets, but a social environment of religious intolerance, which

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looks upon Kakaism as a defected religious minority is equally responsible for the isolation of this minority group and its mysterious nature. Without this secretive trend, Kakaism would not have survived until present time.

Etymology

The word Kakaism is derived from the Kurdish word Kaka [elder brother] and the adjective is Kaka'i. Therefore, the literal meaning of Kakaism is "brotherhood". It is believed the reason behind this name was that one of its founding fathers was a Barzanji lord who lived near Sulaymaniyah. He built a hospice in Berzenjeh village and used substrates to raise its ceiling, but these looked lower than the walls. He turned to one of his assistants and said: "Brother [Kaka], please extend them further." The latter did and the wooden logs miraculously reached the top. They called themselves Kaka'is after that incident.

It is also said that Kakaism refers to the 'Brotherhood', a well-known cult found in Iraq, Iran and Turkey. They call each other Kaka, meaning that all the members are brothers.

Kakaism is originally a Persian word. It appeared in the Assyrian texts to mean maternal or paternal uncle and refers to the religious feeling existing among its members. They all use this title in calling each other to confirm their community affiliation.¹ Some believe that the name originated from a historic character known as Kaka Hay Ya who was awaiting the birth of Shah Khoshin, whose appearance was expected to reveal the truth.²

Kakaism has several synonyms: al-Sarliyeh and Ahl-e Haqq [people of the right]. Meanwhile, they do not call themselves 'Ali al-Lahiya', but others do. However, Rashid al-Khayoun suggests that their name is neither of the two; the real name came from an old Kurdish word 'Yaristan', where Yar means God and it also

¹Hadi Baba Sheikh: Kakaism and the People of the Truth, Remnants Kurdish Faiths, an Article published at Ankawa Website.

²Dr. Rashid Khayoun: Iraqi Society: The Legacy of Tolerance & Hatred, Beirut, Institute for Strategic Studies, 2008, p 105.

means the beloved. While 'Stan' means 'Sultan' and hence the meaning would be 'God/Beloved alone is the Sultan'.

When one calls another by the word 'Yar', it sounds similar to 'comrade' in partisan life or 'haval' in Kurdish. When they say 'yarê mine', they mean 'my friend'. The word 'Yaristan' is the nearest in relation to Kakaism. It is also more indicative in terms of meaning than the term 'youth'. 'Yarism' means full solidarity among the group, to the extent of soul sacrifice. It is known that Kaka'is rarely use the word 'Yaristan' to expressly refer to themselves. They used to hide it until very recently, but now they call some of their associations 'Yaristan' and they have become known as 'Yaristanis'.¹

Language

The Kurdish language is essentially a Persian language. It belongs to the Northwest family or the Southwest group within that family.² Kakaism is a Kurdish sub-group speaking a language called Macho [muscular people].³ Kaka'is differ from the rest of Kurds in their 'Hawramic Gorani'⁴ dialect. They are mingled with Arabs and Turkmen and their culture and mood are closer to the Arabs of Iraq, especially the cities of Mosul, Kirkuk and Baghdad.

Many Kaka'is (Ahl-e Haqq) of different areas in Iraq, Iran and Turkey speak Goranic vernaculars. This is an interesting fact, considering the assumption that there is a similar relationship between Alawites and the Zazai dialects. However, the relationship here is not so complete; not all Gorani speakers belong to Ahl-e Haqq. Besides, a large number of Ahl-e Haqq are either Azeri

¹Ibid, p 107

²Martin Van Bruinessen, Aga, Sheikh and the State: Kurdistan's Social and Political Structures, Part One, translated by Amjad Hussein (Beirut, Institute for Strategic Studies, 2007, p 62.

³PreetiTaneeja, Minorities in Iraq: Participation in Public Life, International Minorities Council's report, November 2011, p 9.

⁴Dr. Zeina Ali al-Kaka'i: Kakaism Alawite Iraqi Sect, Mesopotamia Series (An Encyclopedia of Iraqi Dialects), Center for Iraqi Nation Studies, 2009, p 322.

Turks or Persians and not Kurds. Alawites and Ahl-e Haqq share the belief that God is incarnated in human form. The two groups also have many similar rituals.

Geographic Distribution and Demographic Size

The Kaka'is mainly inhabit the city of Kirkuk and the banks of the Greater Zab River on the Iran-Iraq borders. They also live in Khanaqin, Mandali, Jalula, Erbil, Sulaymaniyah and Horaman. Those living in Qasr Shirin, Sahnah, Kermasan and Serpil Zahab (in Iran) are called Ahl-e Haqq. They also have a significant presence in Hamdaniya, Mosul.

The present Kaka'i population in Kurdistan, located around Sahinah, east of Kermanshah and around Kerend, west of Kermanshah and in areas south of Kirkuk (Daquq, Tuz Khurmatu and Kifri), are remnants of a larger group existing along what is now known as southern Kurdistan and Luristan.

No accurate official figures are available about the demographic size of Kaka'is in Iraq, but according to some sources like Father Anastas al-Karmali the figure in 1928 was around 20,000. The Minority Rights Group International report for 2011 estimated the number at 200,000 inhabitants. Given the significant time gap between the two dates and the discrepant population numbers, the question becomes more complicated and it is therefore difficult to know the exact population number of Kaka'is. These findings in fact raise firm doubts as to the figures cited by the two sources. But, in any case, the number of this community must be quite large.

Social Classes¹

The Kaka'i social religious and social pyramid consists of three levels:

- Sayyids [gentlemen]: they descend from Sheikh Issa, son of Sultan Ishaq. These include the princes and religious clerics who combine princely features and religious supremacy.

¹Hadi Baba Sheikh: *Kakaism and People of the Truth*, Op. Cit.

- Guides (pîr): the member is called 'mam' and enjoy a special status. He guides people and is referred to as Murshid [guide] or Papa.
- Brothers (Ikhwan): Commonly known as Kaka'is, i.e. the commons people who cooperate among each other in application of the principle of brotherhood.

Fundamental Beliefs

The Sufi beliefs of the sect came into existence as doctrine in the seventh century at the hands of Fakhr-ul-Ashiqin Sultan Ishaq Barzanji, born in 1272. Sultan Ishaq is the founder of this Sufi order, which emerged in the second hijri century at the hands of the well-versed scholar, Amr bin Lahab (nicknamed 'Bahloul') who died in 834. Sultan Ishaq was born in Barzang, a village of Halabja district in Sulaymaniyah province. His father was Isa Baba Ali Hamdani and his mother, Khatun Dirak Rmzbar. After his father's death, a dispute arose between him and his brothers and he moved to Sheikhan village, in the Horman. He died in 1396. and was buried there. He had many disciples from China, India, Bukhara and Iran. His spiritual order achieved great success and was widely spread during his times.¹

These details were identical with what the Russian Orientalist, Vladimir Minorsky said about El-Ali Ellahiyeh: "the revelation of secrets did not happen during the divinity of Ali, but after it, during the era of Baba Khoshan and Sultan Ishaq. It is worth mentioning that divinity, in their opinion, was transferred to the Archangel, with whom it has since been associated. This is evident in the Yazidi impact on their rituals."²

Hadi Baba Sheikh believes that Kakaism as well as Ahl-e Haqq in the east, Yazidis in the west and Qazalbash in the north are old Kurdish religions and creeds. Their roots date back thousands of

¹Ra'fat Salahuddin, Kakaism, 'Hawadith' website, see following link: <http://www.alhawarith.com/adyan/61-2010-12-23-09-43-35.html>.

²Rashid Al-Khayoun: The Iraqi Society: The Legacy of Tolerance and Hatred, Op Cit, p 106.

years. However, with the passage of time, they were influenced by the new surrounding faiths of Judaism, Christianity and Islam.¹

The Minority Rights Group International report indicates that Kakaism arose as the result of a conflict between the Umayyad rulers of Islam and the Zoroastrian priesthood. As a belief, it is a combination of Zoroastrianism and Yazidism, although their religious beliefs and practices do not seem to have been considered as heterodox as those of the Yazidis. Throughout history, Kaka'is have secretly maintained their faith, which contains elements of Zoroastrianism and Shiism. Besides, their religious leaders and group representatives look upon their faith as a form of Shiism.²

Other evidence confirm that Sufism has direct impact on Kakaism and that the map of religions and sects in the Kurdish region remains confined within the Sufi spiritual orders. Shabaks were Bektashis; then a large part of them converted to Sunnis and another part to Shiites. They have similar concepts. Even the same musical instrument, mandolin is used by the Shabaks, Kaka'is and Yazidis under the impact of the Sufi orders.³

It is worth mentioning that hospices (Takaya) and mystical orders no longer have the same influence on the Kurdish community in general, as they did several decades ago, due to the opening up to the outside world. This influence, however, is still comparatively strong among the Kaka'is, because their social structure is derived from their peculiar religious practice. They do not also have any connection with religious authorities or Muslim scholars of various doctrines. In every religious affair, they refer to their own elders and superiors.

The Four Pillars of Kakaism

The Sufi Kaka'i beliefs are based on four major pillars:

1. Purity: each kaka'i must be pure and clean, externally and

¹Hadi Baba Sheikh, Kakaism and People of the Truth, OP. Cit.

²Mumtaz Lalani, Still Targeted: Continued Persecution of Iraq's Minorities, Minority Rights Group International Report, June 2010.

³Interview by Rashid Al-Khayoun with KRG Minister of Culture, Falakadin Kakaye.

internally. They must strive to look clean in body, soul, dress, thoughts and action.

2. Honesty: to follow right path and do as God orders them to do.

3. Oneness with God: in the sense of completely staying away from arrogance, vanity, selfishness, wantonness and vicissitudes, so that they can rise towards God, the supreme.

4. Forgiveness: to show clemency and benevolence, where every human being must extend a helping hand to the needy, in order that s/he reaches the stage of complete unity with God and attain God's blessing and mercy.¹

They believe that whoever observes these four pillars in his lifetime, will reach the stage of oneness with God, have his/her wishes answered and receive God's kindness and mercy.

Feasts

Kaka'i rites and manner of worship do not resemble those of Muslims, including prayers, zakat (alms) or pilgrimage. They do not observe worship and other obligations and are therefore named 'Niazis' (people of votive offerings) while they call others 'Namazis' (people of prayers). Every year, they fast one day, which they call the 'reception day', and three days, which they call 'the fasting days', then another day called 'Eid', the 'Kashfah Night' or 'Mashoush'.²

Kaka'is pray twice a day; one prayer before sunrise and the other after sunset. Their prayers mainly consist of supplications and entreaties.³ Kaka'is have no mosques; rather they have their own hospices [Takaya], similar to those of other Sufi groups.

Kaka'is do not perform Hajj the Islamic way. Instead, they visit

¹Islamic 'al-Rased' website, *Kakaism: an Iraqi Sect*, issue No. 21, Rab'I Awal 1426 Hijri.

²Sciences Council- Creed and Contemporary Intellectual Affairs Council, Abbas al-Azawi's Scientific Paper, Alukah Website, see following link: <http://majles.alukah.net/showthread.php?16535>.

³Hadi Baba Sheikh: *Kakaism and People of the Truth*, OP Cit

their elders' shrines and obey the Sayyid (Pîr), who belongs to the Guides class and is responsible for keeping the secrets of their beliefs.

Trades and Professions

In his book 'Survey of Iraq's Geography', historian Taha al-Hashemi identifies the areas inhabited by Kaka'is; namely, the expansive area near Mount Pradan. They are essentially farmers depending upon agriculture.

Their agricultural background confirms their attachment to their land, unlike nomads and Bedouins who keep moving from one place to another. Perhaps the reason behind the Kaka'is' involvement in agriculture is their desire to stay near their shrines, in addition to looking for safe havens that enable them to exercise their rituals without restrictions and to protect themselves from the others.

On the other hand, nomadic Kurds considered, and perhaps still consider, agriculture a lowly work and those engaged in it physically weak. This explains their avoidance of agriculture. They used to invade the farmers' lands to satisfy their need for grain and other agricultural products.

William Eagleton, one of the most important researchers who studied the Kurdish history, tribes, political set-up and social movements, states that the large Goran tribe to which some Kaka'is belong, were basically weavers, especially rug weavers. However, their products did not have a unique trademark; they rather followed the Sanjabi pattern of rugs, produced in Sanjabi district.¹

Marriage and Divorce: True and Fictive Kinship

Kaka'i marriage does not follow any specific rituals or celebrations. It takes the form of a simple contract consummated by one of their elders. It does not require the consent of parents or

¹William Eagleton: *Kurdish Tribes*, translated by Ahmed al-Khalil, e-book, www.kurdme.com. p 28.

relatives; it only requires the consent of both parties. It often happens on Monday or Friday, two sacred days in Kaka'i traditions. Polygamy is not permitted and intermarriages among members from different classes are forbidden. A Sheikh may not marry the daughter of his follower (disciple) and vice versa and marriage to non-Kaka'is is forbidden. A divorce initiated by one party is null and strictly prohibited, because the contract is consummated with mutual consent and must not be annulled unless both parties accept the divorce.¹

It seems that standard anthropological terms like tribe, clan and kinship, do not fit in with the social hierarchy in Kurdistan. Examination of the terms used by the Kurds and their application will provide better understanding. A first look at the previous ethnographic literature, reveals significant misunderstanding. The problem does not only emanate from the fact that the terminology is used in an ambiguous manner, but it also lies in that they are used differently in different parts of Kurdistan. Most terms are used only in certain areas, while other terms are used elsewhere. A large part of the terms are borrowed from Arabic, Turkish and perhaps Persian. And, it is possible that this vocabulary has kept its original connotations.²

The word 'Ta'ifah' (similar to its Arabic synonym. In Arabic the word means a sect) has the meaning of real or fictive kinship. It is somewhat identical with the word 'fraternity', used in the West. These terms are used across the Middle East to denote the extension of family and blocs, which are obviously not bound by real relationship. They include esoteric orders groups, more common in Iran. If, for example, someone asks a dervish about his 'Ta'ifah', he would not mention the name of his tribe or clan, but the name of the religious group he belongs to within a fraternity that lasts more than a mundane relationship does.³

The practice of internal marriages over a long period by any

¹Sciences Council, Creed and Contemporary Intellectual Affairs Council, Op Cit.

²Martin Van Bruinessen: *Aga, Sheikh and State*, Op Cit.

³Ibid, p 142.

group would inevitably increase the level of blood relationship among its members and the offshoots of this relationship will be similar to actual relationships. As a consequence, solidarity and compliance with the group's ideological sectarianism will increase and may change from a non-tribal organization to a semi-tribal one.

In general, Kakaism does not represent a clan in the anthropological sense, but a religious clan-oriented group¹, because a Kurdish clan in general is associated with land rather than kinship. Unity within Kurdish tribes is not a blood unity, as is the case with Arab tribes. It is rather a political unity set up to defend geographical location and pasturelands, owned by individual households. On the other hand, Kaka'i notables have different titles, like 'Agha' (which is common among most Kurds). The Aghas trace their descent to their ancestor Abraham, buried in Sheikh Omar in Baghdad and through him to an earlier ancestor Muhammad, buried in Imam Ahmed cemetery in Salahuddin Street in Baghdad. The Kaka'is consider both graves as important shrines.²

Kaka'i Holy Books³

1. 'Khutbat al-Bayan': one of their greatest and most valued books. They do not allow others to read it or know its content, because of the hyperbolic descriptions attributed to Imam Ali.
2. 'Jaodan Orfi': an important kaka'i book, available in Turkish and Persian. It is a book about a numerological Sufi order.
3. 'Kalam-ul-Khizana' (or Saranjam): written in the 7th and 8th

¹Personal Interviews made in Karkuk by researcher Dr. Salah Oraibi with Sheikh Husamuddin Ali Aga Kaka'i, Sheikh Arkan Ali Aga Kaka'i, Mr. Ihsan Ali Aga Kaka'i, and Dr. Nabil Akid Mahmoud al-Midhfiri.

²Dr. Salah Oraibi Abbas: *Kirkuk Tribes: Distribution, Changes and Attitudes*, p 16.

³Ibrahim Dawood al-Dawood: *Kakaism: Odd Secrecy and Delusive Mysticism*. See: <http://www.ansab-online.com/phpBB2/showthread.php?t=15835>.

hijri century, it consists of six parts. Kaka'is consider this book as holy revelation containing comprehensive teachings and use it as a guide to solving their religious as well as mundane problems. Saranjam has not been published anywhere in the world. It contains the wisdoms, also called 'the Superior Knowledge', in addition to a number of philosophical terms. Its introduction states that this holy book must not be read by anyone, must be recited through symbols and must be read only by eligible persons.

4. 'Yarsan': A book written by Sultan Ishaq al-Kurdi, born in 1182, who had his name inscribed in the Yazidi Lalesh Shrine, because he visited Sheikh Adi Ben Musafir at the time.

Holy Places¹

The Kaka'is' holy places or shrines, shared by the Alawites (or El-Ali Ellahiyeh) include: Sultan Ishaq Shrine in Mount Horaman; Sayyid Ibrahim Shrine between Sheikh Omar Cemetery and the Middle Gate (Bab al-Wastani) in Baghdad; Dukkan Dawood, a shrine of Sultan Ishaq's successor, located between Serpil and Bai Taq in a mountain cave, Zainel-Abidin Shrine in Daquq, which was originally a Church; Ahmed shrine in Kirkuk, at Musala district; and Umar Mandanin Kifri, which is different from Umar Mandan Shrine on the Kirkuk-Erbil Road.

Contemporary Identity and Post-change Challenges

The U.S. invasion in 2003 and the fall of the regime and collapse of its institutions, which created a security vacuum with crises, disturbances and tensions, has provided a tempting environment for both organized and non-organized crimes. Gangs committed kidnapping, murder, robbery and suicide bombings with all the resulting chaos affecting all Iraqis. But, the crisis was more severe for minorities, because of their small numbers and peaceful attitudes, particularly those living amongst the warring factions. These minorities became direct targets of political, economic and

¹Ibid

religious violence, to the extent that they felt threatened even in their original habitats.

Like other minorities, Kaka'is have faced persecution, oppression, abuse and violence. Kaka'is' reticent beliefs and the stories circulated about them, have made them alienated from their social surrounding. Discrimination against Kaka'is had compound reasons. First, they embraced a religion, which the majority of Muslims consider as blasphemous; and second, because of their Kurdish ethnicity.

In this context, we can cite the words of a Kaka'i Sheikh whose two daughters were kidnapped. He said they were targeted for many reasons: first, for being Kurds who celebrate Nowruz with all its rituals and symbols; second, they are regarded as Muslim Sufis and Shiites; and finally because they are a minority group (kakaism). Therefore, he believed, extremist groups keep targeting them on different pretexts, which added up to their suffering and fear and increased the challenges facing them.

Kaka'is have been subjected to threats, kidnapping and assassinations, mainly in the Kirkuk area. Muslim religious leaders in Kirkuk have asked people not to purchase anything from 'infidel' Kaka'i shop owners.¹

The lack of reliable data about the persecution of minorities has minimized the actual calamity they faced. This also applies to Kakaism due to their secret beliefs and their isolation from public life. In addition, the Kaka'is did not form a political party of their own. They did not experience an open conflict between a sub-identity (Kakaism) and a major identity (Kurdish), as was the case with other minority groups like Shabaks and Yazidis.

Meanwhile, they did not join one unified electoral list during the elections, although several Kaka'i figures joined major Kurdish parties. Here, Falakadin Kakaye indicates that Kakaism has gained political representation in the Kurdisatn Region Parliament. Nevertheless, despite this optimistic statement, there are underlying indicators that reveal their fears to declare themselves

¹Mumtaz Lalani, Op Cit, p 7.

as an independent Kurdish component, and A few individuals attempt to rely on famous Kurdish parties. The fact that they are not represented in the Federal Parliament, as well as their failure to openly demand that their name be mentioned in the Constitution, like other minorities, and be included in the minority quota, once again confirm these comprehensions within a fast-changing social environment, which abounds with challenges.

Part II
Minorities and National Challenges

14) Minority Women: Reality and Challenges

Dr. Asma Jameel Rasheed¹

The failure to ensure security has affected the most vulnerable population, including women, children and minorities. The biggest problem seems to affect women belonging to these groups, due to the religious background of the violence that dealt with the other - the non-Muslims - as an enemy.

The religious extremism has provided some justifications to offending religious minorities in general, and minority women in particular. Christians are targeted because their faith is similar to that of the west, in addition to their selling and making alcoholic beverages; the Shabaks are targeted for their Shiism; and the Sabians and Yazidis for being "atheists". Justifying assault against non-Muslim women is based on the extremists' beliefs that rape of an 'unbeliever' constitutes an act of purification and is not unlawful.

Meanwhile, women have been targeted in the extremist rhetoric of both Sunni or Shiite Islamic groups. The period that followed the collapse of power after 2003 witnessed several attempts to constrain women's behavior. This included threatening women of what is conceived by those groups as non-Islamic behavior, such as going out without Hijab (unveiled), or mingling with men or even driving a car!

In such cases, violence and threats against women is "complex violence"; on one hand, it targets them for being women, and on the other it targets their religious identity through coercing them to deny their religious affiliation, to abandon it by wearing certain clothing that do not reflect them or by forcing them to marry lords of the armed groups to pressure and intimidate their families. This took place in al-Doura district in Baghdad and in other hot areas

¹Author and researcher living in Baghdad, specialized in women sociology.

and in many cases, threats were translated into violent action, of which a number of minority women were victims¹.

Minority women were direct or indirect victims of violence through targeting family members or killing breadwinners and turning their wives into impoverished widows. With this violence against minorities, insecurity and increased fears have become the most critical challenges facing minority women. Large-scale migration of minorities due to violence led many minority women to abandon their jobs (especially in Baghdad). The hard conditions forced many working women - home-based self-employed as well as those running small trades - to close down especially in the hot areas. This has affected the family income and the women lost economic independence.

Targeting liquor stores (usually run by non-Muslims), killing or threatening their owners, and threatening women working in barber shops have increased unemployment levels and stopped the income source for a great number of minority families in Baghdad and Basra. As a result, minorities are becoming economically impoverished, and minority women would be the most affected.

Political Participation of Minority Women

Political participation of minority women seems to be governed by two factors: gender (according to the masculine mentality, women are inferior) and affiliation to already marginalized communities, in a country where the form of the political system is determined by the rule of simple majority, and decision making is in the hands of major groups.

Factors making it difficult for minority women to assume decision making positions and therefore preventing their effective political participation include religious and ethnic polarities and the domination of religious or ethnic groups, which have numeral majority in the society, vis-à-vis the absence or weakness of the liberal and secular middle classes. This makes assuming decision

¹Preti Taneja: *Assimilation, Exodus, Eradication: Iraq's minority communities since 2003*, Minority Rights Group International.

making positions through affiliation to those religious or ethnic groups very difficult for women who do not belong to them.

Still, the real problem facing minority women is the gap between the legal text and actual enforcement. In a society where tradition precedes law and the tribal "project" precedes that of the state, it becomes useless for the constitution to include articles that stipulate cultural and religious freedoms for minority women, without having guarantees and institutions that ensure the effective enforcement of such laws. For example, labor and wages laws did not discriminate between women (of whatever religion or ethnicity) and men; yet, women of small communities suffer from discrimination at work and employment. They cannot reach senior administrative positions under the current system of sectarian quota where the state ministries and institutions are dominated by the larger groups who favor their own followers and exclude those who are not. It is not even easy to find a job inside these ministries. The problem of minority women is not in the existing law, but in ignoring the rule of law.

The Sense of Belonging to the Society

The minority women sense of belonging to society is an important indicator in studying their status in this society. It is a sign of solidarity and interconnection a woman feels toward other social components. It also reflects the level of psychological security she enjoys. The sense of belonging is one of the most important factors of social integration. It is also an important gauge of the change in the psychological and social situations of minority women.

The religious factor accounts for the low sense of belonging among the non-Muslim minorities (while it is high among the Muslim minorities) vis-à-vis the revival of traditional allegiances for the sect or ethnicity. Religion represented in the power and the domination of political Islam have deepened the sense of diversity and distinction amongst the minorities. This has also undermined the common values and cultural aspects that prevailed among the social components. This difference and distinction has affected the minorities ability to develop belonging relations with the majority,

because individuals can only develop such relations with people with similar opinions and ideas. As a result, their belonging will be to the minority or the group they belong to at the cost of their social and national affiliation to the wider society, which has become different and strange to them; and the sub-identity has grown at the expense of the national identity.

On the other hand, the domination of political Islam on the state resources and the prevalence in the political arena of sectarian practices, religious ethnicity and hard-line Islamic (Shiite and Sunni) rhetoric have revived some concepts of the past about the non-Muslim groups. That includes dealing with the non-Muslims as *Dhimmi*s [people of the Book] and imposing *Jizya* [a tribute] on them in some areas dominated by armed Islamic groups, and also dealing with other minorities who are not people of the Book as infidels or nonbelievers such as Yazidis and Mandaeans. These concepts have exacerbated the women's feelings that they are a minority and second-class or even third-class citizens in their own country, and consequently affected their sense of citizenship and belonging to the wider society.

Moreover, these concepts promoted by such groups provided ground for the threats and abuses that targeted the security and lives of minority groups. Consequently, it is logic that belonging to the internal (ethnic or sectarian) group would increase as a response to the threat from external groups.

The deteriorating security situation after 2003 was a key factor in the lack of a sense of belonging. Another factor is the deterioration of services, which reflect the inability of the community to satisfy the minority women needs for protection and human and economic security, due to the poor performance of government institutions, and their inability to perform their function. In the third place, comes the lack of personal freedom as a factor of low sense of belonging¹.

¹This categorization has been based on a survey conducted by the researcher in 2007. The survey included 2,100 woman from the most important minority communities (population-wise) with 300 women from each: Sabains - Shabak - Yezidis - Armenians - Turkmen - Faili Kurds - Chaldeans Assyrians. All conclusions and figures used in this study are based on the above survey, which are still valid until now.

Social Acceptance and Social Integration

The sense of social acceptance among minority women varies according to the minority to which they belong. The highest level of the sense of social integration has been recorded among Christian women of Armenian ethnicity (80.5%). This can be explained by the nature of the distribution and spread of the Armenian minority in Baghdad, after migrating from Turkey, in the wake of the massacres by the Turks in 1915. The immigrant families did not live in isolated ghettos of their own and this enabled them to establish friendly relations with their surroundings. Meanwhile, the relatively late presence of the Armenians in Iraq did not witness conflicts or ethnic or religious tensions, and this has blocked any accumulation of rancor or tension with other groups or isolation from them.

The increased fear and caution have isolated the minority groups from the majority society. A number of women mentioned the attacks against minorities as a major cause of their feeling of social rejection. A Christian lady said that non-Muslim women are subjected to harassment in the street and in government service institutions, the applications of Christian women are continually obstructed. She said she hears the word "infidel" wherever she goes¹.

The chief priest in a Baghdad church affirmed the increased isolation of the Christian community which is distancing itself from the Muslim community. Many Christians tend to reject relationship with the Muslims outside business transactions.

The sense of social acceptance and integration has declined among the women of all minorities except the Faili Kurds. The percentage of Faili women who feel they are socially accepted rose from 9.5% before 2003 to 74.2% after 2003. This is consistent with the rise in the Faili women sense of belonging to society, after the demise of the harsh restrictions imposed by the Baath authority on Faili Kurds before 2003.

¹Interview with Ansam al-Abayji of UNAMI, specialized in violations against minorities. The researcher interviewed her in July 2007.

It's also noted that the lowest levels of the sense of social acceptance and integration were recorded among the Turkmen women (13.2%) and Yazidi women (17.7%), because those two communities have fallen between the hammer of the Kurds and the anvil of political Islam. Both minorities face the risk of assimilation by the Kurds and annexing their areas to Kurdistan. The Yazidis believe that they are hated and marginalized with no access to services. They also believe that they are not protected by the Kurdistan government.

On the other hand, attacks by Islamist groups against this minority have increased their sense of isolation and social rejection. Threats made by Islamic extremist groups in Mosul limited the entry of Yazidis to the city, constrained opportunities for social interaction and widened the social gap among different groups. This has promoted stereotypes and fanatic trends among the Yazidis and the majority groups, which in turn increased the Yazidi women's sense of social rejection and limited their social integration.

The punishment carried out by the Yazidi community against one of its girls when she broke off the community isolation and married a non-Yazidi young man reflects clearly the extent of social isolation experienced by the Yazidis due to the feelings of hatred and animosity that grew after the collapse of power in 2003.

Minority Women and the Loss of Freedoms

Major aspects of liberty loss, as expressed by a group of minority women, include limiting movement, inability to choose their dresses and decreasing their entertainment and educational activities¹. This led to poor participation in public life, and women kept introvert in their own world, specifically in the areas dominated by armed Islamist groups. In al-Dora, a Baghdad neighbourhood largely inhabited by Christians, all Christian women were forced to wear Hijab, before the displacement campaigns that began in April 2007.

¹Interview with a group of Christian women made by the researcher in the headquarters of the Assyrian Democratic Party in March 2007).

One of the displaced ladies said that the armed group chased her unveiled daughter into the house and threatened to kill her. To ease their fury, she had to burn all the girl's clothes in front of them. In Mosul, an eyewitness reported that there is a popular market for what has become known as "Christian veil". Another Christian woman in Basra said that she had not left her house for a long time because she was not wearing a veil.

Several reports confirmed that the main factor behind the exodus of Christians from Iraq is the threats to their unveiled women. This has reinforced the masculinity values in the minority communities. Fearing for women, families tend to block their daughters indoors, or constrain their behavior outdoors. Methods of prevention have increased to include blocking women belonging to these communities from work or continuing their study.

Freedom to Practice Religious Rituals

Imposing hijab on Christian women in Basra and Baghdad was the first manifestation of religious persecution experienced by the Iraqi society in 2003. Religious groups calling themselves "the Promotion of Virtue and Prevention of Vice" groups used to terrorize unveiled women. The activity of these groups was more obvious in Basra where they forced Christians to wear the veil, and those who did not were exposed to shooting. Non-Muslims in Mosul were also forced to veil. However, the most serious form of religious persecution is to intimidate minorities and not accept them unless they forcibly change their religion into that of the majority.

So many Mandaean were forced to convert to Islam and there are 42 cases documented by the Council of Sabain Mandaean Affairs, with most of them converting for fear of murder, including 14 Sabain women, one of whom has three children and she was divorced from her husband¹.

Targeting places of worship and killing non-Muslim clerics have

¹Documents issued by the Council of Sabain Mandaean Affairs; the researcher got a copy.

affected the practice of religious rituals by minority women. The sacred Sabain places in Basra were burned and Christian churches were targeted by explosions. In Baghdad, many churches canceled their religious ceremonies¹ and worshipers became very few because of the violence that hit Christian churches after Pope Benedict XVI made his controversial statement about Islam in September 2006. Things have aggravated after the bombing of the Church of Our Lady of Salvation in Baghdad end of October 2010². Thus, women were deprived of the right to practice religious rites, though worship rituals are not only of religious significance; they are social events where worshipers exchange news and communicate with each other. They constitute the only option now that exercising cultural and social activities in their normal gatherings (clubs) has been blocked.

During an interview with the researcher, a group of minority women tended to hide all what symbolizes affiliation to avoid being assaulted or abused. It is an attempt to hide or (not to appear in the scene), pushed by the violence that targeted women in general, and minority women in particular. Examples included wearing hijab, hiding religious symbols (cross for Christians and derafsh for Mandaeans), hiding identity or even denying it sometimes, let alone wearing a scarf and long clothes as is the case with the Yazidis.

Some interviewees even cited the practice of the majority's rituals Shabak women showed that they avoid using their language in public places and Faili women avoid taking part in discussions on religion issues.

Minority Women and Education

There are no official statistics about the illiteracy rate among minority women, enrollment or gender disparity in education. The data of the Central Bureau of Statistics as well as the relevant international reports talk about females education in general in

¹UNAMI report in November 2006.

²See the documentary "Minority at Risk" which shows the impact on the Christian residents of Baghdad, produced by Masarat in 2011.

Iraq. The competent authorities have not developed specific educational indicators for minority women.

Major factors hindering full participation of minority women in educational opportunities include the security situation and the constant threats and intimidation, which made many families force their daughters to leave school. Some of those families do not even care about female education due to social traditions, which prevent women from continuing their education. Finally, the government discriminatory policies before 2003 against some minorities (Faili Kurds for example), as well as the failure and constant deterioration of the education system in Iraq due to wars and economic sanctions, have affected women in general, and minority women in particular.

Specific factors of the Yazidi culture include a number of beliefs and customs that limit female education. There are historical roots to refrain from education, whether for males or females. Some studies suggest that until recently, Yazidis were afraid of learning to read and write. Education was accessible for one class only. Despite the change among the Yazidis and the emergence of outstanding Yazidi researchers¹, these convictions about female education remained influential in one way or another.

Another factor is the Yazidis' isolation and living in villages away from the city. The importance of this factor can be detected in the relatively high level of education among the women who live in areas near the city of Mosul, such as Bahzany city, and Ba'sheeqa. Contact with the city's culture and their proficiency of Arabic helped the openness of the sect and the development of their concepts on female education.

However, the educated Yazidi women are suffering from the fact that the increased education has reduced their chance of getting married. One of the interviewees says that women with higher education and longer school years often pass the preferred

¹Rashid Al-Khayoun: Religion and Sects in Iraq. Al-Jamal Publishers, Germany, 2003, p 97.

age for marriage, and it would be hard to find a matching husband education-wise within their minority community¹.

The level of education has deteriorated among Iraqi women in general due to the security situation, but the damage doubles in the case of minority women. For example, after the threats that prevented them from completing their studies at the Mosul University, some Yazidis and Shabaks joined universities in Kurdistan, but many others were unable to meet the conditions at the Kurdish universities which require membership of the Kurdistan Democratic Party, or at least a recommendation from it². In another example, Turkmen families could not send their daughters to universities outside Kirkuk for security reasons, which prevented them from completing their education.

Freedom to Choose a Husband or to Get Divorced

Minorities vary in the extent of flexibility they show in matters of marriage and divorce and the space of freedom they give women to choose or leave their husbands. This usually comes in two levels:

The first is determined by the minority culture, which sets a number of determinants and conditions that cannot be overlooked by those willing to marry or get divorced within the minority. This is the case with Yazidis who have closed classes and the community norms require the marriage to be held between people of the same class and prohibit marriage between different classes. The culture of the Shabak community prohibits (Alawite) women who are descendants of the Prophet and the Imams (pure origins) from marrying a man of different bloodline.

The second level is determined in the context of the minority relationship with other groups and it often takes the form of rules governing marriage from outside the minority. Some religious sects forbid women to marry from an outsider; they consider it as dissent from religion. Mandaeans for example treat the woman

¹Interview with Baida al-Najjar, a Yezidi.

²Interview with Souria Qaddo, survey researcher from the Shabak minority, August 2007.

who marries a non-Sabaeen as a depredator (the one who runs off with her lover), and she would be killed by her family in some areas in southern Iraq¹. Yazidi women are also forbidden from marrying an outsider; they consider it as dissent from religion. What applies to marriage also applies to divorce. Some sects forbid divorce as in some Christian sects.

There are minorities that discourage divorce. Their norms and the authority of the family prevent women from terminating a marital relationship, even if she was unhappy with it. It is rare for example to record divorce cases among the Shabaks².

The religious factor is a marriage obstacle not only for non-Muslim women; it can be a hindrance even within the Muslim communities in light of the sectarian fragmentation taking place in Iraq. Within the structure of the same minority there are sometimes conflicting denominations. The Shabaks for example have 70% Sunnis and 30% Shiites. The Shiite Shabaks decline from marrying their daughters to Sunni Shabaks, but they allow their men to marry Sunni women, because women are expected to follow the doctrine of their husbands³. While the Mandaean and Yazidi religions deny marriage from outsiders and consider it as dissent from religion, the sectarian divisions within other minorities have mounted barriers before the mixed marriage between sects within the same minority.

¹A dialogue with a Mandaean survey researcher.

²Zuheir Kazem Aboud: *Shabaks in Iraq*, Sulaimaniyah 2006, p 228).

³Interview by the researcher with survey researcher for the Shabak minority, Souria Qaddo in August 2007.

15) Minorities and Participation in Public Life

Dr. Hanin Qaddo¹

The **Participation of minorities in public life** means the contribution to different economic, cultural, religious, social and political activities. It also means the removal of obstacles and limitations that prevent minorities from assuming political positions and participating in strategic decision making and from having access to public services at various public administration levels, and ensuring their right to access the public media.

This participation is supported by international charts and covenants that organize the rights of minorities. Article 21 of the Universal Declaration of Human Rights states that everyone has the right to take part in political and public life regardless of the number of any minority or group.

Article 2 of the 1992 UN Declaration on Minorities provides for minorities' right to effectively participate at the national level, while Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination states that everyone has the right "to vote and stand for elections... to take part in the government as well as in the conduct of public affairs at any level, and to have equal access to public service".

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the UN General Assembly on 18 December 1992, provides for promoting the international agreements to eliminate all forms of racial discrimination and intolerance based on religion or belief, or violation of civil or political rights of persons belonging to ethnic, religious or linguistic minorities.

In fact, there is an accumulated international heritage related to the minorities' right to participate in public and political life, including the UN charters and the international law on human rights. Many countries with national, religious, linguistic or ethnic minorities have adopted special mechanisms to ensure fair

¹Coordinator of the Iraqi Minorities Council.

representation of minorities in the parliament, federal and municipal councils, and all the state agencies and to give them the right to veto any legislation that derogates their rights and this is specified in clear constitutional texts.

Minority Rights between Constitution and Practice

In line with the international conventions, the 2005 Iraqi Constitution has many articles in Section One "*Fundamental Principles*" and Section Two "*Rights and Liberties*" - articles 2, 3, 4, 10, 14, 18, 19, 20, 35, and 125 - that try to provide constitutional guarantees for participation in public life and strong protection against discrimination in order to realize equality among all Iraqis and provide equal opportunities regardless of gender, race, ethnicity, doctrine, origin, belief, colour, or economic or social situation.

However, since 2003, the situation of minorities has been different from the constitutional texts. Minorities have been under tremendous pressures due to the violence that swept the country, let alone the marginalization in public participation. Moreover, access to education, health and other services, especially in residential areas of minorities, such as Nineveh Plain, has become difficult due to the conflict over the disputed areas and the unwillingness of the warring parties to improve service provision in these areas before resolving the affiliation issue; i.e. whether these areas are affiliated with Kurdistan Region or Nineveh Governorate.

Giving minorities the opportunity to learn in their mother tongue and ensuring security for religious and sectarian minorities to practice their rituals have been one of the challenge that threaten the psychological and social stability of smaller minorities.

Even though Article 14 of the Constitution provides legal ground for anti-discrimination legislations, and Article 16 reinforces Article 14 by focusing on equal opportunities for all Iraqis through taking necessary measures and enacting laws, the representation of minorities is still poor in the legislature and non-existent in the executive power. This impedes their participation in making and drafting strategic decisions of national

dimensions. Furthermore, minorities suffer from unemployment and poor health and educational services provided by local governments and the central government.

Minorities should have real, rather symbolic or formal, representation in different government levels based on deep conviction in active national partnership.

Obstacles to Public Participation of Minorities

Despite the relative improvement in security situation, minorities are still facing bitter circumstances and uncertain future in terms of participation in public life. In many cases, they find themselves excluded from major political blocs which dominate the administrative positions at various government levels. The allocation of these positions is subject to the 'quota' principle as well as to ethnic, sectarian, regional and partisan affiliations rather than to objective criteria such as merit, eligibility, qualification and professionalism.

Appointments in leadership positions in critical and important institutions -including the Independent High Electoral Commission and the High Commission for Human Rights - are based on subjective rather than objective criteria. This deprives qualified people from minorities of participating in public life; a clear paradox between calling political parties to engage minorities in public life while discriminative practices are prevalent.

Major political parties often keep representatives of minorities from having access to the Council of Representatives even though the Election Law allocates seats for them. In the 2010 elections, the Kurdistan Democratic Party managed to take 3 out of 7 seats allocated for minorities (one for the Shabaks and two for the Christians) through making its members run for those seats. This is due to different attitudes regarding the disputed areas and other sensitive issues.

Reasons behind exclusion, marginalization and discrimination against minorities in public life include:

1. Sectarian, ethnic and regional loyalty dominates the thinking and tendencies of political elites because of the prevalent

tensions and power conflicts among the major political players.

2. The culture of exclusion based on ethnic and sectarian discrimination is prevalent due to focusing on group and regional interests rather than on collective and national interests.

3. Lack of anti-discrimination legislations.

4. The current attempts to assimilate some minorities within the culture of majorities to benefit from their votes and use them to achieve geographic and political gains instead of protecting them and promoting their ethnic and cultural identity.

5. The government structure is based on political, ethnic and sectarian quotas.

6. The culture of tolerance, diversity and acceptance of other is absent.

The Importance of Effective Public Participation of Minorities

1. Enhance integration between the minorities and the wider society, and build relationships on mutual respect among different groups.

2. The marginalization or exclusion of minorities from public life is a discriminative practice that threatens social harmony and national identity.

3. One of the success indicators of democratic transition is how the minority rights are protected as a precondition to achieve democracy and establish the principle of citizenship.

4. The enhancement and protection of minority rights contribute to political and social stability, promote tolerance and build trust among various groups.

The government of Iraq as well as other political players who believe in equality, social justice, elimination of discrimination and enhancement of minorities' participation in public life are invited to enact a number of laws to ensure comprehensive protection for minorities, promote their cultural, political and social rights and secure their effective participation in various state affairs.

Despite the absence of clear criteria for what provisions should such laws have, there is an acceptable criterion adopted by most civilized countries, which is related to identity, language, employment, education, media and participation in public life.

Recommendations

To address the challenges and problems facing minorities and stop their continuous immigration, the Iraqi government and Council of Representatives are invited to implement the following recommendations:

1. Identify the challenges and problems preventing minorities from effective and efficient participation in public life.
2. Set the necessary legislations, practices and mechanisms to enhance the minorities' participation in public life.
3. Examine available opportunities and necessary initiatives and identify possible solutions to increase the minorities' participation in public life.
4. Develop a clear mechanism to ensure equality between minorities and majorities and apply the principle of positive discrimination for at least a limited period.
5. Develop a strategy to strengthen and deepen religious and social tolerance and protect the culture of diversity from the politically motivated assimilation policy against minorities.
6. Allocate seats for minorities in all elected councils and at all national and local levels to enable them to elect the right representatives through dividing electoral constituencies based on minority population density.
7. Create a national council for minorities, to which some ministries are attached. The main task of such a council will be the development of minorities' residential areas.

16) Minorities and Curriculum Reform

William Warda¹

Curriculum reform is a real challenge for any state in political transition; it is related to the culture of a whole country and generations and might reflect a new conflict between new and old cultures as well as between cultures of minorities and majorities. Under the former regime, curricula were ideologized and their first pages always started with glorifying the president and citing his words and thoughts.

The proposal by the Ministry of Education (MoE) to remove such pages is not enough to eliminate their impact on old generations. New curricula should reflect the nature and significance of the country's current transformation. History courses, for example, in clear falsification of history, used to describe the regime's internal and external battles as national epics, while labelling the other former regimes as puppets of the West and anti-national.

Curricula with ideological totalitarian nature deprived the society of its pluralism. They caused the historical and national role of minorities to disappear amidst a policy that focused on one group, one culture or one (Islamic) era in history, to systematically and forcedly assimilate subcultures, plural identities, and ethnic, cultural and linguistic peculiarities into one identity. Therefore, it is necessary to develop a different approach of the issue of cultural, national, religious and linguistic diversity in line with the democratic transition in Iraq. Thus, designing new curricula and reforming the existing ones to reflect the pluralistic nature of the society have been a real challenge for minorities after 2003 as these curricula had always marginalized their roles as mere "extras on the stage of history".²

The Ministry of Human Rights has called, especially in Erbil

¹Coordinator of the Alliance of Iraqi Minorities.

²Sa'ad Salloum: *Lest Christians Be Referred to the Museum of Memory*, Iraqis Supplement, Mada newspaper, issue 1983, eighth year, 9 December 2010. p. 10.

Conference in 2010, for pluralism and human rights concepts to be introduced to curricula to reflect the various components of the Iraqi society.

Other Reforms

It should be noted that some amendments were made to the curricula in response to the political change after 2003. In Islamic Education Course, a number of Hadith which had not been agreed upon between the Sunnah and the Shi'a were removed and others deemed by those in charge as more credible in terms of its narrator were added. However, the MoE has not found an alternative for the students of other religions, such as Christians, Mandaean and Yezidis, thus maintaining the former regime decision to exempt them from the Islamic Education Course and failing to introduce courses for their respective religions. Those students have continued studying religion in churches and places of worships away from school.¹

Proposed Reforms to Strengthen Curricula

In practice, the curricula of elementary and middle schools were reviewed to reflect a new national culture that enhances the spirit of citizenship, peaceful coexistence and partnerships among various components of Iraqi society and contributes to increased social and political stability in the country. This can be done especially through a subject in the 5th grade National Education Course introducing each nationalist and religious minority and their national role; including minorities' history and their figures that contributed to the Iraqi civilization in the 5th grade History Course; replacing all the Islamic Education Course subjects that might provoke sects or suggest hatred, grudge or rancor, with subjects that enhance intimacy and coexistence; preparing a Religion Course to be taught to all so as to introduce all the religions of the Iraqi society; developing religious courses for non-

¹Khuloud Ramzi: *Iraq Curricula is Waiting for Comprehensive Change*, Niqash weekly bulletin, 10 June 2010.

Muslim minorities, such as Yazidis, Mandaeans, Christians etc.; and considering non-Muslim cultures in the Arabic Language Course through rephrasing sentences, stories, poems and poetry, such as including a story about all components in the 7th grade Reading Course, including a story about each component in the Reading Course of grades 1-4, and stating the areas of minorities in Iraq in the 8th grade Geography Course.

Essential Determinants of Curricula Reform

In light of the above review, work has focused on developing a basic perception or plan that includes the following:

- Develop curricula that reflect the society image in a balanced and harmonized way so as to ensure the minorities' rights to introduce their identity, culture, national role and contribution to building the country.
- Remove or amend all references to marginalization, distortion or exclusion of minorities as well as all matters that call for hatred or promote sectarianism.
- Eliminate all concepts that contradict citizenship, respect of others and tolerance.
- Eliminate all topics that provoke parties against each others, and introduce minorities and their history, size, population and geographic distribution as well as their role in building the Iraqi civilization in the past and present in a balanced and objective way.
- Eliminate all courses that promote the policy of forced national, religious, intellectual and ideological assimilation of minorities.

Official Response to Curricula Reform

The Alliance of Iraqi Minority - a civil coalition that works on enhancing the rights of Iraqi minorities - has assumed the task of advocating curricula reform (for elementary and preparatory school as a first step); and submitting proposals and recommendations for reform, coordination and collaboration with the MoE

through the Curricula Committee and the Parliamentary Education Committee to adopt those reforms.

Held on 27 April 2012, the Curricula Reform Conference announced the findings of the Alliance's Curricula Reform Project which was in line with the MoE directives, preparations and plan to reform curricula, make them adapt to reality and to the economic transition in the country and adopt a different approach to establish a new national culture that promote citizenship, coexistence and partnership among various citizens and social components.

The Conference outputs (as specified by the MoE experts from the National and Social Courses Unit and Sociology Courses Unit) included a proposal of an informed scientific mechanism to incorporate the history of the various components (including Christians, Mandaeans, Shabaks and Yazidis), and their figures and scientists as well as their scientific, intellectual, cognitive and technical products in the 4th edition of the Sociology Course - yet to be composed - to achieve societal and scientific balance for all components. The MoE says that the amendments announced in the Conference will be adopted in the pending curricula, while the other part would be introduced in the curricula of 2013.

Our success in reforming the curricula so as to suit a pluralistic society would contribute to enhancing social and political stability and would reflect the image of a society that guarantees the right of minorities to introduce their identity, culture and national role.

Part III
Minorities in the Iraqi Culture

17) The Iraqi Novel and the Kurds

Dr. Ronen Zeidel¹

This article is part of an attempt to show how the Iraqi novel refers to the main sectarian and ethnic groups in Iraq. Concentrating on Iraqi novels in Arabic, written mainly by Arab writers, I will examine the attitude of intellectuals to the Kurds and their demands as well as the role accorded to the Kurds in the narratives of the novels.

Benedict Anderson was one of the first scholars to speak about the role of the novel in creating and spreading a national identity.² This is done through a creation of an "imagined community" with shared notions of time and space. The Iraqi novel was and still is committed to this idea and most Iraqi (Arab) novelists were partisans of an Iraqi nationalism that strongly supports the integrity of Iraq in its current borders and envisions a nationalism that contains all of Iraq's communities.

I will try to examine whether the Kurds were ever imagined as part of this national community and what did it really mean for those Arab writers? The Kurdish problem has been a prominent issue in Iraqi politics from the very beginning, yet Kurds were rarely an integral part of the fabric of life in Arab Iraq. I argue that writers, who often describe their immediate environment, were not as concerned as the politicians with the Kurds. This opens an interesting debate on the complicated relations between literature, politics and reality. Writers who, as intellectuals, pretend to see beyond the reality of the present, were not as inventive as politicians in the attempt to solve the Kurdish problem both positively and negatively. For a long time, the Kurds simply did not exist in the writers' universe.

Another subject that will be discussed in the article is the relation between hegemony and national identity, in other words:

¹Dr. Ronen Zeidel: a historian of modern Iraq and Deputy Chairman of the Center for Iraq Studies in the University of Haifa.

²Benedict Anderson: *Imagined Communities*, London: Verso, 1994.

how Arab is Iraqi national identity? All the novels upon which this article is based were written in Arabic. The language dictates the audience and since a large number of Kurds do not speak Arabic, the novels did not consider them as an audience. The few novels of Kurdish writers in Arabic, discussed toward the end of the article, may also target the same audience, affecting their contents.

There are very few academic studies on the Iraqi novel, mostly in Arabic. None dare to investigate the undercurrents below the paramount Iraqi national identity. The field of Iraqi literary critique is dominated by those who stress political and moral dividing lines and others who find, mainly in poetry, a common Iraqi voice that transcends sectarian and ethnic divisions. Both sides subscribe unquestioningly to Iraqi nationalism. This article takes a different view: instead of brushing the divisions aside, they will be put at the center.¹ The literary approach to the Kurds will be compared to treatment of the sectarian divide and especially the Shi'is. My initial assumption was there is a harsher taboo on writing about the sectarian issue since it is perceived as a more serious threat to national cohesion. This was partly true. Yet, I was surprised by the abandonment and the marginalization of the Kurds. In Iraqi terms both these subjects are "politically incorrect". However, I argue that this critical approach should be a future direction for research on Middle Eastern literatures, instead of merely accepting the declarations of regional nationalisms about the internal unity of the nation.

Evidently, literature does not always reflect reality. I am more interested in the act of the writer. It is he who decides on the location of the novel, the narrative, the figures, the protagonists. A cumulative reading of many novels gives a better understanding of the mindset of the authors and not necessarily of Iraqi reality. This article is about Arab Iraqi writers and their approach to the Kurds. It is not about Kurdish writers, writing in Kurdish, and their role in the construction of Kurdish national identity, including their

¹Salam 'Abud: *Thaqafat al-'Unf fi al-'Iraq*, Cologne: Al-Jamal, 2002 and Muhsin al-Mussawi, *Reading Iraq*, London: Tauris, 2006.

approach to the Arabs. Such a study is necessary to complement mine.

As a historian, I am interested in describing a process in the Iraqi novel and detecting changes to it. The dominant process, or the "mainstream", is set against the reality of its time and compared with the main political landmarks relevant to the Kurds. Literary change will also be explained by historical factors in action during that period. I am aware that in some circles this approach will be considered "descriptive", no matter how analytic it is, but I feel that no theoretical framework is more useful to this subject than the cumulative reading of many Iraqi novels, their meticulous ordering into periods and the analysis of their attitude toward the Kurds.

Historical Background

During most of the 20th century, relations between Kurds and Arabs were tensed. The Kurds have had to adjust to an imposed Arab dominated nation state and never ceased to demand their cultural rights and more administrative autonomy. Throughout most of the first half of the 20th century, even their most modest demands were turned down by a highly centralized state apparatus. Kurdish revolts in demand of those rights were repressed first by the British and later by the Iraqi army.¹

Only after the July 1958 revolution, a first serious attempt to accommodate the Kurds was made by the Iraqi regime that adopted, for a while, an inclusive Iraqi national identity. The constitution of 1958 was the first to acknowledge the existence of a Kurdish people in Iraq. Another gesture was the invitation to Barzani to return to Iraq in November 1958. However, the new regime rejected Kurdish pleas for autonomy and the revolt resumed in 1961.² Since 1958, Iraqi politics would generally accept

¹Liora Lukitz: *Iraq: The Search for National Identity*, (London: Frank Cass, 1995) and Toby Dodge, *Inventing Iraq*, (New York: Columbia, 2003).

²Sherko Kirmanj: *The Clash of Identities in Iraq*, in A. Baram, A. Rohde and R. Zeidel, *Iraq Between Occupations: Perspectives from 1920 to the Present*, New York: Palgrave, Forthcoming.

the Kurds as a legitimate, but different, element of Iraqi society.

This time the revolt lasted 14 years and was a more serious problem for the Baghdad regime. The subsequent pan Arab and military regimes were generally harsher with the Kurdish opposition. Nevertheless, it was in this period (June 1966), and under a civilian prime minister, 'Abd al-Rahman al-Bazzaz that the Iraqi government first officially acknowledged Kurdish autonomous rights in some fields. However, this agreement, signed despite the opposition of the army, was annulled with the deposal of al-Bazzaz in August 1966.

Kurdish hopes were again raised with the accession of the Ba'th party in July 1968. On March 1970, Saddam Hussein signed an accord with Barzani promising the Kurds autonomy within 4 years. For the regime this was a tactical move and it soon resumed its military activities against the Kurds. Five years later, the regime used diplomatic means to drive a wedge between the Kurds and Iran when it signed the Algiers Agreement with the Shah. This move ended the Kurdish revolt under Mulla Mustafa al-Barzani. The Kurdish revolt resumed, under a different leadership, during the Iran-Iraq war (1980-1988).¹

The Iran-Iraq war had contrasting impact on the two ethnic groups in Iraq. Whereas in the Arab group the war contributed significantly to cementing Iraqi nationalism, blurring the sectarian (Sunnah, Shi'a) division, the Kurdish opposition, who generally sided with the Iranians by fighting the Iraqi army, chose to remain outside this framework of Iraqi nationalism. This might have affected the attitudes towards the Kurds in Arab public opinion.

This is a significant point that partially explains the participation of Iraqi soldiers in the Anfal operations (March-September 1988). The genocide of the Kurds started with the infamous attack on Halabja (March 1988) using chemical agents and continued with a systematic extermination of Kurdish men, taken to the Arab parts of Iraq, that continued well after the end of the war. Apparently intoxicated by bringing the war with Iran to an end (or

¹David MacDowall: *A Modern History of the Kurds*, (London: 1996).
Edgar O'Balance, *The Kurdish Struggle 1920-1994*, (New York, 1996).

even winning it), the Saddam regime literally wanted to put an end to the Kurdish insurgency. This was a major break in Kurdish-Arab relations in Iraq. So far the wound has not healed. Kurdish intellectuals confront their Iraqi Arab counterparts with the blame and Iraqi Arab society, on its part, is not ready to examine its part in the catastrophe.¹

The Kurds resumed their struggle in March 1991. Under the umbrella of the no flight zone, covering most of northern Iraq, the Kurds were able to enjoy genuine autonomy, away from Saddam's control. During that time, Kurds developed their own cultural and political institutions and reconciled the two rival factions of the Kurdish national movement, following a civil war (1994-1998).²

In April 2003 the Kurdish cooperation with the Americans in the occupation of Arab areas added more hostility to Arab-Kurdish relations. During the occupation Kurdish fighters gave vent to feelings of revenge and were also engaged in expropriating properties and looting. In the contested city of Kirkuk, Kurdish refugees were allowed to return to their dwellings, driving Arab settlers from their homes. Kurdish political demands such as the introduction of federalism, debates over its implementation, the distribution of oil, the question of Kirkuk were seen by many Arabs as threats to the territorial integrity of Iraq. Many Arabs also consider the Kurds to be the most probable candidates for a future secession.³

Yet this historical outline conceals a reality of de facto separation between Arabs and Kurds in Iraq. The Kurdish struggle took place away from the main centers of the country,

¹Middle East Watch: *Genocide in Iraq: The Anfal Campaign against the Kurds*, (New York, 1993). Dr. Kadhim Habib: *Al-'Unsuriya fi al-Mumarasa: Madhabih al-anfal wa Halabcha fi Kurdistan al-'Iraq*, (Kurdistan, spring 2002).

²Michael M. Gunter: *The Kurdish Predicament in Iraq*, (New York, 1999). Gareth R.V. Stansfield, *Iraqi Kurdistan: Political Development and Emergent Democracy*, (London and New York: Routledge, 2003).

³Michael Eppel: *State Building and Social Ferment in Kurdistan*, *Journal of South Asian and Middle Eastern Studies*, Vol.xxxi, no.4 (Summer 2008), pp. 70-77.

affecting very few Iraqi Arabs. The conflict was more between the Iraqi state and the Kurdish population than between Kurds and Arabs. Spontaneous outbursts of ethnic violence were very rare before 2003; the best known happened in Kirkuk 1959 setting the Kurds against the Turcoman of the city.¹ Anfal was a state run operation and did not involve violent clashes between populations.

This pattern of separation started to change around late 1991 due to several factors: the emergence of a Kurdish region relatively free from Baghdad, the realities of the embargo on Iraq, the collapse of the Iraqi middle class and finally, the resumption of the activities of the Iraqi opposition in Kurdistan. Thus, more Iraqis escaped from political and economic deprivation in the center and the south to Iraqi Kurdistan on their way to neighboring states. For Iraqi opposition groups the Kurdish provinces were a safe haven close to Arab Iraq. All this created more contact between the communities than ever before.

Iraqi novels and the Kurds

As a result of the separation, the Kurds were only rare guests in Iraqi novels prior to the 90s. Even after 1991, only a handful of Iraqi novels refer to the Kurds. Before the 90s, no Iraqi Arab novel I know of has Kurdish protagonists and takes place in Kurdistan. Reference to Kurdistan or the Kurds is ephemeral.² A typical example is Faiz al-Zubaidi's "*Al-Sidra Tazhar Maratain*" (The Thorn Blossoms Twice) in which the hero, a poor Arab clerk from Baghdad, agrees to pay the bail for the son of his neighbor who defected from the fighting in the north. No Kurd appears in the novel, which takes place in Baghdad, a city with a considerable Kurdish population.³

¹Hanna Batatu: *The Old Social Classes and the Revolutionary Movements of Iraq*, (Princeton: Princeton University Press, 2nd edition, 1982). pp. 912-922.

²Najim A.Kadhim: *The Novel in Iraq 1965-1980 and the Influence of the American Novel with special Reference to the Sound and the Fury*, University of Exeter, October 1983.

³Faiz al-Zubaidi: *Al-Sidra Tazhar Maratain*, (Damascus: Manshurat Babil, 1987). The manuscript was written in Baghdad 1973.

On the fringes of the mainstream, exceptions are sometimes found. One such exception is Burhan al-Khatib's "*Shaqa fi Shari' Abi Nuwas*" (An Apartment in Abi Nuwas Street) written in 1968 and published in Beirut in 1972. Set in 1963, with the repression by the short lived Baathist regime in the background, it is the story of three flatmates in Baghdad. One of them, Hamid, is a Kurdish activist of an unnamed party and is arrested by the Ba'th. Before his arrest Hamid brought to the apartment a poor young Kurdish woman, Na'ima, a survivor of an army offensive on her mountain village. While Hamid is away, his partners betray their promise to him and rape the woman who becomes pregnant. While in prison, Hamid learns that a word from one of his mates led to his arrest and this breaks his spirit. When he is released he learns about the rape. In general, Hamid's role is secondary and most of the time he is not in the apartment. Yet he is the moral compass of the novel, showing his partners the way out of moral numbness. The other Kurdish figure, Na'ima, on the other hand, is both vulnerable and passive: she is a Kurd in Arab Baghdad and a young woman in a men's place. Significantly, the author shows a rare identification with the Kurds. He makes Hamid say: "*Ina Hadafna laisa Wahidan*" (our goal is not one) and even praises him for saying so.¹ In this novel, Kurds are being attacked by the Iraqi army and these attacks are followed by acts of pillage and rape. Interestingly, despite its location in Baghdad, the Kurdish problem is one of the main issues in the novel yet, it is not the main subject of the novel, which examines the feelings of emptiness and confusion so prevalent in the literature of the 60s. The solidarity with the Kurds is rather vague: we do not know the party affiliation of Hamid. Is he an Iraqi patriot or a Kurdish nationalist? what exactly does he mean when he says "our goal is not one"? Hamid never represents the Kurds or presents their case. In practice, the novel seems to be more about the Arabs and their problems than about the Kurds whose cause is treated as a humanitarian one

¹Burhan al-Khatib: *Shaqa fi Shari' Abi Nuwas*, Beirut: Dar al-'Auda, 1972. p. 161-162.

rather than political and national. Anyway, the novel was banned in Iraq shortly after its publication in Beirut.¹

Significantly, hostility toward the Kurds was very rare before 1991. One exception is Jassim al-Raseef's "*Al-Qa'r*" (The Bottom) from 1985. According to Salam 'Abud, this novel on the Kurdish revolt, by a well known Arab writer, was too anti Kurdish even for the Ba'thi censorship.² In this case, it was al-Raseef's interpretation of the political dictates, and not an expression of a wide spread feeling, that explains the hostility of the novel.

After 1991, the censor was less strict with anti Kurdish literature. The Kurdish revolt of 1991 and the no flight zone leading to the disengagement of Kurdistan from Arab Iraq, were seen by the Iraqi regime as a serious threat to the territorial integrity of Iraq. Thus, one of the novels attributed to Saddam Hussein, "*Al-Qala'a al-Hasina*" (The Strong Castle) has a Kurdish female protagonist, Shatreen. Upon the death of her Arab and Ba'thi husband, she insists on parceling the common domicile, the castle. Her scheme fails and the writer refers to the contested part of the castle, namely Kurdistan, as the "Lavatory" (*al-Marafiq al-Sihiyya*).³

Another example of anti Kurdish official literature is Sayf al-Din al-Jarah's "*Hadaq 'Amiqan ya Watani*" (Look Deep you Patriot) from 2000. Some of the main scenes in the novel are located in the Kurdish north, where the "positive" hero, a Shi'i from the south serves as a Ba'th party official. During his first period in the north in the 70s, he helps the families of "those who sinned against the homeland". He returns to Suleimaniyya in the late 80s and heads a bureau of the Ba'th aptly named "Anfal". He happens to be there in March 1991. He goes to the party headquarters where he is killed by the rebels. At the same time, his wife finds refuge in the house of a Kurdish family who bravely

¹Burhan al-Khatib: *Al-Jana'in al-Mughalaqa*, Stockholm: Podium, 2007. Back cover.

²Salam 'Abud: *Thaqafat al-'Unf fi al-Iraq*, (Cologne: Al-Jamal, 2002). p. 249.

³Salam 'Abud: *Man Yasna' al-Diktator? Saddam Namudijan*, (Cologne: al-Jamal, 2008). pp. 149-150.

protects her when the city is temporarily occupied by the rebels. Here again we read about an idyllic past broken by a Kurdish violent uprising.¹ We also see the centrality of the Kurdish uprising in this Ba'thi narrative. Despite all that, the Arab-Kurdish conflict is not at the center of the novel. The main struggle in the novel is between a "positive" hero and a "negative" one and both are Shi'i Arab. Kurds never really appear in this text.²

Yet not all the negative depictions of Kurds were state sponsored. At this point we have to return to Jassim al-Raseef. Like many other Ba'thi intellectuals, al-Raseef broke with the Iraqi regime in the 90s and escaped with his family across the Kurdish mountains to the west. This was the kind of encounter many other Iraqis had with the Kurds during the 90s. To understand the source of the negative views, the precarious situation of those Iraqis, stranded in an alien region, encountering smugglers and other shadowy figures, should be realized. In addition, the perilous mountain cross, which took its toll, is another reason for the negative account.

In "*Thulathaa al-Ahzan al-Sa'ida*" (The Trio of Happy Sorrows) from 2001, al-Raseef describes a group of Iraqi refugees, waiting in Suleimaniyya to be taken across the mountains to Iran. The smugglers are a gang of criminals, who also try to smuggle Iraqi antiquities - another break with Iraqi nationalism. The crossing ends tragically and almost all passengers are killed. This is the first Iraqi Arab novel that is located in Kurdistan, yet most of the main figures are Arab. The few Kurdish figures are very negative. They also meet Kurdish Peshmerga at the checkpoints, witness a murder on broad daylight in front of the hotel (tribal vendetta). The Suleimaniyya of this novel, is a shadowy city full of violence and conspiracies. The Kurdish countryside is rough, inhospitable and dangerous (this was the time of the Kurdish civil war 1994-1998). Kurdish culture is depicted as cruel and stiff. There is not a single positive Kurd in this novel. More importantly, the author does not

¹Sayf al-Din al-Jarah: *Hadaq 'Amiqaan Ya Watani*, (Baghdad; Dar al-Huriyya, 2000).

²See also: Ronen Zeidel: *The Shi'a in Iraqi Novels*, forthcoming.

make a single attempt to understand the Kurds and show some empathy.¹

In a later novel, "*Ru'us al-Huriyya al-Mukayasa*" (The Sack Covered Heads of Freedom) from 2007, al-Raseef returns to that story, through a survivor of the blast and repeats the same anti Kurdish views. In April 2003, Kurdish forces cooperated with the Americans to occupy Mossul, al-Raseef's home city. The occupation was accompanied by large scale looting and an Arab panic from the Kurds. The novel is set in Mossul and the author frequently mentions Kurdish outrages against the Arab population: they take hostages, kill, shoot, patrol along with the Americans, take control of government buildings, loot and all in the context of cooperation with the occupier, striving to divide Iraq. At this point, the personal experience of the author, which had a deep impact, meets his regional origins and national views to produce such a text.²

Other writers were also writing under the impact of their stay in Kurdistan during the 80s and the 90s. They refer to their Kurdish experience as part of a larger odyssey, taking them away from Iraq and the Middle East. The writer Jinan Jassim Halawi wrote two such novels. In "*Layl al-Bilad*" (The Night of the Land) written between 1993-1998, the hero from Basra, like the author, is sent to the Kurdish north during his military service in the Iran-Iraq war. He is taken prisoner by members of the Iraqi communist party near Suleimaniyya and is forced to join them. Then they are attacked by members of the dominant Kurdish party in that area, and their former protectors, the PUK and he barely survives. After failing to cross the border to Turkey, he returns to Basra. Interestingly, in this fiction, what happened to the hero in Kurdistan is more terrible than his experience in the war front.³ In a second novel "*Durub wa Ghibar*" (Roads and Dust) written between 1999-2001, the hero is again a deserter from Basra, who

¹Jassim al-Raseef: *Thulathaa al-Ahzan al-Sa'ida*, (Beyrouth; al-Mu'asasa al-'Arabiyya, 2001).

²Jassim al-Raseef: *Ru'us al-Huriyya al-Mukayasa*, (Beyrouth: al-Mu'asasa al-'Arabiyya, 2007).

³Jinan Jassim Halawi: *Layl al-Bilad*, (Beyrouth: Dar al-Adab, 2002).

escapes to Kurdistan. Here, for the first and only time, an Arab joins the Kurdish fighters of the KDP and then gets involved in Kurdish infighting and leaves Iraq. However, Yussuf, the hero, is an adventurer who joins the Kurdish militia to help him cross the border and not out of conviction. The whole Kurdish episode in this novel is very short.¹

Another writer, describing a Kurdish experience is Shakir al-Anbari in "*Layali al-Kaka*" (The Nights of the Kaka) published in 2002. His hero, Dayi' al-Jaryan (The Daring Lost) is another deserter who arrives to the Kurdish north twice; once as a fugitive and the second time as a returnee from Sweden. Upon deserting from his military unit during the Iran-Iraq war, he meets a Kurdish guy and they become friends. The Kurd convinces him to join other Arab deserters in the north. He goes there in order to leave Iraq and not to fight with the Kurds. Years after, he returns to Iraq, but being a deserter, he can only stay in Kurdistan. He stays in a camp of the Iraqi Arab opposition, whose leader is described in very negative terms. He insists to be taken to Kirkuk, a city beyond the Kurdish area, just to see "an Iraqi city" again and his travel ends badly. In this novel Kurdistan is both the exit and the entrance to "Iraq", but it is not Iraq.² These two writers, who also experienced border crossing in Kurdistan, never give negative descriptions of the Kurds. Instead, friendship between Arabs and Kurds exists in the novels.

Another group consists of Arab writers from mixed Arab-Kurdish cities and towns who wrote about their hometowns, where the conflict was more on a grass root level. In his long novel, "*Akhar al-Malaika*" (The Last of the Angels), Kirkuk born Fadil al-'Azzawi, describes life in Kirkuk in the years 1956-1963. His Kirkuk is a multiethnic city, shared by Arabs, Turcoman and Kurds. The urban elite is Turcoman. Arabs dominate the administration and the police. Arabs and Turcoman live together in peace in the neighborhood at the center of the novel. Kurds live

¹Jinan Jassim Halawi: *Durub wa Ghibar*, (Beyrouth: Dar al-Adab, 2003).

²Shakir al-Anbari: *Layali al-Kaka*, (Damascus; al-Mada, 2002).

in different neighborhoods or in the rural area and most are rural migrants to the city. The author feels closer to Turcoman culture than to the Kurdish one. There is not a single Kurdish figure among the wide array of figures in this novel. And the only time Kurds appear on the scene is when an Arab figure, a communist, tries to organize a peasant uprising or when they burst into the city to massacre the Turcoman in 1959.¹

Also from Kirkuk, Ahmad Muhammad Amin, fails to mention any Kurdish trace in Kirkuk in his autobiographic novel "*Watan al-Sunbula*" (The Homeland of the Wheatear) from 2005. Similar to al-'Azzawi's novel, this novel shows that the life of a poor Arab in a mixed city mostly revolve around his homogeneous neighborhood and no true "urban" mixture of ethnic groups really occur.² In a later novel "*Dayf.. 'Ala Banat Awa*" (The Guest of the Jackals) from 2008, his childhood memories in Kirkuk fail to mention Kurdish existence, but later he writes that he speaks Kurdish. He uses his Kurdish to communicate with fellow Kurdish inmates in a refugee camp in Iran.³

The writer Shakir Nuri was born in Jalawla, a small town in the eastern province Diyala, close to the Iranian border. His three novels, "*Nazwat al-Mawta*" (The Leap of the Dead), "*Nafidhat al-'Unkubut*" (The Spider's Window) and "*Dyalas bayna Yadaihi*" (Dyalas between his Hands) are set in his home town. Nuri's Jalawla is an Arab town, proud of its Arab history. The people of this small town are united by strong regional and tribal bonds, leaving no place for a person of a different ethnicity (a Kurd). The Kurds live in the countryside, in isolation from the townspeople. In times of troubles with the Kurds, the townsmen do not really feel it. In "*Dyalas*", Nuri describes Barzani's return to Iraq through the train station of Jalawla, in which his father used to work, but this is in the context of a child memorizing the high time of his father's

¹Fadil al-'Azzawi: *Akhar al-Mala'ika*, (London: Riyadh al-Rayis, 1992).

²Ahmad Muhammad Amin: *Watan al-Sunbula*, ('Amman: Azmina, 2005).

³Ahmad Muhammad Amin: *Dayf.. 'Ala Banat Awa*, (Damascus: Nainawa, 2008).

career and not as an expression of solidarity with the Kurdish leader.¹

All these novels ignore any Kurdish presence in their mixed locations. In doing this, they follow an accepted attitude in Iraqi culture and society: the Kurds are strangers, too distant even if they are close. If this is the case in mixed cities, one can fully understand the prevailing indifference among other writers. Here again, Jassim al-Raseef provides an exception. Describing the American-Kurdish occupation of his Mosul, an Arab city in a mixed area, he shows how brittle parallel life can be.²

Other writers use the Kurds in order to construct a multi ethnic Iraqi national community in Iraq or in the Iraqi diaspora. Umm Muhammad, One of the five Iraqi women friends in London, in Hayfaa Zangane's "*Nisaa 'ala Safr*" (Women on a Travel) from 2001, is a Kurdish woman. A simple and optimistic person, she is loved by all the other women. Like all the other women, she suffered in Iraq: her husband was murdered on Saddam's orders. But, in her case, this suffering has a price: her son hates Arabs. Umm Muhammad's character is not sufficiently developed, yet she serves an important purpose: her presence allows the writer to form a certain Iraqi unity in exile. Paradoxically, it is this Kurdish woman that brings the other Iraqi women together and reminds them of Iraq. Umm Muhammad still is the most profound Kurdish figure in Iraqi literature so far and sadly, one of the very few. Finally, it should be mentioned that the writer is of Kurdish origins.³

Similar attempts are made in novels located in Iraq. Significantly, they all place the individual Kurd in Arab and Shi'i areas. In his historical novel, "*Amakin Hara*" (Warm Places), Jinan Jassim Halawi has a Kurdish figure from Suleimaniyya who moves

¹Shakir Nuri: *Nazwat al-Mawta*, (Beyrouth: al-Farabi, 2004). Shakir Nuri, *Nafidhat al-'Unkubut*, (Beyrouth: Al-Mu'asasa al-'Arabiya, 2000). Shakir Nuri, *Dyalas bayna Yadaihi*, (Beyrouth; al-Farabi, 2007).

²Jassim al-Raseef: *Ru'us al-Huriyya al-Mukayasa*.

³Hayfaa Zangane: *Nisaa 'ala Safr*, (London: Dar al-Hikma, 2001) Born in Baghdad, Zangane defines herself as an Iraqi and thus should not be defined as a Kurd writing in Arabic.

to Basra in the 20s and becomes a wealthy merchant. He marries a local Shi'i woman and converts to Shi'ism. He is one of the main figures in the first half of the novel and then fades away. Mustafa is an Arabized Kurd, and the author makes him forsake his Kurdishness to assimilate in an Arab and Shi'i city. The author may have wanted to show a multi cultural Basra, but the Kurd had had to sacrifice his identity to be accepted.¹ In the first chapter of Halawi's "*Layl al-Bilad*", the hero returns to his family in Basra with a Kurdish prostitute he met in Baghdad, presenting her as his "fiance" and infuriating his father. She does not speak Arabic at all. Then the hero is taken to the army and she fades away completely. It is not clear why he brought her to Basra.²

In his novel "*Hijab al-'Arus*" (The Bride's Veil) from 2008, Muhammad al-Hamrani puts another Kurd in a Shi'i area, this time the marsh area around 'Ammara. The Kurd is a peddler who sells perfumes and falls in love with the area. The natives detest him, but the hero likes him since he is a contrast to the local population. He marries his daughter, with the consent of her father, and they move out of the marshes. Farhad is a proud Kurd who yearns to return to his mountain village. He tells the hero that the Kurds are "*Sha'b kabir lahu tarikh tawil wa amjad*" (A great people with a long history and famous men)³.

The American invasion with the rise of sectarian feelings contributed to a rediscovery of the Shi'i within the Iraqi national identity.

This tendency led to the "discovery" of Shi'i Kurds by Iraqi novelists in the last years. The Failis are Shi'i Kurds and their main concentration is in Baghdad.

Faili Kurds also shared Baghdad's shanty towns with a large Shii Arab population. The best known one, Madinat al-Sadr, was formerly called "*Khalaf al-Sada*" (Behind the Dam), which is also the title of a novel by 'Abdallah Sakhi; a Shi'i writer. This novel

¹Jinan Jassim Halawi: *Amakin Hara*, (Beyrouth: Dar al-Adab, 2006).

²Jinan Jassim Halawi: *Layl al-Bilad*.

³Muhammad al-Hamrani: *Hijab al-'Arus*, (Damascus: al-Mada, 2008). p. 114.

from 2008 recounts the early history of the quarter until the mid 60s. Politically, this Shi'i novel is fascinated by Qassim, who is venerated by the people of Khalaf al-Sada, So much so that a poor Faili woman, a neighbor, whose son had drowned in the river, believes that the "Za'im" can bring him back alive. This marginal figure shares the same miserable life with the Shi'i Arabs. Her Kurdish identity in the novel is less important than the fact that she is both Shi'i and poor.¹

A much more developed figure of a Faili appears on Ahmad al-Sa'dawi's "*Inahu Yahlam au Yal'ab au Yamut*" (He Dreams or Plays or Dies). This novel is also located in Madinat al-Sadr. Mustafa, the Faili Kurd is a childhood friend of the hero. Like many Faili Kurds, large part of his family was transferred to Iran in the 70s by orders of the Ba'thi regime and their Iraqi nationality was taken. His father, who joined the Ba'th (probably to save his skin) was, none the less, sent to the war front and died². In the 90s, Mustafa was arrested by the regime, tortured and lost the ability to walk. Mustafa is an intellectual who believes in a "personal God". Eventually he is killed after the American invasion either by a stray American bullet or by gunmen following his nonconformist lectures. In this novel, Kurds and Arabs get closer to each other, So much so that Hamid, the hero's elderly brother who lives in America, presents himself as a Kurd and invents a pastoral past in a Kurdish village instead of his tormented past. This never happened before in the Iraqi novel and seems unexplainable. Yet, the main Kurdish figure blends perfectly into the Shi'i Arab population and speaks Arabic with the local accent. In one point the hero wonders how can the Faili family boast of their Kurdishness and "be like us" at the same time. The assimilation of the Faili Kurd into Iraqi culture, social structure and urban life make him the best candidate to represent the Kurds in the Iraqi novel. However, the Failis, a small Kurdish minority, are not

¹Abdallah Sakhi, *Khalaf al-Sada*, (Damascus: al-Mada, 2008).

²On the Failis under the Ba'th, see: Sa'ad B. Eskander, "*The Faili Kurds of Baghdad and the Ba'ath Regime*" in: Faleh A. Jabar and Hosham Dawod, *The Kurds: Nationalism and Politics*. (London: Saqi, 2006). pp. 180-203.

representative of the ordinary Kurd who is yet to show up in the Iraqi novel.¹

Instances of empathy to the Kurds are extremely rare in Iraqi novels: in al-Sa'dawi's novel they are limited to the Failis alone. An exception is Hamid al-'Iqabi "*Al-Dil'*" (The Rib) from 2006. In the 70s, the author, still a young man, was sent on a civil mission to Kurdistan. The ideologically loaded anti Kurdish terms ring in his ears and he remembers what his cousin, a soldier on leave, told him, about the ferocity of the Kurdish fighter that he never saw with his eyes. This is what he, and most other Arab Iraqis, knew about the Kurds. Here is what he writes when he crosses desolate Kurdish villages and hears about the atrocities of the Iraqi army there:

"Amakin. Ma marartu biha murur saihin batrin... bal marartu biha murur insannin bila sifatin... Bari yastafhal 'alaihi damiruhu fayuhasiruhu bi al-taanib 'ala dhanbin lam yartakibuhu..." (Places. I passed them not as a wanton tourist... but as a human being with no qualities.. an innocent tormented by his conscience, besieging him with a blame on a crime he did not commit...)².

A bit later he even shows compassion to the Kurdish Peshmerga in their defeat after the 1975 Algiers agreement³. Then, his group is attacked by the Peshmerga. Before he is taken hostage, he witnesses a Kurdish fighter killing from a close range, in cold blood, an Arab soldier who pleaded for his life using the Shi'i invocation "*Dakhil al-'Abbas*" (by the life of 'Abbas, a Shi'i Hero).⁴ This event, which really happened to the author, is a traumatic one, which keeps haunting him later in life⁵, He then wonders whether the "killers" (namely, the Kurdish Peshmerga) also suffer

¹Ahmad al-Sa'dawi: *Inahu Yahlam au Yarqas au Yamut*, (Damascus: al-Mada, 2008).

²Hamid al-'Iqabi: *Al-Dil'*, (Cologne: al-Jamal, 2006). p. 169.

³Ibid, p. 172.

⁴Ibid, pp 178-179.

⁵Ibid, p. 194.

from remorse and he answers "no"¹. Conscience and remorse, according to al-'Iqabi, should go both ways, but they do not.

Al-'Iqabi is the only writer who approaches the most sensitive issues of that conflict: the violence and destruction, the responsibility, the place of moral. The encounter between his being a passive witness to the Kurdish tragedy (and this is well before Anfal) and his being a real witness to a killing of an Arab soldier, seems like a much better start for an Arab-Kurdish dialogue, than previous attempts to fit the Kurds into an Iraqi national framework. Yet, this novel, and two other novels he published, are not about the Kurds or Kurdish-Arab relations. The first Iraqi novel dealing with those issues in an attempt to understand the Kurds is yet to be written.

Novels by Iraqi Kurds in Arabic

Regrettably, I do not read any of the Kurdish dialects.² Nevertheless, I presume that Kurdish writers who want to reach a wider audience, would rather write in Arabic. For our matter, it is important that this audience is Arab, and probably also Iraqi. This is why I will give a brief glance into three novels, written by Iraqi Kurds in Arabic. Possibly, using Arabic affected the contents of the novels. None of the novels is an expression of particularistic Kurdish nationalism.

The three novels are Azad al-Ayubi's "*Efin..wa Intithar al-Fajr*" (Efin..and the Waiting for Dawn) from 2004, Zuhdi al-Dahoodi's

¹Ibid, p. 188.

²For a good introduction to the Kurdish novel read: Hashem Ahmadzadeh: *Nation and Novel: A Study of Persian and Kurdish Narrative Discourse*, (Uppsala: Acta Universitatis Uppsaliensis, 2003). This book is more concerned with a comparison between the Kurdish novel and the Persian novel, but some of its conclusions are applicable to the Iraqi context. Such is the dissimilarity between a state based and state oriented novel - the Arab novel in Iraq - and the stateless and nation oriented Kurdish novel. According to Ahmadzadeh, the Kurdish novel is a recent phenomenon, dating from the last decades of the 20th century. The most famous Kurdish writer who writes in Arabic is Salim Barakat from Syria. Since he is not an Iraqi, I will not discuss his novels in the article.

"*Tahawulat*" (Transformations) from 2007 and Haval Amin's "*Al-Bum wal-Maqas*" (The Owl and the Scissor) from 2008. Two out of the three take place in exile. When the authors describe their life in Kurdistan, Arabs are hardly ever mentioned. Nevertheless, in all the novels there is a strong yearning to belong to a something wider than the Kurdish nation. In al-Ayubi's novel, it is his forbidden love affair with his Lybian student, which ends bitterly, that symbolizes his wish to belong to the Arab nation.¹ In al-Dahoodi's novel, it is his activity in the Iraqi Communist Party in the Kurdish region and in Haval Amin's book it is his problematic contacts, in Holland, with the Iraqi writers club. Significantly, the blame for their failure to belong is always cast at the others. Al-Ayubi blames Arab tribal prohibitions for his tragic experience. Al-Dahoodi blames the leadership of the Iraqi communist party for his misfortunes as well as having to leave the country. And Haval Amin blames the Iraqi exiles for being the reincarnation of the present rulers and refuses to be in touch with them. He ends the novel in a symbolic return to Irbil, which is very Kurdish.²

Conclusions

In his latest book, the Iraqi critique, Salam 'Abud claims that "the intellectuals were usually those who lit the fire and the politicians were those who extinguished it"³. This was not the case of Iraqi Arab writers writing about the Kurds.

Iraqi literature and novels were even much slower than politics in discovering the Kurds. As I have shown in a previous article, Iraqi literature blurred the Sunnah-Shi'a division and all sectarian, especially Shiite, aspects were made to disappear from the public scene. This divide, cutting across the Arab majority, was considered a threat and an obstacle to national unity.⁴ The Kurds

¹Azad al-Ayubi: *Efin..wa Intuthar al-Fajr*, (Amman: al-Ahliyya, 2004).

²Zuhdi al-Dahoodi: *Tahawulat*, (Amman: al-Mu'asasa al-'Arabiya, 2007). Haval Amin, *al-Bum wal-Maqas*, (Beyrouth: al-Saqi, 2008).

³Salam 'Abud: *Man Yasna'*, p. 341.

⁴Ronen Zeidel: *The Iraqi Novel and the Shia, Die Welt des Islams*, Forthcoming.

were not ignored because they posed a threat to the territorial integrity of the country or to Iraqi nationalism. They were ignored because they were distant living in their own provinces and because they were different if they were sharing mixed towns with the Arabs. The general attitude of Arabs to Kurds was more indifferent than hostile. In this regard, and contrary to the Sunni-Shia division, Iraqi Arab literature is closer to Iraqi society and its modes of thinking than Iraqi politics. Going back to Anderson's thesis about the role of the novel in the creation of a national identity, our case study shows the limits of such a process: the motto "Iraq from Zakho to Fao" (from the Turkish border to the Gulf) never became a literary reality.

After 1991, the encounter with the Kurds was more frequent for many Iraqis. The tangible encounter with the harsh Kurdish landscape, created a rupture with this part of Iraq, which was at times not seen as part of the country. Writers who write about the Kurds either do it from their personal experience or from an ideological and political point of view. The latter refer to the perceived threat posed by the Kurds to the unity and territorial integrity of Iraq and therefore try to fit the Kurds in by making them the center of an Iraqi community, moving them to Arab Iraq and even converting them to Shi'i Islam, embracing the Kurds instead of acknowledging their difference.

Interestingly, two factors which had a significant influence on the presentation of Shi'ism in Iraqi novels are irrelevant here: the division between exiled writers (most Iraqi literature is written by exiles and published outside Iraq) and home based ones and the impact of the American invasion in April 2003. It may be due to the fact that Kurdish history took a new path since 1991 and later events just reinforced that tendency. However, certain nuances, associated with these factors, like the use of Kurdish figures to reconstruct a national community away from Iraq or the "rediscovery" of Shi'i Kurds after 2003, should be pointed out. 2003 may have added to the already existing fears of Kurdish secession, endangering the integrity of the country, but since direct confrontations with the Kurds happened only in mixed areas, the bulk of Iraqi writers remain indifferent to the Kurds.

After 1991, a loaded dialogue between Arabs and Kurds started to develop. Unfortunately, Saddam Hussein in his novel delineated the confines of that dialogue: as long as the Kurds accept to be a docile part of (Arab dominated) Iraq, they are welcome. But once they demand their rights, they are rejected and harshly condemned. Unwillingly, Iraqi writers, staunch opponents of Saddam, follow the same lines. While some, like Jassim al-Raseef, overtly vilify the Kurds, others show little empathy toward them or gently deKurdify the very few Kurdish figures and place them in an Iraqi national framework. Even Salam 'Abud falls into the same trap. After justly criticizing Saddam for his "racial" views in "*Al-Qala'a al-Hasina*", he criticizes the president of Kurdistan, Mas'ud Barzani, for his refusal to raise the Iraqi flag in Kurdistan, claiming that Barzani had welcomed this flag when it suited him in the past.¹ The Kurds are not given the right to express their own national identity that may not wish to be part of an Iraqi one.

Over the last decades, Arab-Kurdish relations experienced major crimes against humanity, transfer of populations, uprising, occupation, the establishment of Kurdish autonomy. All this is not reflected in the Iraqi novel. Even the serious threat of secession from Iraq has not precipitated Iraqi writers to write a single novel on the Kurdish issue so far. Presumably, this would require a great amount of empathy toward Kurdish nationalism and the Kurdish cause and the Iraqi Arab writers are not yet in a position to provide that. An understanding of the Kurdish cause and accepting their right to express themselves in national terms should be at the root of any reconciliation. Hamid al-Iqabi provides a modest but good start: he is empathic towards the Kurds, their national struggle and their enormous suffering and at the same time forces them to face their killing of innocent Arabs. The few Kurdish novels in Arabic, if they are representative of Kurdish literature in general, teach that the Kurdish writers are willing to belong to a wider framework. It remains for the Iraqi Arab writers to approach them somewhere along the road.

¹Salam 'Abud: *Man Yasna' al-Diktatur*, pp. 32-33.

18) Traditional Music of Iraqi Minorities

Duraïd Fadhie al-Khafaji¹

The Iraqi music has a prominent stature among the music of the nations that inherited ancient civilizations, due to its diversity and affluence in the forms and patterns of melodic and rhythmic structures and to performance styles. Given that lyrics were the dominant style in Iraqi classic music, as was the case with most of the Middle East ancient music, the diversity of languages and dialects stemming from ethnic pluralism of Mesopotamia population had contributed to the formation of Iraqi diversified and affluent music.

Many popular musical patterns in Iraq had been lost or forgotten before the emergence of the Phonograph in the early twentieth century. The region had seen waves of demographic migrations to escape epidemics, desertification and political and ethnic conflicts. This led to a "cultural integration" of some of the minority populations into the communities of the national and religious majority, while other minorities chose to live peacefully in their grandfathers' villages, away from urban centers to maintain their traditions and popular legacies.

Music and related arts, such as singing and dancing, is the most "cross-pollinated" arts with the cultures of neighboring communities, especially with the absence of musical notation. This is the situation of many Iraqi musical patterns. However, several melodies and patterns managed to survive oblivion and distortion and maintain much of the origin. This was due to two factors: the first is the use of music in spiritual rituals and rites and religious chanting, which gave music some sacredness and the ability to resist deviation; the second was that the harsh geographical environment (high mountainous and vast desert) reduced the chances of cross-cultural interaction and kept those melodies and patterns pure and original.

¹Lute player, composer and researcher in music and its history, and secretary of the Iraqi National Committee of Music.

With the advent of the international phonograph companies to Baghdad to record audio musical discs for the most famous Iraqi singers and musicians, a new era of live recording of traditional music of Iraq started in the first quarter of the twentieth century. But the popular music of Iraqi minorities could not have the opportunity to be documented at that time because the recording processes concentrated on the Iraqi Maqamats [musical rhythms], rural songs, Baghdadi songs and solo and extemporization on some instruments. Founding Baghdad radio station in the mid-1930s, which was broadcasting concerts and music on air, expanded the scope of audio recording to include many performers and singers of both genders, and musicians from various ethnic groups of Iraq. The radio had great impact in introducing singers of both genders and players who came from various Iraqi regions in order to become professional musicians and singers, which encouraged the recording companies to sign contracts with them to record their music and songs on a wider scale.

A lot of old Iraqi music was recorded by recording companies on wax and stone discs. These discs have become rare because many of them were lost or damaged due to poor storage, not to mention how hard it was to circulate them as the monograph was not available but for a few fans and music collectors, and also the difficulty to copy them using modern recording machines.

Over so many decades, the Iraqi official establishment has done nothing to collect this heritage, or contact the first production companies to provide Iraq with copies of the original recordings to be recorded again using the prevailing audio tapes (cassettes) and CDs, in order to protect this musical heritage, and keep it alive in the memory of successive generations. The circulation of old music was limited to those who were interested in musical heritage and to specialists who have worked hard to copy audio materials and convert them into modern versions using very poor methods which affected the quality of original recordings and harmed the three attributes of sharpness, intensity and tone through manipulating the speed and sacrificing the pulse waves, while such things can only be performed by companies with proven recording expertise and high professionalism.

The 1970s witnessed serious attempts by Iraqi experts to study the Iraqi sound heritage including singing, music and musical works. The tireless efforts of researchers like Dr. Subhi Anwar Rashid in the musical archeology; Dr. Tarek Hassoun Farid and Dr. Scheherazade Qassim Hassan in surveying various Iraqi areas, taking notes and photos and recording sound samples, these effort had significant impact in building sound base for the comparative science of ethnic and dynasties music in Iraq.

The Ministry of Culture and Information, under the supervision of the Iraqi musician Munir Bashir, produced a two-volume disc named *Music from Iraq*, with cassette tape containing the same music. Later, this product was expanded by adding Kurdish songs, solo music, and rhythmic variations to become four audio cassette-tapes under the same title. But this project had no chance to expand horizontally to include the traditional music of Iraqi national, ethnic and religious minorities. One of the success factors was the cultural and media approach in implementing the project which managed to present serious models of traditional music in Iraq, performed by some of the most talented musicians and singers, unlike the academic approach of scientific research, which is based on detecting the uncommon acoustic phenomena and documenting them directly in the respective environment, in addition to providing all data related to the phenomena and their social requirements such as the performers' gender, names, age and geographical region as well as the circumstance and occasion when it was performed, in addition to the mythological implications associated with it.

Because most musical performances of the national and religious minorities in Iraq were associated with rites of worship, prayers, sacrifices, vows of spiritual purification, burial and other rituals, they have acquired a halo of sanctity and confidentiality which make them more difficult to document for cultural and social purposes. Here, there is a need for ethno-musicological documentation research which would preserve the sanctity of the music, its spiritual position and anthropological role. This is what the Tigris Music Group tries to do in their project entitled "Traditional Music of Ethnic Minorities" in its first part which includes two music discs. The first contains samples of popular

Yazidi music, while the other contains samples of Shabak music, with an illustrative flyer in Arabic and English.

The documentation targeted the Yazidis and Shabaks in Bashiqa and Bahzani in Hamdaniya district in the Nineveh Plain. The two towns are located 20 kilometers to the north-east of Mosul City, the center of Nineveh Province. The area has a wealth of harmonious demographic diversity, including Arab and Syriac Christians, Yazidis who speak Arabic, Muslim Kurds and Shabaks and other religious minorities. Each of these components has its own popular legacies, social traditions, accent, liturgy and religious feasts with their spiritual and mundane chants, usually accompanied by music.

The traditional music of Yazidis can be classified into two parts. The first is the religious music performed by the Qawwals [bards], who are respected and enjoy a senior social status among the Yazidis. They perform prayers of thanks, forgiveness and mercy in addition to burial rituals and recitative literary readings accompanied with antiphonal melodic performance by the *Shabbaba* (a wooden inflatable instrument that belongs to block flutes) and the Duff (large tambourine) with dual jingles set into its circular frame. The Qawwals perform in all rituals, occasions and religious holidays, in addition to the circumcision ceremonies and graveyard visits. The *Shabbaba* melodies vary according to the occasion and purpose of the performance with a diversity of rhythms, speeds and melodies. The common musical maqamat (melodies) are: Hijaz, Bayat, Saba, Ajam and Inkriz. In the disk titled "Inherited Yazidi Music" produced by the musical disc project of traditional music of Iraqi minorities the Qawwals use the *Shabbaba* and Duff in performing the melody of circumcision and also the funeral melody played during the burial ceremony at which the Qawwal leads the mourners on foot to the cemetery. The second part of the Yazidi music is the popular and secular music using instruments such the Zerna, Matbaj, mandolin, large drum and small Duff (tambourine). This music is performed during feasts, celebrations and weddings. It usually takes the form of Dabka (popular dancing) with an active rhythm on Bayat and Rast melodies.

In its second disc titled "The Shabak Musical Heritage", the

project covers models of popular Shabak songs. This mundane heritage is not very old, but it is open to all melodic and rhythmic forms and structures and popular music in the Nineveh plain. Here, we find the *Mawal*, which is a free singing form dominated by improvisation and the song of two rotating parts separated by musical intervals. We also have Kurdish and Syriac *Dabka* which use such Kurdish, Arabic and Turkish music maqamat as Bayat, Hujaz, Rast, Saba and Segah, and the rhythms of "georgina", the moving unit and the divided unit. If we check the recorded models, we will discover that the dominant language of the Shabak popular songs is the Kurdish with the Shabak accent that includes a mixture of local languages. The Shabak popular singing is accompanied by a band of musicians who play on common instruments in the Nineveh plain area, particularly the long-necked mandolin, zerna, matbaj, drums and small tambourines with dual jingles. Not so long time ago, the small violin was used in the traditional Shabak singing. However, the musical project does not target the religious music of the Shabaks, because the Shabaks perform the common forms of religious chant used by Iraqi Muslims, which cannot be considered as special religious musical heritage of the Shabak minority in Iraq. Research and investigation in the future may contribute to discover other forms of the musical heritage of the Shabak component in Iraq.

The recording and documentation of the traditional music of Iraqi minorities is a cultural project that aims at maintaining the musical heritage of these minorities as part of the Iraqi civilization that contains all other popular heritages. The project provides good ground for future researchers in various scientific fields encouraging them to study the legacies and social phenomena of Iraqi minorities in association with the related musical patterns and formulas.

19) Toward a Minority-Oriented Cinema in Iraq

Bashar Kadhem¹

In 1973, during the 45th ceremony of the Academy Awards of Merits (The Oscar), everybody in the audience was surprised by the absence of the American actor, Marlon Brando. He was supposed to receive the best actor award for his role in *The Godfather*, the Hollywood legendary movie, but the award was delivered on his behalf to the human rights activist Sacheen Little feather who attended in a native Indian attire, to declare in a resounding humanistic call that Brando rejects the Best Actor Oscar because of the marginalization and distortion against the native Indians in the Hollywood movies.

The Hollywood stereotype of glorifying the majority and marginalizing everything opposing or different from their alleged cultural and human development was overwhelming especially in the Cowboy movies which kept presenting a mistaken image of the threat represented by the remaining Indian tribes, the indigenous inhabitants of America. The prolific movie production of Hollywood had contributed to the misrepresentation and distortion of the rituals and practices of this minority, by presenting it as a lesion that may destruct the Yankee civilization.

In spite of these attempts to misrepresent minorities, there were some Hollywood icons (like Brando) who seriously confronted misusing the cinema to blur the identities and marginalize the minorities, especially now that cinema has become an international language that plays a significant role in reshaping the picture of all peoples, more influentially than other genres of art and/or literature. That is why some activists decided to use this double-edged weapon to promote peace and coexistence, through which they managed to clarify the real picture of many groups and to restore their historical values and active role in their respective societies.

In this way, the cinema has confronted racism already sweeping

¹Writer and film director.

the cultural and artistic scene. African Americans as well as actors from other minorities performed starring roles as event makers in Hollywood movies. They were able to refute the mistaken picture already drawn about them. In this regard, the Bahamian actor Sidney Poitier managed to play starring roles in some important movies like his trilogy of 1967 (*To Sir, With Love, In the Heat of the Night* and *Guess Who's Coming to Dinner*), which made him one of the most important box office stars at the time. He was also the first African American to win the Best Actor Academy Award.

Some minorities have given cinema a distinct character in a unique artistic way adopted by some experts in this field. The Brazilian director, Fernando Meirelles for example used in his movies topics related to the marginalized groups all over the world, from Brazil in "*City of God*" (2002), to the devastated areas of Africa in "*The Constant Gardener*" (2005), shedding light on the political and social influences that lead to marginalizing such classes and depleting their resources.

The Film - The Document

In such sensitive issues which concern the entire humanity, the document, according to experts, can always communicate the message of the film in a more influential and reliable way than other means. The level of audience interaction with the documentary cinema is generally determined by the content of the document and its ability to create sympathy and raise awareness. An example for this is "*Confronting the Truth*" by Steve York, which highlights how the states witnessing serious violations of human rights established official independent commissions called the "Truth Committees". The authentic scenes of this film had great impact especially when they featured the confessions of the violators and the reaction of the grieved families, a very bitter truth that deeply affected the audience.

However, the influence of the documentary film could not shadow the role of the drama movies in addressing and highlighting such issues like minorities and civil wars. Some drama movies were more influential than the original document. In his films, the American director Edward Zwick usually focuses on the

historical struggle of minorities and their diligent attempts to set the bases of peaceful coexistence in their countries, from "*The Last Samurai 2003*", which depicted the Samurais' struggle and their historic war to restore their status and heritage in the Empire of Japan, to "*Defiance 2006*", which surveyed the armed confrontation of a Jewish group against the Nazi massacres. His "*Blood Diamond, 2006*", which talked about the brutal civil struggle in Sierra Leone over smuggling diamond to other countries was a big shock that aroused sympathy more than any other documents recording that massacre. After many scenes that show the suffering of the people of Sierra Leone, the film concludes its humanitarian message with the following statement: "But illegal diamonds are still finding their way to market. It is up to the consumer to insist that a diamond is conflict-free." Thus, the movie is raising a global call for solidarity in order to terminate conflicts and restore peace to that country.

Minorities of a Different Type

After September 11 events of 2001, some movies focused on a special kind of minorities; Muslim immigrants living in European societies. This cinema used all its indiscriminately racial tools to accuse all Muslim immigrants of being responsible for this catastrophe which was a great shock for Muslims and its consequences are still in their minds till this moment.

However, this racial reaction was confronted by a wave of reasonable movies which managed to distinguish between the identity and savage deeds of perpetrators and the innocent majority in the Muslim communities in Western countries. These movies were produced in Europe itself. Moreover, they lodged bitter criticism against the power of the European centrality and the religious and sectarian ghettos it created inside its cities. In his film "*Layla Says 2004*", the Lebanese director, Ziad Doueiri addressed the subject of the Arabs' ghettos in France. It showed the religious discrimination in these areas and its negative impact on the coexistence among all groups and on the social harmony in these countries. This was the second time for Doueiri to address the minority/majority conflicts after his first movie "*West Beirut*,

1998", which sarcastically discussed the coulisses of the civil war in Lebanon.

In liberal societies, the cinema called for another minority right; homosexuality, and the rights and freedoms of homosexuals including freedom of expression, behavior and other legal and social rights that assert their identities. Despite the numerous movies that tackled this issue, the most distinct and memorable role was that of Sean Penn when he played the character of Harvey Milk, the first politician to openly call for the homosexuality rights, in "*Milk*, 2008." The message of Gus Van Sant, the director of this movie, transcended the mere calling for the homosexuals rights to become a humanitarian call for the rights of each and every minority in practicing rites and living peacefully with other communities.

Minority Cinema in Iraq

In a multi-sectarian, multi-ethnic society like Iraq, cinema plays a significant role in introducing the individual to the culture of the other. Each minority has its peculiar rituals, practices, habits and myths. Tackling such diversity of practices in drama or documentary films could create some sort of belief in cultural diversity and this is what we badly need in the present time.

This cultural diversity, in turn, asserts the importance of the role of each minority in shaping the entire culture of the country, and this may create a big chance for accepting the others and knowing their culture. In post-2003 Iraq, there were several attempts, including the Kurdish cinema, in addition to some documentaries that focused on the Mandaean culture, in addition to some other films which presented the history of some particular religions such as the Jews of Iraq, who are about to go into oblivion.

After the attack of Our Lady of Deliverance Church in Baghdad, Masarat Institution presented its film "*Minority at Risk*" which rang the alarm bells on the Christians' immigration from Iraq. The continuous immigration of Iraqi Christians and of other minorities may lead the country to lose its diversity and hence its identity. This should push all intellectuals, civil activists,

clergymen, and other social groups to raise the red flag to stop this persistent danger and protect Iraq from losing its minorities.

Minority at Risk: Approach and Message

The "*Minority at Risk*" documentary managed to explain the challenges facing the Iraqi Christians after the terrorist attack on Our Lady of Deliverance Church in Baghdad, and the negative impact which accelerated the immigration and made it a large-scale collective immigration.

The film tackled the story of a middle-class Christian family whom the above terrorist attack affected its life and future, and how this family confronted the daily challenges in the aftermath of the attack.

Featuring the family celebrating Christmas without its members who had left the country, the film summarizes the tragedy of the Christian people of Iraq whose merry Christmas Eve has become an occasion for silence and other bitter options left at hand.

Through the story of Jirjees Aziza family that inherited well-established printing traditions in Baghdad, the film send a strong message about the fact that the Christian people are an essential part of the Iraqi middle class, and that they were pioneers of some aspects of the Iraqi renaissance. They established the first printing press in Mousil in the late nineteenth century, issued the first magazine in Arabic language named "Ikleel al-Ward [Bouquet] in 1908 and had a pioneering role in culture, art and literature.¹

Therefore, although the film is entitled "*Minority at Risk*," its message was that the "majority is at risk" due to the risk of changing the country's identity into a monolithic identity that deprives Iraq of its rare fortune of pluralism and diversity, an irreplaceable capital of the land which constitutes the starting point of the three religions: Judaism, Christianity and Islam, where Prophet Abraham started a journey that changed the ancient world.²

¹Sa'ad Salloum: *Salt of Mesopotamia*, an op-ed for the *Masarat* special issue the Christians, No. 14, 2010.

²The commentator's voice at the beginning of the film.

The movie scenes and comments highlight the danger the extensive migration of Iraqi Christians represents for the country's collective memory, culture and civilization. They show that "every Christian who packs his luggage would leave a dangerous message that part of the memory of Iraq is being lost. Then, would it be an omen of the Christians' imminent vanishing and the change of Mesopotamia, into a lifeless desert of one single color?"

Dialogue is Part of the Solution

Through the meeting that brings together two young clerics, a Muslim and a Christian, the film draws prospects for the future. It depicts how these two young men view the future of their country without minorities in it, and how they assert the importance of communication and interaction between Christian and Muslim elites. The film actually culminates in introducing this first Christian - Islamic dialogue after the terrorist attack on Our Lady of Deliverance Church, and hence presents part of the solution after addressing the problem.

In addition, "*Minority at Risk*" presented a number of solutions for the problem of Christian immigration from Iraq through promoting the spirit of citizenship among the young people to discourage their immigration, asserting the importance of reviewing the school curricula so that they include studies about the country's religions, nationalities and minorities, encourage openness among the new generations toward cultural diversity, and promote the culture of accepting the other, let alone the role of the media in promoting the culture of dialogue and openness.

The film concludes with the hope that "between imagination and reality there are ringing bells, encouraging everybody to stay home... and may encourage those abroad to come back."

In 2012, Masarat Institution produced another long documentary about minorities titled "*Minorities in the Wind*", which emphasizes the fact that the cinema should promote the minority cultures as a cornerstone in social stability and civil peace in the post-2003 Iraq.

Part IV
Prospects of Minorities in Iraq

20) Towards a Pluralistic Memory in Iraq

From Wounded to Cultivated Memory

Dr. Jaafar Najm Nassr¹

Iraqi authorities had, from 1921 till 2003, tried to re-shape the collective memory to support its legitimacy. This created a schism between the society with its minorities and diversity on the one hand and the monolithic power with its ideological orientation on the other. It was an attempt to build an imagined nation using all types of legitimized violence.

Living under a repressive state that deprived the social components of their sub-memories (cultural and religious in particular), minorities went far in demanding full independence (the Kurds) or feel estrangement from homeland (Christians and other minorities). After the US occupation, there was a need to reorient the historical memory to build the new experience in a different way as was the case in Yugoslavia, in Latin America (the fall of the military regimes) or in South Africa (the fall of the Apartheid).

In this context, we call for the production or formulation of a cultivated memory that would reconnect what has been broken off and re-build what has been demolished, on the basis of clear political principles and rules away from separation between the pluralistic society and the state. Individuals of whatever ethnic or religious identifications should be presented as citizens who have rights and duties within a new social contract.

The state is responsible for healing its citizens of their wounded (strained) memory towards a new memory of cultural pluralism. This new memory should be based on diversity and equality among groups and should renounce the principle of political majority in favour of accommodation (consensual democracy) because it is the best way for a pluralistic society like Iraq.

¹Anthropology Department, College of Arts, University of Mustansiriyah.

To show the dimensions of the cultivated memory we are calling for, we shall try to answer the following questions: Is there an Iraqi nation? Have the successive political regimes in Iraq succeeded in producing or generating it? Why were legitimized violence and the policies of ideologizing the key dimensions that governed the relationship between the state and society in Iraq (1921-2003)? What is the nature of the relationship between the sub-memories of specific communities and the politicized historical memory that was created by the political regimes in Iraq? How to create an Iraqi culture that believes in cultural pluralism as a substitute for ethnic, sectarian and even partisan enclosure? How to get out of the memory of tragedies (victims of successive political regimes)? What is the appropriate cure or solution? Does not the conflict of memories itself induce the conflict over fortunes and powers, but from the perspective of historical/culture heritage (memory)?

Liberation from the Wounded Memory

To learn the significance and dimensions of the wounded memory created by the state violence (1921-2003), we should comprehend how the young Iraqi state attempted to legitimize violence against some minorities, ethnicities and sects that were excluded from political participation from the outset, and then how it attempted to integrate them in the manipulated historical memory through prevailing ideologies.

After four centuries of the Ottoman rule (1534-1918), the monarchy came into power in 1921 due to the decisions made by the Colonial Office in Cairo. Most foundations of these decisions were laid down during the famous Cairo meeting (12.03.1921). Faisal Bin Hussein was crowned as the king of the new state. This form of government lasted until the fall of monarchy in 1958.

Each ethnicity or minority, with all respective doctrinal varieties, has its own memory. The society had remarkably distinctive socio-economic formations. This is why finding an Iraqi nation after the establishment of the Iraqi state was a thorny and complex issue. As an expression of this situation, we recall what King Faisal said expressing his sorrow: "In this regard, I say

while my heart is full of sorrow that Iraq has not had an Iraqi people yet; rather, there are imaginary human clusters of no national ideas but with traditions and religious untruths that have nothing in common. They are wrongdoers, prone to anarchy and ready to rise against any government. We therefore want to form a refined, trained and educated people out of these clusters..."

Forming one unified people out of these different human clusters, whose diversity Faisal did not respect or appreciate, was the first step towards forming that imagined nation with coercion and duress only. The concept of imagined nation according to Benedict Anderson is: "It is an imagined political community because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion"¹.

In this regard, Faleh Abdul jabbar believes that the unification processes (that is building the Iraqi nation) were characterized by voluntary incorporation and coercive integration policies. The violent integration phase marked the 1920s and 1930s when the army waged broad and decisive campaigns against rebels of Kurds, Assyrians, Yazidis and Shiite tribes in the south. However, in the 1940s and 1950s, these measures have become economic and political².

The unification processes (building the nation) led to a nationalist state which always sought to militarize the harmony among different minorities and ethnicities through a nationalist ideology with specific characteristics which the monarchy and the subsequent governments tried hard to establish by force. In other words, the identity of modern Iraq is not a local product by various indigenous population groups; it is rather that of Arab nationalism which tried to build an integrative identity through compulsory

¹Benedict Anderson: *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, 1983.

²Faleh Abduljabbar: *The Turban and Afandi - Sociology of the Rhetoric of the Religious Protest Movements*.

integration, forced change of allegiances and assimilation of deep-rooted beliefs and cultures¹.

The first victims of such an imaginary nation sponsored by a nationalist state were the Iraqi Shiites who were excluded and marginalized in various eras though they were a leading player in the 1920 revolution and they actively and directly participated in founding the Iraqi state². Other victims included one of the country's oldest religious minorities, the Jews who were systematically displaced from the 1930s and excluded from senior government positions. Their assets were looted and their honors violated during what became to be known as "Farhoud" events in Bagdad in 1941. The monarchy committed a well-known pogrom of the Jews in Bagdad prison in 1953 in spite of the fact that many of them had so highly patriotic emotions that the Jews in the Iraqi Communist Party formed the Anti-Zionist League in an attempt to resist emigration and forced displacement to Israel, sponsored by the Zionist organisations³.

Christians faced systematic violence as well. When the Iraqi Assyrians demanded their national rights, they were massacred by the Iraqi army in 1933, hence baptizing the legitimacy of the new state by blood. As a result, General Bakr Sidqi was inaugurated as national hero and anti-society military traditions went deeper⁴.

Within the same context comes the persecution the Kurds faced when they sought recognition of their national rights and separation after they realized that the newly established state was an imagined artificial nation with nationalist orientations. The Faili Kurds, Turkmen, Baha'is and other minorities experienced similar dilemmas (see the respective chapters in this book).

¹Sa'ad Salloum: *Iraq the State: From the Identity Shock to the Revival of Identities*, Masarat magazine, Issue 8 of 2007, pp 24-33. See also Sa'ad Salloum: *Identity Policies in Modern Iraq*, Itijahat magazine, Issue 1, pp 52-59.

²Masarat, a special issue about the Shiites in the Middle East, Issue 14 of 2011, pp 74-89.

³Masarat, a special issue about the Jews in Iraq, Issue 13 of 2009.

⁴Masarat, a special issue about the Christians in Iraq, Introduction by Sa'ad Salloum, Issue 14 of 2010, pp 5-6.

Building on the above, we can conclude that the main constituent components of this scarred memory, with many victims, are:

1. The legitimized violence of the state.
2. Using ideology to manipulate history in order to fit it in the "imagined nation".

A Way out of the Scarred Memory

A scarred memory can threaten and disturb the sense of identity. It can even destroy it. Here, forgetting is important; rather a blessing, because forgiveness and forgetting are necessary for proceeding ahead. Whenever the members of a certain community intend to turn the history into a blank space before recording it, they must seek a permanent and useful forgetting; this is a precondition for the emergence of a new identity¹.

However, can we turn the history into a blank space? Can any mechanism of oblivion be in place to find such a blank space? Are we talking about an almost completely "erased" past or just about specific parts of the memory?

If we use the perspective of Paul Ricoeur (1913-2005), we can develop a scenario out of the tense memory (the memory of tragedies), where forgetting is the first substantial and indispensable aspect². But as forgetting alone is not sufficient to heal this tragic memory, Paul Ricoeur added forgiveness because both forgetting and forgiveness each represent a distinctive problem. Ricoeur says "with forgetting, the problem is the memory and the faithfulness toward the past; with forgiveness, it is the sense of guilt and reconciliation with the past". However, this is the case when we take each of them alone; if taken together, they will intersect in several points and here it is better to use the term "horizon"; the horizon of a placid memory or even a happy forgetting³.

¹Jewel Condo: *Memory and Identity*, translated by Wajih Asaad, General Authority for Syrian Book, Damascus, 2009.

²Masarat, a special issue about Paul Ricoeur, Issue 4 of 2006.

³Paul Ricoeur: *Memory - History - Forgetting*, translated by George Zeinati, New Book United Publishers, Edition 1, Beirut, 2009, p 602.

These stages would have never ended in forgetting without the state presence; its legal and regulatory functions enable it to put the tragic memory aside. This is what Paul Ricoeur calls "ordered forgetting: general amnesty".

Here, we notice that the state has two rights: the right to legitimized violence (referred to above) and the right to forgiveness and tolerance, in a legitimized way as well in order to maintain the civil peace and overcome the past in a legal way. This is the Establishment's forgetting toward the convicted (individuals or groups) with a view to reconstruct the state and the society.

The new Iraqi state after 2003 was able to declare general amnesty, which is also called sometimes "national reconciliation" in order to establish civil peace, which can never be reached with a still wounded memory and can even be recharged and mobilized against the other (that caused the tragedy) whenever the people with the scarred memory want to get some temporary or permanent political gains.

Punishing a number of guilty individuals would relieve their minorities (ethnicities, religious sects, etc.) from conviction (especially in Islamic communities). The punished would be a social-legal bridge toward civil peace among the groups that had had political conflicts that turned one party into ruler and the other into ruled and where assuming power by someone appeared as if all his sect/ethnicity has assumed power. This is still the reality in many Islamic societies.

However, justice is more important than punishment and even than redress. It will publicly determine the responsibilities of different players, specify the stances of both aggressor and victim in a relationship based on "just distance"¹. Still, Ricoeur said, there remains the ability of the "injured" and the "injurer" to handle an exchange process (between each other or between their respective representatives) between forgiveness and confession. It is a hard and painful process; yet it is necessary to build a healthy society. Ricoeur cited the difficulties addressed with extraordinary courage by the members of the well-known Truth and Reconciliation

¹Ibid. p. 684.

Commission created by the new South Africa president Nelson Mandela after decades of Apartheid.

Thus, creating a truth and reconciliation commission would have been a critical step of the Iraq state after 2003, but it had not taken it. It did not introduce the so-called transitional justice though it applied part of it out of formality, and hence failed to address the scarred memory. Moreover, instead of being a carefully planned sustainable agenda, the reconciliation process was linked with the power struggle¹.

Toward an Anthropologic Memory for the Iraqi Cultural Pluralism

The anthropologic memory we are talking about is the second step in the scenario of healing the scarred memory. It tries to monitor signs of tolerance and coexistence among Iraqi minorities and groups. We can define the cornerstones of such an anthropologic memory as follows:

First: in order to establish peaceful coexistence, we should detect cultural elements that are common among the beliefs, perspectives and attitudes of Iraqi minorities. The near as well as far history of the country stresses this fact; conflicts, differences and even wars were incidental and temporary. This has also been highlighted by historian Rashid al-Khayoun who said: "the Iraqi history has not witnessed comprehensive clashes between religions, doctrines or nationalities." We do not see Arabic-Kurdish or Kurdish Turkmen big wars nor major confrontations between the Shiites and the Sunnis apart from those against the rule of a prince, wali, agha², king or president. These common characteristics were developed in the cities. Urban life enabled an unprecedented coexistence among minorities, ethnicities and confessions thanks to the civil values that promote mutual respect now that the neighbourhood or

¹Sa'ad Salloum: *Major Human Tribes - the Scars of Civil Wars on the Altar of the 21st Century*, Masarat, Issue 7 of 2006, p 13.

²Rasheed Khayoun: *The Iraqi Society - Tolerance and Intolerance Traditions*, Institute for Strategic Studies, Edition 1, Bagdad, Beirut, 2008, p 12.

locality represent the "fanaticism" of all varieties of population. Moreover, the high cognitive and economic level contributed to building a spirit of brotherhood and cooperation among them unlike the areas with tribal characteristics where preference is for the tribe, sect or nationality.

Second: the search for these cultural commonalities among the Iraqi minorities and ethnicities to generate an anthropologic memory is simply the process of making a common life based on deep conviction of difference. The world is pluralistic by nature and any attempt to abolish diversity or suppress difference will block the human potential, suffocate vitality and paralyze creative energy¹.

The formidable difference, diversity and pluralism in the Iraqi case reflect the multiplicity of identities, the uniqueness of which may not be abolished by political decisions under an imagined/delusional nationalist project. They express and reflect the anthropologic memory because the presence of an identity is the presence of memory and vice versa. Maintaining sub-identities under coexistence and civil peace is the final end of the anthropologic memory of the Iraqi cultural pluralism.

Third: rewriting the historic memory away from ideology through focusing on the very conditions that determine the identity of any people or country, and according to Salim Matar, this should be based on two principles:

1. The history of countries is like that of persons. A person aged 30 years cannot claim he/she is only 10 years old and similarly we may never cut off or neglect any parts of a history when writing it.
2. The history of any country must cover the social diversity. The contributions of all ethnic, religious and confessional groups to building this history should be recognized. The unified national identity is mainly based on a comprehensive and unified national history recognized by everybody, because it

¹Ali Harb: *Interests and Destinies - the Making of a Common Life*, Edition 1, Arabic House of Science Publishers, Beirut 2010, p 182.

recognizes the contribution of everybody¹. Matar says the problem of the Iraqi historic identity is the lack of sustainable unification of this identity. The Iraqi history is severed and dispersed into several eras and parts with no connection among them. The Iraqis have become accustomed to not feeling any national historic allegiance to any period of their past.

Everything that has been historically formulated, geographically extended and culturally interrelated in the country has been the product of all components throughout the history: Sumerians, Babylonians, Assyrians, Arabs, Turkmen and Kurds. This means that Iraq is indivisible neither on nationalist basis nor on religious basis due to the tremendous overlap in its cultural components. To oppose fragmentation does not mean a call for a nationalist state or an imagined nation; it is rather a call for coexistence among all these human varieties.

The anthropological memory then is a combination of all cultural commonalities, while respecting their diversity, in a cultural-historic entity that includes everybody toward real coexistence among all minorities and ethnicities. This entity will be embodied in a national identity that makes coexistence and generates tolerance and that may only be reached within a strong democratic state.

Cultivated Memory and Accommodation

The Iraqi Constitution guarantees cultural, religious and political rights for religious minorities like Christians, Yazidis and Sabeans (Article 2) and ethnic minorities like Turkmen and Syriacs (Article 4) or Armenians, Chaldeans and Assyrians (Article 21). These articles recognize the minorities right to education in their own languages in government and private schools (in their respective areas), and the right to practice rituals and enjoy political and administrative rights. However, the actual minority

¹Salim Matar: *The Wounded Self - Identity Problems in Iraq and the Mid-eastern Arab World*, Edition 2, Arab Institution for Studies and Publishing, Beirut 2000, p 127.

problem lies in the lack of real guarantees because legislative texts alone are not sufficient at all.

The existence of certain gaps in the Constitution is not a serious issue. The most dangerous legal and political issue is the reintroduction of the principle of the majority instead of accommodation. Accommodation is a key in a pluralist country like Iraq. It is the main foundation for a cultivated political/national memory; it achieves balance between majority and minority through sharing the government without any political exclusion (distribution of positions), economic exclusion (share of resources) or cultural exclusion (the majority ideologizes the minority). Accommodation creates an atmosphere of political culture that strengthens the democratization process in Iraq because everybody will feel that he/she has a say in both power and wealth. This will have positive impact on the traditional/confessional structures by stripping them of the very justification for their existence or of their divisive project, that they practice some times and or threaten with in other times. Still, the core question here is: who will strengthen accommodation in Iraq? Is it the political elites and their parties, mostly with religious ideologies? Or will the civil society do it and hence remove the communal society that is hidden behind its charity and partisan associations which represent the confessional or ethnic color of a single group?

In fact, the bet is still on civil society not only in strengthening democracy, and accommodation in particular, but also in reshaping the ruptured identity and healing the scarred memory through restructuring the state regulations and constitution. This will be done in line with new mechanisms that will give priority to civil action rather than to authoritarian practices, allegedly regulated by a constitution, that needs reformulation. Such a civil society will in the meantime produce an intelligentsia that always seeks to nurture everything useful for the country's memory. Nurturing is a developmental process that sets the building up while at the same time trying to construct the missing elements and restore the excluded ones.

21) Conclusion: Toward an Integrative Solution for the Problem of Minorities in Iraq

In this final chapter we try to set out a roadmap to address the challenges facing minorities in Iraq. Here we distinguish between two approaches: 1) an integrative approach which consists of a bundle of integrated solutions at the national level (legislations to protect minorities, government policies, appropriate school curricula for a pluralistic society, partnership with civil society, etc.); 2) a practical approach with solutions at the local level, such as assigning an area for minorities in Iraq. This approach was initially proposed by the second conference of the Cultural Syriac Front, held in Beirut in May 1998. The conference called for the assigning of an area for Christians in North Iraq under international protection through the Allied Countries or through the UN.

As this book adopts the first approach, we will cover the second one only briefly.

A canton for minorities

Those pessimistic of having a solution at the national level say they may wait for a long time before such a solution appears. Measures are obviously slow due to lack of political will and underdeveloped administrative structures; meanwhile minorities are under the threat of emigration and their existence is fading away by the day. Thus, adopting the practical solution and proposing a specific area for minorities in the Nineveh Plains may help us avoid such risks. Supporters of this approach have another reason for favoring it: if we succeeded in getting legislation enacted to protect minorities, who would ensure that it will be efficiently executed? Who would ensure that it will not be distorted in implementation, or actually dropped because it is not implemented?¹ Additionally, society has behaviorally changed; the coex-

¹These reasons are the result of prolonged discussions between the Researcher and political representatives of the minorities in the Parliament or the Government, as well as notable civil activists and members of governorate councils representing the minorities in Kirkuk and Mosul.

istence contract among society's components is now part of the past, and it is difficult to restore the open and tolerant atmosphere that once characterized society.

Undoubtedly, these reasons have their logic and strengths, but calling for a canton for minorities, a safe refuge or a ghetto is not a magical therapy without side-effects. Such a step may open the way for microscopic states in Iraq and the region that could see the further fragmentation of the region into fighting cantons. Furthermore, such a microscopic states carry the potential of becoming an attractive place for the minorities of the broader Middle East. This is particularly worrying given emigration of Middle Eastern minorities from Egypt, Syria and Lebanon, and even from stable countries like Jordan. With the consequences of the Arab Spring and its impact on minorities, there is the risk of placing this solution on the table. It might be a solution for the short term, but in the long term, its impact would be clear in terms of destroying the pluralistic identity of Iraq and the region, and the Middle East would turn into culturally and geographically isolated islands.¹ There is also the possibility of seeing struggles developing within these minority cantons as any one minority, for example the Christians, could turn into a majority within the canton while other minorities would become micro-minorities such as the *Shabaks*, *Yezidis* and *Kaka'is*. This dynamic could breed new conflicts over influence and land and build upon pre-existing frictions such as the one between the Christians and the *Shabaks*.

There is a historical sensitivity feeding the Islamist discourse regarding the possibility that foreign powers use minorities in their schemes towards the region. In the hypothetical case of a canton of minorities, foreign powers could intervene in the region under the pretense of protecting the independent republic of minorities which would further complicate their position and add to preexisting local conflicts such as the Arab-Kurdish conflict. Indeed, with the sectarian Sunni-Shiite war now behind us, this is expected to be the coming war; it has already threatened to rear its head from time to

¹Sa'ad Salloum, about the destiny of Christians of Iraq and the Middle East, Alhiwar Almutamaden Website, issue 3062, 13/07/2010.

time. Such conflicts do not abide mixed areas or multiple loyalties; by their nature they generate pure ethnic, religious or confessional cantons, or make civilians their victims.

The experience of large concentrations of minorities, such as the Christian ones in Qara Qos and Ayn kawa, shows that they are easily penetrated. They are also subject to different pressures by the Muslim majority as they tolerate some practices that are not tolerated by the majority's culture. Muslim Kurds, for example, come to drink alcohol in Ayn Kawa's pubs and streets. This has caused problems with the Christians of that city; problems that potentially could escalate into a serious conflict were Muslim Kurds, for example, prevented from entering these areas. Such a scenario may present authorities with the pretext to banish the Christians and other minorities from Iraq's cities as happened with the Jews of Iraq in the past - under the pretext that they have their areas within which they can practice their rituals and culture, etc. If the Kurds encourage such an idea, why then do not they start granting self-government to the Christians who congregate in Iraqi Kurdistan in cities under their constitutional control like Erbil, Duhok, Zakhou, Aqra and elsewhere? If such an experiment proved to be a success, we can in a few years think of implementing it in other parts of Iraq, such as the proposed areas, as well as other areas in Baghdad and Basra, for example.¹ The proposed area,

¹Article 116 of the Iraqi Constitution states that "The federal system in the Republic of Iraq is made up of a decentralized capital, regions, and governorates, as well as local administrations." Articles 117-124 contain provisions about the capital, regions, and governorates. While Article 125, under the Title of 'Local Administration' states that "This Constitution shall guarantee the administrative, political, cultural, and educational rights of the various nationalities, such as Turkomen, Chaldeans, Assyrians, and all other constituents, and this shall be regulated by law."

Implementing Article 125 requires defining the mandate and authorities of the sub-national units and the extent of their autonomy. This definition "self-government" is conceived within the federal system as a substitute for any proposal to divide or fragment Iraq on racial or sectarian bases. Here, the self-government of minorities can be a response to the legislative requirements in connection with the

however, lacks basically infrastructure and clear attraction for investments; it will not be more than a temporary station before leaving to the west. Moreover, the minorities' memory is always haunted with another risk associated with concentration; that is the risk of genocide, like the massacre of Semmil in 1933.¹

Congregating the minorities in a ghetto would terminate the notion of a pluralistic Iraq, the only remaining country among the Gulf countries that has such plurality, and would suggest a dark image ending the social coexistence that the country has known for centuries.

Thus, I bring this explanation, which is no more than a scratch on a wall, to its end, hoping that it would stimulate open discussion about the two approaches rather than allowing the subject to continue to be shrouded in hypocrisy and censorship that serve to mislead the public. Those who support a minorities' canton are not only the beneficiaries from among the minorities' political elite; rather, some powerful elites are equally supportive: they implicitly support such an approach so as to avoid having to provide a national solution for the problem of minorities. For these political elites, such a national solution would mean ceding their privileges and reforming the political process towards the confirmation of the principle of complete equality and citizenship instead of the prevalent discriminatory culture as reflected in the quota system

local administrations stipulated for in Article 125 of the Constitution. It should be clear that this does not fall under the discussion of the distribution of the constitutional powers in Iraq between the Center and the regions, but it is intended to develop a self-government at a level lower than the a governorate and region level. For more discussion about the possible choices in this regard, please see the Legal Notes: Protection of Minorities in Iraq: the Execution of Article 125 of the Constitution, Institute of International Law and Human Rights, May, 2009.

¹Most of the points against a minorities' canton have been developed through the discussions conducted by the Researcher in 2011-2012 with religious representatives of the minorities in Iraq, as well as with activists advocating the minority rights; the names of whom the Researcher has not got the right to mention.

that protects the interests of the elites who pretend to represent the big communities.

The Integrative Approach to Guarantee and Protect Minority Rights

Discussions of the dangers faced by minorities in Iraq are overwhelmingly focused on the **security situation** that is considered the biggest threat facing all Iraqis. However, the security situation in itself is not the only cause of emigration; the discriminatory socio-cultural context that oppresses minorities is an equally important driver of emigration. This context forms the infrastructure that nourishes a discriminatory and exclusivist culture that in turn fosters a sense of alienation from and diminishing sense of loyalty to the Iraqi nation-state. At the vertical level, one can point to the official policies of marginalization and exclusion against minorities in addition to misguided educational policies that produced generations that have no understanding of society's pluralistic nature.

In reality, there are several integrated reasons behind the emigration of most minorities from Iraq since 2003. It is also expected that those minorities that have remained thus far in Iraq will eventually emigrate in the years to come. The main drivers of emigration are a lack of security, lack of constitutional protection, lack of anti-discrimination legislations, weak representation of minorities in government and parliament and the prevalence of an **exclusivist culture** in society grounded in discrimination against and ignorance of the other.¹ Since the identification of a problem's causes and symptoms is important in determining the necessary treatment, protecting minority rights requires an integrative approach consisting of a number of measures and solutions:

- Ensuring that minorities are not discriminated against; otherwise we would see one of two developments: either the assimilation of minorities into the majority's culture, or a

¹Sa'ad Salloum, *Roadmap to Protect the Minorities in Iraq*, Journal of Christian Thought, Baghdad, issue 469-470, December, 2011, p. 214-217.

pathological attachment to cultural peculiarity leading to the development of an **extremist defensive identity** fueled by the feeling that the social atmosphere is alien and unfriendly.

- Enacting legislation regarding minority rights that enshrines respect for and protection of minorities.
- Reviewing the prevalent culture through examining, changing and modifying the educational curricula with a view towards devised school curricula that correspond to a pluralistic society of multiple ethnicities, religions and confessions.
- Establishing institutions to protect minorities and strengthening already extant ones.

Legal and institutional background of the integrative approach

Anti-discrimination provisions exist in Article 26 of the International Covenant on Civil and Political Rights of which Iraq is a member. Also, Iraq is a **member-state** in the Convention on the Elimination of all Forms of Racial Discrimination which obliges the government of Iraq and its institutions to prohibit discrimination. The Iraqi Constitution provides a **legal framework to develop anti-discrimination legislations**. Article 14 states that "Iraqis are equal before the law without discrimination". Article 16 states that "Equal opportunities shall be guaranteed to all Iraqis, and the state shall ensure that the necessary measures to achieve this are taken." In Article 2-Second, the Constitution guarantees the rights of religious minorities and, in Article 125, it guarantees "the administrative, political, cultural, and educational rights of the various (nationalities), such as Turkomen, Chaldeans and Assyrians." Some minorities, like the *Shabaks*, which have not been mentioned in this Article of the Constitution try to have their names mentioned through Constitutional amendments. The Article might be understood to be pointing to the ethnic or nationalistic minorities, without the religious ones, but we believe that it does not list exclusively the communities to be protected; it rather stipulates that all components (religious or ethnic) should be protected.

These Articles are supported by Article 2-C, which states that no law may be enacted in contradiction with the rights stipulated in the Constitution. Thus, according to the Iraqi Constitution and international commitments, the legislature must enact legislations to ensure the execution and respect of these provisions.

With regard to the institutional framework, Iraq has created a Ministry of Human Rights and, in accordance with Article 102, has, after years of delay, established the High Commission for Human Rights (CHR). Both institutions aim to make progress in the field of human rights, including the right to be protected from discrimination, and to report to the Government on the status of human rights in Iraq.¹ The success of this integrative approach, however, requires the expansion of this framework to become an alliance among the relevant parliamentary committees (Human Rights Committee, Culture and Media Committee, Education Committee), leaders of minorities, civil society and intellectuals as well as the relevant state institutions (Ministry of Human Rights, CHR, Ministry of Displaced People and Ministry of Justice.)

Changing the prevalent culture through legislation

The attitudes pervading public culture, political life and government orientations confirm the existence of discrimination, be it direct or indirect, visible or invisible. Mentioning religion beside nationality in Iraqi identity documents is in itself a form of discrimination. The predominance of the majority's religious rituals, that at times paralyze state functions, is also a form of discrimination. And with the absence of any strict policies against discriminatory practices, which have been normalized into daily practice, the public sphere is now being occupied by those who can assert their will on the ground. Religious posters in the streets are a clear sign of discrimination as are the pictures of certain religious figures in government departments and universities. Getting a party's nomination as a precondition to employment is a kind of

¹Interview with Dr. Sami Shati, member of the Think Tank, representing the civil society in the Commission for Human Rights, July, 2011.

discrimination affecting all citizens regardless of their ethnic or cultural backgrounds. In quota-based politics, discrimination becomes a system; that is to say that it is institutionalized in a hierarchical way. This way, discrimination became a system and a culture.¹

Reforming this system and modifying this culture through legislation is the first step in the list of proposed measures, which together form the integrative approach to the problem of minorities. There is a need for legislation prohibiting racial, religious and sectarian discrimination in Iraq, whether it came under the provocative name that highlights the predominant culture, (**Law of Criminalizing and Prohibiting Racial, Religious and Sectarian Discrimination**) or under the softer name (**Equality Law**).

A strategy aimed at changing the prevalent culture of discrimination should be based on a set of main elements the understanding and awareness of which forms the basis for a successful integrative solution:

1. Understanding what is meant by discrimination: what constitutes discrimination? This is very important as a kind of cultural diagnosis of the problem from which solutions can be found at the level of legislations and policies. For example, people should be made to know that what society may consider 'normal behavior' might in fact be considered discrimination. Therefore, it is our opinion that the fastest mechanism with which cultural reform can be achieved is through appropriate legislative policies aimed at modifying the prevalent culture and challenging many of society's norms and values that are in need of re-evaluation in light of the urgent need for a more inclusive and egalitarian Iraq.

¹Since discrimination has been institutionalized in a system, become a culture and penetrated all aspects of society and state, it will not be an exaggeration to say that we need a Higher Commission for Combating Discrimination, to work with other independent commissions. Ironically, such Commission would be formed only on a basis of quota, i.e. according to the same discrimination system and its culture!

2. Forms of discrimination: to define the forms of discrimination, many of which may be invisible, or even indirect. This is particularly needed given the absence of a database cataloging examples of discrimination and the dearth of organizations dedicated to such an endeavor. It should be clear that most discrimination cases have not been disclosed; what is reported and diagnosed is no more than the tip of the discrimination-iceberg. I believe that having legislation that encourages the observation of discrimination through suitable execution mechanisms would encourage the following:

- Enhancing the concept of the rule of law and getting rid of the culture of apathy that pervades this issue and that has pushed individuals to the point of moral nihilism.
- Combating the prevalent culture of fear that reduces people to mere passive observers.
- Gradually getting rid of the culture of secrecy that forms such a deadly blot of Iraqi society in that it reduces an individual to a pair of neutral eyes observing phenomena without realizing their real causes, be they direct or indirect.

3. The groups to be protected: they are the known religious minorities (Christians, Mandaean, Yezidis and Kaka'is), as well as the ones that are not officially acknowledged (like the Baha'is who are legislatively prohibited since the former regime's days), and those whose right to claim their rights is not recognized (like the blacks in Al Basrah). Many of these groups live under fears and pressures that prevent them from declaring their identities. Defining a minority to be protected is somehow a recognition of it and of its right to exist and a declaration of its identity. Whenever a non-acknowledged minority is acknowledged, all other minorities would have a chance to declare their identities (including the non-religious or minorities within majorities, such as Sheikhiyah in Al Basrah). I believe that what is going to appear would change our beliefs about society's makeup and plurality.¹

¹The legislation itself would open the door to protect other groups from discrimination like women, children and handicapped.

Together, these elements, if adopted as part of anti-discrimination legislation, would, by combating the culture of indifference, secrecy, fear and quotas, be a start to political, cultural and religious reform. They form a reforming project adopted by a unified body of minorities that changes the issue of protecting the minorities to a battle for citizenship and reform of the political system; thus, the minorities' cause would form a beginning to building a pluralistic national identity and, ultimately, the approach would become a project to address the evasive question of identity in Iraq after 2003.¹

4. Define how anti-discrimination laws are applied: what is the use of enacting a law that remains only ink on paper? Shall the law conform to international standards and be an improvement on regional laws or will the body charged with implementing it consist of individuals of racial and cultural backgrounds resistant to the very essence of the new law? This challenge may eventually lead the law to failure either because the culture it tries to change is too entrenched, or because poor implementation may lead to adverse results. Likewise executive or judicial manipulation could turn the law into a relic or manipulating instructions may change the law to a piece in the museum.²

¹For more, see Sa'ad Salloum, *The Reform Battle Starts with the Protection of Minorities*, and appendix to *Democracy and Civil Society*, Al Sabah Newspaper, Iraqi Media Network, 17/04/2012. I believe that minorities are the best carrier of a national identity that can break through the pre-state identities; they move within the space of self-sufficient senior identities (a Kurdish one bearing a Kurdish state project, a Shiite one with presence, land and wealth and a Sunni one with big Arabian depth). it would be a paradox to imagine a role for minorities similar to the role of Lebanon's Christians, who bore a trans-religion ban-Arab nationality project at the early 1900s, when the fears of emancipation from the Ottomans and establishing an Arab Islamic State, where minorities had no place, appeared.

²I write these words putting in mind the US experience in enacting legislations banning alcohol and tobacco, about which people were divided into two parts: with and against. Such legislation evoked a lot of arguments and problems, in spite of the millions spent and the strict sanctions applied during its execution (1920-1933); eventually, such legislations were abolished by the 21st Amendment of the US

Protecting minority rights and freedoms

Equality and non-discrimination are not sufficient by themselves; they should be introduced as part of a group of active measures designed to support minority rights; the best response possible is to enact separate legislation containing basic elements to achieve the desired objective.¹ Such a step may benefit from studying similar legislation from other contexts in the Middle East and beyond; however, needless to say this should be done without losing sight of Iraq's specificities. Generally speaking, a law protecting minority rights and freedoms may contain the following:

- Retaining minority identities through guaranteeing the right of a minority to choose its identity, and not obliging it to be part of a larger mass identity. This is particularly relevant to more complex or bridged identities, such as *Shabaks*, *Kaka'is* and *Yezidis*, who struggle between being part of a larger Kurdish identity and claiming their independent group identity as a basic human right.
- Protecting minority languages from extinction. Urgent attention is called for those languages that are particularly endangered such as the *Mandaean* language that is used ceremonially by clerics (no more than 45 persons in the world)² and that was listed by UNESCO in 2006 as being among the

Constitution in December 5, 1933. The legislations combating discrimination against the blacks were also resisted by some American States; changing the prevalent culture in the US took decades of struggle and persistent efforts from civil society organizations and a bundle of legislations to come eventually to the moment of victory, when a black man won the race to the White House. You cannot expect people's culture to change overnight.

¹The Researcher has submitted a basic paper containing the main points of such legislation in a round table discussion organized by the Office of Political and Constitutional Affairs at the UN Assistance Mission for Iraq in corporation with the Human Rights Committee at the Iraqi Parliament. The Basic Paper was unanimously approved by leaders of Iraqi minorities in that meeting on September 26, 2011.

²Interview with Sattar Jabbar Helou, Head of the Mandaean Community, Baghdad, September 7, 2012.

languages under the threat of extinction. The *Shabak* language, which is trying to develop its grammar and become a written one, as well as the right of other Chaldean, Assyrian and Turkomen minorities to teach their own languages at school and to retain their cultural and lingual heritage would all benefit from such a law.¹

- Encouraging the building of educational policies that improve awareness of minority culture, history and languages as discussed below.

- Guaranteeing minorities the right to access and use public media. We are not referring here to their right to start private media; rather, we are referring to public media funded by public money, such as the Iraqi Media Network.

The Media Network, which was originally designed to be similar to the BBC, changed from representing public opinion to representing the government's voice and interests.² Obviously, if it represents the government's voice we cannot expect it to represent society's voice. In order to measure its representativeness of society a survey can be conducted to answer these questions:

Do minorities use these media sufficiently or clearly? Is it easy for minorities to access these media freely? Do minorities feel that the Network represents them? Is it possible to see a Mandaean, Bahai or Yezidi announcer giving the news bulletin in the evening? Have we watched cultural programs about Christianity, Kaka'ism, Mandaean, Yezidism or Bahaism funded and broadcasted through these means to cover the history and identity of those minorities? Furthermore, questions need to be asked regarding staff appointments and management of these media. These are undoubtedly upsetting questions; they show that these media do not represent all Iraqis.

¹Opening the Syriac Language Department at the Language Faculty of Baghdad University is one of the first positive steps in this regard.

²The Network has been subject to a lot of criticism because it became a Government propaganda means, a tradition started by former Prime Minister Iyad Allawi, and continued by the following prime ministers, Al Jaafari and Al Malki. Such critiques are available on the Internet, and have been mentioned by independent international organizations.

Issuing a law alone is not sufficient; it should come within a list of measures to challenge the discrimination that has become a prevalent culture in society. Without that, the roots of discrimination cannot be treated. Enacting such "legislation, by itself, is like cutting harmful weeds above the surface, while keeping the roots untouched."¹ Therefore, in addition to the legislation, and in addition to the participation of civil society, an integrated list of measures relating to culture,² education and media³ should be developed.

Educational policies in a pluralistic society

Developing educational curricula in a society with many religions and sects is a challenge to the imagination of those curricula designers targeting a horizon of coexistence and openness. This is particularly the case with regards to teaching history and religion be it in primary school or in higher education. Recently, some voices called for reconsidering the teaching of religious education in primary levels and for developing its teaching in a way focusing on **religious culture**, or teaching the **common religious aspects** or the philosophy of religion. I believe that it is more effective and clearer to teach (**Comparative Religion in Iraq**)⁴ as a curriculum, which should be developed according to

¹A phrase used by the UK representative during the discussion carried out by the UN General Assembly in 1963 about the Draft Convention on the Elimination of Racial Discrimination.

²Opening the Mandaean Knowledge House by the Ministry of Culture, simultaneously with the Festival of Baghdad as Capital of Arab Culture, is a step that, we believe, should include the other minorities in Iraq in order to retain the collective memory as well as the heritage of Iraq's religious, ethnic and lingual communities. An interview with Deputy-minister of Culture Taher al Hammoud, September 9, 2012.

³See the Guide Principles on Education, Culture and Media, prepared by the Anti-Discrimination Committee in cooperation with the UNESCO, July 23, 1993.

⁴Sa'ad Salloum, *Lest Christians Be Referred to the Museum of Memory*, Iraqis Supplement, Mada newspaper, issue 1983, eighth year, 9 December 2010. p. 10.

sociological methods and its teachers should be trained sociology graduates. Such a course would:

- Upgrade the teaching of religion from an **ideological** subject to an **epistemological** one.
- Provide training on **tolerance and acceptance of the other**, which goes beyond the teaching of religion and involves learning about the other.
- Change the idea of **respecting the other** from a religious or national duty to a **human value**.
- Teaching comparative religions would come within the educational efforts to **retain historical memory**, especially the link of minority religions to ancient historical epochs and civilizations that we have no living links to, or to extinct communities, with which part of Iraqi memory has disappeared, such as that of Iraq's Jews, of which the new generations have only confused and completely false memory.
- Terminate the myths, legends and false information about other religions other than Islam.

Therefore, I believe that the Ministry of Education should re-define its goals regarding the teaching of religious education which, as it stands, revolves around the basis of the Sunni-Shiite conflict. The Ministry of Education should try to develop suitable curricula for a pluralistic society as a practical step to establishing the culture of tolerance and to combat the fundamentalist culture that prevails the minds of new generations.

Re-writing history

Writing history in a selective or ideological way (as was the case under the former regime) evokes the sensitivity of minorities who find themselves isolated and banished from the theatre of events with their role neglected and disregarded. Under such a framework minorities find that not only is their role marginal, but that they are mere extras in an ideological game to re-write history and to shape collective memory in favor of building an identity for an imagined nation. An example of that is writing about the role of Christians in Iraq's civilization throughout history: it was

concealed and neglected as if Iraq's history before the Islamic conquest had not existed.¹ Therefore, writing history is an important field through which to build identity because every re-writing of history is a re-reading of history and it answers the question: who are we? What is our identity?

The problems of history writing have left us with many versions of history each struggling to become the ascendant interpretation; they often do not give minorities any role beyond being passive observers or marginal participators. Thus, asking history departments to reconsider history curricula and not to disregard writing about minorities in Iraq should not be viewed as a luxury or an act of self-indulgence. I think that it was a good first step that Beit Al Hikmah changed its Department of Islamic Studies to the Department of the Study of Religions and changed its Islamic Studies Journal to the Religions Journal.² This, however, is an insufficient step if it does not lead to the establishment of new frameworks in academic works on religions.

Partnership with civil society

As a civil society, we have the challenge of promoting positive participation of minorities in public life, protecting the peculiarity of these minorities and ensuring that they are not assimilated in the majority's culture. Thinking of an effective role for civil society, which may appear in different ways,³ we would like to highlight the following:

- **Committee of Minorities' Sages:** we need leaders, an initiative and a vision formulated in a Committee of Minorities' Sages, to be a civil framework for human rights activists, experts in minorities and non-political representatives of minorities. This

¹Interview with the late Chaldean researcher Butrus Haddad, in Sayyidat el Wardiyah Church, Baghdad, July 23, 2009.

²Interview with Dr. Jawad Matar al Mossawi, head of Department of Religion Studies at Beit Al Hikmah, Baghdad, June 31, 2012.

³For more details about the importance of the civil society in the protection of minorities in Iraq, see: Sa'ad Salloum: Iraq: The growing role of civil society, Social Watch Report 2012, p. 126-127.

framework would try to develop a statement of principles about the protection of minority rights and freedoms in Iraq based on the integrative approach implied in this book.

- The first step would set the floor for the second one, which is the formation of a **National Council for Minorities**, which would assist the Iraqi government as an advisory body, or would design the government's programs regarding minorities. Such programs would guarantee and protect the rights of minorities. This Council should be expanded to include, in addition to the religious and ethnic minorities acknowledged in the Constitution, the Bahais and the Blacks in Al Basrah, as well as any other group that requests inclusion.

- Supporting civil society organizations that observe **the violations of minority rights** and monitor discrimination against them in all aspects of life. Support initiatives that focus on **dialogue and coexistence of religions**,¹ such as the example of Father Yusuf Touma in Baghdad's Open University for Humanities,² or the Al Khoei Charitable Foundation project to establish a school to study comparative religions in Al Najaf.³ This may one day elevate our joint efforts to the level of the Islamic-Christian Studies Institute at Saint Joseph University in Lebanon, in an attempt to establish the principles of openness on a basis of knowledge and mutual respect.

- Assure **partnership between civil society organizations and the CHR**, which we call upon to assume its anticipated role in the

¹In our documentary, *Minority at Risk*, which addressed the challenges that Iraq's Christians face after the crime of Our Lady of Salvation Church, and through the film story, an Islamic-Christian Dialogue Project grew. It started with interviews and visits to Muslim and Christian religious leaders. I believe that it can be an important core effort to form a broad alliance containing other civil society forces with a view to raise awareness on the importance of protecting minorities in Iraq. See *Minority at Risk*, a documentary produced by Masarat Foundation for Cultural and Media Development, 2011.

²Interview with Father Dr. Yusuf Touma, the founder of Baghdad Open University for Humanities, January 6, 2012.

³Interview with Jawad Al-Khoei, assistant secretary of Al-Khoei Charitable Foundation, Al Najaf, July 20, 2012.

field of human rights monitoring, including minority rights in Iraq.

Final word

I would like to finish the book with a final note. This book was not intended to divide Iraqi society into majorities and minorities, but to warn of an impending disaster that would herald the beginning of the end for Iraq. Such an end, I believe, would be the end of Iraq as a concept, as a civilizational, religious, cultural and pluralistic heritage that changed the face of the ancient world; the end of modern Iraq, which started in the 1920s with communities living together like brothers. Simply, it would be the end of Iraqi patriotism as derived from all Iraqis' pride in their rich Mesopotamian heritage.



Sa'ad Salloum: Curriculum Vitae

- Born in Baghdad in 1975.
- Lecturer at the Political Sciences College of Mustansiriya University since 2007.
- Member of the Scientific Committee of Baghdad Academy for Human Studies, managed by the Dominican Fathers in Iraq.
- Director of al- Mashreq Center for Strategic Studies (2005-2008).
- General Coordinator of MASARAT for Cultural and Media Development, and editor-in-chief of its magazine, "MASARAT"
- In 2009, he was elected as secretary of the Iraqi Association for Support of Culture, and was re-elected in 2010.
- Project Coordinator at the Society to Defend Press Freedom in Iraq (2010), and member of the advisory board of Journalistic Freedoms Observatory (2011).
- Editor of 'al-Jihat' newspaper (2003).
- Manager of 'al-Mashrik' newspaper office (2004-2005).
- Worked at 'Niqash Weekly', published in Berlin by Media In Communication and Transition (MICT), Germany, 2008.
- Founding member of a number of civil initiatives, including:
 - National Campaign for the Defense of Civil Society in Iraq (2009).

<http://www.ahewar.org/camp/i.asp?id=149&show=50>.

– **Civil Initiative to Preserve the Constitution (CIPC):** A civil framework that aims to promote civil participation in Iraq. He had an effective role in ending the open session of the Council of Representatives, through filing a legal suit against the Parlia-

ment before the Federal Court, which resulted in reviving the parliamentary activity and the election of the three presidencies, during the 2010 parliamentary elections. <http://iqcipc.org>.

– **Initiative of Civil Peace in Iraq (2012):** A civil framework aimed to consolidate stability, through launching an ongoing national and comprehensive dialogue about the components of stability in the wake of U.S. pullout from Iraq in 2012.

– **Muslim-Christian Dialogue Initiative:** A civil framework set up in 2011, after the terrorist attack on the Church of Our Lady of Deliverance in Baghdad, through a joint initiative launched by Al-Khoei Foundation and the Dominican Fathers in Iraq, and MASARAT for Cultural and Media Development. It aims at establishing a sustained dialogue between the religious leaders and civilians covering all issues on interfaith dialogue in Iraq.

Published Works:

- (Co-author): The Role of Syriacs in the Iraqi Culture, Directorate of Syriac Culture, Kurdistan Region, 2012.
- (Co-author): Reality and Problems of Ethnicities and Minorities in Iraq, Bait-ul-Hikma, Baghdad, 2012.
- (Editor): Civil Society and the State: Enhancing Civil Participation in Solving Outstanding Constitutional Issues, Baghdad, 2011. Printed through the EU and the United Nations Office for Project Services (UNOPS).
- (Co-author): Studies of Media, Communications and Information Technology, Media and Communications Commission, Iraq 2010.
- (Author): Future of US-Iraqi Relations, Mashreq Center for Strategic Studies, Baghdad, 2008.
- (Co-author): Concept of Citizenship: Change from Personhood to Citizenship, MADAREK Foundation, Baghdad, 2008.
- (Editor): Prospects and Future of Civil Society in Iraq, Ahewar Book Series, Baghdad, 2007.
- (Editor and Co-author): Reconciliation and Coexistence in Conflict-ridden Iraq, Ahewar Book Series, Baghdad, 2007.

- (Editor): Four Years of U.S. Occupation of Iraq, Ahewar Book Series, Baghdad 2007
- (Editor): Post-change Status of Iraqi Woman, Ahewar Books Series, Baghdad 2007
- (Author): Psyche of U.S. Empire: Total Chaos or Lasting Peace, MASARAT Publications, Baghdad, 2006.

English Publications:

- The Growing Role of Civil Society in Iraq, Social Watch Report, 2012. <http://www.socialwatch.org/node/13999>.
- Beneath the Liberation Monument: all that is Solid Vanishes into Air, Heinrich Boell Foundation, 2012. <http://www.lb.boell.org/web/52-771.html>.
- Forty articles published in his sub-site at Ahewar on the following link: <http://www.ahewar.org/m.asp?i=993>.
- More than twenty six articles, translated into English and Kurdish, at Niqash Weekly newsletter released from Berlin. <http://www.niqash.org/articles/?id=2250&lang=en>.
- More than fifteen studies, published in academic journals, and in Iraqi and Arab magazines.

Masarat for Cultural and Media Development (MCMD)



Founded in early 2005, MCMD is a non-profit foundation concerned with cultural pluralism in Iraq. It is specialized in studying minorities, collective memory, and interfaith dialogue.

MASARAT Magazine: A cultural intellectual magazine published by MCMD. It covers cultural pluralism issues in Iraq and the Arab world. Its first issue was published on 9 April 2005.

- **Minorities & Groups:** A number of issues concerned with minorities in Iraq were published, including: issue no. 2 on Yazidis, no. 9 on Mandaeans, no. 13 on the Jews, no. 14 on Christians, no. 15 on Shiites as a minority in the Middle East, no. 16 on minorities map in Iraq, and no. 17 on Shiites in Iraq.
- **Societal Challenges:** It also addressed cultural issues concerned with the current challenges in Iraq, such as issue No. 8 on the question of identity, No. 10 on the war on Iraq from a cultural perspective, and No. 5 on aesthetics of place in Iraq.
- **Reform and Enlightenment:** MCMD has also brought out a number of issues dealing with reform and enlightenment, including, issue no. 1 on cultural criticism from Ali Wardi to Abdullah Ghathami, no. 3 on new historicism and re-writing history, no. 4 on memory and oblivion, no. 6 on rationalism in Iraq's cultural history, and no. 11 on religious reform in Iraq.

Publications

The MSMD has published a series of books and novels, including:

- The Empire of American Mind, 2006, (political series)
- Ali Wardi and the Study of Iraqi and Arab Societies (2011), social series

- The Brethren of Purity and Ibn Khaldun - A Study of Social Thought (2011), social series
- The Iraqis in the Netherlands (2012), social series
- Administrative Corruption Culture in Iraq (2012), social series
- Iraq: From Identity Shock to Identities Awakening (2012) social series
- Hafar Al-Batin Novel, 2009 (literary series)
- Sensibility Graveyard Divan, 2011 (literary series)

Joint Publications

In conjunction with Civilized Dialogue Foundation, MSMD published the following four books in 2007:

- Prospects of Civil Society in Iraq;
- Reconciliation and Coexistence in Conflict-Ridden Iraq;
- Four years of U.S. Occupation of Iraq; and
- Woman’s Status in Post-Change Iraq.

Documentary films

The MCMD have produced the following documentaries:

- **Conditional Freedom (2010):** A documentary dealing with the problems of freedom of expression after 2003, narrating distinctive stories about freedom of expression and outlining the prospects of this freedom in a fantasized Iraqi world where all concrete matters turned into ethereal objects.
- **Minority at Risk (2011):** A documentary about Iraq’s Christians in the wake of the terrorist attack on Our Lady of Deliverance Church, and the impact of minority migration on Iraq’s identity.
- **Silent Scheherazade (2011):** A documentary about the challenges facing Iraqi women after the change.
- **Voices (2012):** This documentary deals with the stories of young men defining the future of a country they constitute the majority of its population.

- **Minorities in the Wind (2012):** A documentary about the fate of minorities in Iraq. It provides a panoramic picture of them.
- **A Nation at Risk (2012):** A documentary about children education status, providing a picture of a nation facing impending threats.

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