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## Rethinking State-Non-state Alliances: A Theoretical Analysis of the U.S. Kurdish Relationship

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### Abstract

*This study investigates the growing influence of Middle Eastern non-state actors as agents of foreign policy and their interactions with states through an analysis of the U.S.-Kurdish relationship. Incorporating archival data and interviews with Kurdish and American policy makers, the paper analyses the factors that have affected the U.S.-Kurdish relationship from World War II to the recent Syrian crisis in the context of the mainstream theoretical approaches within the discipline of International Relations. The article concludes that the failure to formulate a coherent Kurdish policy complicates the U.S.' Middle East strategy and contributes to outcomes unfavourable to U.S. interests in the region.*

**Keywords:** Rojava; Kurdistan Regional Government; Kurdistan Workers' Party; People's Protection Units

### Abstract in Kurmanji

**Hêza ji kenaran: Pêşniyara bo siyaseteke derveyî ya hevgirtî ya Dewletên Yekbûyî yên Amerîkayê li hemberî Kurdan**

*Ev lêkolîn tesîra her ku diçe mezî dibe ya aktorên ne-dewletî li Rojhilata Navîn wek failên siyasetê derve, digel danûstandinên wan bi dewletan re, li ser hîma tehlîla têkiliya DYA û Kurdan vedikole. Bi vebewandina daneyên arşîvî û herîdîtinên li gel siyasetmedarên kurd û amerîkî, ev nivîsar nêrînên bîrdozî yê berî berbelav di babeta Têkiliyên Navneteweyî de bi kar tîne, ji bo ku faktorên bandor li têkiliyên DYA-Kurd ji Şerê Cîhanê yê Duyem heta qeyrana surî ya dawîn kirine, tehlîl bike. Nivîsar bi vê encamê digihîje ku têkiliya sazûkirina siyaseteke kurd a hevgirtî ji bo stratejiya DYA ya li Rojhilata Navîn zehmetiyên derdixe û netîceyên neyînî bo berjewendiyên DYA jî bi xwe re tîne.*

### Abstract in Sorani

**Destellat le kenarewe: keysêk derbarey hawrrayî le siyasetî derewey Emerîka da beramber be Kurdekan**

*Em nûsîne le karîgerî geşesendî hêzwekterê bê-netewekan le ser siyasetî Rojhellatî Nawerrast da dekolletewe, legell peywendîyan legell dewletekan da le rêgari şirovekirîni peywendî nêwan wîlayete yekgirtwekanî Emerîka û Kurdekan da. Be têkellkirîni datay êrşî û çapêketin legell siyasetmedare emerîkî û Kurdekan da, em nûsîne şirovey ew fakterane dekat ke karîgerîyan le ser peywendî nêwan wîlayete yekgirtwekanî emerîka û Kurdekan da hebûh le cengî cîhanî duvremewe beta qeyranî tazey Suriyê, le çarçêwey tîore berbillawekan le zanistî peywendîye nîmdewletîyekan da. Encamî wutareke eweye ke be boy şikestbênan le dirustkirîni siyasetêkî yekgirtû beramber*

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*Kurdekan, astengî bo planî Wîlayete Yekgirtwekanî Emerîka le Rojbellaî Naverrast da dirust dekat û debête boy dirustbûnî derencamî nerênî le qazancî Wîlayete Yekgirtwekanî Emerîka le nançeke da.*

### **Abstract in Zazaki**

#### ***Hêzê Sînoran: Kurdan Reyde Mesela Sîyasetê Teberî yê DYA yê ‘Pêgirewteyî’***

*Pê analîzê têkilîya DYA û kurdan, no cigêrayîş Rojbhelato Mîyanên de tesîrê averşîyayoxî yê aktorane bêdewletanê sey ajanane sîyasetê teberî û dewletan reyde înteraksîyonanê nê aktorane tehqîq keno. Bi dayeyanê arşîvan û roportajanê qerardaranê sîyasetî reyde, no nuşte faktoranê ke Cengê Cîhanî yê II. ra beta krîzê Sîrîye yê nikayînî têkilîya DYA û kurdan ser o tesîr kerdo, ê faktoran çarçewaya teorîyanê bingeyênan yê beşê Têkilîya Mîyanneteweyî de analîz keno. Na meqale netîce de vana ke DYA besenêkerd polîtîkayêka kurdan a pêgirewtîye vîrazê, na kêmanîye kî Rojbhelato Mîyanên de stratejîya DYA kena tîmîyan û peynîye de saydeyê xo nêreseno menfeatanê DYA yê a herême.*

### **Introduction**

There is a wide recognition in the International Relations (IR) literature of the impact of non-state actors on world politics. The literature, however, is focused more on international institutions, regional organizations, and transnational corporations, while there is a relatively less comprehensive understanding of armed non-state actors and their interactions with states. It is particularly true in the Middle East, where non-state groups such as Hezbollah, Hamas, and the Islamic State of Iraq and Syria (ISIS) thrive in the context of political vacuums created by state weakness, and increasingly act as autonomous agents in their exercise of foreign policy. This is a phenomenon for which there is a lack of sufficient theoretical and empirical engagement with regards to the Middle East.

The specific case study examined in this paper is the relationship between the United States (U.S.) and the Kurds. The article analyses the factors that have affected the U.S.-Kurdish relationship from World War II to the Syrian crisis in the context of the mainstream theoretical approaches within the discipline of IR. More specifically, the study investigates the underlying causes of the deepening U.S.-Kurdish cooperation since the early 1990s, and addresses the extent to which existing approaches in IR are adequate in explaining the changing political landscape in the Middle East that has brought the U.S. and the Kurds together in unprecedented ways.

Hesitant to engage with subnational groups for concerns over upsetting its relations with central governments, the U.S. has traditionally approached the Kurds as a function of its bilateral relations with Turkey, Iran, Iraq, and Syria. The war in Syria and the legacy of the U.S. invasion of Iraq disrupted this status-quo by not only providing the Kurds with opportunities in various degrees of autonomy and self-rule, but also by increasing cross-border Kurdish interaction and cooperation. The paper argues that, for Washington, refusal to grapple with the profound transformations in the Kurdish political scene for reasons of regional status-quo is no longer tenable, and that there is a need for formulating a coherent U.S. foreign policy towards the Kurds.

### **The Existing Literature and Methodology**

There has been little academic work undertaken on the specific relationship between the U.S. and the Kurds. One of the most important studies on this topic, Marianna Charountaki's *The Kurds and U.S. Foreign Policy: International Relations in the Middle East since 1945* (2011), provides an empirically rich and theoretically sound analysis of the crucial question whether there was

such a thing as a U.S. Kurdish policy. Charountaki's work, however, due to its publication date, does not account for the dramatic changes that U.S.-Kurdish relations have undergone since the Syrian civil war and the emergence of ISIS. Other studies, such as Mohammed Shareef's book *The United States, Iraq and the Kurds: Shock, Awe and Aftermath* (2014), are focused only on the study of the U.S.' relationship with Iraq's Kurds, and approach U.S.-Kurdish interaction not as a reciprocal process, but rather from the perspective of the agency of the U.S. only.

Recent developments in Iraq and Syria produced an upsurge in academic work in the field of Kurdish Studies, such as *The Kurds of Northern Syria: Governance, Diversity and Conflict* (2019) by Harriet Allsopp and Wladimir van Wilgenburg, and David L. Phillips' *The Kurdish Spring: A New Map of the Middle East* (2015). While these publications deepen our understanding of the Kurds and Kurdistan, they do not provide a theoretical analysis of the Kurds as a foreign policy actor, nor are they specifically dedicated to the analysis of the relationship between the Kurds and the U.S.

The most recent publication on the topic of U.S. Foreign Policy and the Kurds is an edited volume by Vera Eccarius-Kelly and Michael Gunter, *Kurdish Autonomy and U.S. Foreign Policy: Continuity and Change* (2020), which is a timely work that fills in a significant gap in the literature. The primary contribution of this edited volume is the rich empirical analysis of diverse U.S. foreign policy approaches toward the Kurds provided by authors from different disciplinary backgrounds. The book, however, includes little theoretical engagement with the U.S.-Kurdish relationship within the broader concept of state-non-state relations and agency of non-state actors in foreign policy, except for the chapters by Charountaki and Rasit.

Problematizing the theoretical scope of foreign policy which limits itself to the study of state behaviour and interests, the present work analyses the interaction between the U.S. and the Kurds as a fluid and reciprocal process in which the Kurds not only react to U.S. policies in the Middle East, but also capitalize on these policies to create new opportunities to widen their repertoire of collective political action. Methodologically, the analysis of key regional and international events that marked the U.S.-Kurdish relationship is conducted based on sources gathered through archival research which took place at the National Archives in Washington D.C. For a thorough understanding of the motives and attitudes of relevant actors, archival data is supplemented by in-depth interviews conducted with U.S. State Department officials, think-tank analysts, and Kurdish representatives in the U.S.

## **Understanding Armed Non-State Actors in the Middle East: An Analytical Framework**

Although there has been a growing literature on the rising influence of armed non-state actors in the Middle East (Sluglett & Kattan, 2019; Dhakal, 2019), much of this work approaches state-non-state interactions in the context of traditional paradigms of foreign policy which view non-state entities as 'tools' that either consolidate or threaten states' interests, rather than agents in their own right. In her account of state-non-state alliances in the Middle East, Kausch (2017: 36) analyses non-state actors as state 'proxies' which have become 'both a tool and a decisive factor in shaping inter-state competition between regional powers'. Likewise, Maoz and San-Akca (2012) examine state-non-state cooperation as a rivalry management strategy used by states which are dissatisfied with the existing status quo, presenting, again, an understanding of non-state entities from the vantage point of state interests.

The current literature does not satisfy the need for a novel theoretical approach to international relations in the Middle East, a region which presents a unique political landscape where demarcations between state and non-state actors have become increasingly blurred since the Arab Spring in 2011. Valensi (2015: 60) argues that recent developments in the Middle East have weakened the state framework and undermined formal territorial borders, which created conditions conducive for non-state actors to fill the void left by weak governance. According to Kausch (2017: 37), many states in the Arab world hold territory but lack popular legitimacy due to weak state institutions and limited capacity to provide security and services. In the context of eroding national cohesion, she argues, many local communities turn to sub-state or transnational identity groups looking for protection. Berge (2016: 18) draws attention to the ways in which these non-state groups mimic state behaviour through their sheer ability to use violence within a specific territory from which they raise taxes, provide social and economic services, celebrate elections, and pursue foreign policies. Examples include Hamas, which is in de facto control of the Gaza Strip; Hezbollah, which has its own educational, social, and economic institutions that run parallel to the Lebanese state; ISIS, which established a so-called caliphate in parts of Iraq and Syria in 2014; and the Kurds, who control autonomous regions in Iraq and Syria.

Mainstream IR theories, such as realism and neorealism, do not sufficiently account for this arising phenomenon in the Middle East, as they consider the state to be the prime actor in the international system. States are assumed to be rational actors that are primed for power maximization within an anarchic environment (Waltz, 1979). In this view, non-state entities are considered insignificant due to their inability to wield power in the international arena. Non-state actors in the Middle East challenge such theorization, however, as many do act according to cost-benefit calculations within the constraints of their environment, and as their interactions with states directly impact the foreign policy agenda of the region. ISIS's push to seize territory was based on a calculated assessment of the emerging power vacuums in Iraq and Syria. Hezbollah uses its military assets to protect its interests, such as the calculated decision – if the regime falls, Hezbollah loses power – to intervene in Syria's civil war. Kurdish administrations in Iraq and Syria establish economic and security ties with foreign actors, including Turkey, Russia, and the U.S., to consolidate the autonomous status of their respective regions.

Liberalism challenges the realist premise that foreign policy is characterized by the unilateral impact of the anarchic international system, and focuses instead on how the foreign policy preferences of governments are influenced by state-society relations in the domestic realm, which is composed of competing sub-organizations, bureaucracies, and individual interests (Moravcsik, 1997: 513). By conceptualizing the state as a disaggregated, rather than a unitary, entity, liberalism allows for sub-state entities to have an impact on the international order. This impact, however, is often articulated in relation to state security and interests as the point of reference. Violent non-state actors, such as terrorist organizations, militias, and secessionist movements, are emphasized for their role in undermining the primacy of the state. Other authors, such as Keohane and Nye (1977), focus on the role of international organizations and transnational corporations in consolidating states' interests and widening the scope for inter-state cooperation.

The Democratic Union Party (PYD) in Syria and the Kurdistan Regional Government (KRG) in Iraq are cases in point which demonstrate how sub-state entities impact the international

realm through their role as independent actors of foreign policy. Both actors' strategic relations with the U.S. and Russia, economic ties to regional actors, and the ways in which these state-non-state interactions affect crucial regional issues such as the ISIS crisis are indicative of the rising influence of non-state entities in shaping the regional policy agenda.

In contrast to realism and liberalism, constructivism explains inter-state relations not by the imperatives of an anarchic self-help system, but by shared norms and ideas (Wendt, 1999). With its emphasis on ideational factors in explaining the motivations of actors in the international arena, constructivism brings a renewed focus on the agent. Nonetheless, it shares the same limitation with other mainstream IR theories in confining the scope of the agent to the state. The main premises of constructivism can apply to a wide variety of non-state actors in the Middle East, as foreign relations of these groups are driven substantially by their specific ideologies and ideas they hold about themselves. Hezbollah's identity as a Shia organization is a prominent factor that shapes its ties with actors that share the same ideology, such as Iran and Syria (Valensi, 2015: 68). Other Islamic non-state groups such as the Muslim Brotherhood, ISIS, and Jabhat al-Nusra are driven markedly by their Sunni Islamist identity in pursuing their transnational goals. Considering how much the Obama administration wrestled with finding a credible anti-Assad ally in Syria that has the 'right' ideology and no links to jihadist groups, it was not only the PYD's military effectiveness but also its secular-democratic ideology which determined the workings of the U.S.-Kurdish alliance in Syria.

Given the existing theories' primary focus on state security and survival in explaining the workings of the international realm, a single-theory approach cannot adequately explain the subject matter of this study. It is, however, plausible to treat these theories as a menu of tools to interpret the changing political landscape in the Middle East, and utilize the set of explanations that each theory provides in the larger effort to identify all the significant aspects of the specific phenomenon in hand which is the U.S.-Kurdish relationship.

### **U.S. Cooperation with Non-State Actors: The Case of the Kurds**

While the relationships between the U.S. and its non-state allies were varied over time, they have been driven primarily by realist considerations of enlisting local proxy forces to reinforce U.S. military capabilities in conflict environments. In his study of U.S. cooperation with non-state actors from 1776 to 1945, Grynaviski (2018: 5-6) defines a non-state ally as a 'sovereign group that coordinates military operations with a state for political purposes, often by providing military, logistical, or material support'. As proxies, they minimize American involvement in combat and offer superior knowledge of the local circumstances and population that facilitate counterinsurgency (Rittinger, 2017: 396). From this constellation arises a mutually beneficial partnership in which the U.S. pursues its security objectives at a low cost, while the non-state ally gets access to military and financial support to advance its political agenda.

Rittinger (2017), however, draws attention to the problem of 'goal incongruity', which can potentially cause state aims to be unfulfilled if proxies pursue goals that are incompatible with the goals of their state ally. He underlines the various manifestations of goal incongruity – strategic, ideological, and cultural – which complicate the cost-benefit calculations of teaming up with local non-state actors. Realist treatments of state-non-state alliances face difficulty in accounting for this problem because of their unilateral focus on the strategic advantages of delegating security responsibilities to proxies with no consideration of non-state allies'

interests, identities, and post-war visions. American support for illiberal proxies during the Cold War, for example, such as the Contras in Nicaragua and the Mujahideen in Afghanistan, as well as the proxy forces enlisted in contemporary wars such as the Syrian rebels, gave way to increasing unease in the context of the pro-democracy and counter-jihadist rhetoric in U.S. foreign policy. Therefore, it is imperative to incorporate the strategic, military as well as the ideational factors into analyses of state-non-state alliances to understand the ways in which the ideologies, modes of operations, and strategies of non-state allies impact cost-benefit calculations of states.

The Kurds constitute a special case in the history of U.S. cooperation with non-state actors because of a number of unique features they have as a transnational ethnic group in the Middle East. First, geographically, although the Kurds still largely operate within the existing state framework in the region, there has been burgeoning trans-state dynamics first following the U.S. invasion of Iraq in 2003, and then after the rise of ISIS in 2014. Even though this process has not united the Kurds into a singular political or organizational consciousness, it has nonetheless bound them into a transnational force away from their host countries, in varying intensities (Ünver, 2016). The U.S.' relationship with the Kurds in one country directly affects not only the actions and aspirations of the Kurds across borders, but also the U.S.' bilateral relations with Turkey, Iran, Iraq, and Syria, leading to complex manifestations of the problem of 'goal incongruity' between the U.S. and its Kurdish allies.

Second, ideologically, while most non-state actors currently active in the Middle East are based on some form of religious ideology, the Kurds are, for the most part, politically secular and embrace democratic ideals. A decade after the Arab Spring, many people live under the rule of non-state actors in countries as diverse as Libya, Yemen, Syria, and Iraq. Various Islamist groups have emerged as credible alternatives in power vacuums created by these countries' weak central governments. Of these non-state actors, the Kurds are the only credible group with a secular ideology that can potentially serve as a useful U.S. ally to halt the rise of Islamist groups and contain the growing influence of the Islamic Republic of Iran, confirming both strategic and ideational justifications for a coherent U.S. Kurdish policy.

Third, politically, the Kurds have a degree of longevity and autonomy that makes them qualitatively different than most other non-state actors with whom the U.S. has cooperated. Throughout the twentieth century, the Kurds have consistently presented significant challenges to the authority of their respective central governments. Since the early 1990s, they have made enormous strides in their quest for greater self-determination, currently controlling two autonomous regions in Iraq and Syria. In a time of transformation and partial disintegration in the Middle East, the Kurds are among the actors who have the ability to influence outcomes on the ground and impact the trajectory of crucial regional trends at large. Their interests and post-war visions are decisive to the stability in the region and cannot be ignored.

During the early years of the Cold War, the Soviet-assisted establishment of the Republic of Kurdistan in Mahabad in Iran set the stage for the U.S. to designate the Kurds as a 'communist danger' in the Middle East (Culcasi, 2006: 692-694). In the 1970s, realist considerations of containing the Soviet influence led the U.S. to take into account the diverse socio-political contexts where the Kurds operate, which resulted in the emergence of a multitude of U.S. policies towards the Kurds. In 1997, the U.S. joined its NATO ally Turkey in declaring the Turkey-based Kurdistan Workers' Party (PKK) – originally a Marxist/Leninist organization –



a terrorist group. In Iraq, on the other hand, alarmed by the increased Soviet influence, the U.S. and its regional ally Iran supported the Kurdish revolt against Baghdad in the mid-1970s as a strategy to contain Saddam Hussein (Meho and Nehme, 2004: 21). Nonetheless, when Iran cut a deal with Saddam in 1975, all U.S. and Iranian support to the Kurds abruptly ceased. What initiated this first major U.S.-Kurdish encounter was not a U.S. recognition of the political significance or strategic value of the Kurds. Rather, the Cold War containment policies and the U.S. national security interests in the Middle East – supporting Iran in its quest for achieving concessions from a weakened Saddam and distracting Iraq from joining Arab attacks on Israel – took priority.

After the Cold War, the U.S. strategy in the Middle East transitioned from the policy of containment to promoting liberal democratic regimes and free trade through multilateral means. The post-Cold War strategy was strongly manifested in the international coalition built during the 1991 Gulf War to liberate Kuwait from Saddam, which resulted in the second major U.S.-Kurdish encounter. As the Iraqi military was being ousted from Kuwait, U.S. President George Bush called upon ‘the Iraqi people to rise up against Saddam Hussein’s brutal dictatorship’ (Shareef, 2014: 147). Despite initial successes, when Saddam began to put down the Kurdish rebellion in the north, realist concerns over a possible partition of Iraq and destabilization in the Middle East once again dominated the U.S. decision making. Once the U.S. decided not to intervene in the Iraqi strife, the uneven struggle between the Kurds and Baghdad quickly turned into a humanitarian crisis with some 1.5 million Kurdish refugees fleeing to the Iranian and Turkish frontiers (Gunter, 2004: 5). The regional security implications of the refugee crisis eventually led the U.S. to change course and declare a no-fly zone over northern Iraq, which allowed the Kurds to safely return home (Meho and Nehme, 2004: 24).

Similar to the U.S.-Kurdish encounter in the 1970s, what prompted U.S. support for the Kurds in 1991 was not any particular interest in supporting the Kurdish fight against Baghdad, but to contain a regional foe, Iraq, and to accommodate the interests of a regional ally, Turkey, whose administration wanted a quick removal of Kurdish refugees from Turkish soil but was strictly against their return to a separate Kurdish state. However, the unintended consequence of the U.S. decision to impose a no-fly zone was the establishment of the Kurdistan Regional Government (KRG) in 1992 in northern Iraq, where the Kurds began to build a de facto state and government. Although the U.S. maintained the regional status quo by preventing the Kurds from breaking away from Iraq, the establishment of the KRG disrupted the status quo ‘within’ Iraq and laid the foundations of a steady U.S.-Kurdish partnership and its extension to an institutionalized relationship of strategic importance for U.S. foreign policy into the twenty-first century (Charountaki, 2011: 168).

Throughout the twentieth century, the ad hoc, opportunistic nature of the U.S.-Kurdish encounters derived mainly from the clash between the priorities of the U.S. – sustaining the Middle East balance of power and protecting the interests of regional allies – and the Kurds’ desire for regime change and achieving some form of political autonomy in Iraq. As such, the problem of strategic goal incongruity, coupled with the extremely asymmetrical nature of the relationship, points to the dominance of realism in shaping the U.S. policy towards the Kurds during this period. The U.S.’ contacts with the Kurdish movements in other parts of Kurdistan remained limited and covert. The cause of the Kurds in Turkey is often perceived by the U.S. as closely tied to the PKK, which the U.S. designated as a terrorist organization.

Despite the U.S.' non-existent relations with Iran after the 1979 Revolution and limited relations with Syria, the Iranian and Syrian Kurds were largely off the radar due to the U.S.' prioritization of Middle East stability and the territorial integrity of regional states. Thus, the U.S. never formulated a grand foreign policy strategy towards the Kurds, and U.S.-Kurdish relations manifested mainly as an extension of the U.S.' Turkish, Iraqi, Iranian, and Syrian policies. At the turn of the century, however, the stage was set for the dynamics of U.S.-Kurdish relations to change.

### **Partners, Not Proxies: The Kurds and the U.S. in the 21<sup>st</sup> Century**

The dramatic changes that U.S.-Kurdish relations underwent in the twenty-first century can be explained based on both structural and agent-based factors, pointing to three key interrelated issues: the changing political landscape in the Middle East in the aftermath of the 2011 uprisings; the ways in which Kurdish political actors, especially in Iraq and Syria, expanded their sphere of influence by capitalizing on the regional structural transformations; and the changing priorities of U.S. foreign policy in the Middle East following 9/11.

Structurally, weak institutional governance and increasingly permeable borders in the Arab world following the 2011 uprisings played a significant role in empowering non-state actors in the Middle East. Such emerging elements underscore the expanded agency of foreign policy in the region to include state as well as state-non-state interactions as determinants of the regional foreign policy agenda. Charountaki (2020: 14) contends that non-state actors that have reached a proto-state stage in their evolution possess similar characteristics to those of states and are identified by their autonomous exercising of foreign policy. The conflict in Syria since 2011 and the U.S. invasion of Iraq in 2003 have led to increased state fragility in these countries and consolidated the status of the Kurds in a proto-state by allowing for greater Kurdish autonomy in its various forms.

The 2003 U.S. intervention in Iraq dramatically transformed the political status quo in favour of the Kurds in that country, after the U.S. had already tilted the balance of power in the Kurds' favour in 1991 with the declaration of the no-fly zone. The 2005 constitution, which established Iraq as a federal democracy, further consolidated Kurdish autonomy by granting constitutional recognition to the KRG as one of the federal units in Iraq. In the ensuing years, an institutionalized U.S.-Kurdish relationship emerged which was identified by the shift in the U.S.-Kurdish interaction from a proxy relationship to a strategic partnership. Alongside the structural changes in the Iraqi political landscape, a number of agent-based factors account for this shift.

In post-Saddam Iraq, the shifting character of the U.S.-Kurdish relationship reflected a combined influence of realist and constructivist accounts defined by the increasing level of goal congruity in both strategic and ideational terms. For the U.S., 9/11 marked the transition to the Grand Strategy of the Global War on Terror in which the U.S. switched from acting in multilateral coalitions to a commitment to promote democracy through unilateral use of force. The Kurds, on the other hand, emerged from the U.S. invasion as the most organized group in Iraq, with substantial forces on the ground and a decade-long political experience in building a stable democratic government in the north. The expanded agency of foreign policy was particularly manifested in the role of the Kurds as the primary force pushing for a more liberal, pro-minority rights, and decentralized federal system in Iraq (Romano, 2014: 191-193). In the context of the post-9/11 U.S. strategy to combat terrorism through enforced



democratization, U.S. and Kurdish interests for the first time intersected in the form of a shared strategic interest in regime change in Iraq and a common ideational goal in building a stable representative government in Baghdad, paving the way for a steady political partnership in contrast to the opportunistic, ad hoc contacts that dominated U.S.-Kurdish ties throughout the twentieth century.

Regionally, the gains made by Iraqi Kurds provided the transnational character of the Kurdish question with more saliency. Gürses (2015: 142) argues that ethnic ties across internationally recognized borders provide external sanctuaries for rebels as well as a larger pool of human and economic resources that rebels can draw on in mobilizing for violent conflict. Since the 1991 Gulf War, Turkey's PKK had already entrenched itself in northern Iraq. It might not have survived the capture of its leader, Abdullah Öcalan, in 1999, had it not been for the safe haven in Iraq's north which helped the PKK to group and resurface in Turkey as a credible threat in the mid-2000s (Gürses, 2015: 144). In Syria, too, advancements in the status of Iraqi Kurds encouraged Syrian Kurds to take a more active stance in demanding their cultural and political rights. The 2004 Qamishli revolt gave rise to a previously unknown degree of solidarity not only among Syrian Kurds, but also between the Kurds of Syria, Iraq, and Turkey (Lowe, 2007: 287).

If the period from the Iraq war to the Syrian crisis demonstrated the Kurds' potential to become an important transnational actor, developments following the rise of ISIS in 2014 represented the transformation of this potential into a substantial political force. Once again, state fragility emerged as the main structural factor that not only provided the Kurds with the opportunity to achieve greater self-determination, but also expanded the U.S.-Kurdish strategic partnership beyond the U.S.' long-standing ties with Iraqi Kurds. Out of the Syrian uprising, the Kurds of Syria, who have long been referred to as the 'forgotten people' (Yildiz, 2005), emerged as the most politically organized and militarily effective force on the ground. It has been particularly the PYD – the PKK's Syrian affiliate – which presents a unique case of a non-state actor whose foreign ties have reached a global level over the course of the civil war.

The emergence of the PYD as an internationally known armed non-state actor derived primarily from the transformations in the regional political and military environment caused by the demise of state authority in Syria in 2011 and the subsequent rise of ISIS (Güneş and Lowe, 2015: 13). In July 2012, the rapidly weakening regime of Bashar Al-Assad withdrew the Syrian army from Kurdish areas to tighten its grip against the offensive of Arab rebels, as a result of which the PYD took control of the main Kurdish towns and cities in northern Syria (Allsop, 2015: 1). Thereupon, Syrian Kurds embarked upon their first attempt at self-government, which culminated in the establishment of a Kurdish-controlled autonomous administration in the north in 2014, later declared as the Democratic Federation of Northern Syria-Rojava in March 2016 (Allsop and van Wilgenburg, 2019: 89).

Although the changing domestic and regional circumstances were in the PYD's favour, its rise as a powerful non-state actor and an attractive local ally in the eyes of outside players cannot be explained by structural factors alone. The rise of ISIS in Iraq and Syria coincided with another shift in the U.S. Grand Strategy during the Obama administration from the open-ended stabilization operations of the Bush era to a more restrained approach to using U.S. military power (Brand, 2006: 105). The emphasis on military restraint underscored a policy imperative to externalize the strategic and operational burden of war to regional partners in

the Middle East, and was strongly manifested in Obama's deep reluctance to be drawn into Syria's civil war and the fight against ISIS which the U.S. fought by surrogate (Krieg, 2016: 98-100). Initially, the U.S. invested in training and equipping various Syrian Arab rebel groups, yet the U.S. programs involving these oppositionists yielded little success. Only after witnessing the effective resistance of the Kurdish forces against ISIS did Obama begin to cooperate with the Kurds militarily.

Similar to the post-2003 shift in the U.S.' relationship with Iraqi Kurds, what brought the U.S. and Syrian Kurds closer together is explained by both realist and constructivist accounts. The military prowess of the People's Protection Units (YPG), the PYD's military wing, made it central to the U.S.' Syria policy. However, the U.S.-Kurdish cooperation against ISIS developed not only out of shared strategic and military interests, but also as a consequence of ideational considerations. The Obama administration faced heavy criticism at home once the American military confirmed the failure of the train-and-equip program and that some of the American weapons ended up in the hands of extremist groups (Shear, Cooper & Schmitt, 2015). Besides their military effectiveness, it was also the Kurds' embrace of secular-democratic values which distinguished them from other opposition groups and made them the ideologically 'right' partners for the U.S. in the fight against jihadists. 'The U.S. does not rely on the YPG for defeating ISIS alone', Sinam Mohamad, the Representative of the Kurdish-led Syrian Democratic Council (SDC) in Washington, D.C., emphasizes. 'The U.S. pursues an alliance with the Kurds also for defeating radical ideas of Islamist groups.' (S. Mohamad, personal communication, 12 June 2018.) Bassam Ishak, the President of the Syriac National Council of Syria, a member of the SDC, seconds this vision:

Syrian opposition's vision of democracy is different than ours. They say democracy but what they mean is a religious state. When we say democracy, we mean a pluralistic, citizenship-based country where Syrians are equal regardless of gender, ethnic, religious, or sectarian background. (B. Ishak, personal communication, 12 June 2018.)

The PYD-YPG's military effectiveness and its success at securing an autonomous region cannot be understood in isolation from the transborder dynamics. From the onset of its insurgency in the early 1980s to the capture of Öcalan in 1999, the PKK found both shelter and recruits in Syria. During its reorganization in the early 2000s, the PKK formed affiliate parties in Syria, Iraq, and Iran, which are all part of the Kurdistan Communities Union (KCK), an umbrella group created by the PKK in 2005 for all political parties committed to implementing Öcalan's idea of democratic confederalism (Gunter, 2013: 77). The doctrine of democratic confederalism emerged out of the dramatic alterations in the PKK's goals in the 1990s, which transformed the movement's focus from state-seeking nationalism to one that is centred on 'radical democracy', the idea that the state should become decentralized such that all groups in society and all cultural identities can express themselves at the local level (Öcalan, 2017: 26). After his capture in 1999, Öcalan further defined the pillars of radical democracy, including the 'democratic republic', 'democratic confederalism', and 'democratic autonomy', which are aimed at establishing decentralized polities across Turkey, Iran, Iraq, and Syria without challenging state boundaries (Öcalan, 2017). The power vacuum that emerged out of the demise of state authority in Syria created an opportunity for the Kurds to put Öcalan's ideas into practice for the first time.

Ethnic and religious plurality constitutes a major pillar of the governance model in Rojava, where care is taken to ensure equal representation of all ethnic and religious communities – Christians, Yezidis, Arabs, Turkmens, Chechens, Armenians – in local councils and assemblies as well as in defence units (Knapp, Flach, and Ayboğa, 2016: 44). Sinam Mohamad explains the diversity within the political and military structure of Rojava as follows:

Northern Syria is diverse, Kurds, Arabs, Muslims, Christians, Sunni, Yezidi. In the beginning, we built Rojava as a Kurdish administration. It was in 2011. We started to organize the youth, women, the protection units. After that, we contacted other groups such as Syriacs, Arabs, and others who were living with us. We shared our vision with them and they agreed to that. We established the self-democratic administration in the three cantons, Afrin, Jazira and Kobane, and then it became a joint administration of the Kurds, Arabs, Syriacs and so on. (S. Mohamad, personal communication, 12 June 2018.)

The fight against ISIS provided opportunities for Kurdish parties to expand in all four parts of Kurdistan. The PKK-PYD cooperation in Syria made the availability of transnational recruitment, funding, and military opportunities crucial to the YPG's military victories against ISIS as well as the political survival of Rojava (Arslan, 2019: 414). The Kurdish *peshmerga* in Iraq became a key partner of the anti-ISIS coalition and played a significant role in easing the burden of the YPG in the Kobane battle in 2014 (Gourlay, 2018: 34). The PKK and its Iranian affiliate, the Kurdistan Free Life Party (PJAK), which are unable to carve self-administering regions from their strong central governments, rebranded themselves through their close ties to the PYD. In the context of the rising threat of ISIS, such transnational Kurdish awakening benefitted immensely from the U.S.-Kurdish alliance. In the context of the post-ISIS Middle East, however, the expanded agency of the Kurds and the escalation of transnational Kurdish nationalism gave rise to new manifestations of goal incongruity and the return of old stumbling blocks, namely, the U.S.' prior interest in sustaining the regional status quo and protecting the interests of its regional allies.

### **Conclusion: New Challenges and Prospects for a Coherent U.S. Policy towards the Kurds**

Throughout the twentieth century, the fact that the U.S.-Kurdish relationship was largely shaped by U.S. security objectives and the interests of U.S. allies in the Middle East, such as Iran and Turkey, supports the realist position. As the relationship evolved into the twenty-first century, the liberalist understanding of the state as a disaggregated, rather than a unitary, entity, has been particularly applicable in the cases of Iraq and Syria, which provided the Kurds with opportunities to forge relations with foreign actors such as the U.S. and have an impact on the regional order. In addition, shared norms and values between the two actors played a crucial role in deepening their partnership from 2003 onwards, confirming the constructivist emphasis on ideational factors as important determinants of foreign policy.

As the dust is settling regarding the ISIS situation, the U.S.-Kurdish relationship faces new challenges. The Kurds in Iraq and Syria, and by extension their transnational ethnic kin in Turkey and Iran, successfully capitalized on the regional structural changes to advance their political agendas. The alliance with the U.S. further expanded their opportunities to accomplish their political goals. The U.S. foreign policy towards the Kurds, however, remained incoherent and still dominated by realist considerations of the regional balance of

power, which fails to incorporate the combined effects of liberalist and constructivist elements that are vital to capture the dramatic transformations in the Kurdish political scene over the past three decades. As emphasized by a senior official from the U.S. State Department, Syria Desk, some of the major strategic goals of the U.S. in Syria and the wider Middle East are ‘not only to defeat ISIS militarily, but also creating conditions to prevent their return, containing Iranian expansionism in the region and to reach a political settlement in the Syrian conflict’ (Anonymous, personal communication, 22 June 2019). Cooperation with the Kurds is vital to all three goals. However, the failure to analyse the long-term significance of the Kurds for U.S. interests in the Middle East creates several contradictions for U.S. foreign policy in the region.

Washington wants to preserve its assets in Syria but its alliance with the YPG creates tensions with Turkey. The U.S.-YPG alliance elicited frenzied objections from Ankara, which views the YPG as a terrorist organization due to its affiliation with the PKK. The new role Kurds play in Iraq, coupled with the prospect of another autonomous Kurdish entity in Syria, initially provided Ankara with incentives to make peace with the Kurds in Turkey (Gürses, 2015: 145). However, first, the refusal of the Turkish government to aid the Kurds during the Kobane battle, and then the U.S. decision to cooperate with the YPG resulted in the collapse of the nascent peace talks which had been going on since December 2012 (Arslan, 2019: 424-425). In 2015, Ankara began a policy of outright conflict with both the PKK and the Kurds of Syria, which left the U.S. grappling with how to defeat ISIS whilst navigating its relations with two allies that view each other as enemies, while Turkey gravitated increasingly closer toward the Russia-Iran axis in the Middle East.

Throughout the Syrian civil war, the U.S. opted for a delicate balancing act between Turkey and the PYD in order to contain the ISIS threat. However, Washington did not take any action to prevent the two Turkish military incursions into northern Syria intended to expel the YPG from border areas, first in January 2018, and then in October 2019 following President Trump’s decision to withdraw U.S. troops from Syria. Nor did Washington pull its weight to include the Kurds in the Geneva peace talks due to Ankara’s protests over inviting the PYD to the table. The October 2019 Turkish incursion dealt a severe blow to the U.S.-YPG joint counter-terrorism mission and disrupted the long-standing stability in northeast Syria, demonstrating how the Turkey-PKK conflict complicates U.S. Middle East policy and bilateral relations with Turkey. Giran Özcan, the pro-Kurdish, Turkey-based Peoples’ Democratic Party (HDP) Representative to the U.S., points to the vitality of the U.S. role in the resolution of this dilemma:

Lack of a peaceful solution to the Kurdish question has always been an obstacle to Turkey’s democratization. The HDP’s mission in Washington, D.C. is to encourage the U.S. government to play a positive and constructive role in the solution of this problem. We expect the U.S. to uphold its own values in the region. (G. Özcan, personal communication, 14 June 2018.)

For Washington, careful engagement with the PYD-YPG is essential to both creating a post-crisis Syria that is favourable to U.S. interests and ensuring the stability of U.S.-Turkey relations. Following the October 2019 decision, Russia now sits at the fulcrum between the Kurds, Bashar Al-Assad, Iran, and Turkey, replacing the U.S. as the main guarantor of security and diplomacy in the Middle East (Feaver and Inboden, 2019). Russia and the PYD do not

share a common political or ideological agenda, but the YPG is a military asset for Russia for effectively fighting ISIS and other Islamist groups that challenge the Syrian regime. For the PYD, Russia provides the Kurds with an alternative to the U.S. that supports the Kurds militarily but provides no commitment regarding the political future of Rojava. Bassam Ishak emphasizes that the cooperation between the Kurds and Russia is mainly tactical and states: 'But Russia supports the Syrian regime, and they want to re-establish its authority. The U.S. has been supporting us only militarily to defeat ISIS, but we need more. We need them to support us implementing our political project.' (B. Ishak, personal communication, 12 June 2018.) In the absence of any U.S. political support, the Kurds turned to Russia and the Syrian regime for help against Turkey's offensive, earning a major political win for Bashar Al-Assad while crippling the democratic project in Rojava, which is a crucial component of designing longer-term strategies to address the root ideological causes of the problem of terrorism in Syria and in the wider region.

In Iraq, too, the U.S. was ill-prepared to manage the political consequences of its military actions. The U.S. military support in Iraqi Kurdistan to contain ISIS contradicted the U.S.' 'one Iraq' policy by empowering Erbil vis-à-vis Baghdad. In summer 2014, upon Iraqi Security Forces' retreat from northern Iraq following the rise of ISIS, the Kurdish *peshmerga* took control of swathes of disputed territories, including the oil-rich city of Kirkuk (Holland-McCowan, 2018: 7). The territorial expansion and military empowerment of the KRG culminated in a Kurdish independence referendum in September 2017 despite strong opposition from Iraq, Turkey, Iran, and the U.S. The post-referendum developments caused serious setbacks for U.S. national security interests. The armed clashes in Kirkuk between two U.S. allies, the Kurds and Iraqi military forces, presented a profound U.S. policy failure and created a potential security vacuum in the fight against ISIS. Iraqi forces were also aided by Iran in attacking the Kurdistan region, which added to the growing influence of pro-Iran elements in Iraq. Although Washington declared its opposition to the referendum before it was held, the fact that the U.S. permitted an armed Iraqi and Iranian offensive against the Kurds created another contradiction in the context of both the U.S. desire to contain Iranian influence in the region and the ongoing U.S.-Kurdish cooperation in Iraq since 2003. The lesson from the referendum is that the viable strategy for the U.S. is to better mediate disputes between Erbil and Baghdad before they reach military escalation, a lesson that is also emphasized by Bayan Sami Abdul Rahman, the KRG Representative to the U.S.:

We are told by our friends in the region and in the West that the Kurds are a moderating voice and the democratizing force within Iraq. In that case, empower us, don't allow the Iraqi Constitution to be neglected, ignored and violated not for just Kurdistan's sake, for Iraq's sake. (B. Abdul Rahman, personal communication, 8 June 2018.)

The primary source of the incoherence of the U.S. policy towards the Kurds is the fact that the U.S. cooperates with the Kurds militarily, yet refuses to recognize the political consequences of this military alliance. Therefore, the key to a coherent U.S. Kurdish policy lies with reconciling the contradictions between strategic and ideational components of U.S. foreign policy in the Middle East, in other words, reconciling realist considerations of sustaining the regional balance of power with constructivist factors such as containing jihadism and promoting democratic institutions in the region. As stated by numerous Kurdish officials interviewed for this study, there is a need for a productive U.S. mediating role



between the Kurds and their central governments for effective settlement of the aforementioned contradictions. Such a mediating role needs to be based on the recognition that U.S.-Kurdish relations in one part of Kurdistan have direct consequences for not only the Kurds across borders, but also for U.S.' bilateral relations with the regional states.

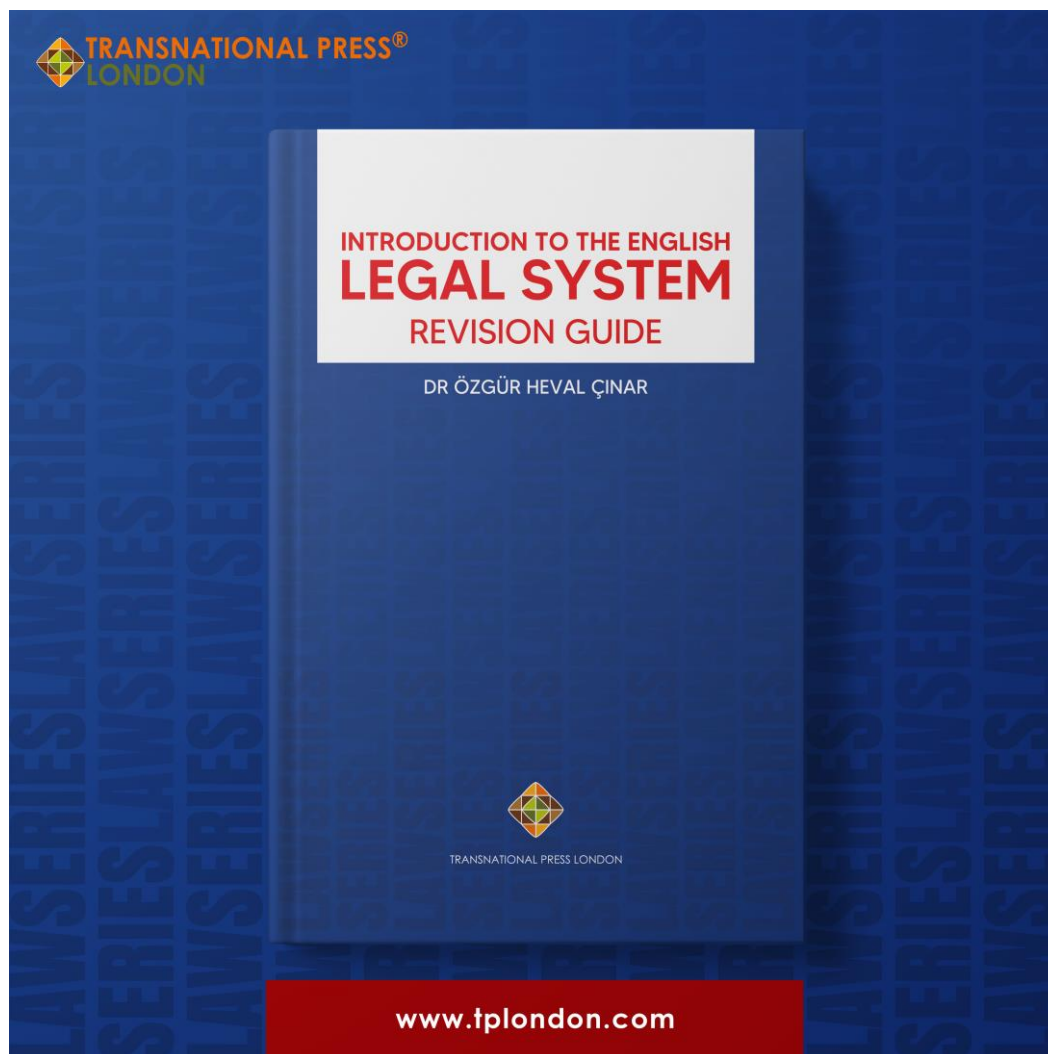
A decade after the Arab uprisings, an unprecedented network of novel relations in the Middle East has now extended to involve armed non-state actors, which directly influence regional politics. Unlike its rivals, such as Iran and Russia, Washington has not yet sufficiently incorporated this dynamic into its Middle East policy. This is clearly symbolized by the State Department's division of responsibility for stateless people into separate Bureaus. Issues regarding Turkey's Kurds fall under the European Bureau, whereas Iraqi Kurds fall under the bureaucracy of the Near East Bureau (Gunter, 2004: 12). A fundamental part of an effective U.S. Middle East policy that adequately captures the new regional dynamics is a clear U.S. position on the Kurds and Kurdistan, especially on the future of Kurdish-held territories in Iraq and Syria. As emphasized by the Director of the Washington Kurdish Institute, Yousif Ismael, 'the creation of a Kurdish Desk in the U.S. State Department where all the issues related to the Kurds will be handled from one place' (Y. Ismael, personal communication, 7 June 2018) constitutes a crucial preliminary step towards crafting a coherent U.S. foreign policy towards the Kurds.

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**Introduction to the English Legal System – REVISION GUIDE**

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