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The shaky foundations of the 1926 annexation of Southern Kurdistan to Iraq | Aram Rafaat [±]

Abstract

Between 1921 and 1925, the Kurds of Southern Kurdistan participated in three main political processes in Iraq. These processes were the election of Faisal Ibn Hussein as the King of Iraq in 1921, the election of the Iraqi Constituent Assembly in 1924, and the Mosul Province referendum organised by the League of Nations in 1925. The British used the Kurds' participation as a foundation for the annexation of Southern Kurdistan to Iraq. However, this article argues that these three processes cannot be considered as legitimate foundations as the majority of Kurds voted against these processes or were excluded from participation.

Keywords: Southern Kurdistan; Mosul Province; Britain; Iraq; League of Nations.

ABSTRACT IN KURMANJÎ

Bingehên lawaz ên îlhaqa Kurdistana başûr bi ser Îraqê ve li sala 1926an

Di navbera salên 1921 û 1925an de li Îraqê, kurdên başûrê Kurdistanê tevî sê prosesên siyasî yê sereke bûn. Yek ji van prosesan hîlbijartina Faysal ibn Huseyin wek qralê Îraqê bû li sala 1921an, yek hîlbijartina Meclisa Avakar a Îraqê bû li sala 1924an, û referandûma wilayeta Mûsilê bû ku sala 1925an ji hêla Cemiyeta Neteweyan ve hatibû encamdan. Britanyayê tevlibûna kurdan wek bingehêk bi kar anî ji bo îlhaqa başûrê Kurdistanê bi ser Îraqê ve. Lê belê, îddiya vê gotarê ew e ku ev her sê proses nabin wek bingehên rewşa bîne qebûlkirin ji ber ku piraniya kurdan reya xwe li dijî van prosesan dan an jî rê li ber beşdariya wan hate girtin.

ABSTRACT IN SORANI

Binema lerzokekanî likandinî başûrî Kurdistan be 'Êraqewe le 1926 da

Le nêwan 1921 ta 1925 da, kurdekanî başûrî Kurdistan le sê proseya siyasî serekî le 'Êraq da beşdariyan kird. Ew sê proseya bîrtîbûn le hellbijardîni Feyselî kurî Husên wek padşayî 'Êraq le 1921, hellbijardin bo Encumenî Damezrênerî 'Êraqî le 1925, we rîfrandomî wilayetî Mûsill ke le layen Komelleyî Gelan le 1925 da rêk xira. Berîtanya em beşdarîkirdîney kurdî wek binema bo likandinî başûrî Kurdistan be 'Êraqewe be kar hêna. Bellam, em babete argumêntî ewe dekat ke em sê proseya nakrêk wek binemay şerî bo likandinî başûrî Kurdistan be 'Êraqewe hejmar bîkrên çunke zorîney kurd dengîyan le dijî ew sê proseya da yan bêbeş kiran le beşdarîkirdin.

Introduction

An independence referendum for Iraqi Kurdistan was held on 25 September 2017, and 92.7 percent of the voters lent their support for independence (Kurdistan Regional Government 2018).¹ The referendum raised the question

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¹ The referendum results were not recognized by any foreign states.



of why the people of Iraqi Kurdistan wanted to separate from Iraq. The answer to this question lies partly in the manner in which Southern Kurdistan² (Mosul province)³ was incorporated into Iraq in 1926.⁴ To understand the historical background of the present-day Kurdish-Iraqi conflict, this article tackles the issue of the manner in which Southern Kurdistan was attached to Iraq and the Kurds' role in this process.⁵ To investigate these questions, this article examines the Kurds' participation in three processes that were used by British officials, such as Lord Curzon, the British Foreign Secretary, as justification for this incorporation (Zetland, 1928: 333-36).

The first process was a referendum held in Iraq in the summer of 1921, upon which Faisal was proclaimed the King of Iraq (he ruled until his death in 1933). This article analyses patterns in the Kurdish vote during this plebiscite. The second process was the Kurdish participation in the Constituent Assembly in 1924. Kurdish participation in both the referendum and the Constituent Assembly was used by the British as a basis for the arguments put forward at the League of Nations in favour of the annexation of Southern Kurdistan. The third process was the referendum that was held by the League of Nations to determine the future of Southern Kurdistan in 1925. This was the most important process organised under the façade of resolving a continuing frontier problem between Turkey and Iraq. This article examines Kurdish participation in this referendum in further detail.

The literature on the annexation of Southern Kurdistan to Iraq has mainly dealt with the 1925 referendum held by the League of Nations (Sluglett, 1976; Hussein, 1977; Eskander, 2000). Other scholars have dealt with the problem between Britain and Turkey (Çoşar and Demirci, 2004; Dundar, 2012) or the frontier question between Iraq and Turkey (Cuthell, 2014: 80-94), rather than the Kurdish question. Little, if any, attention is given to other political

2 Mosul Province was a province of the Ottoman Empire, named after its capital at the city of Mosul. This province made up the major area of today's Iraqi Kurdistan. This article will use the term "Southern Kurdistan" to indicate the Kurdish areas of the Ottoman Empire's former Province of Mosul. British official documents used this term widely following the British occupation of Iraq. After the creation of Iraq, the term 'Southern Kurdistan' was still commonly used by British officials and scholars until at least the mid-1940s (e.g. see, Edmonds, 1928: 162-163; 1931: 350-355; Rajkowski, 1946: 128-134). It was also used by the Kurds and is still a popular term in Kurdish literature to this day. From the mid-1940s onward, the name was gradually replaced by the term "Iraqi Kurdistan." Nowadays, the two terms are used interchangeably.

3 The Kurdish region of Iraq or Northern Iraq are also two terms that have been used to indicate the same geographical region of Southern Kurdistan. The term Kurdistan Region of Iraq, however, is used by the Constitution of Iraq to refer to the three governorates of Erbil, Sulaimani and Duhok. The Kurdistan Region is officially recognised as a federal region ruled by the Kurdistan Regional Government.

4 After its annexation to Iraq, four governorates were created within Mosul province. They were the governorates of Mosul, Kirkuk, Erbil and Sulaimani. The City of Mosul became the capital of the Mosul governorate in today's Iraq. Many Kurds still do not consider the city of Mosul to be a Kurdish city, particularly after the 1968 creation of the Duhok Governorate, which included most of the Kurdish districts of the Mosul governorate (The Geography of the Kurdistan Region of Iraq, 1998: 18; Kurdistan Regional Government - Ministry of Education, 216: 37-38).

5 British official documents stated: "three-quarters of the inhabitants of the Mosul Wilayat were non-Arab, five-eighths being Kurdish, and one eighth Christians or Yazidis" (Wilson, 1931). Noteworthy to mention that British officials distinguished Yazidi Kurds as different from Muslim Kurds, that means the Kurds constituted more than three-quarters of the Mosul province population

processes, including the plebiscite that facilitated the incorporation of Southern Kurdistan into Iraq, such as the Kurds' vote for Faisal in the plebiscite of 1921, and the Kurds' participation in the Iraqi Constituent assembly in 1924. This article attempts to answer the question as to whether these three processes can be considered as foundations for the annexation of Southern Kurdistan to Iraq.

This article is based on a textual analysis and critical evaluation of British archival materials and secondary sources relating to the annexation of Southern Kurdistan to Iraq, including books, memoirs, journal articles, essays, official documents and textbooks. It also draws on official statements and documents published by British and Iraqi officials. The article examines whether these three processes were legitimate foundations for the incorporation of Southern Kurdistan into Iraq, while illuminating the history of Kurdish-Iraqi relations. The analysis begins with a briefing on the goals and reasons for the British policies. The Mosul referendum finalised the future of the Mosul province, the plebiscite establishing King Faisal, and the Kurds' participation in the Constituent Assembly, all between 1921 and 1925, facilitated the annexation of the province. During this period, Southern Kurdistan was not officially part of Iraq, and the Iraqi government had no control over it. From 1921 to 1925, most of the mountainous areas of southern Kurdistan were outside British control. In addition to the British, the two main actors in Southern Kurdistan were Kurdish nationalists, led by Sheikh Mahmud, and the Kemalist regime in Turkey. These two groups were factors in reshaping British policies in Southern Kurdistan.

The first factor reshaping British policies in Southern Kurdistan was the rise of the Kurdish nationalist movement led by Sheikh Mahmud, with the sheikh's goal being the establishment of an independent Kurdish state (Wilson, 1931: 137; Hawar 1990: 13; al-Bayatti, 2005: 231-36). British forces entered Kirkuk in May 1917 and Mosul in October 1918. These were the two main cities of Mosul province (*Reports of Administration for 1918 of Divisions and Districts of the Occupied Territories in Mesopotamia* 1918). The resultant British occupation of the Mosul Province brought the British into more direct relations with the Kurds. However, the British administration did not dispose of a well-defined policy towards Southern Kurdistan. By the end of 1918, the British had decided to extend their influence to all areas of Southern Kurdistan, following their occupation of Mosul and Kirkuk and the power vacuum created in Southern Kurdistan after the collapse of the Ottoman Empire. In this context, Kurds sought protection and, thus, they were willing to collaborate with the British colonial forces in Southern Kurdistan (Bell, 1927: 534). The British initially supported the establishment of an autonomous Kurdistan region under the authority of Sheikh Mahmud as a *Hukmdar* (Ruler) commencing in October 1918 in Sulaimani.⁶ However, the British quickly reneged on promises of autonomy for the Kurds. By mid-1919, the British officials in Baghdad

⁶ Sulaimani is the Kurdish form and is used throughout this article in preference to the Arabic form Sulaimaniya.

questioned “the wisdom of allowing Sheikh Mahmud further to increase his power” (*Kurdistan and the Kurds* 1919) and then modified their policy in Southern Kurdistan. In July 1919, British forces attacked Sulaimani, destroying this first Kurdish government by capturing Sheikh Mahmud. They imprisoned him in a British jail in India until 1922 (Bell, 1927: 534).

This termination of Kurdish government was followed by the introduction of an administration similar to administrations in force elsewhere in Iraq. During this period, the people of Sulaimani rejected the rule of the Arab government of Iraq (Report on Middle East Conference Held in Cairo and Jerusalem 1921; *Rojî Kurdistan*, 15/11/1922: 1, 27/12/1922: 2; Wilson, 1936: 112; Bell, 1953: 293; McDowall, 2004: 158; Eskandar, 2014: 165), so the British placed them under the direct administration of Sir Percy Cox.⁷ Realising the popularity of Sheikh Mahmud and the failure of Britain’s Southern Kurdistan administration, the British then released Sheikh Mahmud and allowed him to return (Bell, 1927: 534; Edmonds, 1957b: 58; Khadduri, 2000: 84). Upon his return, Sheikh Mahmud established his second government and again declared himself King of the Kingdom of Southern Kurdistan. On March 3, 1923 the British bombed Sulaimani. By early 1924, his rule collapsed under the pressures of British military operations.

In addition to the military operations, the British adopted other sets of policies designed to thwart the Kurds’ attempts to establish an independent state and to ensure the region’s inclusion in the new kingdom of Iraq. One of the main means through which the British attempted to reshape Kurdish Iraqi-relations was to compel the Kurds to participate in a set of political processes that Britain had designed for the formative period of the Iraqi state. This included the plebiscite that was intended to install Faisal as King of Iraq and the establishment of the Constituent Assembly. These attempts were accelerated with the termination of the two successive Kurdish governments, in 1919 and 1924. Officials in Baghdad wanted to exploit Sheikh Mahmud’s absence and establish a favourable situation for incorporating Southern Kurdistan into Iraq. British deliberations leading to these three measures took place in the absence of any Kurdish government. For example, the 1921 election of Faisal took place after British suppression of the first Kurdish government. Similarly, the Kurds’ participation in the Constituent Assembly of 1924 and the Mosul referendum of 1925 took place after the overthrow of the second Kurdish government.

The second factor that reshaped British policies, and forced it to implement the three processes, discussed as above, was the Kemalist regime’s claim that Southern Kurdistan belonged to Turkey. Now acting as an independent power with its own interests in mind, Turkey rejected the British occupation of Mosul province and considered it as illegal, as it happened after the Mudros ceasefire

⁷ Sir Percy Cox, was the High Commissioner of Iraq between June 1920 and May 1923.

agreement between Istanbul and the allied countries.⁸ The Turks insisted that historically, racially, culturally, and economically the inhabitants of Mosul province belonged to Turkey, and not to a newly created state of Iraq. They also claimed that the people of the region preferred to be part of Turkey, not Iraq. According to the British documents, the Turks discussed plans to regain their influence over the Kurds and to re-occupy the Mosul province through military operations, in order to retain their control over the Mosul province (*Conclusion of Meetings of the Cabinet*, 1925: 40). Up until early 1924, there were pockets of Turkish army control remaining in Southern Kurdistan. On many occasions, they came into direct confrontation with the British army. The Turks managed to elicit the support of many Kurdish chieftains and mobilised them in their favour. At the same time, the British and the Turks were in negotiations at the Lausanne peace conference for a peaceful resolution of the Mosul question. These events, and especially the Lausanne negotiations, had significant impact on the British policy in Southern Kurdistan. Britain was trying to strengthen its bargaining position at the Lausanne negotiations by manipulating the Kurds. The British decision to compel the Kurds' participation in the election of Faisal and the Iraqi Constituent Assembly ought to be seen in this context. From 1924 onward, the British officially made demands on Southern Kurdistan on behalf of Iraq.

The Kurdish vote for Faisal as King of Iraq

One of the most important steps to facilitate the Kurds' annexation to Iraq was their participation in a plebiscite designed to determine whether Iraq accepted Faisal as King of Iraq. Many Iraqi and Western historians have put special emphasis on the election of Faisal by the majority of the people of Iraq. Khadduri (2000: 84), for example, claimed that Faisal "was proclaimed King of Iraq by the majority of its people." Other scholars, such as Yaphe (2003: 392), Ferguson (2003: 231), Walker (2003: 29-40), and Karsh & Karsh (2003: 313) suggest that Faisal won 96 percent of the vote in the 1921 referendum to elect him as king of the newly established state of Iraq. Marr (2012: 25), another well-known historian of Iraq, thus argues that "a well-managed plebiscite gave Faisal 96 per cent of the vote." However, she suggests that "his real support was nowhere near that figure." By August 1921, Faisal was crowned King of Iraq and continued in this role until his death on September 8, 1933.

British officials in Baghdad, such as Percy Cox, Gertrude Bell, and Cecil John Edmonds,⁹ emphasised that the referendum was carried out throughout the country and that Faisal had been chosen king by an overwhelming majority of 96 per cent (British relations with Ibn Sa'ud, 1924: 15; Bell, 1927: 53;

⁸ The Mudros Armistice was signed between Great Britain and the Ottoman Empire on 30 October 1918, ending hostilities between the Ottoman Empire and the Allies.

⁹ Gertrude Bell was the Oriental Secretary of the British High Commissioner in Baghdad. Cecil J. Edmonds was a British political officer in Kirkuk and played a central role in the suppression of the Kurdish nationalist movement and the termination of the second Kurdish government of Sheikh Mahmud.

Edmond, 1957a: 118). The election of Faisal was used as one of the main pieces of evidence that Southern Kurdistan voted for being part of Iraq. For example, at the Lausanne Conference, Lord Curzon, the Secretary of State for Foreign and Commonwealth Affairs, argued that inhabitants of Baghdad, Basra and Mosul provinces believed that they were parts of an indivisible whole and refused to be separated. Curzon also insisted that the people of the Mosul province unanimously voted in Faisal's favour and used this as an indication of the wishes of Mosul's inhabitants to be part of Iraq. Curzon stated that in 1921, Kurdish districts "showed their attachment to the State of Iraq during the referendum on the election of King Faisal to the throne" (League of Nations, 1928: 13).

If we consider that the total votes for Faisal were at 96 percent, then one can say that the overwhelming majority of Kurds voted for Faisal as their king. In other words, since the Kurds constitute around 20 percent of Iraq's population, even if all four percent that rejected Faisal were Kurds, the fact remains that around 80 percent of the Kurdish vote must have favoured Faisal. Two important conclusions may be drawn from the Kurdish vote for Faisal. First, their vote could be considered as a plebiscite on accepting both Faisal as their ruler and the incorporation of Southern Kurdistan into Iraq. Second, during the referendum, Southern Kurdistan was not part of Iraq. This could imply that by voting for Faisal, the Kurds would have stated their desire for their territory to be attached to Iraq. Hence, according to this logic, one could say that there were strong grounds for, and a Kurdish willingness to be a part of Iraq.

Increasing evidence, however, suggests that the degree of democracy in Faisal's election and the Kurds' support for him are questionable. First, Faisal was neither Kurdish nor Iraqi by origin or birth. He was brought from the Hijaz (present-day Saudi Arabia) by the British, and had never been in Southern Kurdistan or even Iraq. Faisal was not known to the majority of Iraqi Arabs (Fieldhouse, 2002: 17; Dawisha, 2011: 14; Deeb, 2013: 44; Allawi, 2014: 339-340), let alone the Kurds. At best, Faisal was a symbol of Arab nationalism, an ideology that was unknown and irrelevant to the Kurds (Wilson, 1936: 285). The Iraqi state and its institutions were not yet established, not only in Southern Kurdistan but in Iraq proper. There was no feeling of solidarity and cooperation between the Arabs and Kurds. For example, in his telegram, dated 10 September 1920, the British Civil Commissioner in Baghdad stated that: "there is clearly no desire on the part of the people to be connected with any such conception as an Arab State" (Telegram from Civil Commissioner 1920: 3). According to Arnold Wilson (1931: x), Kurdish "leaders had no common policy"; however they "agreed only in their opposition to any form of government, which would bring them under Arab domination." A similar statement came from Philip Willard Ireland, another British Officer in Iraq. He emphasised that "Kurds, asserted that they would never live under Arab rule, as did also the Yazidis of Jabal Sinjar" (Ireland, 1937: 168). Hence, there was

no such reason for the Kurds to vote for Faisal to become their king. During the election of Faisal, the Kurdish region was in a state of popular rebellion. Arnold Wilson, the British civil commissioner in Baghdad from 1918 to 1920, explains that in 1922, only one year after Faisal's election, a widespread rebellion demanding an independent Kurdish state engulfed most parts of Southern Kurdistan (Wilson, 1931: 137).

Secondly, an investigation of the election process undermines Iraqi and British statements regarding Faisal's popular vote in Southern Kurdistan. At least two out of three Kurdish governorates at the time rejected Faisal. Kirkuk rebuffed him completely and the whole Sulaimani region boycotted the referendum altogether (Dawisha, 2011:15). Moreover, no representative from either governorate attended the accession ceremonies (Edmonds, 1957a: 118). In fact, the British were not in a position to force the people of this region to participate in the process. This is because of the increased political instability in Southern Kurdistan. During this period, Southern Kurdistan had been in almost constant rebellion against the British. According to Lord Curzon, the people of the Sulaimani area were not asked to vote in the election of Faisal (League of Nations, 1925: 15). This was also true for the Kirkuk governorate. Only Erbil province and the Kurdish districts of Mosul province voted for Faisal. Thus, at least half of the Kurdish population did not actually vote for Faisal and therefore real Kurdish support for him was nowhere near the earlier figure claimed by the British and Iraqi officials.

In his memoir, Wallace Lyon, who was a British Adviser/Inspector of Erbil during the election, explained that on Election Day "the tribal chiefs and city elders [of Erbil] were gathered together and asked to sign the petition for Faisal" (Lyon & Fieldhouse, 2002: 95). A number of conclusions could be drawn from Lyon's statement. First, there was not a real "election", but rather a process of signing a petition. Second, the chiefs and elders had not gathered willingly, but were brought together by colonial forces. Third, the chiefs' and elders' opinions were not considered; they were asked to sign for Faisal. Fourth, the process of signing the petition was limited to the city chiefs and elders. In other words, the majority of the city's population, and the whole population of the governorate districts and rural areas (including their chiefs and elders) were excluded. Considering that the majority of the population in 1921 were residents of rural districts, it is clear that the vast majority of the population was excluded from any such referendum.

Finally and most importantly, Erbil's chiefs and nobles did not sign the petition willingly; rather, they were forced to add their names. Lyon (2002: 95) reveals that even the city's chiefs and elders "were reluctant [to sign the petition for Faisal] and asked about other candidates." However, there was no competition between several candidates; Faisal was the only one. Lyon also admits that he threatened the chiefs and nobles that if they didn't sign the petition, "the British would be annoyed and perhaps send out columns of troops." He added that, "as most inhabitants were Kurds, if there had not been

his persuasive method [i.e., threats of sending out columns of troops] it was not an easy matter to get their...signatures for Faisal.” Lyon also admitted that “the election was rigged” and “the King was foisted on Iraq by the British government” (Lyon, 2002: 96). The “election” of Faisal was merely a façade to provide symbolic legitimacy to a newly created Iraq.¹⁰ Faisal was not an elected figure at all; rather, he was imposed on most of the Kurds.¹¹ Thus, if the election of Faisal is to be considered as a plebiscite over the decision to incorporate Southern Kurdistan into Iraq, it is clear that the majority of the Kurds rejected the extension of Iraqi rule into Southern Kurdistan.

Kurdish participation in the Constituent Assembly in 1924

The British officials in Baghdad, including Sir Percy Cox, who was a High Commissioner of Iraq from June 1920 to May 1923, wished to incorporate Southern Kurdistan into Iraq. Bell, who enthusiastically supported Cox’s goal, suggested that Kurds take part in the election process of the Iraqi Constituent Assembly, which would then be used as grounds for the incorporation of the Kurdish region into Iraq (Colonial Office, 1921: 59-60). To represent different regions of Iraq in the Constitution Assembly, an election was held in March 1924. The British insisted on the Kurds’ participation in this election and ensured their representation in the Assembly.

Many argue that with the exception of Sulaimani, all cities of Southern Kurdistan were represented in the Iraqi Constitutional Assembly in 1924 (Lyon & Fieldhouse, 2002: 38; Al-Doski, 2008: 29-31). Even Sulaimani deputies who wanted to represent their city went to Kirkuk (which was under British control) and became deputies from Sulaimani in the Iraqi Assembly (Edmonds, 1957a: 345; Emin, 2000: 15). According to the Collection of Notes of the Constituent Assembly for the Year of 1924, eighteen Kurdish deputies represented the Kurds in the Constituent Assembly. Sulaimani was represented by five members, Erbil by eight, Kirkuk by three, and Mosul by two Kurdish members (The Iraqi Government- Interior Ministry, 1924: 418-430). Thus, the Kurds’ participation in the Iraqi elections of 1924 is another argument used as a basis for including Southern Kurdistan into the newly-formed Iraqi state.

Based on the preceding argument, one could derive several conclusions. First, deputies from all governorates of Southern Kurdistan participated in the first assembly. Kurdish participation preceded or coincided with the League of Nations’ recommendation to incorporate Southern Kurdistan into the Iraqi state in 1925. Therefore, the Kurdish presence in the Iraqi assembly could be interpreted as the Kurdish decision to be part of Iraq even prior to the official incorporation of Southern Kurdistan into Iraq. Second, in 1924, the assembly had three main missions with regard to reshaping Iraqi internal and external statuses. These three missions were to ratify the British-Iraqi treaty; to ratify a

10 With this fraudulent election, the British set up a precedent for the likes of Saddam Hussein and other Middle Eastern dictators who always claimed 90% or above of the votes.

11 Debates on this process in Arab-majority provinces are outside the scope of this paper.

draft of the Iraqi constitution and to approve the electoral law of the House of Representatives (The Iraqi Government-Interior Ministry, 1924:7). Accordingly, the Kurds had an opportunity to present Kurdish views and interests on both constitutional and international levels. By implication, therefore, it could be said that the Kurds not only demonstrated their willingness to be a part of Iraq, but through their deputies, they participated in the creation of this state. Accordingly, the Kurds were involved in processes that could be considered as the basic foundations on which the Iraqi state would be built.

On closer inspection, however, it seems that Kurdish participation in the Constituent Assembly is another shaky foundation upon which the Iraqi state was built. Edmonds, who at the time served as a British political officer in Kirkuk, explains why the British wanted the Kurdish participation in the Constituent Assembly. Edmonds (1957a: 364) stated that by 1924 Sheikh Mahmud's "stock appeared to have sunk so low that I felt that one more push would topple him over."

In order to oust Sheikh Mahmud, the British adopted a set of policies. The first was to launch a military campaign against Sheikh Mahmud. To that end, Edmonds admitted that he "frequently begged for air action [against Sheikh Mahmud], or even for the reoccupation of Sulaimani by the Iraqi Army" (Edmonds, 1957a: 365). In his memoirs, Edmonds provides a detailed explanation on how the British army, with support of large scale British Royal Air Force (RAF) raids, had suppressed military resistance to the British occupation throughout Southern Kurdistan, particularly in the Sulaimani and Erbil districts (Edmonds, 1957a: 350, 377-381). Finally, as a result of the heavy RAF attacks, Sheikh Mahmud was compelled to leave Sulaimani during the end of 1923 and early 1924 (Edmonds, 1957a: 379). Throughout this period, the Kurdish region was turned into a battlefield and by July 1924 the British occupied Sulaimani (Edmonds, 1957a: 433).

The re-occupation of Sulaimani can be considered as a turning point in the process of the annexation of Kurdistan to Iraq for several reasons. First, the re-occupation of Sulaimani resulted in the total collapse of the Kurdish government. Second, since its creation, this was the first time that the Iraqi army had been used to fight against the Kurds. Although Iraqi army participation was symbolic as only one column was used in the occupation of Sulaimani (Edmonds 1957a: 387), by bringing in the Iraqi army to fighting against the Kurds, the British had set a norm for the Iraqi state that all successive Iraqi regimes have followed, namely the use of the military in the suppression of the Kurds. The presence of the Iraqi army in the city of Sulaimani prior to the League of Nations referendum of 1925 was one of the ways in which the British attempted to create a status quo. Moreover, a RAF officer "was put in charge of the administration, with the style of Mutasarrif [Governorate] under the Iraqi Government" (Edmonds, 1957: 387). This meant not only the end of the Kurdish government and the British policy of indirect rule in Sulaimani, which

had been followed since 1918, but also the beginning of administration of the region by Iraq.

To prevent any future Kurdish nationalist movements, the British adopted more repressive measures in Kirkuk province. For example, Edmonds ordered the arrest of many pro-independent Kurdish leaders, including Said Ahmad Khanaqa of Kirkuk, one of the most influential personalities in the city (Edmonds, 1957a: 317). In addition to the arrest of Kurdish leaders the British also followed two sets of policies in Kirkuk in order to eliminate the Kurdish independence movement. The first policy was the entrusting of the administration of Kirkuk province to pro-British Turkmen families such as the Ya'qubi family, who had no sympathy towards Kurdish independence. Edmonds did so, despite his belief that Kurds constituted the overwhelming majority of the province (Edmonds, 1957a: 384, 416). Another policy consisted of encouraging the settlement of Arabs in the Hawija district of Kirkuk. To that end, Edmonds asked the agricultural department to pay special attention to the needs of the Arab settlers in the region (Edmonds, 1957a: 323-324).

Thinking that the military operation might not be enough to topple Sheikh Mahmud, another approach that was used by the British was to work on deepening the internal Kurdish conflict and using it against Sheikh Mahmud. Seyyid Taha of Rowanduz, for example, was neutralised by bribes and/or misled by false promises about the intention of the British to establish Kurdish self-rule within the borders of Iraq (Edmonds 1957a: : 310, 326, 329).¹² Edmonds also threatened Simko Shikak the charismatic Iranian Kurdish leader who came to Southern Kurdistan to support Sheikh Mahmud, forcing him to leave the region (Edmonds, 1957a: 315).¹³ Other tribal leaders, who were for one reason or another in dispute with Sheikh Mahmud, were also bribed and provided with financial and governmental positions (Hilmi, 2003: 73-77; al-Bayatti, 2005: 127-130).

Moreover, the British decided to use the Kurds' participation in the Constituent Assembly as another method to contain Sheikh Mahmud's movement. Edmonds (1957a: 366) stated that the Kurds' "membership of the Constituent Assembly of Iraq provided a valuable piece of evidence to rebut the claim that the recalcitrant 'King' [Sheikh Mahmud] really represented Kurdish opinion." Edmonds also believed that the Kurds' participation in the process may help change the Kurds' rejection towards full adherence to the Iraqi State (Edmonds, 1957a: 303). Thus, the goal behind facilitating the participation of Kurds in the Constituent Assembly was to put an end to the Kurdish independent movement under the leadership of Sheikh Mahmud.

12 Seyyid Taha was a grandson of the celebrated Sheikh Ubeydulla-i Nehri. In 1880 Sheikh Ubeydullah led the largest movement in Kurdish history by joining together the Kurds of the then Ottoman and Persian Kurdistan area.

13 Ismail Agha Shikak was popularly known as Simko Shikak. He was a leader of an important nationalist rebellion in Eastern Kurdistan (1918-1922). During this period he took control of the area around Lake Urmia. In 1921, he expanded his area of control of parts of eastern Kurdistan to extend from Khoi in the north to Baneh to the south. However, when he was defeated in August 1922 his entity disintegrated.

On the eve of the Constituent Assembly election, the British colonial power had successfully paralysed the Kurdish nationalist movement. Edmonds now informed Baghdad that he was confident enough to prepare for the election. He admitted that by this stage, Kurds had realised that the incorporation of Southern Kurdistan into Iraq was the only option being offered to them by the British, and many Kurds started to accept participation in the election (Edmonds, 1957a: 344-45).

Kurdish participation in the Constituent Assembly was more symbolic than “real”. The examination of Kurdish participation in discussions during the Constituent Assembly session supports this argument. First, most Kurdish deputies came not from elections in Southern Kurdistan, but were appointed by the British or by Faisal (Emin, 2000: 26; Hilmi, 2003: 268-269; Al-Doski, 2008: 29-3). This was particularly true for the Sulaimani deputies. During the election, most areas of Sulaimani, Erbil and Kurdish Districts of Mosul and Kirkuk governorates were not under British or Iraqi control (Kelidar, 1979: 20). The rural areas of Kirkuk and Erbil were also outside British jurisdiction and no election was held in these areas. Second, the Kurdish deputies often obeyed British and Iraqi instructions and policies and avoided any call for Kurdish rights that might have offended British plans for their newly-created state of Iraq. In his memoirs, Edmonds admits that on the day of ratification of the British-Iraqi Treaty, the majority of Arab deputies either refused to attend the Constituent Assembly or voted against the Treaty. Only 69 out of 100 deputies attended the session. Of this number, only 39 voted for the Treaty and nearly half of those who voted for it were Kurdish deputies (Edmonds, 2012: 520). Since there were 18 Kurdish deputies, that means all the Kurdish deputies voted for the Treaty and less than 20 out of 82 Arab deputies voted for the Treaty. These Arab deputies who rejected the Anglo-Iraqi treaties, aimed at further compromise from the British towards their local nationalist demands. This is further evidence that the Kurdish deputies neither represented any Kurdish nationalist movement nor the wider Kurdish interests. Despite this crucial role that the Kurdish deputies played in the passing of the British-Iraqi Treaty, they refrained from asking the British and Iraqi governments to show their commitment to promises given to the Kurds.

Kurdish deputies also avoided offending Arab nationalists. To that end, they mostly refrained from intervening, and on the occasions they did it was to raise issues meant to appease British and Iraqi officials. For example, on many occasions during these sessions, Mohammad Sharif, the Deputy of Erbil, emphasised the belonging of the entire Mosul Province (Southern Kurdistan) to Iraq, without mentioning any Kurdish rights (The Iraqi Government-Interior Ministry, 1924: 112). One important document that Kurdish deputies could have used as a basis to defend Kurdish rights was the Anglo-Iraqi Statement of Intent, issued in London on 20 December 1922. In this document, the two sides promised the Kurds that “His Britannic Majesty’s Government and the Government of Iraq recognize the right of the Kurds living within the

boundaries of Iraq to set up a Kurdish Government within those boundaries” (Edmonds, 1957: 312). However, it was not used by the Kurdish deputies, who also refrained from criticising the on-going British military operations against Southern Kurdistan.

Under these circumstances, Kurds who were willing to field candidates for the Iraqi parliament were not in a position to claim that they represented the Kurdish people and their cause and were in no position to defend Kurdish interests. Kurds often accused Kurdish members of the Iraqi assembly of being opportunists, puppets, traitors, and agents of British and the Iraqi authorities (Zhiyan Newspaper, 23/2/1928; Barzani, 2003: 160; Al-Doski, 2008: 29-31).

To sum up, during the election of the Constituent Assembly, Southern Kurdistan was under military occupation, the Kurdish people’s demands were suppressed, and they lost their power, voice, and their rights to self-determination and self-representation. There was no understanding or coordination between the Kurdish deputies in Baghdad and the Kurdish nationalist leaders; instead, there was a form of animosity between the two groups. The majority of Kurdish deputies did not win seats through direct elections; rather, they were appointed by the British authorities. Hence, it can be argued that Kurdish participation in the Constituent Assembly was a scenario played out by the British in order to facilitate the incorporation of Southern Kurdistan into Iraq.

Kurds’ participation in the League of Nations referendum of 1925

In 1925, the League of Nations arranged a referendum to determine the future of the Mosul province and to provide a legitimate framework for the attachment of Southern Kurdistan to Iraq. This is another process that should be scrutinised to better understand whether it may be considered as a foundational episode regarding the incorporation of Southern Kurdistan into Iraq. In 1921, the British Colonial Office held a conference in Cairo to determine the fate of Iraq. The Cairo Conference, however, failed to reach a conclusion on the future of Southern Kurdistan. Claiming that Mosul province was invaded by the British after the Mudros ceasefire agreement between Istanbul and the Allied powers, Turkey insisted it was its sole right to rule the Mosul province. To solve the deadlock, the Lausanne Conference was held between the Allied powers and Turkish representatives in 1923. Since then, the issue has been known as the Mosul question.

The Treaty of Lausanne (1923) superseded the Treaty of Sèvres and bore no specific reference to the Kurds,¹⁴ instead it promised only tolerance for

14 The Treaty of Sèvres was signed in 1920 between the Allies, who were the victors of WWI, and the Ottoman Empire. It was the first international recognition of the Kurds and their right to a homeland. Article 62 of the Treaty of Sèvres provided the Kurds with autonomy. Article 63 asked the Turks to honour that autonomy, and Article 64 allowed for possible independence.

The Lausanne Peace Conference began on 20 November 1922, ending with the Treaty of Lausanne between the Allied powers and Turkey. It was signed on 24 July 1923. Lord Curzon represented Britain and İsmet İnönü represented Turkey. Two important outcomes of Lausanne were the depriving of Kurds of those

minorities in general.¹⁵ The two parties, however, failed to reach an agreement on Mosul during the Conference, and the issue was referred to the League of Nations. To determine the future of the province of Mosul, the dispute was referred to the League of Nations in August 1924. The League of Nations Fact-Finding Commission (FFC) was established in September 1924. The FFC was chaired by M. de Wirsén, a Swedish diplomat, with Colonel Paulis of the Belgian Army and Count Teleki, formerly Prime Minister of Hungary, as its members. They travelled in Southern Kurdistan and were accompanied by two teams of experts, one Turkish and the other British (League of Nations, 1925: 26-27). A referendum was held by the FFC in 1925, the main question being whether the people of Mosul province (Southern Kurdistan) wanted to be part of Iraq or Turkey. The FFC found that the “desires expressed by the population [were] more in favour of Iraq” (League of Nations, 1925: 88). The FFC presented its full report to the League of Nations on 17 July 1925 and recommended the attachment of Southern Kurdistan to Iraq. Based on the FFC’s recommendation, the League incorporated Mosul province (Southern Kurdistan) into Iraq in July 1926.

In line with the FFC findings and recommendations, many Iraqi historians have subsequently emphasised that the incorporation of Southern Kurdistan into Iraq reflected the desire of the Kurdish population to be a part of Iraq rather than Turkey (Hussein, 1977: 230-232; Al-Bayati, 2005: 378). Al-Bayati (2005: 378-379), for instance, holds that this incorporation was mainly due to the efforts of Kurdish patriots and nationalists in Sulaimani province to change the balance in favour of inclusion into Iraq. Looking from an Arab-centric and nationalist perspective, he contends that the Kurdish desire to join Iraq had a historical, patriotic, and political dimension, adding that under the leadership of Sheikh Mahmud the Kurds were closely connected to the Arab leaders in the south and centre of Iraq (Al-Bayati, 2005: 378-379). Al-Bayati asserts that the Kurdish desire to join Iraq reflected Sheikh Mahmud and his movement’s nationalist and patriotic (Iraqi) nature (Al-Bayati, 2005: 378-9). He suggests that the first sign of Kurdish feelings of Iraqi patriotism went back to 1915 and were embodied in Sheikh Mahmud’s direct participation in the 1915 al-Shua’iba battle with the Arabs against the British.¹⁶ In his quest to unite various forces in the patriotic struggle against the British, Sheikh Mahmud also maintained strong connections with Shiite religious leaders (Al-Bayati, 2005: 378-9; Hussein, 1977: 230-232). Accordingly, Sheikh Mahmud’s patriotism was construed as similar to that of the Arab nationalists, and Kurdish attitudes about

rights given to them in the Sèvres Treaty, and both Britain and the Turks agreed over what was later to be known as the Mosul Referendum of 1925.

15 In the Lausanne Treaty minorities referred only to the recognised “millets” and thus to non-Muslim communities (Greeks, Armenians, Jews), and Kurds were not included.

16 The al-Shua’iba battle took place in the Mesopotamian city of Nasiriyah, 100 miles south of Baghdad, between the Shiite tribes and the British. The Shiite Clerics organised over 10,000 tribal warriors to fight the British forces under the banner of Islam. Sheikh Mahmud participated in this battle with some 1,000 fighters. The Kurds participated with the Shiite tribal warriors, not as Iraqis but as Muslims.

the incorporation of Southern Kurdistan into the state of Iraq were viewed as similar to that of the Arabs. Secondly, according to this reading, the Kurds agreed with Arabs that Mosul was an indivisible part of Iraq. Finally, this perspective holds that these historical and patriotic sentiments of the Kurds were the main reason for the annexation of Southern Kurdistan to Iraq. Thus, many argue that Southern Kurdistan's inclusion into Iraq was due to the desire of the Kurdish population to be a part of the country.

These claims represent the mainstream Arab take on this historical period, but they deserve closer scrutiny, especially in terms of the Kurdish people's supposedly expressed desire to the League of Nations to be a part of Iraq. Indeed, several pieces of evidence demonstrate that the FFC report was contradictory. One such piece of evidence comes from the FFC report itself. In this report, presented to the League after the referendum, the FFC admitted that if the ethnic consideration had to be taken into account, an independent state of Southern Kurdistan should be established (League of Nations, 1925: 88). Similarly, many British officials of that time, including members of the British House of Commons, suggested that the problem did not lie in drawing the frontiers between Iraq and Turkey, but resided in the greater Kurdish question (Ahmed, 2004: 189). London and the FFC, however, ruled out taking into account the national aspirations of the Kurds.

Likewise, the credibility of the FFC report is greatly undermined by the fact that it ruled out the option of an independent Kurdish state, and only offered the choice of union with Turkey or Iraq. The popular demand among the Kurds was the establishment of an independent Kurdish entity, and not the dictated choices of being part of the two nascent states (Sluglett, 2007: 64). The popularity of an independent state was evident in Kurdish support for Sheikh Mahmud's bid for independence (Wilson, 1931: 137; Eskander, 2014: 176-177). During this period, the Kurds enjoyed a degree of self-rule, albeit intermittently. Sheikh Mahmud founded his first government in October 1918, which lasted until June 1919. This embryonic Kurdish state raised the Southern Kurdistan flag, designed its emblem, and issued stamps to represent it (Hilmi, 2003: 83; Jwaideh, 2006: 180). In November 1918, Sheikh Mahmud replaced the Turkish language with Kurdish as the official language of Southern Kurdistan (Kaymaz, 2011: 86; Bechar, 2016). Then, in 1922, with the help of British officials, he established the second Kurdish government that lasted until 1924, and proclaimed himself as King of Southern Kurdistan. Following the handover of Southern Kurdistan to Iraq, Sheikh Mahmud revolted, calling for an independent Kurdish state. Arnold Wilson, the first British High Commissioner who played a vital role in creating the Iraqi state, stressed that Mahmud's claim for independence had popular support. Wilson (1931: 137) states that "four out of five people supported Sheikh Mahmoud's plans for an independent Kurdistan." London and the FFC, however, disregarded the Kurdish bid for independence, despite the popularity of this demand. In the absence of a further option in support of an independent Kurdish state, those Kurds who were

interviewed by the FFC reluctantly voted for Iraq. Though in the League of Nations documents the term “vote” was used for the process, there was no actual voting process. In fact, it was more a procedure of selected interviewing and Kurds, who were selected and interviewed, signed petitions.

Another significant shortcoming of the FFC and its report was that the commission had no Kurdish members. Thus, the FFC overlooked Kurdish perspectives and interests, disregarding the Kurdish people’s right and will to self-determination. It is noteworthy that the FFC admitted that most of the people did not possess any feeling of solidarity with the Arab Kingdom of Iraq (League of Nations, 1925: 88). Nonetheless, the committee recommended the annexation of Mosul province to Iraq. Though the FFC “findings”, as reflected in its report, suggested the Kurds had favourable views towards Iraq, evidence on the ground indicate quite the opposite, as the Kurds did not, in fact, vote to be included in Iraq. In the Sulaimani province, for example, only 32 out of 6,000 people voted for inclusion (Eskander, 2000: 158). Furthermore, the FFC referendum was limited to tribal chiefs, sheikhs and religious notables (Shields, 2004: 55). The FFC members did not visit all Kurdish areas, and their visits were limited only to the more easily accessible areas of Southern Kurdistan. This meant that most areas of rural Kurdistan, inhabited by a significant part of the Kurdish population, were not visited by the FFC. Additionally, many of the Kurds did not know about the goal behind the referendum and its political consequences. The British were indeed aware of these issues. For example, during the Lausanne conference, the British claimed that “Angora [Ankara] asks for a plebiscite. The Kurds have never asked for it, poor fellows. They do not know what it means” (House of Commons Parliamentary Papers, 1923: 357). Those Kurdish tribal and religious leaders who were consulted did not necessarily represent other sectors of Kurdish society. By the same token, their interests, opinions, and decisions did not necessarily reflect those of the rest of the Kurdish people. In the 1920s, the social organisation was tribal, and ordinary people--even if they had opinions of their own--followed those of their tribal and religious leaders, whose decisions were usually influenced by personal interests.

Due to the British domination of the FFC, the recommendations of the commission are quite questionable. On the one hand, Britain was part of the conflict and was already in a contentious dispute with the Kurds over the future of Southern Kurdistan. On the other hand, the British were in a conflict with the Turks over the ownership of Southern Kurdistan. As part of this conflict, the British placed demands on Southern Kurdistan on behalf of Iraq, and insisted that the region belonged to Iraq. The British argued that the new Iraqi state could not survive without Mosul’s mountainous boundary (*Conclusions of Meetings of the Cabinet*, 1920: 254; Edmonds 2012: 530). Under British influence, the FFC ignored the Kurdish demands and only took into consideration the Turkish and British claims. In addition, Britain used its position as a superpower and its mandate as a colonial power. For example, during their tours of the

Kurdish region, the FFC members remained under close British supervision. The FFC was also prevented from making snap visits to areas under British control. On at least one occasion, the non-British members of the FFC threatened that they would resign due to the restrictions that the British had imposed on their movements in Southern Kurdistan (Sluglett, 1976: 116). Thus, the FFC's recommendations closely reflected the British position and objectives, while the Kurdish perspective was ignored.

Finally, and most importantly, the FFC conducted a geographically and demographically limited survey, rather than a comprehensive referendum. This is because the FFC was established to resolve the dispute arising between the Turks and British over the claims to the ownership of Mosul province, rather than to help the Kurds in the exercise of their right to self-determination. In other words, the FFC's main mission became drawing the frontiers between Iraq and Turkey, rather than finding out what the inhabitants of the land wished for.

The FFC's mission focused on finding which ethnic group comprised the majority of the area. In their bids to annex Southern Kurdistan, both Turkey and Britain focused on the ethnic composition of the region. The FFC visited the disputed areas between January and March 1925 and studied both the Turkish and British arguments. The two parties in dispute proposed different census figures to prove that either the Turks or the Arabs were minorities in the province. Not surprisingly, the Turkish survey claimed that Arabs were a small minority in the province and, therefore, the region should not be awarded to Iraq. The British, on the other hand, insisted that the Turks were a small minority and the province did not belong to Turkey.¹⁷ The Turks argued that the Kurds and Turks were brothers and that both groups wanted to live under Turkish rule. By contrast, the British claimed that the Kurds were different, that they did not want Turkish rule and that Iraq needed Mosul (League of Nations 1925). They did not specify what Kurdish demands were, and were in fact actively involved in silencing the Kurdish voice, as we have seen.

The FFC investigated the two parties' allegations regarding the ethnic composition of Mosul by asking people about their ethno-religious identities. The irony was that all parties, the League of Nations, Britain, and Turkey, admitted that the Kurds made up the majority of the population in Mosul province. As mentioned earlier, the FFC report even highlighted that if the Kurds' ethnic considerations had to be taken into account, an independent state of Southern Kurdistan should be established. However, the Kurds' ethnic demands were ignored and only the Turkish and British perspectives on the ethnic identity of Mosul's population were used as the criteria to determine the destiny of Mosul province, without regard for the aspirations of the actual population.

¹⁷The British, Turkish and League of Nations' documents used the term "Turks" as reference to "Turkmen", though they are not directly related to the Turks of Turkey.

Conclusion

Prior to the annexation of the Kurdish region to Iraq, the Kurds had not considered themselves to be Iraqi, nor were they known or referred to as such. Until its incorporation into Iraq, the British colonial power dealt with Southern Kurdistan and other parts of Iraq separately. Despite the fact that officially and administratively, Southern Kurdistan was not part of Iraq, from 1919 onward, the British attempted to force the Kurds to participate in several processes that were introduced elsewhere in Iraq. Two of the most important processes that were forced in Southern Kurdistan during this period were the plebiscite for the King Faisal and the Kurdish participation in the Constituent Assembly. The British designed these measures for a number of reasons, including: to create ties between Southern Kurdistan and Iraq; to guarantee the British control over Southern Kurdistan's potential oil fields; to consolidate British influence in Southern Kurdistan; to facilitate the penetration of Iraqi forces and officials into Southern Kurdistan; to give the British a better bargaining position; and, finally, to guarantee the annexation of Southern Kurdistan into Iraq. From 1924 onward, the British placed demands on Southern Kurdistan on behalf of Iraq and insisted that the Kurdish region belonged to Iraq. Based on such demands from the British, the League of Nations arranged a referendum in 1925 to formalise the attachment of Southern Kurdistan to Iraq. These three processes, particularly the 1925 referendum, served as the basis of the arguments at the League for the annexation of Southern Kurdistan. In 1926, the League of Nations voted for the incorporation of Southern Kurdistan into Iraq and, from that point on, the Kurdish region became an integrated part of the country.

The British officials in Baghdad claimed that these episodes demonstrated the Kurdish engagement in the formation of the Iraqi state. However, upon closer examination, we have found the opposite to be true: Southern Kurdistan was annexed to Iraq without taking into account the wider Kurdish population's concerns and wishes. Indeed, in each of these three processes, the majority of the Kurds were excluded from participation or refused to participate, and many of those who participated voted against incorporation. The British plebiscites were manipulated, and their results misrepresented. Based on this evidence, one can say that Southern Kurdistan was attached to Iraq against the will of the majority of the Kurds. It was British power and its disregard of the rights and wishes of the Kurdish people that allowed Iraq to emerge as a viable state, at the expense of the Kurds and other minorities. While the British sowed the seeds of a conflict that continues to this day, the Arab administrations of Iraq became beneficiaries of British colonial gerrymandering. This is the main reason that, from the outset, the Kurdish nationalist movement has rejected the annexation of Southern Kurdistan to Iraq as an illegitimate act, and championed the creation of an independent Kurdish state as their primary objective.

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