

**“Governing the nation is more important than
revenge”**

*Amnesty for Kurdish Collaborators in the Aftermath of Genocide and
its Influence on Reconciliation in Iraqi Kurdistan*

Abstract

Issuing amnesty in the aftermath of violent conflict is a debated topic within Peace and Conflict studies. This thesis intends to contribute to the debate by investigating how the amnesty issued for Kurdish collaborators of the genocide in 1988, influences reconciliation in Iraqi Kurdistan. To achieve this, a content analysis of statements and news articles is employed to analyze the government's and population's perceptions of three themes of reconciliation, Mercy, Truth, and Justice following Lederach's reconciliation theory. The study illustrates that amnesty has influenced all three themes of reconciliation. From the government's perspective, issuing amnesty has compromised Truth and Justice by not remembering the collaborators' participation in the genocide and not acknowledging the survivor's narratives. Justice has been disturbed by the failure to prosecute collaborators, and the unequal relationship between collaborators and survivors taints compensation. From the population's perspective, there is an unwillingness to forgive the collaborators, and they seek Justice and Truth by wanting punishment of the collaborators and an acknowledgment of their role in the genocide. The study suggests that amnesty has promoted a culture of impunity and denied justice and that the region's aspirations for independence may disturb a genuine reconciliation process in Iraqi Kurdistan.

Keywords: Iraqi Kurdistan, genocide, amnesty, reconciliation, collaborators

Word count: 9 996

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Abbreviations

KRI - Kurdistan Region of Iraq

KRG - Kurdistan Regional Government

KDP - Kurdistan Democratic Party

PUK - Patriotic Union of Kurdistan

MMAA - Minister of Martyrs and Anfal Affairs

1 Introduction

“In the process of creating a country, governing the nation is more important than revenge” (Baxityar, n.d, KMP), said the leader of one of the major political parties in Iraqi Kurdistan in favor of the amnesty granted to Kurdish collaborators in the genocide, 1988 (Middle East Watch, 1993). Granting amnesty in the aftermath of a conflict is not a unique phenomenon and has been issued in various conflicts (Wilson, 2003: 368). Amnesty is defined as “laws or executive policies designed to remove criminal and or civil sanctions from specified categories of offenders or offenses” (Skaar et al. 2017: 123). However, scholars greatly disagree on endorsing amnesty after a violent conflict. Some scholars suggest that amnesty could be suitable for reconciliation (Gibson, 2002; McEvoy-Mallinder, 2012; Mallinder, 2014). Other scholars indicate that amnesty promotes a culture of impunity and denies justice (Orentlicher, 1990; Laplante, 2009). The scholars who promote amnesty view it as integral in a reconciliation process that can encourage perpetrators’ engagement in truth processes.

However, in the case of Iraqi Kurdistan, no other truth processes have been implemented to promote reconciliation. Therefore, this study investigates how the issued amnesty influences reconciliation. Reconciliation is an essential step to achieve peace (Hinton, 2010: 9) and entails changing destructive relationships between former foes to a relationship of cooperation and peacefulness (Lederach, 1997: 26). John Paul Lederach proposes four themes of reconciliation, Mercy, Truth, Justice and Peace (1997: 29). Thus, this study uses content analysis to examine how reconciliation between former Kurdish collaborators and fellow Iraqi Kurds is influenced by the government’s decision to issue amnesty to Kurdish collaborators in the aftermath of the atrocious event of Operation Anfal.

Operation Anfal was a series of systematic attacks on the Kurdish population of northern Iraq conducted by President Saddam Hussein under the Ba'athist regime (*see* Middle East Watch, 1993; McDowall, 2004; Blaydes, 2020). The Operation started in 1998 and killed between 50,000 and 100,000 Iraqi Kurds. Hundreds of thousands fled. Around 2,000 villages were obliterated, and numerous more villages were looted and burned (Middle East Watch, 1993:

4). During the Operation, numerous Iraqi Kurds sided with Saddam Hussein. The Kurdish soldiers were nicknamed Jash, meaning donkey foals (Bruinessen, 2019: 19). Furthermore, the Iraqi Kurds with higher positions, often tribal chieftains, were called Mustashar, advisers (Aziz, 2011: 196; Hardi, 2016: 17). For clarity, Jash and Mustashar will commonly be defined as collaborators. They significantly contributed to the success of the Iraqi army. In 1991, the Kurdish authorities issued a general amnesty for all collaborators on the provision that they supported the uprising against Saddam Hussein, see section 2.

The International Criminal Court (ICC, 1988) provides the legal boundaries to recognize a case as genocide in Article 6. According to the ICC, genocide concerns an act “committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group” (ICC, 1998, art 6). Paragraphs a to c reference the acts of killing members of a group, causing physical or psychical injury to members of a group, and systematic attempts to bring about a group's physical destruction (Ibid). Considerable evidence shows that Saddam Hussein intended to eradicate the Kurdish population (McDowall, 2004) and performed atrocities, such as mass executions, enforced disappearances, forced evacuations, and arbitrary arrests of civilians (Middle East Watch, 1993: 4, 5). Following this, the Iraqi High Tribunal recognized Operation Anfal as a genocide in 2006 (Iraqi High Tribunal, 2006) and Sweden, Norway, and the UK in the following years (Baser-Toivanen, 2017; 405). Henceforth Operation Anfal will be referred to as a genocide.

The paper is structured in seven different parts. The first part introduces earlier research on amnesty and the genocide in Iraqi Kurdistan, illustrating how this study contributes to the field. The second part maps out the theoretical framework guiding this paper, grounded in Lederach's Sustainable Reconciliation theory. The third part presents the methodological blueprint of this paper, consisting of the chosen method, case selection, and material. Furthermore, the fourth part of this paper presents the background of the function of the collaborators during the genocide and how they came to play a role in the building of the Kurdish autonomous region. The fifth part presents Mercy, Truth, and Justice from the perception of the government and individuals from the population. Lastly, a discussion is held on the complexity of amnesty and how it influences the themes of reconciliation.

1.1 Purpose and Research Question

The research question is as follows:

How does the amnesty issued to Kurdish collaborators in the genocide influence reconciliation in Iraqi Kurdistan?

This study investigates the implications of amnesty on reconciliation in Iraqi Kurdistan. In this essay, reconciliation primarily focuses on the relations between former collaborators and fellow Iraqi Kurds. The choice of actors is delimited to the Kurdish Regional Government and individuals from the population. This choice was made since there are few official statements from former collaborators. Hence, they cannot be selected as an actor. Therefore, this study focuses on how the government and the population perceive reconciliation pertaining to amnesty and the collaborators. This is of interest since the government issued the amnesty. Therefore this study explores how amnesty influences the government's perception of reconciliation and, in turn, how the population perceives it. The study employs a content analysis approach to investigate three themes related to reconciliation, as outlined in Lederach's theory of sustainable reconciliation. The analysis examines statements, interviews, and news articles to examine the perception of the Kurdish Regional Government and the Kurdish population.

However, it is crucial to emphasize that the Kurdish region is heterogeneous (Aziz, 2011: 7), and therefore it is not possible, nor the object of this study, to account for the whole population. However, for simplification, this study will collectively use the term population. The material collected mainly concerns survivors of the genocide, victims' relatives, and individuals working in various non-governmental organizations. To reduce bias, the analysis presents whose opinions are presented. In the study, those who survived the genocide are termed survivors and not victims, reflecting the emancipatory power and agency of the individuals who survived (Dillenburger et al., 2006, Introduction, para.2).

This study aims to further the debate on amnesties to examine whether a lack of justice can hinder reconciliation efforts and, therefore, if justice is needed for a genuine reconciliation process. Furthermore, the study intends to fill the gap within amnesty studies to show how

the population is impacted when amnesty has been issued, and no other processes of truth have been established.

2 Background

The following segment provides a general background of the genocide, particularly the involvement of Jash and Mustafers. Subsequently, a background of how the collaborators came to integrate into the government structures is presented. This background is essential to understand the complex structures of Iraqi Kurdistan.

Several Iraqi Kurdistan individuals supported Saddam during the genocide. The Mustafers' role was to lead an army of Jash and recruit new members. The majority of the collaborators came from tribal and uneducated backgrounds (Aziz, 2011: 196; Hardi, 2016: 17). By 1986, there were approximately 150 000 to 250 000 Jash who worked with the Iraqi regime (McDowall, 2004: 354), likely surpassing the number of individuals who supported the Kurdish nationalist (Blaydes, 2020: 25). They earned considerable money by joining the Iraqi army (McDowall, 2004: 355). The Mustashar received a monthly grant for each soldier they recruited, making it easy for a skilled Mustashar to accumulate great wealth (Middle East Watch, 1993: 44; Graham-Brown, 1999: 217). Likewise, the Jash earned a monthly salary for their role in the army (Blaydes, 2020: 241).

The Jash had different tasks, such as collecting and delivering survivors of the attacks to Iraqi forces (Middle East Watch, 1993: 10, McDowall, 2004: 358). Furthermore, they looted villages of valuables and then burned the villages to the ground (Majid, n.d, KMP). Moreover, collaborators deceived survivors with false promises of amnesty, only to deliver them to the Iraqi regime (Middle East Watch, 1993: 118, 141; Joost 2008; Hardi, 2016: 29). The crimes committed by the collaborators qualify as localized cases of state terror and mass atrocities (Albert, 2013: 219). Thus, the involvement of the collaborators significantly contributed to the Iraqi regime's success. However, their role was somewhat ambiguous, which is crucial to emphasize. Some collaborators remained loyal to the Kurdish authorities and protected Kurds amid the genocide (Middle East Watch, 1993: 161; McDowall, 2004: 358; Bruinessen, 2019: 20; Ismail, n.d, KMP; Wsu, n.d, KMP). Furthermore, there are reports

of Kurdish authorities urging Kurds to join the Iraqi army to infiltrate and retrieve information (McDowall, 2003: 354; Bird, 2004: 119; Leezenberg, 2006: 8; Mirawdeli, 2007).

In 1991, an uprising against Saddam Hussein started to brew within the Kurdish society. Therefore, the Kurdish authorities issued a general amnesty to the Kurdish collaborators if they joined the uprising (Graham-Brown, 1999: 154; McDowall, 2004: 371; Chapman, 2009: 19; Bruinessen, 2019). The uprising was successful, and in 1992 they held their first election, where the two major parties Kurdish Democratic Party, KDP, and the Patriotic Union of Kurdistan, PUK, gained an overwhelming majority (Graham-Brown, 1999: 220). After the election, the Kurdish region of Iraq, KRI, became a *de facto* state (Radley, 2016: 478), and the Kurdish Regional Government, KRG, was established. While the Government of Iraq recognizes the Kurdistan region as a federal entity within Iraq, no country has yet to recognize it as a state (Ibid: 479). The Kurdish government consists of legislative, executive, and judicial authority (Preamble of Constitution of the Kurdistan Region, 2009: 19). Hence, the government of Kurdistan has, according to article 9 of the Preamble of Constitution of the Kurdistan Region, “general jurisdiction over all natural and legal persons in Kurdistan” (2009: 36). However, it is crucial to emphasize that the collaborators greatly influenced the establishment of the Kurdish government.

As aforementioned, the collaborators amassed a great fortune while serving the Iraqi army (Randal, 2019: 432; Blaydes, 2020: 241). Their economic position earned them great power, and they managed to strengthen their economic positions after receiving the pardon (Leezenberg, 2009: 10). Because of the former collaborator's economic and military resources, the Kurdish authorities were compelled to incorporate them into the governmental and military structures after issuing the amnesty (Bruinessen, 2002; Leezenberg, 2009: 12; Bruinessen, 2019: 20). Numerous former Jash leaders became commanders in the Kurdish army, and some enrolled as soldiers (Graham-Brown, 1999: 217). This relation created a system, which sociologist Andreas Wimmer called “a mixture of tribal confederation and patronage-based party apparatus” (Bruinessen, 2019: 20). The parties tried to further secure their power by aligning themselves with former Mustashar and tribal chieftains (Graham-Brown, 1999: 255; McDowall, 2003: 372; Fischer-Tahir, 2012: 233; Laizer, 2019). Thus, they indirectly improved the standing of these local collaborators by attempting to utilize the existing patronage networks (Leezenberg, 2006: 14). Therefore, tribes often sided with either PUK or KDP. Hence, former collaborators played an essential role in the

structures of the KRI's administrative, political, and military system and became ingrained into the structures of the KDP and PUK.

While the government has not implemented an official reconciliation process in the aftermath of the genocide, they have adopted several reforms for reconciliation. In 2006 the government established the Ministry of Martyr and Anfal Affairs, MMAA, dedicated to supporting survivors and the families of victims (Muhammad et al., 2022:12). Furthermore, the government states on its website that they will prioritize serving the families of Anfal, and those who were wounded in genocidal campaigns (KRG). The government has also established a yearly anniversary, the 14th of April, to mark the Anfal massacre. This day was chosen since that was the first day of the Anfal operations (Bengio, 2012: 280). Furthermore, several commemorations, such as in Halabja, have been established to mark the genocide (Joost, 2008; Watts, 2012: 10).

3 Previous research

Since this study intends to investigate the influence of amnesty on reconciliation in Iraqi Kurdistan, the following section provides previous research on amnesty and the genocide in Iraqi Kurdistan. Previous research explores the connection between amnesty and reconciliation, specifically that amnesty can be used as a tool in reconciliation.

3.1 Amnesty

There have been substantial previous studies on amnesties. Amnesties have often been deployed in peace negotiations to reach an agreement (Mallinder, 2014: 20). However, in recent years, the practice and field of amnesty research have developed to recognize amnesty as a tool in transitional justice and reconciliation (Ibid: 11). The field has been divided into proposing amnesty as a tool for reconciliation or dismaying the alternative. Scholars state that using amnesty as a strategy by a government in the aftermath of a conflict can result in a “culture of impunity” and a denial of justice (Orentlicher, 1990; Laplante, 2009: 920).

The research on impunity is of great interest to this study to discuss if a similar system of impunity has been created in Iraqi Kurdistan. Impunity is a widely used concept that entails the systematic failure to prosecute and lack of criminal accountability (Skaar et al. 2017: 44). Impunity concerns, for example, judicial bodies becoming compromised, an unwillingness to indict, and corruption within the administrative system (Avakian, 2018: 4). The consequences of impunity is exemplified in a case study of Peru, where former perpetrators were still in power and used the military to carry out its continued repression against the population (Laplante, 2009: 920). A culture of impunity includes tolerance for individuals who continue to commit crimes with impunity and, thus, a justice system that fails to deliver justice (Laplante, 2009: 944-950). Furthermore, scholars have addressed how impunity can implicate all levels of a transitional justice process (Skaar et al. 2017: 113). The highest level of

impunity is identified as a general amnesty that precludes trials, no truth commissions, and no compensation toward victims. Moreover, it includes that atrocities are forgotten or denied, and loyalty within the ranks of perpetrators prevents confessions (Ibid: 101).

Scholars recognizing the transformative power of amnesty emphasize how amnesty can be used as an instrument in reconciliation. This research is of interest to this thesis and is used to connect the concept of amnesty to reconciliation. According to Mallinder (2014: 11), issuing amnesty is a tool within transitional justice that can coexist with reconciliation. Both reconciliation and transitional justice concern the rebuilding of relationships. According to previous research, amnesties can incentivize former perpetrators to engage in other processes, such as truth commissions (Gibson, 2002). For example, amnesty has been issued in South Africa, where former perpetrators were given amnesty if they confessed to their crimes. The transformative potential of amnesty is shared by several scholars (Snyder-Vinjamuri, 2003; McEvoy-Mallinder, 2012; Mallinder, 2014). Furthermore, McEvoy and Mallinder contradicts Laplante's concept that amnesty results in cultures of impunity. Instead, the scholar states that amnesties exist within a legislative framework and must conform to international law (2012: 438). Therefore, issuing an amnesty exists within and builds the judicial system. Moreover, the scholars state that issuing amnesty is to show Mercy, see section 4.1. However, not everybody concurs that amnesty is Mercy (Lenta, 2019: 638).

Moreover, scholars state that trying people for their crimes can destabilize the country (Hinton, 2010: 8; McEvoy-Mallinder, 2012: 430). Numerous perpetrators might still be in power. Acknowledging their crimes might disrupt the fragile peace in the aftermath of a conflict, and amnesties are needed to consolidate state power. The research on using amnesty to consolidate state power is interesting since this is exemplified in the case of Iraqi Kurdistan, presented in the discussion.

The previous research shows that there has been a great divide within the research field, whether amnesty is something that could be used as a tool for reconciliation or if it creates a culture of impunity and denies justice for survivors. However, those who sanction the use of amnesty emphasize the need for a truth commission that has yet to be implemented in Iraqi Kurdistan. Therefore, the study aims to contribute to this field of research by examining the consequences of amnesty when other processes of truth have not been established.

3.1 Genocide in Iraqi Kurdistan

Previous research about Iraqi Kurdistan has been relatively limited. Middle East Watch (1993) has provided an extensive report of the period leading up to the genocide and during the genocide. The report is based on captured Ba'athist records of the genocide (Hardi, 2016: 33). Likewise, another scholar (Montgomery-Brill, 2022) has examined the captured Ba'athist records, which is used in this paper to explore the government's actions toward former collaborators. Furthermore, this paper utilizes former research about the Kurds and the genocide to provide a case background. McDowall (2004) has released several books about the history of the Kurds and the genocide. Other scholars have been interested in the survivors of the genocide (Bird: 2004; Hardi, 2016; Moradi, 2017). Their research provides testimonies and stories of the current situation in Kurdistan and their interpretation of the genocide, which is of great importance to this study as a complement to news articles.

Furthermore, scholars have been interested in the importance of memory translation and remembrance of the genocide in Iraqi Kurdistan (Bengio, 2012; Watts, 2012; Muhammad et al., 2022; Karim-Baser, 2023). The research on remembrance is of interest when investigating the concept of truth to supplement the arguments made in the analysis. Other scholars (Bruinessen, 2019; Jabar-Mansour, 2019) have provided research about the tribal structures of Iraqi Kurdistan and their importance before and after the genocide. This research is of interest to this study since numerous of the collaborators of the genocide belonged to ethnic tribes who proved to have significant influence in the aftermath of the genocide. Moreover, scholars have also been interested in the strategies of the elite in Kurdistan in turning the genocide into a quest for independence (Fischer-Tahir, 2012; Mlodoch, 2012; Baser-Toivanen, 2017), and proposes that one of the primary goals of the KRG is to become an independent state. This research interests this study and is explored in the discussion.

Numerous scholars mention the collaborators of the genocide in their research (*see* Middle East Watch, 1993; McDowall, 2004; Baser-Toivanen, 2017; Blaydes, 2020); however, the research has been limited. Earlier research has not addressed how amnesty has impacted society and if it has been an obstacle to reconciliation. Therefore, this study aims to address this research gap by providing a study that focuses on how amnesty influences reconciliation from the perspective of the government and the population.

4 Theoretical Framework

This thesis examines how the amnesty issued to former Kurdish collaborators has influenced reconciliation. Therefore, a theory on reconciliation is needed to examine the perceptions of the Kurdish Regional Government and the population. Therefore, the following section presents Lederach's sustainable reconciliation theory, supplemented by other scholars.

4.1 Reconciliation Framework

The chosen theory is Lederach's theory of sustainable reconciliation since this theory provides three elements of reconciliation which are used as a point of analysis to examine how the different actors perceive these. Furthermore, other concepts are utilized to complement the different themes further. Lederach proposes four elements of reconciliation, Truth, Mercy, Justice, and Peace (1997: 28). The theory will be delimited to focus on three themes in Lederach's theory, Truth, Mercy, and Justice. The delimitation is chosen to investigate these three themes more profoundly. Furthermore, reconciliation is an essential process to achieve peace (Hinton, 2010: 9). Therefore, the concept of peace is addressed separately in the discussion.

Mercy is intertwined with truth and concerns acceptance, forgiveness, and letting go (Lederach, 1997: 28). The concept of Mercy could further be explained as abandoning the desire for vengeance (Avruch, 2010: 40) and, thereby, further punishment. The idea of forgiveness includes apologies, which have been defined as "a speech act that seeks forgiveness" (Cohen, 2004: 177). An apology is often used to ease grievances and is an instrument of reconciliation. Thus apologies have been deemed necessary for forgiveness, which is explored. Moreover, McEvoy and Mallinder (2012: 413) treat Mercy in the context of amnesty and term amnesty as governance of Mercy. The right of the sovereign state to

punish its citizens is relinquished to show mercy by extinguishing criminal penalties for past offenses. Hence, amnesty will be conceptualized as Mercy.

Truth concerns transparency, clarity, acknowledgment of the wrongs, and validation of the loss. Furthermore, Truth concerns exposing what has happened to be able to move forward (Lederach, 1997: 31). Moreover, remembering and commemorating atrocities is vital in a reconciliation process to stop similar atrocities from happening again (Auerbach, 2004: 156). Truth and Mercy are, by some scholars, perceived as a nexus. However, Auerbach withholds that remembering the atrocity is not mutually exclusive with forgiving the perpetrators. It is possible to forgive without forgetting. However, while important, remembering also has a political connotation on what is remembered and who has the authority to decide what to remember (Ocen, 2017: 38). Furthermore, acknowledgment concerns the accurate disclosure of what has happened in the past and the recognition that there might be at least two narratives of the conflict which are heard and validated (Lederach, 1997: 26; Bar-Tal-Bennink, 2004: 18). This is an essential element of Truth since the different collective memories of the past might obstruct the reconciliation process and cause future conflict.

Moreover, Justice concerns making things right, restitution, and equality (Lederach, 1997: 29). The concept is broadened following Bar-Tal and Bennink (2004: 23), who state that structural actions to restore justice are integral to reconciliation, especially after genocide. Making things right is conceptualized in this paper as trials and prosecutions. Employing trials to restore justice enables victims to perceive that justice has been served and satisfies the desire for retribution (Ibid: 30). Thus, trials might help address grievances and satisfy the victims' needs, aiding the reconciliation process. Furthermore, other justice mechanisms are compensations, used to remove inequalities (Ibid: 25) and to establish structural equality (Ibid: 16). Compensation can include the distribution of land, wealth, and economic power. Therefore, the concept of restitution, introduced by Lederach, is conceptualized as compensation to victims based on creating equal relations. Lederach presents the nexus between Justice and Mercy. In literature, one is often implied to rule out the other by prioritizing justice or forgiving and forgetting. However, the scholar states that it is possible to pursue justice by recognizing and respecting people while restoring relations by acknowledging and amending injustices (Lederach, 1995: 20).

Lederach proposes that reconciliation needs to address these themes by supporting the oppressed, embracing the Truth while making things right and restoring relationships (Ibid: 21). Furthermore, reconciliation highlights the place for Truth and Mercy to connect, where there is a place for both discussions about what happened and then letting it go to restore relationships (Lederach, 1997: 31). The theoretical framework of this paper is utilized to explore the governments' and populations' perception of the different themes, related to the collaborators and the amnesty. Furthermore, a discussion is held on how the different themes are influenced by amnesty and how they relate to each other in Iraqi Kurdistan.

5 Methodology

The chosen research design for this study is a single case study. The design is chosen because of the possibility of doing more profound research about the case and deriving more internally valid results (Halperin-Heath, 2017: 234). One drawback of a single case study is its less external validity, making it more challenging to generalize the findings. This study aims to explore the complex phenomena of amnesty and provide findings that can further develop the field. Moreover, a case study allows for a deeper investigation of understanding a complex phenomenon (Kohlbacher, 2006: 4), which is of great interest to this study, since the intent is to understand how the issued amnesty has influenced reconciliation. The following segment presents the methodological blueprint of this study, the motivation for the case selection, and the material used. This presentation is intended to improve the reliability of this paper by systematically outlining the process followed to arrive at the results (Halperin-Heath, 2017: 125).

5.1 Analytical Framework

This study intends to research the effects of amnesty on reconciliation in Iraqi Kurdistan. Therefore, a qualitative content analysis is executed to investigate the three themes presented in the reconciliation framework in the government and the public perception. Using a qualitative content analysis has the possibility of finding evidence concerning perceptions, attitudes, meanings, and motives entrenched within the text (Halperin - Heath, 2017: 374). Furthermore, qualitative content analysis involves analyzing the texts in the context they are produced (Krippendorff, 2019: 3). The context pertaining to the perceptions and opinions presented is thereof illustrated throughout the analysis. Hence, qualitative content analysis is of great relevance since this study intends to find perceptions of themes of reconciliation from the viewpoint of the public and the government. Furthermore, the chosen theory concerns perceptions of, for example, forgiveness, which is not possible to examine solely on

facts and figures. However, a qualitative content analysis concerns an interpretation of the material, which could be a shortcoming of the method (Boréus-Bergström, 2012: 85). One way to reduce bias is to substantiate the arguments with citations and earlier research (Bergström-Boréus, 2012: 43) which is presented throughout the analysis. For the aim of the study, different types of texts are analyzed, which range from official statements to news articles and testimonies. Furthermore, the texts are coded following the three themes of Mercy, Truth, and Justice and the variables elaborated below.

Table 1 presents the conceptualization and operationalization of the three themes based on the reconciliation framework. The material has been coded following the conceptualization. The concepts have been identified by posing specific, independently constructed questions outlined in the operationalization of the material.

Table 1. Conceptualization and operationalization scheme

Themes	Mercy	Truth	Justice
Conceptualization	1. Forgiveness and abandonment of desire for vengeance 2. Apology 3. Amnesty	1. Remembering 2. Acknowledgment	1. Trials and prosecutions 2. Compensation 3. Equality
Operationalization	1. Do the actors express a willingness to forgive and do not wish for vengeance or punishment? 2. Have apologies been made? 3. How do they perceive amnesty?	1. How is the genocide remembered, and what is remembered? 2. Are different narratives of the genocide recognized?	1. Has there been any trials or prosecutions against collaborators? 2. Has material compensation been distributed? 3. How is the relationship between collaborators and Iraqi Kurds perceived?

Note. This table was independently created based on the reconciliation framework (Lederach, 1997; Avruch, 2010; Cohen, 2004; McEvoy-Mallinder, 2012; Auerbach, 2004; Ocen, 2017; Bar-Tal-Bennink, 2004)

5.2 Case Selection

The case of Iraqi Kurdistan was chosen since this is a compelling case of when amnesty for perpetrators was chosen as a government strategy in the aftermath of a genocide. Issuing amnesty is not an unfamiliar strategy in the aftermath of a conflict or genocide and has been used by numerous governments. However, Iraqi Kurdistan is a fascinating case since it is relatively understudied. To the author's knowledge, previous research has yet to be conducted on the implications of the issued amnesty in Iraqi Kurdistan. Furthermore, Iraqi Kurdistan proves an interesting case since, in distinction from other cases, the government has chosen not to implement truth processes, often perceived as a complement to amnesty. Instead, the focus has been on “forgetting” the atrocities perpetrated by the Kurdish collaborators to move forward and not disrupt the power structures. Hence the case of Iraqi Kurdistan is an engaging case of when amnesty was chosen as an instrument by the government, and no truth processes were implemented. Therefore, this paper investigates how the issued amnesty has influenced reconciliation in the Iraqi Kurdistan region.

5.3 Material

The study aims to investigate perceptions of reconciliation from the viewpoint of the government and the public. The empirical material mainly involves official statements from the government, news articles, and testimonies, complemented by earlier research. Earlier research provides information on the genocide and the collaborators. Furthermore, some scholars have conducted fieldwork in Iraqi Kurdistan with essential testimonies. These testimonies are used as a supplement to news articles and statements. Using different materials enable data triangulation, increasing reliability as other data can verify the evidence (Halperin-Heath, 2017: 175).

News articles and statements are utilized as material to examine the perception of the themes of reconciliation from the viewpoint of the population and the government. The preliminary time frame of collecting news articles and testimonies was set after the issued amnesty in 1991. However, the first news article found of interest for this study is dated 2003. Therefore the period ranges from 2003 to today. A broad time period is of interest in this study to

examine if the same opinions and perceptions are expressed over time. The news articles have been collected by focusing on texts that mention the topics of amnesty, collaborators, or genocide. Thus, the researcher is aware of the potential bias that the news articles discovered mainly concern criticism of the collaborators. Therefore, this study does not aim to account for the entire population of Iraqi Kurdistan but instead illustrates if these opinions exist. Furthermore, testimonies from survivors of the genocide are collected from the Kurdish Memory program, where both oral and written testimonies are presented. Likewise, these are collected because they mention the collaborators or the amnesty. Furthermore, statements are gathered on the KRG's website, which dates back to 2019. Hence, statements from the government are complemented by other primary sources and news articles.

6 Analysis

This paper aims to examine how amnesty has influenced reconciliation. Hence, the following analysis addresses the three themes of reconciliation, Mercy, Truth, and Justice from the perspective of the Kurdish Regional Government and the population. The news articles and statements are supported by research.

6.1 Mercy

Mercy is an essential element of reconciliation, as stated in section 4. The following segment presents the concept of Mercy as forgiveness and giving up the desire for vengeance from the government and public perception. Furthermore, this section analyses amnesty as an act of mercy and how apologies are addressed.

The issued amnesty for former collaborators of the genocide is not found in any official documents, and few politicians mention the amnesty. However, the leader of PUK addressed the amnesty in an interview with the Kurdish Memory Programme stating, “I think the traitor jash are 100 times more guilty than Iraqi soldiers for the crimes of Anfal and chemical weapons. They should be sentenced and punished 100 times more”. However, he proceeded by saying that the government is obligated to govern the nation, and that is more vital than revenge (Bixtyar, n.d, KMP). A Kurdish scholar and former member of the KRG agrees with this view, noting in his book that amnesty was a wise but controversial measure since traditional Middle Eastern culture is more prone to revenge than reconciliation. Because of the amnesty, the Kurds had the first free election in the Middle East in 1992 (Ihsan, 2016: 155). The concept of Mercy (Lederach, 1997: 28; Avruch, 2010: 40) concerns the abandonment of vengeance and forgiveness. The above statement relates to this by stating that vengeance can not be given precedence. Hence by issuing amnesty, the desire for vengeance will not be prioritized.

Furthermore, McEvoy and Mallinder (2012: 416) state that giving amnesty is Mercy. The governing parties have the power to punish but choose not to. Hence, granting amnesty and dismissing vengeance by not punishing the perpetrators for their crimes seems to follow the concept of Mercy (Avruch, 2010). Although the government states that they have relinquished the urge for vengeance, the statements do not appear to follow their actions in the aftermath of the genocide.

Reports declare that one of the major parties, KDP, took part in vengeance killings against former Jash after the amnesty (Chivers, 2003). Furthermore, Ba'athist records captured after the genocide state personal records of collaborators and informers, which have been exploited by the governing parties to incriminate individuals. The records have allegedly been used as political weapons to kill former collaborators deemed enemies to the parties (Montgomery-Brill, 2022: 5, 6). Therefore, by giving the amnesty, the government appears to have shown Mercy against the collaborators, according to the theory (Lederach, 1997). However, not all of the individuals in the government seem to have forgiven the perpetrators and have used their partake in the genocide as a political weapon. However, worth mentioning that PUK held a meeting in 2007 formally forgiving all party members who had allegedly spied for the Ba'athist regime (Abdul-Rahman-Ahmed, 2007). If the government has genuinely forgiven the collaborators is a complex conclusion to draw from the material. Collaborators have formalized no apologies for participating in the genocide, which seems to aggravate individuals in the population.

During the scholar Christine Bird's fieldwork in Iraqi Kurdistan in 2004, she stated that most Kurds she spoke with told her that the Jash had been forgiven and integrated into the Kurdish society. Bird stated that while former collaborators now appear to be equal partners in Iraqi Kurdistan, there is still tension in society between those who became Jash and those who did not (2004: 119). During an interview, a survivor named Nahwi, whose father died during the genocide, stated that the amnesty was given without permission from the victim's families. Hence, Nahwi does not seem to affirm the act of mercy granted by the government. Furthermore, the perpetrators never apologized to the victim's families for their involvement in the genocide (Mhmad, 2016).

Other individuals in Iraqi Kurdistan align with the statement that survivors never received an apology (Sweeney, 2021; Haji, 2021). The Head of the Jack Organisation for Anfal survivors

expressed a lack of moral compensation for the families (Haji, 2021). Moreover, Peshwar, secretary of the Anfal Memorial Campaign, stated that “They [the perpetrators] have not formally confessed to their crimes and have not apologized” (Sweeney, 2021). The absence of apologies relates to the concept of Mercy, specifically forgiveness (Cohen, 2004: 177) since the people are aggravated over the fact that the collaborators never apologized for their involvement in the genocide. According to the concept, apologizing for past crimes is a way of asking for forgiveness, and forgiveness might be disturbed because no apologies have been made. However, a former Peshmerga soldier named Haji, seems to echo the same view of amnesty as the government, as he stated in an interview, “One of the best decisions they made was to declare an amnesty ... to stop the people and Peshmerga [from] committing revenge killings on the collaborators and, in turn, further killings to avenge those” (Fatah, 2019). Hence, this statement appears to follow the concept of Mercy, which emphasizes the absence of revenge (Avruch, 2010: 40).

Karin Mlodoch, a scholar who executed fieldwork in Iraqi Kurdistan, expressed that during her fieldwork, survivors of the genocide often referred to the collaborators partake in the genocide as a particularly harsh betrayal (2012: 218). The notion of betrayal is further exemplified by a survivor who expressed how the Jash forces deceived them amid the genocide and stated, “We believed them because they were Kurds, but they sold us to the government” (Hardi, 2016: 44). Mlodoch states that one of the survivor's critical claims against the KRG is that the amnesty should be repealed (2012: 218). This notion is shared by numerous survivors who state that the perpetrators should be brought to justice (*see* Mhmad, 2016; Haji, 2021; Menmy, 2022; NRT, 2022), which is discussed in section 6.3. Forgiveness is part of the concept of Mercy (Lederach, 1997: 28), which does not seem to be shared by the whole population. Abdullah, manager of a newspaper agency in Iraqi Kurdistan, expressed in an interview, talking about former collaborators signing up for the election, “These people, they have the blood of the Kurdish people on their hands” (Dawn, 2005).

Furthermore, in a testimony (Moradi, 2017: 70), a survivor expressed, “I hope that all Jâhsh, even if they are Masoud [Barzani] or Jalal [Talabani], meet the same fate as that of Saddam Hussein.” For clarification, Saddam Hussein was executed for his crimes (Mlodoch, 2012: 224). Another survivor, Hussein, conveys his feelings that the collaborators bear a heavy responsibility for their role during the genocide. He stated that some should never be forgiven

for their crimes. Furthermore, he expressed, “In my opinion, those Jash who were truly ruthless and did terrible things should never receive a pardon” (Hussein, n.d, KMP).

Thus, the concept of Mercy, which highlights forgiveness (Lederach, 1997: 28), does not follow the statements from numerous individuals. Moreover, an article states that victims' families have taken matters into their own hands and sought revenge through blood feuds and killing (Laizer, 2019). Furthermore, individuals demand that the collaborators be brought to justice. Therefore, Mercy, which also emphasizes the absence of revenge (Avruch, 2010: 40), does not follow the acts of some individuals in Iraqi Kurdistan.

6.2 Truth

Truth is another vital concept in reconciliation. The section addresses the concept of Truth as remembering the genocide and acknowledging different narratives of the genocide from the viewpoint of the government and the population. How the genocide is remembered and what is excluded from the memory is analyzed.

Remembering the genocide seems essential to the government. Each year, they post a statement on their website commemorating the anniversary of the various genocides committed during Operation Anfal. Furthermore, during a conference on the 30th anniversary of the Halabja genocide, the Kurdish prime minister spoke about the genocide, saying, “You have gathered today to remember the atrocities that were inflicted on the city of Halabja on March 16, 1988, by the Baathist Regime of Saddam Hussein” and continued by stating, “We can never forget that...” (KRG, 2018: 3). The idea of remembrance is furthermore presented in the following quote by the prime minister of KRG “We are a forward-looking and optimistic people, but we will never forget what befell our people” (Ibid: 4). Hence, there is a significant effort by the government to remember the genocide. However, they also construct *what* to remember, as evident below.

On the 34th anniversary of the genocide, Barzani, the president, stated, “Today marks the 34th anniversary of the Anfal Genocide campaign, executed by the Ba’athist regime in the Kurdistan Region...” (KRG, 2022). This statement aligns with Barzani’s statement marking

the 33rd anniversary of the Badinan genocide, one of Anfal's last operations, "The Ba'athist Regime's genocidal campaign was a ruthless attempt by the oppressive government to maintain power and extinguish the Kurdish freedom movement" (KRG, 2021a). Other statements on the anniversaries follow the same themes of remembering the genocide as solely executed by the Ba'th regime against the whole Kurdish people (KRG, 2023; KRG, 2021a; KRG, 2018). As evident from the various statements, the government does not mention the collaborators but instead focuses on the crimes committed by the Iraqi regime. Thus, according to the concept of remembering (Auerbach, 2004), there seems to be a great effort to remember the genocide and commemorate it through statements, anniversaries, and memorials. The argument that remembrance is fundamental for the government is supported by scholars (Watts, 2012; Bengio, 2012; Moradi, 2017; Muhammad et al., 2022). In her article, Moradi (2017: 64) states that the government has constructed a truth about the genocide and the perpetrators and victims, therefore, denying a more inclusive truth. According to the concept of Truth (Lederach, 1997: 28, 31; Bar-Tal-Bennink, 2004: 18), there appears to be an excluding form of Truth since the government does not acknowledge other narratives of the genocide. The following paragraph will explore the government's actions toward concealing the whole truth.

Numerous research shows that the government has tried to conceal the involvement of the Jash in the genocide (Randal, 2019: 367; Montgomery-Brill, 2022: 5). Allegedly, the KRG owns files that state personnel lists and payroll accords of collaborators and informants (Montgomery-Brill, 2022: 5). These files were not released to the public, and KRG has not made any statements regarding them and what they contain. Furthermore, videotapes were captured by Iraqi intelligence after the uprising in 1991 (Randal, 2019: 367). The videotapes showed graphic details of the devastating chemical attack in Halabja. However, these tapes have yet to be publicly released since they show the involvement of the Jash in the operations. Furthermore, books published within KRI concerning the role of Jash and Mustashar were kept from public discussion (Fischer-Tahir, 2012: 233).

Moreover, people who express the collaborator's ties to the governing parties are at risk of persecution. A young Kurdish journalist wrote a satiric poem about Massoud Barzani, the president's daughter. In the poem, the journalist wrote about how he is to get Barzani's blessing to marry his daughter and stated, "I should find some Saddam collaborators and those who participated in the Anfal operation with Saddam because they are all around

Massoud now, and he likes them” (Osman, 2010). After he released the poem, he disappeared and was allegedly killed by KDP’s security forces (Gundi, 2011). Therefore, following the concept of Truth (Bar-Tal-Bennink, 2004), the government seems to adopt an exclusive form of Truth, which does not acknowledge the collaborator's role in the genocide. Furthermore, this also demonstrates the government’s authority to choose what to remember and what to exclude from the memory of the genocide (Ocen, 2017: 38).

Remembering the genocide is particularly significant for individuals in Iraqi Kurdistan, as emphasized by numerous scholars (Fischer-Tahir, 2012; Baser-Toivanen, 2017; Moradi, 2017; Karim-Baser, 2023: 10). This is exemplified in a statement by a ten-year-old boy, not born when the genocide occurred, who was interviewed about the genocide, “It is necessary for the next generations to know it as their history” (Karim-Baser, 2023: 12). Likewise, a daughter of a survivor, also not born at the time of the genocide, could narrate the events of the genocide so clearly that she cried several times (MacDonald, 2020). Thus, the memory of the genocide seems to be of great importance to the people in Iraqi Kurdistan, as emphasized by the following quote by a survivor, “I memorized this history so it will never be forgotten” (Bird, 2004: 92). Following above statement, there seems to be a responsibility of the survivors and fellow Iraqi Kurds to recount the genocide, even to future generations (Karim-Baser, 2023: 17). This relates to the concept of remembering (Auerbach, 2004: 156) as remembering an atrocity is essential to prevent it from happening again.

The memory of the collaborators and their crimes committed during the genocide seems to have remained on individual levels (Mlodoch, 2012: 218). Numerous individuals express the absence of truth on a state level. In an interview, Saeed, a Kurdish scholar, stated, “Truth commissions should have been established, and secret archives of Baath regimes should have been opened and utilized to find the truth...” (Mhmad, 2016). He continued, saying, “The victims need truth and justice” (Ibid, 2016). In another interview, a survivor expressed, “I have many complaints against the KRG Ministry for Martyrs and Anfal Affairs... They, with some other Kurdish politicians, wanted to conceal that hideous historical crime against the Kurdish nation” (Menmy, 2019). Therefore according to the concept of Truth (Lederach, 1997: 28), remembering the genocide seems to be essential for the population. However, acknowledging the victim's narrative of the role of the collaborators is inadequate. The survivors are aggravated by the fact that the government shelters the truth about the collaborator's participation in the genocide. The nexus between Mercy and Truth, proposed in

section 4, could be argued as evident in the case of Iraqi Kurdistan. By showing Mercy towards the collaborators, the Truth about their role in the genocide is not spoken of, and evidence is suppressed.

6.3 Justice

Justice is the third crucial concept, according to the theory. The segment explores the concept of Justice as trials, compensation, and equal relationships between former collaborators and survivors from the perception of the government and the population. Thus this section analyzes how justice and trials are emphasized, furthermore how compensation and equality are stressed and experienced.

According to the government, justice is of particular importance. At a conference commemorating the 30th anniversary of Halabja, a representative of the government said, “We hear talk of reconciliation, but how can the past be reconciled without justice?... There have been precious few cases where enablers and executors of decades-old atrocities in Iraq have been punished” (KRG, 2018: 5). Likewise, during the anniversary of the Badinan Anfal Campaign in 2021, the statement reads, “The Kurdistan Regional Government remains committed to getting justice for the families of Kurdistan’s martyrs and the victims of Anfal ” (KRG, 2021b). Following the above statements, Justice, specifically trials (Bar-Tal-Bennink, 2004: 30), appears significant to the Kurdish government. However, the question remains whether this interest also extends to the Kurdish collaborators.

In an interview, a senior KDP official stated that although the Kurdish authorities issued an amnesty in 1991, that does not prevent the Kurdish people from filing a complaint against former perpetrators. He proceeded by stating that “We do not defend them in any way, the court and police have to do what they have to, to protect the rights of the Kurdistan citizens” (Wali, 2010). Furthermore, the deputy leader of PUK stated in an interview, when asked about the collaborators, that “I believe that anyone who has perpetrated a crime against the people of Kurdistan and Iraq should be dealt with according to law.” Furthermore, he expresses that it is up to the Kurdish parliament to arrest them, not KDP or PUK (Mirawdeli, 2007). Thus, these statements demonstrate that the KRG does not condemn the prosecution of

former collaborators, confirming the concept of Justice, which concerns trials (Bar-Tal-Bennink, 2004: 30).

However, as stated, although the parties declare that they do not resist the indictment of collaborators, none have been brought to justice. Iraqi High Tribunal, which was established in 2005 to investigate crimes committed during the genocide (Law no.10, 2005), provided authorities within the KRG with 258 arrest warrants for Kurdish collaborators of the genocide in 2011 (ANF, 2010; Moradi, 2017: 72; Saeed, 2023: 4). However, the KRG has prosecuted none of these. Furthermore, one of those individuals for whom an arrest warrant has been issued was allegedly assisted in fleeing the country in 2010 with help from the ruling parties (Wali, 2010; Ahmad, 2011). Hence, the concept of Justice, especially trials (Bar-Tal-Bennink, 2004: 30), seems somewhat ambiguous since the government emphasizes the need for justice. However, no trials have been conducted against the collaborators.

According to the collected material, the lack of justice seems to be the biggest grievance of the people (*see* Mhmad, 2016; Haji, 2021; Menmy, 2022). One of the essential claims of survivors is that the KRG should prosecute the collaborators (Mlodoch, 2012: 218). Furthermore, a Kurdish political analyst and scholar at the Tahrir Institute for Middle East Studies expressed that one of the reasons survivors are collectively traumatized is the failure to bring the perpetrators to justice (MacDonald, 2020).

Numerous individuals critique the KRG for the lack of prosecutions against collaborators, even though victims' families have repeatedly pleaded with the government to arrest them (Salih, 2007; Ekurd, 2010; Hardi, 2016: 168; Mhmad, 2016). A survivor named Hamawla, who lost all his family members in the genocide, stated, "We, as relatives of the Anfal victims, will not tolerate the murders of our relatives to remain free" and demanded that the KRG arrest collaborators of the genocide (Ekurd, 2014). Majid, head of Jack Organisation, expressed the need for the indictment of collaborators and stated that 250 individuals accused of crimes amid the genocide are still roaming free in the region (Haji, 2021). People are also concerned that former collaborators have been allowed to leave the country and now live in European countries (Shorsh, 2021; Menmy, 2022). Furthermore, Iraqi Kurds accuse the KRG of sheltering the collaborators and opposing prosecutions (Hawramy, 2018; Menmy, 2021). Peshwar, secretary of the Anfal Memorial Campaign, criticized the government for protecting

collaborators, stating, “Kakamin Najar’s party [KDP] has been sheltering the Anfal criminals for 33 years” (Sweeney, 2021). Furthermore, he stated that the KDP is proud that the collaborators are free and have not been indicted. Moreover, according to sources in the newspaper, the collaborators have not been prosecuted since that would expose leading figures within the KDP and PUK (Ibid, 2021). Abdullah, a survivor of the genocide, expressed that the ruling parties are sheltering hundreds of collaborators with connections to KDP and PUK (Menmy, 2019).

Thus, according to the concept of Justice (Lederach, 1997: 28; Bar-Tal-Bennink, 2004: 30), numerous individuals in KRI express that justice is inadequate and that the government has been complicit in sheltering and intercepting indictments. Furthermore, the failure to hold those accountable for the genocide while giving them powerful positions in society causes survivors to feel punished for staying loyal to the Kurds. At the same time, those who betrayed the Kurds are being rewarded (Hardi, 2016: 194).

It is essential to emphasize other features of the concept of Justice, specifically restitution and equal relationships (Lederach, 1997: 28). The Ministry of Martyr and Anfal Affairs, MMAA, was created to adhere to victims’ families. On the government website, the responsibilities of the MMAA are presented as providing material and moral care to the families of the martyrs and victims of Anfal. Furthermore, the responsibilities involve providing a monthly grant to survivors’ families and victims of chemical attacks (MMAA, n.d). Moreover, the government is to provide housing units for the victims' families.

Supplying housing is one way of providing restitution to victims. In 2022, the MMAA approved 1,393 cases that included compensation in the form of a piece of land, ten years' worth of wages, and college costs for one member of the family (US Department of State, 2022: 18). Compensation is something that is perceived necessary as a spokesperson for the Deputy Prime Minister stated in an interview, “From the perspective of achieving equitable justice for the families of the martyrs, Anfal and political prisoners, ... the KRG signed a decision to distribute 11,142 plots of land to the families of the martyrs, Anfal, and former political prisoners ...” (PUKmedia, 2021). Furthermore, Barzani, the president of KRG, expressed during an interview that “We are working to provide the best services to the families of Anfal victims and to ensure the provision of a decent life worthy for them.” (Haji, 2021). Hence, the government seems to perceive the concept of restitution (Bar-Tal-Bennink,

2004: 25, 16) as something necessary for victims of the genocide to create equitable justice. According to the statements by the government, they seem to adopt the concept of Justice as restitution and equality (Lederach, 1997: 28; Bar-Tal-Bennink, 2004: 25, 16). They emphasize the importance of restitution and state that compensation is vital to create equitable justice. However, how fair these compensations have been distributed is questionable.

Numerous individuals express that MMAA has pledged to allocate compensations, such as housing and monthly grants, which have been inadequate (Rafaat, 2023). Ahmed, a survivor of the genocide, expressed that the KRG has not been able to pay the monthly grant on time and has failed to compensate the victims (Ibid, 2023). Moreover, the monthly grant directed toward victims' families has, after 25 years, been reduced (Mhmad, 2016). Furthermore, survivors also testify of the unequal distribution of compensation (Hardi, 2016: 155). The MMAA distributed housing in 2002 as part of a housing supply program. A survivor, Ruiqa, who lost her son and daughter to the genocide, expressed animosity toward the KRG for not receiving housing, unlike former Jash. She expressed this with the following quote, “The government has given houses to Jash but not to me... they divided houses here and they gave them to Jash, those who killed peshmarga, those who are rich and I live amongst scorpions” (Ibid, 2016: 150).

Ruiqa and other survivors experience that the KRG's treatment of survivors and former collaborators is unjust. While the government provides more material resources to former collaborators, they face less hardship than survivors experiencing poverty and discrimination (Hardi, 2016: 150). Several individuals mention the unequal relationship between former collaborators and survivors. Bichkol, a former Peshmerga soldier, said he knew someone who killed Peshmergas amid the genocide. That person has now retired from the KRG's Ministry of Peshmerga and has accumulated nearly 2,120 dollars for his service (Mhmad, 2016). Furthermore, a survivor named Abdullah stated in an interview with *The New Arab* that “They [collaborators] even have more privileges than us” (Menmy, 2022). Similar statements are illustrated in an interview with Salid, a lawyer in KRI, “They [collaborators] live in Kurdistan with respect” (Ekurd, 2011). Abdullah, a survivor of the genocide, expresses similar opinions, “The mercenaries are now better respected than we are in Kurdistan Region” (Menmy, 2019). The inability of the government to provide restitution to the survivors and victims' families seems to aggravate the unequal relationships between former

collaborators and the survivors. Hence, according to the above statements, there appears to be a significant lack of justice, according to the concepts of trials, restitution, and equal relationships, experienced by the population in Iraqi Kurdistan. Lederach presents a nexus between Mercy and Justice, aforementioned in section 4. It could be argued that this nexus is evident, as showing mercy towards former collaborators has obstructed further prosecutions and exacerbated injustices experienced by survivors.

7 Discussion

To recollect the analysis, the amnesty issued to former collaborators in Iraqi Kurdistan has influenced the three themes of reconciliation. It is essential to state that, as the study shows, the grievances experienced by the population simply do not disappear over time. Several articles date more than 30 years after the genocide. Nevertheless, the lack of justice and truth still aggravates the people, and they still express an inability to forgive. Lederach proposes a fourth theme, Peace, as part of reconciliation. Peace is characterized as harmony, unity, well-being, and respect (Lederach, 1997: 28) and is concerned with healing destructive relationships. The analysis illustrates that the government has done little to improve the relationship between former collaborators and genocide survivors. Thus, the concept of Peace identified by Lederach is elusive in this case.

It is critical to underline, once more, that the purpose of this paper is not to account for the entirety of the Iraqi Kurdistan population. The Iraqi Kurds are a heterogeneous population that has experienced two genocides, the second against the Yazidi community by the Islamic State in 2014 (Labott-Kopan, 2016). Hence, the experiences of Iraqi Kurds vary greatly between social groups. It is essential to withhold that this paper primarily reflects, but is not limited to, the perceptions of survivors of the genocide in 1988. They may hold different grievances than those unaffected by the genocide or those involved in the 2014 genocide. However, one could argue that genocide impacts the wider society and that these perceptions need not be limited to sole survivors. Nevertheless, this study's results are not intended to generalize the population but illustrate that these perceptions exist and persist in Iraqi Kurdistan.

In this paper, issuing amnesty has been conceptualized as Mercy, following McEvoy and Mallinder (2012: 413). However, as noted in section 3.1, not all scholars concur that issuing amnesty is Mercy (Lenta, 2019: 638). Instead, Patrick Lenta withholds that the state has the power not to punish but argues that it also has a duty to punish perpetrators that are in debt to society. Otherwise, the state fails to adequately recognize victims, censure wrongdoings and

does not affirm victims' equal dignity (Ibid: 639). Therefore, Lenta contends that issuing amnesty is not Mercy. Presenting this argument is not intended to disregard that amnesty can be conceptualized as Mercy but to illustrate the complexity of the concept.

This paper does not aim to explain *why* amnesty has influenced reconciliation but rather *how*. As proposed in earlier research, one important concept to consider is impunity. Issuing the amnesty encouraged former collaborators to integrate into the government and military structures, giving the government control over their resources. Thereby causing a culture where truth and justice are obstructed since pursuing a genuine reconciliation process would expose these figures within the government and military. The blanket amnesty has allowed no prosecutions. Individuals who reveal the connection between former collaborators and the government risk persecution. Therefore, based on the analysis, one could argue that amnesty has promoted a culture of impunity and denied justice to the survivors of the genocide. However, previous research also shows that amnesty is sometimes necessary for a weak state to consolidate state power. This proves true in Iraqi Kurdistan. To take control over the territories in the fallout of the genocide, they required the resources and the soldiers the collaborators possessed.

Thus one might ask what alternatives there were for the wartorn region that had just experienced genocide. Moreover, it should be noted that Iraqi Kurdistan is not a state but has aspirations to become one, as proposed in section 3.1. Therefore, exposing the government and influential individuals might disturb the power structures of Iraqi Kurdistan. To recall the quote by the leader of PUK, who states that one must prioritize governing a nation before anything else. Reconciliation is a complex and potentially destabilizing process (Sluzki, 2010: 56). Hence, the statelessness of Iraqi Kurdistan is essential in reconciliation. This is not to say that reconciliation is not needed. On the contrary, this analysis has shown that the population deeply desires it. However, the question of independence can not be treated separately from reconciliation, as the aspirations to become independent might be disturbed by a transformative reconciliation process. What the future holds for Iraqi Kurdistan is still being determined. Nevertheless, as this paper illustrates, reconciliation may only be attainable if the structures that the amnesty promoted cease.

This study examined how the issued amnesty for Kurdish collaborators influences reconciliation. It is evident from the study that the use of amnesty, without other

reconciliation processes, profoundly impacts survivors. However, this deserves additional attention. This study did not aim to examine how the relationship between the government and the population is affected by the discrepancy in their perception of reconciliation. However, it is an interesting phenomenon to investigate. Therefore, further research could be conducted on how amnesty impacts survivors and, in turn, how the relation to the government is influenced. Furthermore, the object of this study is not to explain how aspirations to become independent interact with reconciliation. Nevertheless, it is essential to understand to facilitate reconciliation in stateless regions. Therefore, further research on the theme is suggested.

8 Conclusion

This study examined how the issued amnesty for Kurdish collaborators in the aftermath of the Kurdish genocide influences reconciliation. To answer this paper's research question, this study finds that amnesty has influenced all three themes of reconciliation. From the government's perception, showing Mercy through amnesty has compromised Truth and Justice. The Truth about the collaborators has been concealed, and remembering the genocide has been selective to constructing the Ba'athist regime as the sole perpetrators and the Kurdish people as the victims. There is a limited acknowledgment of other narratives. Additionally, Justice has been obstructed, as no prosecutions have been conducted, and the unequal relationships between collaborators and survivors have tainted the compensation towards survivors. Furthermore, the collaborators' standing role in the government structures aggravates the unequal relationships between the collaborators and the survivors. From the viewpoint of individuals in the population, the results show an unability to forgive the collaborators for their crimes. Moreover, they demand the Truth about the collaborator's role in the genocide at the state level. Additionally, they want the collaborators to pay for their crimes and express that the government is harboring the collaborators, which aggravates the injustice experienced by the survivors.

The discussion suggests, following previous research, that amnesty has encouraged a culture of impunity and denial of justice for survivors. However, this study does not intend to condemn the use of amnesty but illustrates how it influences reconciliation and the population's desire for Mercy, Truth, and Justice. Moreover, the study shows that Justice and Truth can not be excluded from the reconciliation process, as all themes coexist and influence each other. The discussion explores how reconciliation can be a destabilizing process, especially in this case, as Iraqi Kurdistan is a stateless region that aspires to become independent. This study does not mean to disregard reconciliation in a stateless region, on the contrary, the study shows that it is crucial. Nevertheless, it is essential to illustrate the complexity of how other aspirations of the government and the population influence reconciliation. In conclusion, this study suggests that further research could be conducted on

how amnesty impacts survivors and their relation to the government. Moreover, further research is suggested on how to facilitate reconciliation in a stateless region that aspires to become independent. This understanding is essential to promote reconciliation in regions, such as Iraqi Kurdistan, that seek to heal from the past while imagining an independent future.

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