An Analysis of Operational Legitimacy Concerns for MNF-I with the Creation of an Independent Iraqi Kurdistan.

In September 2006, three new principles of joint operations came into existence. In addition to restraint and perseverance, legitimacy became an “other” principle. This paper examines Multinational Force-Iraq legitimacy concerns and how they are affected by the formation of an independent Iraqi Kurdistan. Iraqi Kurdistan will gain greater autonomy from the Government of Iraq, pending the outcome of a referendum scheduled to take place in June 2008. In order to sustain force legitimacy despite the formation of an independent Iraqi Kurdistan, the MNF-I commander must ready coalition and local security forces for a rapid departure from the tranquil status quo that has become the deceptive norm in Iraqi Kurdistan. This paper draws conclusions concerning the use of indigenous security forces as the means to provide stability in Iraqi Kurdistan which will, in turn, alleviate legitimacy concerns for the MNF-I commander.

Subject Terms:
Iraqi Kurdistan, legitimacy, MNF-I
An Analysis of Operational Legitimacy Concerns for MNF-I with the Creation of an Independent Iraqi Kurdistan

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The contents of this paper reflect my own personal views and are not necessarily endorsed by the Naval War College or the Department of the Navy.

Signature: _______________________

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Abstract

In September 2006, three new principles of joint operations came into existence. In addition to restraint and perseverance, legitimacy became an “other” principle. This paper examines Multinational Force-Iraq legitimacy concerns and how they are affected by the formation of an independent Iraqi Kurdistan. Iraqi Kurdistan will gain greater autonomy from the Government of Iraq, pending the outcome of a referendum scheduled to take place in June 2008. In order to sustain force legitimacy despite the formation of an independent Iraqi Kurdistan, the MNF-I commander must ready coalition and local security forces for a rapid departure from the tranquil status quo that has become the deceptive norm in the region. This paper draws conclusions concerning the use of indigenous security forces as the means to provide stability in Iraqi Kurdistan which will, in turn, alleviate legitimacy concerns for the MNF-I commander.

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INTRODUCTION

Defining *legitimacy*, a standard dictionary uses phrases such as “compliance with the law,” and “in accordance with traditional or established patterns,” or “based on logical reasoning.”\(^1\) When discussing legitimacy and war, the term conveys moral and political ramifications as well, to be applied across the full range of military operations.

In today’s politically-charged world climate, the definition of legitimacy for the military has broadened in both scope and importance. A failure to sustain a force’s legitimacy has dire implications for the operational commander: at best, a lack of legitimacy will impede the commander’s ability to achieve operational objectives; at worst, it will have broader, strategic implications that adversely affect the desired end state.

The region of Iraq called “Iraqi Kurdistan” will gain greater autonomy from the Government of Iraq, pending the outcome of a referendum scheduled to take place in June 2008.\(^2\) In order to sustain force legitimacy despite the formation of an independent Iraqi Kurdistan, the Multinational Force-Iraq (MNF-I) commander must ready coalition and local security forces for a rapid departure from the relatively tranquil status quo that has become the deceptive norm in Iraqi Kurdistan. This is best accomplished by anticipating the violence associated with the June 2008 referendum and successfully synchronizing the training and utilization of existing, indigenous security forces to maintain stability when the referendum does occur.

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\(^2\) This referendum entails the referring of a political question to an electorate for direct decision by general vote. Such a referendum is also termed a “plebiscite,” whose legal basis is derived from international law. This referendum is similar to the one that gave East Timor independence from Indonesia in August 1999.
BACKGROUND

To understand the implications an independent Iraqi Kurdistan will have on the Multinational Forces, a brief history of the Kurds and the land they inhabit is necessary.

With the defeat of the Ottoman Empire in World War I, the European powers divided Turkey into several parts. They agreed to create an independent “Kurdistan” for the many ethnic Kurds of the Middle East. A lack of consensus among the decision-makers kept the creation of this homeland for the Kurds from occurring, however, and today the Kurds are the largest ethnic group in the world without a nation or state.³

The post-war border drawn between British-mandated Iraq and Turkey created significant friction as this historically Kurdish region was partitioned along the borders of four separate states: Turkey, Iraq, Syria, and Iran.⁴ Kurds generally refer to this entire, multi-state region as “Kurdistan.”⁵ Although Turkey has the largest Kurdish population, nearly five million Kurds live in Iraq—the majority of whom live in Iraqi Kurdistan. (See map 1).

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⁵ Kurdistan means “land of the Kurds.” Internationally, the region is not officially recognized.
⁶ This map (correctly) does not depict the city of Kirkuk as part of Iraqi Kurdistan. Kirkuk is one of the “disputed territories” that will likely become part of Iraqi Kurdistan, pending the outcome of the June 2008 referendum.
Each of the four states has experienced varying degrees of difficulty in maintaining relations with the Kurdish sector of its population. Iraqi Kurds, in particular, endured many hardships under the former Ba’thist regime of Saddam Hussein and were subjected to war crimes, genocide, and numerous human rights violations--factors that reinforced Kurdish resolve for independence from the Government of Iraq (GOI).

Today, Iraqi Kurdistan is a semi-autonomous entity, operating within the Iraqi federal system and is internationally recognized as a quasi-independent region of Iraq. This self-governing region encompasses the north and northeastern parts of Iraq, within the primary provinces of Irbil, Dahuk, and Sulaymaniyah (See map 2).

**DISCUSSION / ANALYSIS**

In September 2006, three new principles of joint operations were added to the “joint” lexicon. In addition to *restraint* and *perseverance*, *legitimacy* became an “other” principle. Joint Publication 3-0 lists four associated definitions of legitimacy that shape the strategic, operational, and tactical levels of war. The third definition, in particular, aligns itself with the operational level.

*Committed forces must sustain the legitimacy of the operation and of the host government, where applicable. Security actions must be balanced with legitimacy concerns…Legitimacy may depend on adherence to objectives agreed to by the international community…Restricting the use of force, restructuring the type of forces employed, and ensuring the disciplined conduct of the forces involved may reinforce legitimacy.*

This definition makes it apparent that for the operational commander, there are numerous diplomatic, informational, military, and economic concerns that pertain to

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legitimacy. It is the operational commander’s duty to “sustain the legitimacy of the operation” with his or her “committed forces.” If the June 2008 referendum results in greater political autonomy for the Kurdish region (and this paper assumes it will), it poses many challenges for the MNF-I commander which will call into question the legitimacy of his forces.

Foremost among these concerns is the issue of security as it pertains to the Government of Iraq and the Kurdistan Regional Government (KRG). If the MNF-I commander can successfully synchronize the training and utilization of existing, indigenous security forces associated with these two governmental entities—in lieu of augmenting his own force presence in Iraqi Kurdistan—the legitimacy of his “committed” forces will be sustainable.

**Ethnic division**

While the Multinational Forces remain embroiled in a dynamic, volatile insurgency in a majority of Iraq’s 18 provinces, Iraqi Kurdistan’s three provinces have been a region of welcomed stability. Unfortunately, this region is likely to erupt in violence as the June 2008 referendum concerning the future autonomy of the Kurdish “disputed territories” draws near.

Strategically, the United States opposes the idea of partitioning the nation of Iraq along ethnic lines. From an operational perspective that focuses on Iraqi Kurdistan, it is unmistakable that this already ethnically divided enclave will continue to expand its Kurdish nucleus at the expense of non-Kurds. Presently in Iraqi Kurdistan and its neighboring cities, Kurds, Turkmen, and Arabs are maneuvering to gain voting leverage in anticipation of the June 2008 referendum. The city of Kirkuk best exemplifies this phenomenon.
As part of a Saddam Hussein “Arabization” campaign initiated in the 1970s, Iraqi Kurds and Turkmen were expelled from the city of Kirkuk to make way for predominantly Shi’a and some Sunni Arabs. With the fall of the Hussein regime in April 2003, however, the KRG and city of Kirkuk began to reverse “Arabization” to “re-Kurdify” the city. The Kurds desire this ethnic realignment to boost Kurdish voting numbers for the June 2008 referendum. Article 140 of the Iraqi constitution mandates this ethnic resettlement and to date an estimated 350,000 Kurds have relocated to Kirkuk, while approximately 150,000 Arabs have departed the region.

**Iraqi Constitution and referendum**

The referendum, mandated by the 2005 Iraqi constitution, will ask the people of Kirkuk and the other disputed territories of Diyala and Ninawa (all Kurdish regions within Iraqi governorates) if they wish to merge with Iraqi Kurdistan or remain outside of it. The referendum was supposed to have taken place in November 2007. But as the referendum’s deadline approached, a six-month extension was granted by the GOI and KRG, allowing additional time for a political solution to be generated concerning the independent status of these cites. The referendum’s postponement temporarily averted the violence that will undoubtedly accompany its implementation.

If the referendum *does* take place this summer and results in favor of Kirkuk and the other disputed territories becoming part of the KRG, non-Kurds will likely resort to violence to demonstrate their aversion to a Kurdish government with greater autonomy. On the other hand, if the referendum *does not* take place in 2008 or is further postponed, Kurds will

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10 Gareth Stansfield, “Iraq is Dead,” *The World Today*, June 2007; 63;6; ProQuest Military Collection, 21.
likely incite violence as their desire for independence is well known. Either outcome has security-related implications for the commander, MNF-I.

In the pre- and post-referendum short term, Iraqi Kurdistan lacks the necessary security forces to deal with a significant outbreak of ethnic violence. In the long term, an independent Iraqi Kurdistan creates a region further fractured along ethnic fault lines, which may serve as a bellwether of ethnic division throughout the entire country. The dissolution of the stable status quo in Iraqi Kurdistan will require a greater security presence if stability is to be maintained; the question the MNF-I commander must ask himself is who will supply it and how will his forces’ legitimacy be affected?

MNF-I presence in Iraqi Kurdistan

To balance and sustain future legitimacy concerns resulting from an independent Iraqi Kurdistan, the MNF-I commander must confront the security shortcomings that presently exists in Iraqi Kurdistan. It could be argued that MNF-I should simply increase its presence in Iraqi Kurdistan prior to the referendum. At a time of constrained resources and colossal factor time-space-force repercussions, however, the MNF-I commander’s options are limited as to how his forces can guarantee security in the region. The Multinational Forces are already stretched thin in their fight against Iraqi insurgents. Committing forces to Iraqi Kurdistan would take away from manpower and resources needed for the counterinsurgency (COIN) effort. Additionally, a more visible footprint in the region may not be desirable, as it might be interpreted among non-Kurds as Kurdish favoritism.

In February 2007, Major General Ben Mixon was the commanding officer for coalition forces in northern Iraq and Kurdistan, comprising some 20,000 troops. At that time, there were only 60-70 troops stationed in the Kurdish region. When asked about the lack of
forces in Iraqi Kurdistan, he remarked, “There’s no need for American forces up there because of the nature of the situation.” At that time, there was no overt threat to worry about in the region. This statement may have been accurate in early 2007, but the serene landscape in Iraqi Kurdistan will soon change. An augmented MNF-I presence in Iraqi Kurdistan is not the answer, but the MNF-I commander must still be part of the solution.

The long-standing stability in Iraqi Kurdistan has created a false sense of security for the MNF-I commander. Many areas deemed “safe” in the past have returned to violence throughout Iraq. Iraqi Kurdistan is an exception in that the Multinational Forces have never experienced violence in the region. This good fortune will be ephemeral, however, as the referendum date approaches.

There are many counterarguments to the MNF-I commander’s legitimacy concerns and the related security situation in an independent Iraqi Kurdistan. First, even though the June 2008 referendum will result in greater Kurdish autonomy, it can be argued that the MNF-I commander should not be overly concerned since the referendum is a constitutionally-mandated political procedure that is part of a fledgling democracy’s maturation process. Additionally, the formation of an independent Iraqi Kurdistan means democracy in the region is taking root. This is a good thing, as the people of the region have voiced their desires through a constitutionally-mandated referendum. Therefore, the MNF-I commander should act the part of observer—not protector—to this political process. If violence breaks out in the region, it could be considered a form of natural political “blood-letting” and not a political abnormality. Only by staying out of this “domestic dispute,” therefore, can the MNF-I commander ensure the legitimacy of his committed forces.

It is also arguable that security issues arising in an independent Iraqi Kurdistan are an internal problem. Since there are local security forces already in place in Iraqi Kurdistan, why should MNF-I have to augment its presence in the region? Should not an independent Iraqi Kurdistan “police” itself in light of any violence that stems from the referendum, thereby creating less of a need for MNF-I assistance rather than more? Such self-policing measures would even bestow greater legitimacy on the KRG, as it proved to the region and country that it could handle its own security matters that stem from its increased autonomy.

The GOI and KRG’s legitimacy hinges, in part, on reducing coalition visibility throughout all of Iraq, showing its own people and the world that it can protect and govern itself without the life-support afforded by the Multinational Forces. Therefore, if MNF-I increases its footprint in Iraqi Kurdistan—or to state it more accurately—creates one, this will further diminish the legitimacy of the GOI, KRG, as well as its own legitimacy. A “reduced footprint” is better accomplished via the transfer of knowledge and training to Iraqi Security Forces (ISF) and the local Kurdish militia, the peshmerga, who can serve as the stabilizing “boots on the ground.”

While these arguments have valid points, the fact remains that the existing security forces in Iraqi Kurdistan are insufficient and lack the necessary resources to “go-it-alone.” The MNF-I commander could commit forces to the region, yet severe factor time-space-force issues would make it unwise to do so. This does not mean, however, that the MNF-I commander should allow stability to needlessly disintegrate in Iraqi Kurdistan if it can somehow assist in preventing it. This critical task of augmenting security can be accomplished by synchronizing the training and utilization of existing, indigenous security forces under control of the GOI and KRG.
ANALYTICAL CONCLUSIONS

Best Course of Action

The strategic goal of the United States in Iraq remains a “unified, democratic and federal Iraq that can govern, defend and sustain itself and is an ally in the war on terror.”

To achieve this outcome, military objectives must be correctly formulated with a clear understanding of how to achieve them. Operational objectives in Iraq have evolved since the toppling of the Hussein regime, yet the need for a greater indigenous security force presence in Iraq has always been a steadfast objective for the MNF-I commander. The primary military operational objective for the Multinational Forces in Iraq is “the training and transferring of responsibilities to indigenous security forces.” This objective remains ongoing and is the linchpin to the stability of an independent Iraqi Kurdistan, as well as the mechanism which will allow the MNF-I commander to sustain force legitimacy.

The best course of action (COA) for the MNF-I commander to sustain force legitimacy, therefore, involves neither a “surge” nor “re-alignment” of any of his current forces in theatre, but rather a coordinated effort with the GOI and KRG to harness and hone the strength of their respective security forces. Doing so has a two-fold benefit: first, it allows the GOI and KRG to increase their legitimacy by taking ownership of security matters with indigenous forces; second, it allows the MNF-I commander to maintain focus on waging COIN operations in the “traditional” insurgent regions located outside of Iraqi Kurdistan where his forces are most needed. The Multinational Security Transition Command-Iraq

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(MNSTC-I) was designed to accomplish this sort of training and eventual hand-over of security to a variety of local forces, collectively called the Iraqi Security Forces (ISF).

**Regional security reform**

The Multinational Forces created the MNSTC-I in 2005 with the purpose of accommodating the shift from American-led COIN in Iraq to all-Iraqi force capability. MNSTC-I’s stated goal is the “development of Iraqi Security Forces (ISF), which will eventually allow a gradual reduction in coalition footprint.”[^14] The MNSTC-I training given to the ISF is tailored to COIN operations in Iraq—not to dealing with an outbreak of ethnic violence in Iraqi Kurdistan.

The joining of Iraqi Security Forces and Kurdish peshmerga forces to maintain stability in Iraqi Kurdistan offers a unique solution to MNF-I legitimacy concerns. The ISF are comprised of a variety of military, paramilitary, militia, and civilian law enforcement entities that are trained by the GOI with assistance from the MNSTC-I. Unfortunately, the training bestowed on the various ISF programs is not tailored to the situation in Iraqi Kurdistan, as the need for such assistance was negligible due to the region’s overall stability. The Kurdish enclave possesses its own tribal militia, the peshmerga, who are responsible for security in Iraqi Kurdistan.

The peshmerga force takes pride in its ability to maintain order, but soon greater autonomy will breed greater violence in the Kurdish enclave. With a bit of creativity and careful planning, however, the MNF-I and MNSTC-I leadership can create a workable solution to bring these opposing security forces together for the benefit of both the GOI and KRG. This union will help sustain the legitimacy of the Multinational Forces.

The KRG’s peshmerga forces do not presently receive tailored MNSTC-I training, but in the past have worked closely with U.S. Special Forces. If the MNF-I commander can successfully leverage a portion of the Iraqi Security Forces who are trained by the MNSTC-I to assist the Kurdish peshmerga with security matters, this will allow the Multinational Forces to focus on the ongoing COIN effort while concurrently preparing the Kurdish region for any future troubles associated with greater autonomy. This will not be an easy task, however, as the ISF and peshmerga have historical animosity toward each other emanating from ethnic strife.

The peshmerga are the equivalent of a Kurdish army and are the primary security force the MNSTC-I can “mentor” in an effort to ensure stability in the Kurdish region. U.S. Special Forces have trained with the peshmerga in Iraqi Kurdistan and this Kurdish militia’s knowledge of the land and local customs can greatly assist in maintaining stability in the region. While the strength of the peshmerga lies in its indigenous knowledge, the ISF’s strength emanates from its sheer numbers and close-working relationship with the Multinational Forces.

Today, the peshmerga are working through the GOI to become part of the national Iraqi Army (IA). Iraqi Security Forces currently number approximately 531,000 personnel, whereas Kurdish peshmerga number approximately 190,000.15 The GOI is reluctant to complete this merger, however, because of existing friction concerning the ethnic composition between the predominantly Arab ISF organizations and the Kurdish peshmerga. If this union is successfully forged, however, it will create the needed forces and necessary unity of effort to deal with future ethnic conflict in Iraqi Kurdistan.

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There are many benefits resulting from the creation of an ISF-peshmerga security relationship. First, it will allow the Multinational Forces to wage COIN operations while not being distracted by security matters in Iraqi Kurdistan. Second, it will foster ethnic toleration and set the precedent of inter-ethnic cooperation in security-related matters in Iraqi Kurdistan (as well as the rest of Iraq). Third, it will allow MNF-I to maintain a skeletal footprint in Iraqi Kurdistan, which will help sustain the legitimacy of both the GOI and KRG. This economy of indigenous force approach, in turn, assists in sustaining MNF-I force legitimacy.

**Legitimacy re-visited**

Prior to assuming the duties of commander, MNF-I, Army General David Petraeus oversaw the re-writing of the Army’s field manual pertaining to counterinsurgency. The updated version of FM 3-24 was released in December 2006, a mere six months after legitimacy was added to Joint Publication 3-0. Written in the manual’s opening pages is the heading, “*Legitimacy Is the Main Objective.*” Also delineated in bold type are the headings, “*Long-Term Commitment*” and “*Unity of Effort.*” 16 These basic tenets of COIN operations are instrumental to the success or failure of the Multinational Forces presently in Iraq.

Unfortunately, the Multinational Forces are presently *less* “multinational” as the United States comprises approximately 93% of all committed forces, thereby making unity of effort more home-grown than international. 17 Also, continued demand for troop withdrawals and Presidential criticism from the American public makes the likelihood of “long term commitment” less likely. Therefore, it is this author’s opinion that the success or failure of the Multinational Forces is intrinsically linked to the commander’s ability to sustain force

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legitimacy. Accomplishing this—despite the creation of an independent Iraqi Kurdistan, an increased “Americanization” of the war, and a dwindling of international and American public support—will not be an easy task.

Amid a theatre-wide tenable security environment, Iraqi Kurdistan has always been a stable and secure environment for the Multinational Forces. In a theatre conflict dominated by instability and constrained resources, the MNF-I commander is reluctant to “tip the apple cart” in the Kurdish region, for if violence breaks here, it will place an additional strain on already scarce manpower and resources. Additionally, creating a significant force presence in Iraqi Kurdistan would further complicate an already wicked factor time-space-force counterinsurgency quagmire, which is not in best interest of the MNF-I commander.

The creation of an independent Iraqi Kurdistan will require the MNF-I commander to act, however, by adhering to the objective of training the Iraqi Security Forces and assist them in merging with the Kurdish peshmerga forces to form an effective, well-trained, coordinated force. This force will be able to provide the necessary security following the formation of an independent Iraqi Kurdistan, while allowing the MNF-I commander to sustain the legitimacy of his committed forces.

RECOMMENDATIONS or LESSONS LEARNED

The GOI and KRG, with their varied ethnic populations, must work together to be part of the solution—not the problem—as each finds itself faced with greater security concerns with the creation of an independent Iraqi Kurdistan.

While the GOI and MNF-I have been working hand-in-hand to maintain a stable security environment throughout most of Iraq, neither party has been burdened by security
concerns in Iraqi Kurdistan. The insurgency has not spread to the region and to date, not a single American soldier has been killed in the Kurdish enclave.\footnote{William Grimes, “In Northern Iraq, the Kurds Find Success Amid Struggle,” *The New York Times*, 9 April 2008. Website: http://www.nytimes.com/2008/04/09/books/09grim.html?r=1&oref=slogin (accessed 10 April 2008).} The Multinational forces have also worked with Kurdish peshmerga forces, albeit to a lesser extent. Forging a union between MNSTC-I-trained Iraqi Security Forces and Kurdish peshmerga is the best solution to deal with increased Kurdish autonomy.

Another foreboding MNF-I legitimacy concern comes directly from the people of Iraq. National polls conducted in January 2008 revealed that Iraqis placed their highest confidence in the Iraqi Army (a product of the ISF) at 77% and in the Iraqi Police (another ISF-produced force) at 74% in their ability to provide protection. Conversely, only 27% of Iraqis polled trust the Multination Forces for protection, a decrease from previous reporting quarters.\footnote{Ibid, March 2008 *Quarterly Report to Congress*, 27.} The Iraqi population, overall, is losing faith in MNF-I’s ability to protect them. While this poll may not give an accurate portrayal of the sentiment felt in present-day Iraqi Kurdistan, it does demonstrate the basic reality that indigenous peoples generally feel more secure when protected by their own forces.

The MNF-I commander can best sustain the legitimacy of his own forces through continued training of the Iraqi Security Forces and engaging the KRG’s peshmerga in an effort to bridge the security gap that both the host government and KRG will soon be faced with. The MNSTC-I is a viable conduit to conduct this coordination and will afford the GOI and KRG the ability to maintain their own security forces, which will allow the Multinational Forces a “sooner-than-later” withdrawal from all of Iraq.
CONCLUSION

Operational Art links strategy to tactics, both of which are vital to the success of the operational commander in Iraq. Currently in Iraqi Kurdistan, however, operational art is scant. The security concern in an independent Iraqi Kurdistan cannot be ignored and the problem will not simply go away; it must be dealt with now, in anticipation of the June 2008 referendum. The apple cart will tip in Iraqi Kurdistan and the MNF-I commander would be remiss in his duties not to have a workable plan in place when it does.

The principle role of operational art is to sequence and synchronize the employment of military forces to accomplish strategic and operational objectives in a given theatre, which is exactly what the MNF-I commander must do if he is to maintain his own force legitimacy when faced with an independent Iraqi Kurdistan.\(^{20}\) This synchronization of forces will involve indigenous security forces, however—not his own—in order to maintain stability.

If the Multinational Forces fail to sustain legitimacy because of the disintegration of stability within an independent Iraqi Kurdistan, the future of the Kurdish enclave—as well as all of Iraq—will be in jeopardy. The Joint Publication 3-0 states that legitimacy can be a decisive element.\(^{21}\) The MNF-I commander must be cognizant of all the principles of war at play when considering his options in Iraqi Kurdistan. He must also realize that without sustaining force legitimacy, the MNF-I mission in Iraqi Kurdistan will fail.

With the inauguration of a new U.S. President less than a year away and the future of the “committed forces” uncertain, the time to forge this security union is now. All of Iraqi Kurdistan is, indeed, a ticking, ethnic time bomb. Factor time is not on the side of the

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\(^{21}\) Ibid., *Joint Publication 3-0*, A-5.
counterinsurgent. As the Joint Publication 3-0 reminds us, “security actions must be balanced with legitimacy concerns.” Only by implementing this correct “balance” of security in Iraqi Kurdistan can the MNF-I commander sustain his forces’ legitimacy.

22 Ibid., A-5.


