

***THE POLITICIZATION  
OF  
KURDISH NATIONALISM***

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## Özet

Anahtar Kelimeler: Temsili Mücadele, Kürt milliyetçiliği, HEP, DEP, HADEP, DTP

1990 sonrası Türkiye’de Kürt milliyetçiliği siyasi partiler kanalıyla örgütlenmeye başlamıştır. Kürt milliyetçiliğini referans alan partilerin Türk siyasi hayatına girişi ile birlikte Kürt milliyetçiliği ve Türk milliyetçiliği arasındaki mücadele politik alana kaymıştır. Politik alandaki mücadelenin niteliği, Türk siyasi hayatının sınırları ve partileşmiş olan Kürt milliyetçiliğinin tavrıyla yıllar içinde şekillenmiştir. Temsili mücadele olarak adlandırdığımız Kürt milliyetçiliğinin siyasasallaşması ana akım partiler gibi geleneksel bir yolda ilerlemeyip; Türk siyasi hayatında sosyal hareketlilik yaratarak radikal bir çizgi izlemiştir. Bu tez Kürt milliyetçiliğinin partiler aracılığıyla sürdürdüğü temsili mücadeleyi, tarihi arka planıyla birlikte anlatmaktadır.

## **Abstract**

Keywords: Representative Contention, Kurdish nationalism, HEP, DEP, HADEP, DTP

Kurdish nationalism started to organize through the pro-Kurdish political parties in Turkey after 1990. The struggle between Kurdish nationalism and Turkish nationalism shifted towards the political field with the entrance of pro-Kurdish political parties to Turkish political life. The nature of struggle in the political field, has been shaped over the years according to the limits of the Turkish political life and the political attitude of pro-Kurdish political parties. The politicization of Kurdish nationalism which is considered as representative contention does not move along in a traditional way like mainstream parties; they followed a radical line by creating social mobilization in Turkish political life. This thesis explains the representative contention of Kurdish nationalism throughout pro-Kurdish political parties with its historical background.

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## Abbreviations

AKP	Justice and Development Party of Turkey
ANAP	Motherland Party
BDP	Peace and Democracy Party
CHP	Republican People's Party
DDKO	Revolutionary Cultural Hearths of East
DEHAP	Democratic People's Party
DEP	Democracy Party
DEV-GENÇ	Turkish Revolutionary Youth Federation
DP	Democratic Party
DTH	Democratic Society Movement
DTP	Democratic Society Party
DYP	True Path Party
EMEP	Labour Party
ERNK	National Liberation Front of Kurdistan
EU	European Union
HADEP	People's Democracy Party
HEP	People's Work Party
HP	People's Party
KDP	Kurdistan Democratic Party
KPE	Kurdish Parliament in Exile
KUK	National Congress of Kurdistan
KUM	Kurdistan National Congress
ÖDP	Freedom and Solidarity Party
ÖZEP	Party of Freedom and Equality
PKK	Kurdistan Workers Party
PUK	Patriotic Union of Kurdistan
RP	Welfare Party



SDP	Socialist Democracy Party
SHP	Social Democratic People's Party
SODEP	Social Democracy Party
TİP	Workers Party of Turkey
TKDP	Turkish Kurdistan Democratic Party
TKSP	Kurdistan Socialist Party of Turkey
TÖB-Der	Solidarity Association of All Teachers

## **Introduction**

The politicization of Kurdish nationalism is a long process, and the focus point of the thesis would be the legal politicization of Kurdish nationalism which covers the pro-Kurdish political parties who tries to appeal Kurdish rights since 1990.

Political parties are the products of Kurdish nationalism which is perceived generally as the counterpart of Turkish nationalism. The Kurdish nationalism followed a similar pattern with Turkish nationalism in its evolution. While Turkish nationalism assumes certain sacredness as the founder ideology of Turkish state and strengthens its position during the foundation process of the Turkish Republic through security concerns, Kurdish nationalism passed through three phases, namely religious-feudal against the newly founded regime, leftist with leftist social movements in Turkey in 1960's and purely nationalist through the founding of a separate party which tries to appeal Kurdish cultural and political right. These phases would be analyzed through the mechanisms of "contentious politics" theory which could explain the political evolution of Kurdish nationalism from social movements to legal political parties.

It is certain that much of politics takes place in traditional structures of a party, bureau, faction, union, community or interest group; non-violent action and protest politics are not generally taken into consideration in the analysis of

contentious politics.<sup>1</sup> “Contentious politics means episodic, public, collective interaction among makers of claims and their objects when at least one government is a claimant, an object of claims, or a party to the claims and the claims would, if realized, affect the interests of at least one of the claimants but all politics is not contentious.”<sup>2</sup> Direct challenges to existing systems from political parties or interest groups may be examined under the category of contentious politics especially those by the pro-Kurdish political parties in Turkey who try to appeal Kurdish rights. Nicole F. Watts described the participation of political parties in the Turkish political system as “ethnopolitical incorporation into representative politics”. The phrase that she uses to explain this phenomenon is “representative contention”. She emphasizes the difference between public and representative contention for clarifying the concept

“Representative contention, which occurs when resistance to state policies is taken up within representative institutions of the state, such as the Parliament. Unlike public contention, which may be attributed to radical elements of society and silenced by eradicating the institutions that support it, representative contention takes place within official arenas that make up the hearth of body politics”.<sup>3</sup>

But she links this nature of political parties with the type of democracy that exists in Turkey, namely semi-democracy<sup>4</sup>. The restrictions on freedom of expression and association in spite of fair and free elections in semi democratic countries like Turkey force the Kurdish movement to search for an institutional basis for their claims but conventional politics limits the possibility of building

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<sup>1</sup> Sidney Tarrow, *Power in Movement Social Movements and Contentious Politics*, Cambridge University Press, 1998, New York, p.5

<sup>2</sup> Doug McAdam, Sidney Tarrow and Charles Tilly, *Dynamics of Contention*, Cambridge University Press, 2001, New York, p.5

<sup>3</sup> Nicole F. Watts, Unpublished PH.D. Thesis, *Routes to Ethnic Resistance: Virtual Kurdistan West and the Transformation of Kurdish Politics in Turkey*, University of Washington, 2001, p.133

<sup>4</sup> Nicole F. Watts, “Activists in Office: Pro-Kurdish contentious politics in Turkey”, *Ethnopolitics*, Vol.5, No.2, June 2006, p.126-128

this basis and as a result cannot bring an end to the conflict. Hence political parties used non-conventional protests repertoires like hunger strikes, cross-country symbolic marches and funeral demonstrations against the resistance of Turkish state. But these contentious actions created the perception that these parties are the uncompromising political actors of the system, consequently led to the political radicalization of the newcomer party.

The boundary between institutionalized and non-institutionalized politics may not reflect the natural border of contention. Tarrow, Tilly and McAdam explained this complexity by dividing contentious politics into two subcategories; contained contention (institutional) and transgressive (unconventional) contention. The main difference between contained and transgressive contention is that the former is characterized by conventional political tools whereas the latter is more marginalized in terms of the tools applied.<sup>5</sup> Both of these two types, namely contained and transgressive contention, reflect the dynamics of ethnic contention in Turkey because identity struggles occur in the politics of established institutions as well as in the disruptions of rebellions, strikes and social movements. The differentiation in the categories of contentious politics is an indication of the long trajectory of ethnic contention in Turkey from the rebellions in early 1920's to representative contention.

The political actors in Turkey were very determining in the whole trajectory of political parties. While SHP and Özal played a role as transformative actors in distinctive political identity formation in the 1990's, PKK cannot be excluded in the analysis of the relations of parties with the State. But the political parties' political adventure would be short-lived and this would lead to the famous vicious circle of political parties which starts with the closure of a party by the Constitutional Court and continues with the opening of a new one. While this process made legal struggle difficult for political parties, the political maturation of the parties within the system was not

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<sup>5</sup> Doug McAdam, Sydney Tarrow and Charles Tilly, *Dynamics of Contention*, p.7-8

possible and they tried to stay in the political arena through contentious actions.

If we divide Kurdish contentious politics into various episodes, we observe that the nature of these episodes changes according to the internal and international conjuncture during the whole trajectory. The struggle until the 1990's is strictly compatible with the Static Classic Social Movement Agenda. The Static Social Movement Agenda is a process in which the steps of movement have a cause-effect relationship among themselves, while social changes cause the framing of grievances through mobilizing structures; these mobilizing structures becomes representational power through contentious interactions. But after 1990 and, the dissolution of the Soviet Bloc, the types of contentious politics began to intersect with each other and turned into a more dynamic model with the identity transformation of Kurdish parliamentarians from mainstream politicians to ethnic ones and political change of political parties after 1994, the closing down of HEP. But the ethnic contention, and in general contentious politics, emerges in response to changes in political opportunities and constraints, with participants responding to different incentives: material and ideological, partisan and group-based, long-standing and episodic.<sup>6</sup> The founding of the Turkish Republic which is the main source of the changes in political opportunities and constraints pulled the trigger for ethnic contention as nationalism is at the center of ethnic contention in Turkey. Nationalism involves the twin claims that distinct nations have the right to possess distinct states, and that rulers of distinct states have the right to impose national cultural definitions on inhabitants of those states.<sup>7</sup> The founding of the new Turkish Republic was the realization of these processes especially for the first years; state-seeking nationalism led to the disintegration of pre-existing political structures with the dissolution of the Ottoman Empire and as the creation of Turkish Republic in other words the nation-building process of the

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<sup>6</sup> Ibid., p.40

<sup>7</sup> Doug McAdam, Sydney Tarrow and Charles Tilly, *Dynamics of Contention*, p.229

new Republic entailed the redrawing of national citizenship boundaries all over again.

The main interest of this study is the period after the 1990's. The reason why this time period is chosen is the beginning of the causal chains that enabled legal mobilization. The main question is "how people who at a given point in time are not making contentious claims start doing so?" In the first part of the study, the reasons for the contentious politics, especially the origins of Turkish and Kurdish nationalisms will be analyzed; we will then focus on our main subject, the legal mobilization of Kurdish nationalism within political parties, the transformative actors of Kurdish politics and the changing landscape of political parties which appeal Kurdish cultural and political rights.

## Chapter 1 Counter Nationalisms

The general distinction between nationalism as an actual sense of community with its political manifestation and nationalism as a manipulative ideology<sup>8</sup> reflects barely the nation-building processes of the twentieth century. As quoted by David Brown, Kenneth Minogue observes, “Nationalism ... began by describing itself as the political and historical consciousness of the nation, and came in time to the inventing of the nations for which it could act ... Instead of a dog beginning to wag its political tail, we find political tails trying to wag dogs”.<sup>9</sup> The nation-building process of the new Turkish Republic was no exception. The effort of the new Turkish elites for finding new sources of legitimacy is a proof of that process.<sup>10</sup> These legitimization efforts were summarized under four main sub-titles by Şerif Mardin: “the transition in the political system of authority from personal rule to impersonal rules and regulations; the shift in understanding the order of the universe from divine law to positivist and rational thinking; the shift from a community founded upon the ““elite-people cleavage”” to a ““populist based”” community; and the transition from a religious-community to a nation state.”<sup>11</sup> But the transition from a religious community to a nation-state went along with the policy of

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<sup>8</sup> David Brown, “Why is The Nation-State so Vulnerable to Ethnic Nationalism”, *Nations and Nationalism* 4, 1998, p.5

<sup>9</sup> Ibid., p.5

<sup>10</sup> Ibid., p.2

<sup>11</sup> Şerif Mardin, *Türkiye’de Toplum ve Siyaset, İstanbul*, İletişim Yayınları, 1994, p.20

denying the existence of national minorities in Turkey such as the Kurds who were described as “Mountain Turks”.<sup>12</sup>

### 1.1) Turkish Nationalism

After the First World War, all the treaties on the protection of minorities took into account the triple criteria of ethnicity, language and religion.<sup>13</sup> For example, in the Treaty for the Protection of Minorities in Poland, the first of this type of treaty, all three, ethnicity, language and religion were accepted in Articles 8, 9 and 12. Yet the criteria of ethnicity and language have not been accepted by the Turkish Republic during the signing of the Treaty of Lausanne. Despite the achievement of the Allies to impose the triple criteria to all defeated states of the First World War, Turkey as a result of the legitimacy gained through the War of Independence, obtained the power to negotiate the terms of minority rights. Hence the Allies limited their terms to the criterion of religion and the purpose had been the protection of their co-religionists.<sup>14</sup>

After Lausanne, the Republic of Turkey used the criterion of religion as the only determining factor of the existence of a minority. This was in many ways a continuation of the Ottoman policy. The construction of Ottoman identity was based on the concept of *ümmet*, with religious communities distinguished as Muslims and non Muslims. The historical causes of the differentiation between Muslims and non-Muslims are not limited to the policy of the Ottoman Empire because the intervention of major western powers in domestic affairs under the pretext of protecting the rights of non Muslims, has led to their identification as “the Other”. This concept of “the Other”(strictly defined in terms of religion) secured an advantage to the Turkish Republic in the construction of a new nation. However the theoretical framework for

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<sup>12</sup> Doğu Ergil, “Identity Crises and Political Instability in Turkey”, *Journal of International Affairs*, Fall 2000, no.1, The Trustees of Columbia University, New York, p.51

<sup>13</sup> Baskın Oran, *Türkiye’de Azınlıklar*, İletişim Yayınları, İstanbul 2004, p.62

<sup>14</sup> Baskın Oran, *Türk Dış Politikası Cilt 1*, İletişim Yayınları, İstanbul 2001, p.226



defining minority on the basis on religion was not applied directly, and the state has implemented practices inconsistent with public policy as in the case of the Kurdish people.

The prescribed territorial divisions in the Sèvres Treaty<sup>15</sup> shaped the nation building project of Turkish elites in favor of more ethnicity-based model contrary to the regulations in the Lausanne Treaty. In other words the Sèvres Treaty has been the determining factor in this context as the founding elites designated precisely the territorial, national and ethnic-political boundaries of the modern Turkish nation state.<sup>16</sup> Doğu Ergil claims that the “fear of partition and subversion constantly haunted the Turkish elite and bred growing suspicion of foreigners and their sinister domestic collaborators who wanted to divide up the country and undermine national unity.”<sup>17</sup> Henri J. Barkey and Graham E. Fuller refer to the Sèvres syndrome as a “national security problem” by arguing that the minority perception of Turks includes only the non-Muslims.<sup>18</sup> In a similar manner, but with better perception, Tanıl Bora defines the Sèvres syndrome as the crisis of eternal survival (ebed-müddet bekaa krizi).<sup>19</sup> Ahmet İçduygu and Özlem Kaygusuz on the other hand explain the Sèvres syndrome by summarizing the measures taken by the new Turkish Republic for national unity:

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<sup>15</sup> The Treaty of Sèvres, (Aug. 10, 1920), post-World War I pact between the victorious Allied powers and representatives of the government of Ottoman Turkey. The treaty abolished the Ottoman Empire and obliged Turkey to renounce all rights over Arab Asia and North Africa. The pact also provided for an independent Armenia, for an autonomous Kurdistan, and for a Greek presence in eastern Thrace and on the Anatolian west coast, as well as Greek control over the Aegean islands commanding the Dardanelles. Rejected by the new Turkish nationalist regime, the Treaty of Sèvres was replaced by the Treaty of Lausanne in 1923.

<sup>16</sup> Ahmet İçduygu and Özlem Kaygusuz, “The Politics of Citizenship by Drawing Borders: Foreign Policy and the Construction of National Citizenship Identity in Turkey”, *Middle Eastern Studies*, Vol.40, No.6, November 2004, pp.29-32

<sup>17</sup> Doğu Ergil, “Identity Crises and Political Instability in Turkey”, p.49

<sup>18</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, Rowman & Littlefield Publishers Inc., 1998, New York, p.3

<sup>19</sup> Tanıl Bora, *Milliyetçiliğin Kara Baharı*, Birikim Yayınları, İstanbul, 1995, p.77

“First, the former Ottoman citizens of non-Muslim origin, namely the Greeks, Armenians and Jews were definitely excluded from the future community inside. Secondly, the Ottoman-Muslim majority, which was composed of various ethnic and religious communities - Turks, Kurds, Circassians, Lazs, Arabs and some other smaller sects, were portrayed as a single organic cultural unit, which would be the principal social basis of the new political organization.”<sup>20</sup>

These ethnic and religious communities at the periphery could preserve their economic, social, cultural and regional autonomy until the nineteenth century by being dependent on the center with political ties. But especially after the nineteenth century, according to Elçin Aktoprak, the relations between the periphery and center changed in favor of the center. The construction of nation-states advances simultaneously with capitalism; consequently the autonomous center-periphery relations yield economic and administrative centralization with the advent of cultural homogenization efforts.<sup>21</sup> On the other hand, Hakan Özoğul emphasizes the importance of capitalism by referring to nationalism theories. He summarizes the constructionist approach in two sub-categories, the materialists (who suggest that nationalism and nations were created as a result of the need for capitalism’s growth) and culturalists (who emphasize the non-materialist constructions of nationalism). Ernest Geller’s approach in constructionist nationalism which emphasizes the needs of industrial society for improving their political, bureaucratic and economic power is largely compatible with the new Turkish Republic’s demand for legitimacy. On the other hand Ernest Renan, who describes one of the principles of culturalist approach as “the collective act of forgetting the past”, helps us to make sense of the Turkish state’s dissociation from the Ottoman past.

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<sup>20</sup> Ibid., p.36

<sup>21</sup> Elçin Aktoprak, “Kürt Açılımında Model Arayışları: Kuzey İrlanda ve Bask Örnekleri”, *Birikim*, Vol:247, November 2009, p.21

It can be claimed that the nationalism of the Turkish Republic has a dualistic character, which is both civic and ethnic. The important point is that whether civic or ethnic, nationalism is the *sine qua non* of Turkish modernity.<sup>22</sup>

### 1.1.1) Civic-Ethnic Nationalism Dichotomy

The ethnic-civic dichotomy, the most popular classification in the nationalism literature is that of Kohn's Western and Eastern forms of nationalism.<sup>23</sup> Kohn explains this dichotomy by referring to two different types of nation-building processes:

“The ideas of the nation and nationalism arose within preexisting state structures that encompassed populations with a relatively high degree of cultural homogeneity, or developed simultaneously with those structures. Inspired by Enlightenment ideas of liberty and equality, Western nationalism struggled against dynastic rule and equated citizenship with membership in the nation. Thus in the Western model, the state temporally precedes(or coincides with ) the development of the nation. In the socially and politically more backward areas of Central and eastern Europe and Asia, however, nationalism arose in policies that very poorly coincided with cultural or ethnic boundaries. In these regions, nationalism struggled to “to redraw the political boundaries in conformity with ethnographic demands”<sup>24</sup>

Kohn distinguished Eastern nationalism in this classification by emphasizing the late state structures in the region:

Thus in the Eastern model the nation precedes, and seeks to create the state. Nations in the East consolidated around the common heritage of a people and the irrational idea of the *volk*, instead of around the notion of citizenship. The ethnic nationalism predominates when institutions collapse, when existing

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<sup>22</sup> E. Fuat Keyman, “Articulating Citizenship and Identity The Kurdish Question in Turkey”, in *Citizenship in a Global World* ed. By E. Fuat Keyman and Ahmet İçduygu, Routledge, London, 2005, p.267-268

<sup>23</sup> Umut Özkırımlı, *Contemporary Debates on Nationalism A Critical Engagement*, Palgrave Macmillan, New York, 2005, p.22

<sup>24</sup> Schulman Stephen, “Challenging the Civic/Ethnic and West/East Dichotomies in the Study of Nationalism”, *Comparative Political Studies*, 2002,s.555

institutions are not fulfilling people's basic needs, and when satisfactory alternative structures are not readily available."<sup>25</sup>

The founding of the new Turkish Republic could be analyzed according to both models of Kohn because on the one hand it coincided with the nation-building process; on the other hand the Young Turks the ancestors of Turkish republican elites paved the way for the superiority of Turkish ethnicity in the bureaucracy since the Tanzimat period.

Although Turkish experience seems to be compatible with both types of nationalism, it needs to be noted that there is scholarly consensus on the fact that there is no pure civic nationalism which depends only on territory, citizenship, will and consent, political ideology and institutions. For example, Brubaker explains the intersection of civic-ethnic nationalism with the cultural component; if "culture" is considered as a component of civic nationalism, there are only a few ethnic nationalisms which are based solely on only common descent; on the contrary, if civic nationalism is based on an acultural concept of citizenship, then; all types of nationalisms could be classified under the category of ethnic nationalism.<sup>26</sup> Moreover, he emphasizes the role of the state in the categorization of nationalism by distinguishing "state-framed" and "counter-state" understandings of nationalism according to ethnic and civic components. He notes the dominant role of the state in shaping the authority of ethnic and cultural aspects of nationhood in the case of the former as well as emphasizing the civic quality of the latter.<sup>27</sup> Schulman also claims that "nation-building under a cultural concept of nationhood requires that the state pursue cultural assimilation of minorities, because cultural unity is the foundation for a strong nation-state in this formulation..."<sup>28</sup>

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<sup>25</sup> Ibid.

<sup>26</sup> Umut Özkırımlı, *Contemporary Debates on Nationalism A Critical Engagement*, p.24

<sup>27</sup> Ibid, p.25

<sup>28</sup> Schulman Stephen, "Challenging the Civic/Ethnic and West/East Dichotomies in the Study of Nationalism", p. 561

The state's dominant role in the formulation of nationhood is very crucial for Turkey's nation-building process because nationalism became a manipulative ideology for Turkish governing elites to consolidate and shape the nation. Doğu Ergil calls this process the state-nation model rather than the nation-state model.<sup>29</sup> Mesut Yeğen also emphasizes the centralization and consolidation of state power via repressive nationalist policies of the state in the 1920's and 1930's.<sup>30</sup> Betigül Ercan Argun defines "the historical trajectory of Turkish state nationalism" as "periodic oscillations between French civic and German ethnic variants", in other words between the principles of *jus soli* and *jus sanguinis*.<sup>31</sup> These oscillations started in the period of 1919-1924 with the prevalence of the idea of Muslim brotherhood during the war of Independence; continued with the abolition of the Sultanate and Caliphate for civic citizenship ties and finished with the Article 88 of the first constitution, "Everyone who belongs to the Turkish society regardless of religion or race is considered Turk..."<sup>32</sup> On the contrary Ayşe Kadioğlu describes these oscillations of Turkish nationalism as a paradoxical synthesis which contains individual liberty, rational cosmopolitanism, and universalism, and at the same time intends for cultural self-preservation in line with the arguments of Ziya Gökalp. By the same token, she claims that the dilemma of Turkish nationalism is directly inherited from Eastern nationalism and explains the paradoxical relations between Eastern and Western nationalism with a quotation from Chatterjee:

"It is both imitative and hostile to the model it imitates. It is imitative in that it accepts the value of the standards set by the alien culture. But it also involves a rejection... of ancestral ways which are seen as obstacles to progress and yet also cherished as marks of identity". The imitation

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<sup>29</sup> Doğu Ergil, "Identity Crises and Political Instability in Turkey", p.46

<sup>30</sup> Mesut Yeğen, *Müstakbel Türk'ten Sözde Vatandaşa: Cumhuriyet ve Kürtler*, İletişim Yayınları, İstanbul 2006, p.140

<sup>31</sup> Betigül Ercan Argun, "Universal Citizenship Rights and Turkey's Kurdish Question", *Journal of Muslim Minority Affairs*, Vol.19, No.1, 1999, p.90-91

<sup>32</sup> *Ibid.*, p.90

process in Turkey, to elevate Turkey to the level of “muassır medeniyet” (contemporary civilization) paved the way for an authoritarian elitist modernization project from above.<sup>33</sup>

The modernization project manufactured by Kemalist elites from above, favored ethnic nationalism against the civic one. Feroz Ahmad argued that, “Turkey did not rise phoenix-like out of the ashes of the Ottoman Empire. It was made in the image of the Kemalist elite which won the national struggle against foreign invaders and the old regime”.<sup>34</sup> The references given to “the foreign invaders and the old regime” reflect exactly the methodology of Turkish modernization, because modernization contains identity politics- and economic transformation at the same time. In other words “the survival question” is the most distinctive factor in determining the nation-state as *sina qua non* or approaching Kurdish nationalism as the consequence of feudal and backward economic structure of the region. On the one hand, Heper claims that the reforms of Kemalist elites such as the campaign of “Citizen! Speak Turkish” or the founding institutes of language and history for “Turkification policy”, were imposed to ensure the institutional and discursive construction of national identity for modernization.<sup>35</sup> On the other hand Ayhan Akman observes these reforms as the tools of an alternative nationalism, “modernist nationalism” which explains the dualist character of Turkish nationalism via will to civilization:

“Modernist nationalism differs from civic nationalism mainly by its suspicion of, and restrictions on, popular participation. Rather than regarding popular participation as a prerequisite of a nation defined by common political ideas and institutions (the civic model), or seeing it as part of the process of popular, vernacular mobilization of ethnicity (which is indispensable in ethnic nationalism), modernist nationalism finds the issue of democratic participation precarious and risky: for modernist nationalists participation by masses is skeptical because dissidents may thwart the project of Westernization. To the extent that modernist

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<sup>33</sup> Ayşe Kadioğlu, “The Paradox of Turkish Nationalism and the Construction of Official Identity”, *Middle Eastern Studies*, Apr. 1996, 32,2, p.179-184

<sup>34</sup> Feroz Ahmad, *Modern Türkiye'nin Oluşumu*, Kaynak Yayınları, 1995, İstanbul, p.33

<sup>35</sup> Metin Heper, *Türkiye'de Devlet Geleneği*, Doğu Batı Yayınları, 1996, Ankara, p.

nationalism requires conformity to its modernist schema of identities, it tends to restrict political and even cultural expression of non-conforming, traditional, religious or local identities.”<sup>36</sup>

The civic-ethnic dichotomy and the modernist approach of Akman evaluate the politics of Turkish new elites especially after 1923 according to the cultural aspect of nation-building, but all of the models are too restrictive to explain all dimensions of this process. In other words, all scholars focus on one of the dimensions such as territory, ethnicity or culture but as Eley and Suny express “...nationality is best conceived as a complex, uneven, and unpredictable process, forged from an interaction of cultural coalescence and specific political intervention, which cannot be reduced to static criteria of language, territory, ethnicity or culture”.<sup>37</sup> Hence Ahmet İçduygu and Özlem Kaygusuz observe the politics of 1919-1923 as the boundary producing process of new Turkish elites from above on all terms by considering internal and external national security concerns.<sup>38</sup> Also Güneş Murat Tezcür expands this approach by using the ethnic-boundary making approach of Wimmer for Turkish nationalism as we will see in more detail below.<sup>39</sup>

### **1.1.2) Ethnic Boundary Making**

The boundary producing of new Turkish elites started with the territorial identification of “community inside” in the Lausanne Treaty. The territorial boundaries which were determined in the negotiations were the reflections of national security perceptions of new Turkish elites. In other words the national security concerns formed the content of treaty’s territorial articles; Western Thrace, the Mosul and Hatay provinces were bartered away for the “idealized religious-cultural homogeneity” of the new Republic. Hence

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<sup>36</sup> Ayhan Akman, “Modernist Nationalism: Statism and National Identity in Turkey”, *Nationalities Papers*, 32, 1, p.25

<sup>37</sup> Cited in Umut Özkırımlı, *Contemporary Debates on Nationalism A Critical Engagement*, p.21

<sup>38</sup> Ahmet İçduygu and Özlem Kaygusuz, “The Politics of Citizenship by Drawing Borders”, p.27

<sup>39</sup> Güneş Murat Tezcür, “Kurdish Nationalism and Identity in Turkey: A Conceptual Reinterpretation”, *European Journal of Turkish Studies*, No:10, 2009, p.4

the territorial boundaries which were determined under the pressure of “national security concept” draw the modern national citizenship’s boundaries according to Turkish nation-building process.<sup>40</sup> In this context Tezcür analyzes the first years of the Republic by using Wimmer’s ethnic-boundary- making approach, emphasizing the process of nation-building rather than the ethnic or civic roots of Turkish nationalism.<sup>41</sup>

Wimmer claims that ethnicity is a living process of constituting and re-constituting groups by defining the boundaries rather than relations between pre-defined, fixed groups.<sup>42</sup> Consequently, Wimmer’s ethnic boundary making approach consists of five main strategies which are based on the alteration of the existing order of ethnicity: “to redraw a boundary by either expanding or limiting the domain of people included in one’s own ethnic category; to modify existing boundaries by challenging the hierarchical ordering of ethnic categories, or by changing one’s own position within a boundary system, or by emphasizing other, non-ethnic forms of belonging.”<sup>43</sup> The first strategy which contains expansion of boundary is the exact theoretical description of Turkish nation-building; Wimmer already observes that the best-studied strategy of boundary expansion is the politics of nation-building.<sup>44</sup> Thus Tezcür argues that the Turkish case is compatible with the first variant of nation-building which is incorporation. Incorporation, “to redefine an existing ethnic group as the nation into which everybody should fuse”<sup>45</sup>, which is imposed from above by Turkish governing elites, designates the dominant Turkish culture and language and

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<sup>40</sup> Ahmet İçduygu and Özlem Kaygusuz , “The Politics of Citizenship by Drawing Borders”, p.30-35

<sup>41</sup> Güneş Murat Tezcür, “Kurdish Nationalism and Identity”, p.1-18

<sup>42</sup> Ibid., p.4-5

<sup>43</sup> Andreas Wimmer, “Elementary Strategies of Ethnic Boundary Making”, *Ethnic and Racial Studies*, Vol.31, No.6, SEptember 2008, p.1025

<sup>44</sup> Ibid., p.1031

<sup>45</sup> Ibid., p.1032



prohibits the political and cultural representation of other ethnic identities like Kurdish.<sup>46</sup>

All scholars who study the nation-building process of Turkey focus on the imagined nature of Turkish nationality. Thus the governing elites as the ultimate locus of decision-making power are very dominant in this process; the evolution of Turkish nationalism continues in the direction of this nation-building process almost for thirty years. Hence the Kurdish issue has been discussed under different titles, for example as religious reaction, a manifestation of economic backwardness or the outcome of provocations of other countries. Mesut Yeğen classifies the discursive agenda of the Turkish state on the causes of the Kurdish problem under six titles: the explanation that denies the existence of Kurds as an ethnic group, the effect of sultanic rule and the caliphate's supporters, the resistance of pre-modern formations like tribes, the provocations of other foreign countries, the alienation of Kurds and their construction as the "Other" and the impact of regional backwardness.<sup>47</sup> These examples on the categorization of the Kurdish issue also indirectly reflect the episodes in the formation of Kurdish counter nationalism from the 1920's to present-day.

The trajectory of Kurdish nationalism until 1990 can be analyzed as two separate episodes, namely 1923-1960 and 1960-1990. The foundation of the Turkish Republic and the indirect consequences of this in the form of political, cultural and ethnic constraints led the way to extraordinary social changes for Kurdish people. But the nature of Kurdish nationalism changed from a religious-based to an ideology-based one according to the internal conjuncture.

## 1.2) Kurdish Nationalism

The evolution of Kurdish nationalism is a coming together of various components. These components reflect the general trend of the time period

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<sup>46</sup> Güneş Murat Tezcür, "Kurdish Nationalism and Identity:...", p.5

<sup>47</sup> Mesut Yeğen, *Devlet Söyleminde Kürt Sorunu*, İletişim Yayınları, 1999, İstanbul, p.109-170

between 1923-1990. Konrad Hirschler points out that the transformation of the components from religious ties in the 1920's and 1930's to class components in the 1960's and 1970's and finally to ethnic ties in the 1990's summarizes the whole adventure of Kurdish nationalism.<sup>48</sup> Moreover the discursive shift of Turkey regarding the Kurdish issue could be observed according to same order. The binary classification of Kurdish nationalism as two time period, namely 1923-1960 and 1960-1990 is an indication of the sharp distinction of Kurdish elites on the acting on the basis of religious and traditional affiliations to more class and ethnicity -based movements. As mentioned, these two periods can be analyzed according to "The Classic Social Movement Agenda" because the theory is suitable to analyze the effects of new Turkish centralization and secularization efforts on the threat perceptions of both Kurdish notables and the Kurdish leftist mobilizing structures.

### 1.2.1) 1923-1960

The modernization reforms which were undertaken after 1923 started a process of political, cultural and economic change for local and tribal elites of the Kurdish regions. These social changes created political opportunities and constraints for the power holders of the region like cooperation against the state authority or the loss of political power. As in the case of the Classical Social Movement Agenda, the process consists of mutual stages which have a cause and effect relationship. The 18 rebellions between 1924 and 1938, 16 of which involved Kurds<sup>49</sup>, were the examples of contentious interactions. All these rebellions by Kurdish tribal groups were perceived **by new State** as a counter-attack against the political threats aroused by centralization and secularization reforms.

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<sup>48</sup> Konrad Hirschler, "Defining the Nation: Kurdish Historiography in Turkey in the 1990's", *Middle Eastern Studies*, Jul 2001,37,p. 146

<sup>49</sup> Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey: An Exampe of a Trans-State Ethnic Conflict*, Frank Cass Publishers, London, 1997, p.100

The new nation-state model caused the dissolution of the religious brotherhood among the Muslim nations of the Ottoman Empire, consequently damaging the domination of local powers. The rebels were organized to maintain the tribal structure in the region which was based on Islamic rules. However, although there is some consensus on the existence of religious motives in the 1925 Sheikh Said Rebellion, the two other major rebellions, namely the 1930 Ağrı Rebellion and 1937 Dersim Rebellion, were considered as the reactions to the assimilative and statist policies of the Republic. All in all, the power struggle in the region was one of the most important determinants in the early stages of Kurdish nationalism. In line with this M. Hakan Yavuz<sup>50</sup> and Mekin Mustafa Kemal Ökem<sup>51</sup> call these early stages of Kurdish nationalism as “Kurdish proto-nationalism”.

The first major rebellion that is the 1925 Sheikh Said Rebellion has a mythical character for Kurdish nationalism. However the nationalist character of the rebellion is still disputable. Most scholars question the nationalistic origins of the rebellion but there are exceptions. For example, Aybars argues that “Sheikh Said supposedly attempted to deceive the authorities by alleging that the rebellion was a religious one”.<sup>52</sup> The religious and tribal allegiances played a major role in the formation of the Sheikh Said rebellion. But the religious character of the rebellion brought the ongoing disputes between Alevi and Sunni Kurds to the forefront. Yeğen claims that the above-mentioned fact resulted in the rejection of support from Alevi Kurds and consequently the defeat of Sheikh Said. The *ad hoc* Independence Tribunals which were created after the rebellion<sup>53</sup> executed the leaders. The State authority preferred to

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<sup>50</sup> M. Hakan Yavuz, “Five Stages of the Construction of Kurdish Nationalism in Turkey”, *Nationalism & Ethnic Politics*, Vol.7, No.3, Autumn 2001 pp.2

<sup>51</sup> Mekin Mustafa Kemal Ökem, Unpublished Ph. D. Thesis, *Turkish Modernity and Kurdish Ethno-Nationalism*, The Graduate School of Social Sciences, Middle East Technical University, April 2006, p.159

<sup>52</sup> Cited in Kemal Kirşçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.104

<sup>53</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.11

increase the level of repression. With the law for the Maintenance of Public Order (Takrir-i Sükun Kanunu) “the enemies of the new state” faced oppression instead of reconciliation.

The consequent rebellions in Ağrı and Dersim were repressed similarly and the measures taken were getting harsher with each new rebellion. On the one hand the Settlement Law of 1934 which was enacted just after the Ağrı rebellion divided the country in three zones: “Inhabited by those who spoke Turkish and were of Turkish ethnicity, inhabited by people whose culture and language should be enhanced by resettlement policies and the areas closed for security reasons to any form of civilian settlement”.<sup>54</sup> The reasoning behind the law was “Turkification” policy. On top of the legislative measures, more symbolic measures were also taken like the renaming of Dersim as Tunceli. The renaming measure was the first sign of the future name “adjustments”.

As we observe from the process mentioned above, the repertoires of contention between the rebels and the government created a vicious circle. With each new rebellion, more repressive measures were taken by the state. Instead of solving the problem, the new measures paved the way for new rebellions. Firstly, the changes in the status-quo in the region raised new political and social constraints for the tribal and religious elites; followed by the formation of organized rebellions for framing specific grievances and to mobilize the masses. But the mobilization efforts for Kurdish proto-nationalism failed, as a result of lack of grassroots support. Contrary to their aspirations, these rebellions strengthened the idea of Turkey’s “indivisibility of national integrity”<sup>55</sup> and engendered a relatively long silent period for Kurdish nationalism until the 1960’s.

The twenty years between 1940 and 1960 are considered by all scholars as a peaceful period regarding the ethnic contention. While Kirişçi and

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<sup>54</sup> Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.99

<sup>55</sup> Sidney Tarrow, *Power in Movement Social Movements and Contentious Politics*, p.87

Winrow<sup>56</sup> and Barkey and Fuller<sup>57</sup> points to the lack of cooperation among Kurdish rebels as a result of the Turkish Republic's success in repression, Ökem emphasizes the "emergence of an effective conservative opposition to the single-part era".<sup>58</sup> It is certain that the multiparty era changed the overall structure of Turkish political life because it exposed the existing political distinctions (Alevi and Sunni) between regional elites.

The high participation rates of three successive elections (1950, 1954 and 1957)<sup>59</sup> in fifteen provinces<sup>60</sup> could be explained with the dominant role of feudal and tribal elites according to Özbudun.<sup>61</sup> As it is the case with the success of CHP in these provinces when the tribal leaders had good relations with the state, the votes of DP rose in the 1954 election with the enlistment of the prominent family members in the region. Moreover the relative alleviation of repression in the region played an important role in the ideological shift of region and the prolonged cooperation between the Kurdish prominent families and the conservative right-wing parties. But the liberal policies of the DP were not sufficient to change the Kurdish perception of "the state" as the DP also enhanced a statist and pragmatist approach with the arrest of forty-nine Kurdish intellectuals (the event of 49's) for participating in separatist and communist activities in 1959. While the ruling party could claim that they arrested the communists to avoid international and moderate Kurdish people's

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<sup>56</sup> Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.105

<sup>57</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.13

<sup>58</sup> Mekin Mustafa Kemal Ökem, Unpublished Ph.D. Thesis, *Turkish Modernity and Kurdish Ethno-Nationalism*, p.202

<sup>59</sup> 1950:87.7%, 1954 : 89,5%, 1957 :77,9 % cited in Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey...*,p.106

<sup>60</sup> The 15 provinces are those were more than 15% of the population declared during the 1965 national census that the mother tongue was Kurdish cited in Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.106

<sup>61</sup> Ergun Özbudun, *Türkiye'de Sosyal Değişme ve Siyasal Katılma*, Ankara Üniversitesi Hukuk Fakültesi Yayınları, Ankara, 1975, p.95

reaction, the members of government decided to exclude the Kurdish intellectuals one by one from Turkish political life in a meeting by Celal Bayar, Cevdet Sunay, Fatin Rüştü Zorlu, Adnan Menderes according to a report delivered by the chief of National Security's Kurdish Problem Department, Ergun Gökdeniz.<sup>62</sup> This policy was discontinued by the coup d'état in 1960.

The changing nature of Kurdish mobilization from rebellions to political representation is related with the repressive policies of the state and the cooperation with local notables. After the 1960 coup d'état, the national context paved the way for the acceleration of the social movements, particularly the development of an independent Kurdish nationalist political identity in the 1970's. The Kurdish contention shifted from the struggle between the state and local power actors to left-wing movements, class-based politics through liberal environment after 1960 Constitution.<sup>63</sup>

### 1.2.2) 1960-1989

As a result of the social changes between 1950-1960, the Kurdish population became more educated, conscious and urbanized with a capacity to transform the nature of ethnic contention absolutely. While the social mobility through the 1961 liberal constitution caused the formation of a distinctive consciousness of Kurdish nationalism, the liberalization process engendered the emergence of a split between new marginal Kurdish elites and moderate local-tribal Kurdish leaders. This process went in hand with the rising leftist movements because the new marginal Kurdish elites, the future leaders of political parties, assumed an important role in these movements.

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<sup>62</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, Doruk Yayınları, 1995, Ankara, p.39

<sup>63</sup> Deniz Gökalp, *The State and Contentious Politics: The New Course of the Kurdish Question in Turkey's New-liberal Epoch*, Paper presented in Syracuse University, Middle Eastern Studies Program, 2008

The political division among the Kurds started in the 1960's between the Kurdistan Democratic Party in Turkey (TKDP)<sup>64</sup> and the Worker's Party of Turkey (TIP). Despite the fact that they both tried to utilize the "Eastern problem" for political reasons, the ideological and numerical superiority made TIP more effective in Kurdish mobilization process. The TKDP which was founded by Said Elçi pushed for a more "peaceful, democratic, humanitarian" solution within the framework of republic. But TIP gained electoral legitimacy in 1965 with the election of fifteen deputies to Turkish National Assembly; and its Group of Easterners were Mehdi Zana, Tarık Ziya Ekinci, Kemal Burkay, had more representational power than the traditionalists in TKDP.<sup>65</sup>

The political power shift from tribal and traditional elites to urbanized Kurdish new leftist elites was assured through the environmental and relational mechanisms. The rise and urbanization of leftist ideology set the national environment for the collaboration between the Turkish left and Kurdish people (the mobilization of the latter) which would provide organizational coordination. For example the Eastern Meetings against economic backwardness and the traditional structure of the region, which were organized in 1967<sup>66</sup>, were supported only by TIP in the Turkish parliament. As a result of the above mentioned social consciousness, Kurdish associations were founded in big cities. The Revolutionary Cultural Hearths of the East (Devrimci Doğu Kültür Ocakları, DDKO'S) were founded in 1969 by the alliance of all Eastern cultural associations. The regular educational activities of DDKO'S; the leaders of which were active members of TIP, to which were aimed at raising Kurdish consciousness<sup>67</sup> basically helped the formation of a new Kurdish

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<sup>64</sup> TKDP: Branch of Kurdistan Democratic Party in Iraq.

<sup>65</sup> Nesrin Uçarlar, *Between Majority Power and Minority Resistance: Kurdish Linguistic Rights in Turkey*, Media-Tryck Lund University, Lund, 2009, p.129-130

<sup>66</sup> September-November 1967, 7 meetings, Diyarbakır(16.09.1967), Silvan(24.09.1967), Siverek(01.10.1967), Batman(08.10.1967), Tunceli(15.10.1967), Ağrı(22.10.1967), Ankara((19 Kasım 1967)

<sup>67</sup> M. Hakan Yavuz, "Five Stages of the Construction of Kurdish Nationalism in Turkey", p.10

generation which was politically more active and marginal. The members of DDKO's were composed of the ex-cadres of DEV-GENÇ.<sup>68</sup> This collaboration between Kurdish and Turkish associations would strengthen the politicization of Kurdish nationalism and consequently its distinctive nature as a new political movement.

TİP discussed the Kurdish issue, naming it as “The Eastern problem” in its First Congress of 1964 and the party agreed that this was the result of Turkish chauvinistic nationalist, anti-democratic and repressive policies. The most important decision was the proclamation that the party would struggle for Kurdish citizenship rights. With the decisions of the Third Congress in 1968, which focused on the equality of citizens on all terms without any religious, ethnic or similar discrimination<sup>69</sup>, the former policy took on a more marginal shape. Finally the declaration of “the existence of a distinct Kurdish nation” in the Fourth Congress of TİP<sup>70</sup> made the party the forerunner of subsequent Turkish political parties which mobilized on the basis of the politicization of Kurdish nationalism. But the monopoly of TİP in Turkish left related to Kurdish issue ceased with the Kurdish dissociation from Turkish left and the organization of more nationalist mobilization structures like DDKO'S. This process of early politicization of Kurdish nationalism ended with the 1971 coup because TİP and all associations including the DDKO'S, were outlawed.

The shift to the left in Kurdish mobilization did not affect the loyal ties between the local Kurdish elites and the mainstream parties. The prominent families in the region, whose members were the supporters of the Democrat Party, continued to be the followers of the Justice Party, the successor to DP throughout the 1970's. The conflict of interest has been in the political scene

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<sup>68</sup> Turkey Revolutionary Youth Federation: Türkiye Devrimci Gençlik Federasyonu was founded in October 1969 and established a revolutionary line for the student movement.

<sup>69</sup> Gülnur Elçik, “Doğu Mitingleri ve DDKO'lar”, *Birikim*, Vol.225, January 2008, p.25-31

<sup>70</sup> Hamit Bozarslan, “Türkiye’de Kürt Sol Hareketi”, in *Modern Türkiye’de Siyasi Düşünce 8-Sol* ed. by Murat Belge, İletişim, 2008, İstanbul, p.1176



since then. For example Necmettin Cevheri, Kamran İnan or Mehmet Celal Bucak were active politicians in the successor right mainstream parties. But the political decisions of the regional families were a determining factor in voter preferences. For example in Siverek the Bucaks voted for the Justice Party, the rival Kirvars for RPP or in Hilvan (near Urfa) Sulaymans supported the Justice Party, whereas the rival Paydar voted for RPP.<sup>71</sup> Denise Natali observes this conflict of interest as “patronage links between the state and the local election machines”; she also underlines the communication gap with the Kurdish leftist groups and the pressure of local aghas to vote for certain parties. Furthermore David McDowall mentions the role of Bucaks, the local landlord clan in Siverek:

“While the Bucak owner, Yüksel Erdal Oral looks after the family in Siverek, his father looks after the interests of the region and the Bucaks as a Senator in Ankara...Landowners like Yüksel are the (Justice) party’s link with the villages that would otherwise be well beyond its reach...On election day headmen and landlords round up villagers and take them to voting, Bucaks boast that they can deliver 8000 votes at the polls. With that kind of influence, the family virtually picks its own district representative in Ankara.”<sup>72</sup>

As mentioned above, even if the local notables always secured the votes of mainstream political parties; they could not control the shift in the electoral dynamics of the region starting in the 1970’s. The most important reason of the shift was the new mobilization frames or coalitions which were the direct consequences of political fragmentation and socioeconomic transformations.<sup>73</sup>The cooperation with national left organizations, which provided the relational mechanism for a more class-based separate Kurdish political identity, has ultimately transformed the electoral behaviors in the region since the 1970’s. Dorrnsoro and Watts observed the above mentioned

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<sup>71</sup> David McDowall, *A Modern History of The Kurds*, I.B. Tauris Publishers, New York, 1997, p.400

<sup>72</sup> Ibid, p.401

<sup>73</sup> Gilles Dorrnsoro and Nicole F. Watts, “Toward Kurdish Distinctiveness in Electoral Politics: The 1977 Local Elections in Diyarbakır”, *Int. Journal Middle East Studies*, 41(2009), p.459

transformation of the electoral behavior in the regional voter tendency for independent candidates in the 1977 national and local elections. On the one hand they link the success of the independent candidates to the failure of local notables in cooperating with new organizational frames; on the other hand they emphasized the role of the new networks for independent candidates as in the case of Mehdi Zana's election as the independent Mayor of Diyarbakır in 1977; with the support of Turkish Socialist Workers Party, KUK, TKSP, TÖB-Der.<sup>74</sup> Dorrnsoro explained this change in the identity of the region's representatives in another article illustrating the decreasing percentage of deputies who mobilize the resources of what he calls "property" and "family notoriety" in the period of 1920-2002 from 100% in 1923 to 40% in 1970's and finally to almost 10%.<sup>75</sup>

To sum up, the formation of a separate Kurdish "national" political identity was the direct consequence of two facts, namely the changes in the political consciousness of the region throughout the 1970's and the new Kurdish social-political networks. These cognitive and relational mechanisms created a generation, that is the second Kurdish political generation in the Turkish Republic, the elites of which better represented the Kurdish people's grievances than the first generation, that is local and traditional power holders, as well as underlining Kurdish nationalism indirectly. The differences of these two generations in the politicization of Kurdish nationalism would be a marker in consecutive years because the emergence of new educated-urban political actors in the process and the struggle between traditional and modern Kurdish figures resulted in internal divisions. On the one hand, this process caused the radicalization of the contention; on the other hand it paved the way for the new actors like political parties.<sup>76</sup>

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<sup>74</sup> Ibid, p.458-475

<sup>75</sup> Gilles Dorrnsoro, "The Autonomy of the Political Field, The Resources of the Deputies Of Diyarbakır(Turkey):1920-2002", *European Journal Of Turkish Studies*, Thematic Issue 3, 2005, p.15

<sup>76</sup> Doug McAdam, Sydney Tarrow and Charles Tilly, *Dynamics of Contention*, p.33

The process of the politicization of Kurdish nationalism continued in a more bipolar way until the founding of political parties, because while Kurdish local notables were elected as deputies from the mainstream parties, the Kurdish left was divided into more radical fractions such as: “Liberation (Rızgari; also the name of the journal published in Kurdish language), the National Liberators of Kurdistan (Kurdistan Ulusal Kurtuluş) (KUK; separated from the TKDP in 1977), The Kurdistan Workers Party (PKK).<sup>77</sup>

The tendency of Kurdish local notables for participating in the politics of mainstream parties has multiple dimensions. It is obvious that the opportunities for personal advancement and the patron-client relationships which were secured with a seat in Ankara, were the ultimate causes of the collaboration. But this mutual collaboration which guaranteed electoral gain in the region for mainstream parties also and relatively developed regional socio-economic conditions. Furthermore, the parliamentary immunity was to be also an important motive for Kurdish elites after the coup d'état in 1980.<sup>78</sup> Even if Kurdish notables were elected as independent as in the 1977 elections, some Kurdish politicians such as Eşref Cengiz, Ali Rıza Septioğlu, Nurettin Yılmaz and Abdülkerim Zilan<sup>79</sup>, they entered into mainstream parties for a safer socio-political life.

The intense polarization of Turkey in the period of 1971-1980 which intensified after the coup d'état in 1980 altered the political positioning of Kurdish people. As Kurdish “national” organizations became more clandestine and radicalized (like the PKK), the moderates like Ahmet Türk who chose to act with the CHP of Bülent Ecevit before 1980; took part in SHP which resulted from the merging of SODEP and HP. But some representatives of

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<sup>77</sup> Nesrin Uçarlar, *Between Majority Power and Minority Resistance: Kurdish Linguistic Rights in Turkey*, p.133

<sup>78</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.74-75

<sup>79</sup> Gilles Dorronsoro and Nicole F. Watts, “Toward Kurdish Distinctiveness in Electoral Politics: The 1977 Local Elections in Diyarbakır”, p.462

Kurdish people were detained by the military rule for example, Şerafettin Elçi who was Minister of Public Works in Ecevit's government in 1978-1979 and Mehdi Zana who was the independent mayor of Diyarbakır. Both were condemned because of their statements about Kurdishness. Hence Şerafettin Elçi declared "There are Kurds in Turkey, I am a Kurd too"<sup>80</sup>; and Mehdi Zana promised to "support the struggle of our (Kurdish) people against imperialism, fascism, colonialism, and feudal reactionaries" in his election manifesto.<sup>81</sup> All in all, the coup d'état effected political streams in Kurdish politics but some local notables continued their political life in the right mainstream parties, like the Motherland and the Welfare Party without any risks of political detention.

It is certain that the nature of contention changed from 1920's to late 1980's. The poles were strictly defined between radicals, moderates and **traditionals** in this process. But as mentioned above, the Kurdish **political** demand started to concentrate on the recognition of a specific national identity in later years rather than the aggravated socio-economic conditions of the region or socialist struggle. Consequently the borders between the three poles were redrawn in favor of radicals because the moderates who supported mainstream parties especially SHP, decided to found a separate political party whose cadres would have more radical tones in contention. The separate political identity formation for Kurdish politics was directly related to the changes in the perception of Kurdish politicians in Turkish mainstream political parties and in the attitudes of these parties to Kurdish politicians. It was certain that mainstream parties like SHP could not frame the grievances of Kurdish politicians.

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<sup>80</sup> David McDowall, *A Modern History of The Kurds*, p.413

<sup>81</sup> Gilles Dorransoro and Nicole F. Watts, "Toward Kurdish Distinctiveness in Electoral Politics: The 1977 Local Elections in Diyarbakır", p.471

## Chapter 2 Representative Contention

From the beginning the trajectory of representative contention is always determined according to the structural limits of the Turkish political system. The rising of an independent Kurdish nationalism did not engender political parties; instead the structural limits of the political space for Kurdish nationalist arguments paved the way for representative contention. Even if the Turkish political system gives the opportunity for Kurdish representatives in Turkish parliament, these are generally limited to Kurdish landlords and tribal leaders who consider the Kurdish issue within the economic and social determinism of the Turkish Republic. Hence the dissociation of Kurdish nationalism from traditional origins and the Turkish left at the same time transformed the identity of Kurdish parliamentarians beginning from 1970's.

The successive mechanisms left its mark on the identity transformation of Kurdish parliamentarians indirectly by effecting the formation of legal Kurdish nationalism within the national political system. These mechanisms could reveal each step of the legal politicization of Kurdish nationalism, from the internal structural changes within the Turkish political system to the categorical dissociation of Kurdish parliamentarians afterwards or legal politicization of Kurdish nationalism with its entry to Turkish Parliament. The major external mechanism was the International Paris Conference the theme of which was "The Kurds: human rights and cultural identity". It was held on 14<sup>th</sup> and 15<sup>th</sup> October 1989<sup>82</sup> and it was the beginning of the end for the majority of Kurdish parliamentarians and mainstream parties, especially SHP. Even if this could be observed as an external mechanism; it could be also analyzed as a

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<sup>82</sup><http://www.institutkurde.org/products/details/72>

cognitive and relational mechanism. As the relational ties between the new Kurdish leftist elites and European authorities strengthened through the rising consciousness of Kurdish nationalism which was one of the indirect consequences of changing national and international political environment. The changing national and international political environment could be explained with the existence of relatively transformative national actors in Kurdish issue such as SHP and Özal and the rising international importance of Kurds after the First Gulf War.

The conference which was organized by the Kurdish Institute of Paris and the France Libertés Foundation, hosted bureaucrats, statesmen and academicians related to Kurdish rights from all over the world.<sup>83</sup> The guest list from Turkey was not limited to deputies, and contained Turkish residents in France and intellectuals.<sup>84</sup> Despite the widespread participation, the most striking point was the participation of SHP's Kurdish deputies and it was a

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<sup>83</sup> Danielle Mitterrand, Elena Bonner, Ann Clwyd, British MP, member of Labour's shadow cabinet, Georgina Dutoix, former Minister of social Affairs and Jeri Laber, director of Helsinki Watch, Bernard Kouchner, Secretary of State for Humanitarian Action, Hocine Ait-Ahmed, former Algerian Minister, Lord Avebury, President of the British Parliamentary Human Rights Group, Clairborne Pell, President of the Foreign Affairs Commission of the American Senate, Peter Galbraith, Member of the same commission, William Eagleton, Ambassador of the U.S.A., Thomas Hammarberg, former President of Amnesty International and Director of the Save the Children Fund, Professors René-Jean Dupuy, Collège de France, as well as numerous writers, academics, MPs and representatives of human rights' defense organizations. The former Austrian Chancellor, Brono Krelsky and the Soviet academician Andrei Sakharov who, due to ill health, were unable to come to Paris, sent messages of solidarity. Catherine Lalumière, Secretary-General of the European Committee, and Messages Willy Brandt, Edwerd Kennedy, Giovanni Spadolini, President of the Italian Senate, joined in sending messages of sympathy to the conference.

<sup>84</sup> Erdal İnönü, Mehmet Moğultay, Mehmet Ali Eren, Hüseyin Okçuoğlu, Sedat Doğan, Ahmet Türk, Adnan Ekmen, Mehmet Kahraman, Cumhur Keskin, Eşref Erdem, Salih Sümer, Fuat Atalay, Mahmut Alınak, Kenan Sönmez, Kemal Anadol, Kamil Ateşoğulları, Arif Sağ, Fehmi Işıklar, Mustafa Kul, Abdullah Baştürk, İsmail Hakkı Önal, Kamer Genç, Orhan Veli Yıldırım, Tevfik Koçak, İbrahim Aksoy, Gerit Bora, Nurettin Yılmaz, Nurettin Dilek, Kemal Birlik, Fatoş Güney, Ozan Şivan Perver, Server Tanili, Kemal Burkay, Doğu Perinçek, Naci Kutlay, İbrahim Aksoy, Hatice Yaşar, Serhat Dicle, Ziya Acar, Mehmet Ali Aslan, İsmet Şerif Vanlı, İsmet Ateş.

turning point for Turkish political life and ensured directly the foundation of the first political party who would try to appeal Kurdish rights, HEP.

At the initial stage, Erdal İnönü, the leader of SHP, authorized the participation of four deputies. The decision to authorize participation was given in a quartet meeting with the presence of Erdal İnönü, Deniz Baykal, Ahmet Türk and Cumhuriyet Keskin.<sup>85</sup> Then SHP Central Committee took the decision that the participation to a conference which specifically demands the promotion of Kurdish identity could not be legitimized in Turkish public opinion. Consequently SHP administration adopted a position against deputy participation. But Mahmut Alınak claimed that the Kurdish deputies were not informed about this decision except Ahmet Türk.<sup>86</sup> Finally seven deputies; Ahmet Türk, Adnan Ekmen, Salih Sümer, Mahmut Alınak, Kenan Sönmez, İsmail Hakkı Önal and Mehmet Ali Eren<sup>87</sup> participated in the conference but preferred not to address the conference. The only exception was İbrahim Aksoy who was expelled from SHP after his speech in February 1989 in the Turkish-European Joint Parliamentary Commission.<sup>88</sup> İbrahim Aksoy's declaration was particularly about the Turkey and it was named "The situation in Turkish Kurdistan". However the final declaration of the Conference was mostly on the situation of Kurdish communities all over the world. The decisions taken included both social and political demands. Hence human rights issues and refugee problems as well as; the proposition of a special session in UN devoted to Kurdish problems and the founding of a permanent Kurdish institution for representation in international organizations were considered.<sup>89</sup>

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<sup>85</sup> Mahmut Alınak, *Parlamentodan 9. Koğuşa*, Tila Yayınevi, Ankara, 1994, p.92

<sup>86</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.67-68

<sup>87</sup> <http://www.t24.com.tr/haberdetay/64021.aspx>, 11.November 2010

<sup>88</sup> Nicole F. Watts, "Pro-Kurdish Parties in Turkish Politics, 1990-94", *International Journal of Middle East Studies*, Vol.31, No.4 , November 1999, p.641

<sup>89</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.70-72

Two points were clear after the International Conference. First of all, it provided international certification for Kurdish struggle in all countries. Secondly, the SHP membership of the seven who took part in the conference came to an end. All of them were expelled by the disciplinary committee on 17<sup>th</sup> November after a decision which was taken by majority of votes (5-4) on the basis of the decision of Central Committee on 17<sup>th</sup> October.<sup>90</sup> The reason of expulsion was based on the articles in Party crimes section of the internal statute of SHP; these were “behaving contrary to the decision of the general assembly, committee and other organs and the decrees of the program and by laws”<sup>91</sup> and “contributing to political actions contrary to the basic principles and direction of the party”.<sup>92</sup> But this expulsion created new political opportunities for Kurdish parliamentarians within the Turkish political system.

The new political opportunities which were triggered by SHP in two directions, both positively and negatively, paved the way for the first political party HEP. At the same time, Özal as a prominent political figure secured the existence of Kurdish “legal” representation by his liberal policies. But the naming of the “legal” politicization of Kurdish nationalism as representative contention could only be explained by the radical domination of PKK of the Kurdish issue; consequently it affected the political identity of Kurdish parliamentarians. Additionally the ascending power of PKK can be explained by the international structural changes in Northern Iraq after the First Gulf war. The struggle which started just after the expulsion of “socialist” deputies of SHP transformed into an ethnic contention and gained a more radical tone through the structural changes in Turkish political life and the PKK.

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<sup>90</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics, 1990-94”, p.642

<sup>91</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.75

<sup>92</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics, 1990-94”, p.642



## 2.1) HEP

The first political party, namely HEP, was founded as a result of the conflict within SHP following the expulsion of seven Kurdish deputies. The efforts of some deputies in SHP<sup>93</sup> which were considered as the representatives of leftist ideology in the party were not sufficient to convince Erdal İnönü and Deniz Baykal to forgive the participant deputies. Moreover the local branches of the party in the region<sup>94</sup> claimed that the expulsion could damage the local interests of the party.<sup>95</sup> The reactions of intra-party supporters, especially the deputies, focused on the undemocratic character of the decision rather than the rights of Kurdish people. Consequently the resignation of twelve deputies<sup>96</sup> from SHP was the result of a search for a more leftist and democratic political party than SHP. The resignations continued with regional SHP administrators (12 provincial chairmen) and 3000 rank and file party members.<sup>97</sup>

All members of the opposition within the party, including seven expelled deputies, constituted the political group of New Democratic Formation (Yeni Demokratik Oluşum). On the one hand the Conference in Paris as an environmental mechanism caused the creation of a heterogeneous group, namely New Democratic Formation; on the other hand the existence of people like Aydın Güven Gürkan, Fehmi Işıklar with the capability to broker differences accelerated the process of the formation of a party. There were two important declarations of the Formation. Firstly, the cadres of the Formation underlined that they would introduce socialist ideology in the political arena. Secondly, in the Declaration of Political Intentions of 12<sup>th</sup> January 1990, they

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<sup>93</sup> Abdülkadir Ateş, Fikri Sağlar, Hikmet Çetin, Tevfik Koçak, Ömer Çiftçi, Eşref Erdem and Cevdet Selvi.

<sup>94</sup> Diyarbakır, Muş, Şanlıurfa, Mardin, Bingöl, Bitlis, Siirt, Tunceli, Erzincan and Adıyaman

<sup>95</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.74-76

<sup>96</sup> Aydın Güven Gürkan(co-founder of the SHP), Kamil Ateşoğulları, Kemal Anadol, Hüsnü Okçuğlu, Tevfik Koçak, Abdullah Baştürk, Fehmi Işıklar, Arif Sağ, Cüneyt Canver, Mehmet Kahraman, İlhami Binici

<sup>97</sup> Nicole F. Watts, "Pro-Kurdish Parties in Turkish Politics, 1990-94", p.642

made it clear that their aim was to evolve into a democratic socialist party which would adopt egalitarian values. This compromise on the principles of socialism appealed even to political figures like Kemal Anadol, Hüsnü Okçuoğlu and Kamil Ateşoğulları who were considering founding a Marxist party.<sup>98</sup> But the socialist ideological glue was not sufficient to keep together Kurdish parliamentarians and the “socialist” group of SHP. This became evident after its first assembly on 3 March 1990, when mainly the Kurdish supporters of the Formation attended the meeting. But Aydın Güven Gürkan who was considered as the leader of the prospective party, mentioned the importance of the Kurdish issue and underlined that this problem had to be solved thorough democratic means.<sup>99</sup> Even if the cadres of the Formation attempted to reduce the dominant Kurdish character of the movement, the pressure of the Kurdish community to frame ethnic grievances in the first Kurdish party was a natural outcome; hence despite all attempts, the Kurdish character was dominant. Thus the socialism-oriented members; even Aydın Güven Gürkan, broke with the New Democratic Formation. But the rest of the cadres, which was mainly composed of Kurdish representatives; decided to establish a mass-party; on these grounds they appointed Fehmi Işıklar (the ex-General Secretary of DISK)<sup>100</sup> as the Chairman of the party. Eleven deputies<sup>101</sup> gave a petition to the Interior Ministry to found HEP<sup>102</sup> on 7 June 1990.<sup>103</sup>

The dissociation of socialist deputies from the new party caused the definitive categorical formation in Turkish political life. Even if HEP was founded with the aim of being a mass party; the boundaries of the new party

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<sup>98</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.88-90

<sup>99</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics, 1990-94”, p.643

<sup>100</sup> Revolutionnary Workers Union Confederation

<sup>101</sup> Fehmi Işıklar, İbrahim Aksoy, Ahmet Türk, Abdullah Baştürk, Kenan Sönmez, Mehmet Ali Eren, Arif Sağ, Adnan Ekmen, İsmail Hakkı Önal, Cüneyt Canver and Salih Sümer

<sup>102</sup> People’s Work Party

<sup>103</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics, 1990-94”, p.643

were redrawn in line with the agenda which differed from the ordinary political programs and involved non-conventional methods within the Parliament. The difference between mass parties and the newly founded HEP is the main rationale behind Nicole Watts' thesis, naming the representational repertoires of ethno-political parties as representative contention:

“In cases such as Turkey, restrictions on popular protest may in fact channel activism into the political system, where pressure “from below”(popular protest and ballot box) and “outside”(militant contention) can encourage activists who gain office to maintain a radical tone and action despite the potential risks. Similarly, some of the tactics adopted by pro-Kurdish activist-politicians were drawn directly from “non-conventional” protest repertoires including hunger strikes, cross-country symbolic marches and funeral demonstrations...”<sup>104</sup>

The first contentious action of HEP was to launch the cross-country symbolic march for “Proud and Independent Life” beginning on 17<sup>th</sup> of July 1990 in İstanbul and ending in Diyarbakır, followed with a public meeting. HEP provided both local and national legitimacy through the enthusiasm of the community during the march in spite of the clashes between Kurdish people and security forces. Even if the all actions of HEP could not be qualified as contentious, they were not compatible in general with the government's policies as the demonstrations of “No War” in different cities of Turkey which were organized by HEP regarding Saddam's occupation of Kuwait and a probable big war showed.<sup>105</sup> These contentious actions could not naturally legitimize the party in Kurdish community because they had to act in spite of PKK and the constraints of the Turkish political system. The Newroz celebration in 1991 offered an opportunity to HEP, but the categorical settlement became distinctive with the radical attitudes of the participants to the celebration like taking down of the Turkish flag. Furthermore the declaration of HEP's Chairman Fehmi Işıklar in the first congress of the party on 8-9 June 1991 exposed the pro-Kurdish character of the party:

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<sup>104</sup> Nicole F. Watts, “Activists in Office: Pro-Kurdish contentious politics in Turkey”, p.129-130

<sup>105</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.112-115

“HEP, whose party is it? It is the party of most oppressed and exploited ones. And who are they? People who claim that HEP is a pro-Kurdish party despite all my declarations, admit that this country’s most oppressed and exploited people are Kurds.”<sup>106</sup>

The constraints of the Turkish political system, especially the electoral laws which demanded the establishment of offices in at least half of the country’s seventy four provinces and a nationwide congress a minimum of six months prior to elections, prevented HEP from competing in elections. Consequently HEP’s cadres began to look for electoral alliances with mainstream political parties, namely the Welfare Party and SHP.<sup>107</sup>

HEP’s electoral alliance with SHP was beneficial for both of them. While HEP overcame the electoral laws, SHP had a new opportunity to regain the regional votes which were lost after Kurdish parliamentarians were expelled the party. Despite the apparent benefits, the alliance decision was very controversial for HEP’s cadres. Osman Ölmez called the anti-alliance group as “Libertarians” which was led by İbrahim Aksoy. Ölmez underlined that this group was for independent candidates for the 1991 elections; furthermore he added that they stood for 1991 elections separately as seven independent candidates.<sup>108</sup> But the electoral alliance became a definite plan with the efforts of Hikmet Çetin and Fikri Sağlar from SHP and Fehmi Işıklar from HEP. The HEP members became the members of SHP on 5 September 1991 after their symbolic expulsion from HEP.<sup>109</sup> The electoral alliance was accomplished; Erdal İnönü even described this as “not merely an electoral alliance” but “a step toward party integration”.<sup>110</sup> SHP reserved fourteen nominations in their

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<sup>106</sup> Ibid., p.129-132

<sup>107</sup> Mahmut Alınak, *Parlamentodan 9. Koğuşa*, p.134

<sup>108</sup> İbrahim Aksoy, Nurettin Başut, Latif Epözdemir, Kazım Gürbüz, Kazım Yıldız, Abdurrahim Deli, Servet Dişçi

<sup>109</sup> Ibid, p.146-148

<sup>110</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics, 1990-94”, p.644

lists for HEP members but HEP's intention was to get almost thirty five members in the lists. When the elections were held on 20th October 1991, eight additional ex-HEP members, on top of the planned fourteen candidates by SHP, were elected<sup>111</sup> as a result of the preferential voting system. Nicole Watts explains the perspective of HEP as "solving the Kurdish problem through peaceful and democratic methods in line with the Universal Declaration of Human Rights, the European Convention on Human Rights, and the statutes of the Helsinki Document" with a quotation from HEP's program and highlighted the one-paged devotion to the Kurdish problem in the program which shows HEP's intention of being a mass party. However she accentuated the lack of national political experience of fifteen deputies and the local power ties of these deputies, naming Mehdi Zana's wife Leyla Zana or Şemdin Sakık's (a leading figure of PKK) brother Sırrı Sakık.<sup>112</sup> This differentiation during the parliamentarization of HEP could be observed as a shift from local domination to national representation<sup>113</sup>; it could also demonstrate the cadre alteration and radicalization of parliamentarian Kurdish nationalism. Thus "representative contention" gained its real meaning in the oath-taking ceremony of the 19<sup>th</sup> legislation term on 6 November 1991.

According to Mahmut Alınak, the meeting among HEP members before the oath-taking ceremony devised an action plan. He claimed that they agreed on Fehmi Işıklar's Turkish message and Abdülkerim Zilan's Kurdish message during the ceremony.<sup>114</sup> But while Hatip Dicle started with the statement, "I and my friends are reading this text under Constitutional pressure" and continued with some additions to the original oath, Leyla Zana finished her

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<sup>111</sup> Fehmi Işıklar, Salih Sümer, Adnan Ekmen, Abdülkerim Zilan, Hatip Dicle, Sedat Yurtdaş, Leyla Zana, Sırrı Sakık, Nizamettin Toğuç, Mehmet Emin Sever, Mahmut Uyanık, Muzaffer Demir, Mahmut Kılınc, Mahmut Alınak, Orhan Doğan, Selim Sadak, Remzi Kartal, Ahmet Türk, Ali Yiğit, Mehmet Sincar, Naif Güneş and Zübeyir Aydar.

<sup>112</sup> Nicole F. Watts, "Pro-Kurdish Parties in Turkish Politics, 1990-94", p.636-637

<sup>113</sup> Doug McAdam, Sydney Tarrow and Charles Tilly, *Dynamics of Contention*, p.144

<sup>114</sup> Mahmut Alınak, *Parlamentodan 9. Koğuşa*, p.155-160

oath by a Kurdish sentence which meant “I take this oath for the brotherhood between the Turkish people and the Kurdish people”.<sup>115</sup> Furthermore all Kurdish deputies had some accessories with PKK’s colors<sup>116</sup>. This was the beginning of the end for the alliance between the Kurdish deputies and SHP, because SHP, as a coalition partner in the 49th government, could not bear the responsibility of having Kurdish members against political reactions. The successive contentious actions of Kurdish deputies complicated the consolidation process. All in all, the radicalization process was escalating<sup>117</sup> and so did the pressure of SHP on Hatip Dicle and Leyla Zana to resign. This mutual pressure came to an end with SHP’s petition of exclusion for Hatip Dicle on 10<sup>th</sup> January 1992 in its Disciplinary Committee. Following the petition, Leyla Zana and Hatip Dicle decided to resign for the purpose of “not damaging SHP’s opening politics” on 16th January 1992.<sup>118</sup> But fourteen more deputies<sup>119</sup> resigned on 31th March 1992 after they had agreed that SHP could not keep its promises on lifting the emergency rule. The fact that pulled the trigger is the decision prolonging the emergency rule for another four months period. It is certain that the 1992 Newroz celebrations also played an important role in the resignations. 110 persons were killed in spite of Demirel’s tolerant explanation for celebration, because the emergency rule authorities outlawed all kind of action.<sup>120</sup>

The deputies who resigned from SHP chose to establish a new party instead of returning to HEP. ÖZEP was founded on 25th June 1992 by

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<sup>115</sup><http://www.nndb.com/people/691/000134289/>, 05.November.2010

<sup>116</sup>Yellow,red,green

<sup>117</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.168

<sup>118</sup> *Ibid*, p.178

<sup>119</sup> Mahmut Kılıç, Zübeyir Aydar, Orhan Doğan, Ahmet Türk, Sırrı Sakık, Nizamettin Toğuş, Muzaffer Demir, Remzi Kartal, Selim Sadak, Mehmet Sincar, Sedat Yurttaş, Mehmet Emin Sever, Naif Güneş, Ali Yiğit

<sup>120</sup> *Ibid.*, p.186-187

following the example of HEP. To remind, HEP started off with the New Democratic Formation, then turned into a political party. However the process was not sustainable; and ÖZEP cadres decided to merge with HEP on 7th July 2002. But the merge was not beneficial for Kurdish parliamentarians; the closure case against HEP began in July 1992 which based on charges of separatism and threatening the unity of the nation-state.<sup>121</sup> This was the start of the vicious cycle for political parties in Turkey. ÖZDEP which was founded as a precaution to a probable closure of HEP could operate only for one year, from October 1992 to November 1993. The Public Prosecutor's Office filed a closure suit based on party program's separatist agenda.<sup>122</sup> But the process for Kurdish parliamentarians began almost six months before the closure case; the Public Prosecutor's Office sent the summary of investigation (fezleke) to the parliament for the suspension of membership of twenty-two Kurdish deputies on 26th December 1991.<sup>123</sup> Despite the short membership period, they managed to carry out a sit-in protest in the parliament on the 1st of July for one day to draw attention to unresolved cases of murders, unemployment, violence and bombings in the Southeast.<sup>124</sup>

The national legitimacy of Kurdish deputies by the Turkish Parliament was a consequence of the parliamentarization process of legal Kurdish nationalism. This national legitimacy with the power of electoral immunity brought in the experience of contentious politics for deputies. The first request of the prosecutor which was sent on 2 April 1992, was not even responded to by the Speaker of Parliament, Hüsametdin Cindoruk because of the description of the parliament as a shelter for PKK members. Then a second one was rejected by Cindoruk on the grounds that the freedom of the rostrum and

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<sup>121</sup> Dicle Koğacıoğlu, "Dissolution of Political Parties by the Constitutional Court in Turkey: Judicial Delimitation of the Political Domain", *International Sociology*, March 2003, Vol.18, p.259

<sup>122</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.211

<sup>123</sup> Nicole F. Watts, "Pro-Kurdish Parties in Turkish Politics, 1990-94", p.646

<sup>124</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.195-197

freedom of speech for deputies cannot be breached. But while Cindoruk was serving as acting President, Yılmaz Hocaoğlu, acting Speaker of the Parliament, sent the request to the parliament's joint Justice and Constitutional Commission on 21 May 1992. The bureaucratic process that the petition followed finally ended in 1994 and came to the voting of Parliament. The suspension of the membership will be analyzed in the following sections; for now it is important to underline that on the one hand the parliamentary protection shows the importance of "legalism" for Kurdish nationalism; on the other hand it exposes the political limits for Kurdish parliamentarians. Who provided this parliamentary protection to HEP and on what grounds? Also what pushed them to contentious actions consequently to an identity shift through radicalization?

## **2.2) Transformative Actors for Kurdish Politics**

The trajectory of Kurdish nationalism began at the level of social mobilization in the 1960's while the Kurdish deputies in main-stream political parties were keeping their secured place in Turkish political life. But the process changed with the emergence of HEP; the brokerage which was led by HEP brought all the "nationalist" Kurdish deputies together. This led to the categorical finalization for parties in Turkish political life as Kurdish ethnic political parties. The consolidation of "nationalist" Kurdish cadres under the shelter of one party, namely HEP, paved the way for legitimization of Kurdish nationalism and consequently parliamentarization provided a political space where they could frame their ethnic grievances effectively. On the one hand, national actors like SHP, through the electoral alliance with HEP, and Özal provided political opportunities for Kurdish parliamentarians for framing these ethnic grievances; on other hand, PKK would always be an undeniable factor for parliamentarian Kurdish nationalism in its political movements because of their common target public. Each of them played important roles in the identity transformation of Kurdish parliamentarians in both directions, positive and negative. While SHP and Özal tried to create a democratic environment for HEP at the beginning, the political limitations of Turkish political life



complicated the politicization process of Kurdish nationalism and PKK made the circumstances even more difficult for political parties.

### 2.2.1) As a Party SHP

“SHP had tried to be all things to all men” was a quotation which was used by David McDowall for describing the relationship between SHP and the regional representatives.<sup>125</sup> SHP could be perceived as the unhappy marriage of “center-left Turkish intellectuals and the workers on one hand” and “mainstream Marxists and Kurds on the other”.<sup>126</sup> Consequently the party’s approach to the Kurdish problem focused particularly on democratic rights arguments, such as the lifting of the emergency rule, the extension of Kurdish cultural rights in schools and in public, or the elimination of the village guard system. Moreover the party applied to the Constitutional Court to dispute the legality of Decree 413 which envisaged “giving the governor –general sweeping powers to recommend the closure of any publishing house anywhere in Turkey that falsely reflects events in the region or engages in untruthful reporting or commentary”, but the ANAP government substituted it with Decree 424 later.<sup>127</sup> SHP essentially published a report in July 1990, “SHP’s Perspective on Eastern and Southeastern Problems and Solutions” which was planned in the annual meeting of SHP in November 1989.<sup>128</sup> The report was the summary of SHP’s perspective on the Kurdish problem because the dimensions of the problem in the report were limited to the lack of democracy, human rights and socio-economic problems. Therefore their solutions were directly aimed at the socio-economic underdevelopment of the region and the brutal consequences of the emergency rule. It was certain that selecting Deniz Baykal, the General Secretary of the Party from center-leftist side and Hikmet Çetin, a Kurdish deputy from Lice as the members of preparatory commission,

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<sup>125</sup> David McDowall , *A Modern History of The Kurds*, p.428

<sup>126</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics”, 1990-94, p.641

<sup>127</sup> David McDowall, *A Modern History of The Kurds*, p.427-428

<sup>128</sup> Ercan Karakaş, *Sosyal Demokratik Yaklaşımlar Kürt Sorunu*, SODEV, İstanbul, 2010, p.134

could be considered as a precaution for a more democracy based report rather than an ethnic-based one. It was of course SHP that actually took the decision to expel the Kurdish deputies, but this was a decision imposed by the limitations of Turkish political life to SHP. Nicole Watts underlined that the charge directed at the participants to the conference was that “they had transgressed the often-unspoken limits of free expression”. The political risks and the repercussions of attending the conference were more massive than the amount the deputies were ready to accept and as a result it was an important setback for the political resolution of the Kurdish problem.

The electoral alliance in the 1991 elections, as mentioned above, was a pragmatic decision for both parties, namely HEP and SHP. While SHP was gaining its lost votes after the expulsions, HEP gained the opportunity to enter the Parliament. But it turned out to be harmful for both parties after the famous oath-taking ceremony. SHP got enormous reactions from main-stream political parties. For example Bülent Ecevit, chairman of the Democratic Left Party told *Cumhuriyet*;

“If the HEP had been able to enter the election on its own, I would not have seen this as any cause for concern. In a situation in which a party encouraging separatist trends is united with the main opposition party, it is inevitable that it will influence the policy of the main opposition party.”<sup>129</sup>

It was certain that the democratic agenda of SHP for regional development would be a matter of discussion in coalition meetings with the other partner DYP. As a result of these discussions, the new coalition envisaged cultural diversity by referring to Paris Charter and Organization for Security and Cooperation in Europe in the government program<sup>130</sup>. Additionally Erdal İnönü’s call for the recognition of the cultural identity of Turkey’s Kurdish citizens in December 1991 and Süleyman Demirel’s declaration of the

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<sup>129</sup> Quoted in Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics”, 1990-94, p.643

<sup>130</sup> Ercan Karakaş, *Sosyal Demokratik Yaklaşımlar Kürt Sorunu*, p.55-56

recognition of Kurdish reality on 8 December 1991 created a positive atmosphere.<sup>131</sup>

“We are talking about a Kurdish identity. It is not possible to object this anymore. Turkey must recognize Kurdish reality. Nobody can claim that a person is not Kurd, but a Turk, and that we get off together from Central Asia and our languages changed on the way. We founded this state together. When Ottoman Empire dissolved, there were two groups left, Turks and Kurds. Our state is unitary, there is no minority. We are all owners of this country. Citizen, who speaks Kurdish in Turkey, is also an equal member of this community. That is the way we have to approach issue”.<sup>132</sup>

But these rhetorical declarations would not be sufficient to alter the socio-economic conditions of the region after years of suppression and violence.<sup>133</sup> Moreover the renewal of the emergency rule and the 1992 Newroz chaos exposed the failure of the new theoretical policy of the coalition. According to Graham Fuller and Henri Barkey, these simple theoretical shifts of SHP continued inconsistently in the following two coalitions with DYP between 1991 and 1996. The unification of SHP and CHP in 1995 did not change the party’s characteristics and cadres. Even if the party was criticized for being passive on the Kurdish problem; actually the limitations of the political system in Turkey did not give many opportunities to national political actors. For example CHP member Algan Hacaloğlu, the Minister of State for Human Rights, was threatened by special team personnel in the region.

All in all, SHP’s rhetorical democratization efforts were materialized at least partly with the entry of HEP in the Turkish Parliament. But its prospective political activities in the Parliament were overshadowed mostly by the contentious actions of its Kurdish deputies like the oath-taking ceremony and

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<sup>131</sup> Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.113

<sup>132</sup>

[http://gazetearsivi.milliyet.com.tr/GununYayinlari/Q9226OZKf7vHuIBxDY8TGQ\\_x3D\\_x3D\\_](http://gazetearsivi.milliyet.com.tr/GununYayinlari/Q9226OZKf7vHuIBxDY8TGQ_x3D_x3D_), 13.02.2011, my translation from the newspaper

<sup>133</sup> Philip Robins, “The Overlord State: Turkish Policy and the Kurdish Issue”, *International Affairs*, Vol.69, No.4, October,1993,p.666

legal examinations such as personal inspections, the closing down of the parties...etc. conditioned by the limits of political system. But the first political party could start a dialogue with Turgut Özal through the First Gulf War conditions and his liberal approach.

### 2.2.2) As a Political Actor ÖZAL

Turgut Özal was the most prominent political leader of the liberal approach to the Kurdish problem. It was clear that the internal and international conjuncture paved the way for liberalization, but he took the lead among mainstream parties. ANAP's cadre structure was also determining factor in Özal's approach to the Kurdish problem. As ANAP put forth Turkish-Islamic synthesis in the first election after the coup d'état, Özal especially targeted Kurdish Sufi networks through highlighting his Naqshbandiyya origins.<sup>134</sup> Furthermore he declared that he was partially Kurdish in June 1989. Despite his liberal approach, he was responsible for the most brutal politics in region, namely the village guard system and the emergency rule. On the one hand he tried to keep the control pragmatically against rising PKK by rough measures; on the other hand he searched for a diplomatic solution with Northern Iraq and politic solution with HEP deputies. The Village Law of April 1985 envisaged the creation of "temporary village guards" which would serve as "local militia" against terrorists.<sup>135</sup> Even if it was planned as a "temporary" solution, they are still one of the most brutal tools that the state uses. Furthermore the government declared a state of emergency in 1987 under Turgut Özal's premiership.<sup>136</sup>

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<sup>134</sup> Denise Natali, *The Kurds and the State Evolving National Identity in Iraq, Turkey and Iran*, p.110

<sup>135</sup> David Mcdowall, *A Modern History of The Kurds*, p.422

<sup>136</sup> Mark Muller, "Nationalism and the Rule of Law in Turkey: The Elimination of Kurdish Representation During the 1990's", in *The Kurdish Nationalist Movement in the 1990's Its Impact on Turkey and The Middle East* ed. by Robert Olson, The University Press of Kentucky, Kentucky, 1996, p.180

Özal's presidency was an important period that shifted the paradigm of the Kurdish problem in Turkey because his presidency coincided first of all with the foundation of the first party who tries to appeal Kurdish rights in the Parliament and secondly, the First Gulf War. The Iraqi-Kurdish rebels against Saddam created a flux of Kurdish refugees after the end of the First Gulf War, who were chased to the mountains along the Iraqi-Turkish border. The National Security Council which did not want another refugee crisis as the one after Halabja Massacre<sup>137</sup> decided to wait for a UN decision. Furthermore Kamuran İnan, the Minister of State, emphasized that "The world did nothing then to help us shelter and feed the refugees...at the outset of the 1991 crisis; in April, the Turkish government decided not to repeat what they saw as their mistake in 1988".<sup>138</sup> But any UN decision, which was based on Özal's safe haven, could not be possible without Soviet, Chinese and Indian votes. Consequently the safe zone was created by the USA on 16<sup>th</sup> April 1991 around Zakhu. The Operation Provide Comfort provided the necessary humanitarian aid in 20 camps for refugees in the 36<sup>th</sup> parallel.<sup>139</sup> Even if Özal's ideas were not directly applied through UN, Turkish government managed to solve the issue more peacefully for its internal Kurdish politics. Hereafter Özal met regularly with Kurdish leaders which were thankful for the protection given after the First Gulf War. Moreover Celal Talabani, the leader of PUK (Patriotic Union of Kurdistan), assumed the role of intermediary for the cease-fire agreement in 1993 as it would be the case with the HEP representatives.

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<sup>137</sup>The Halabja poison gas attack (Kurdish: Kîmyabarana Helebce), also known as Halabja massacre or Bloody Friday, was an incident that took place on March 16, 1988, during the closing days of the Iran–Iraq War, when chemical weapons were used by the Iraqi government forces in the Kurdish town of Halabja in Iraqi Kurdistan. The attack killed between 3,200 and 5,000 people and injured around 7,000 and 10,000 more, most of them civilians; thousands more died of complications, diseases, and birth defects in the years after the attack. Almost 60.00 Iraqi Kurds crossed the border and sought asylum in Turkey. The refugee camps were in Diyarbakır-Yenikent, Mardin-Kızıltepe and Muş-Yenikent.

<sup>138</sup> Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.158

<sup>139</sup> *Ibid*, p.160

It is certain that Turgut Özal was the prominent leader of the new paradigm in the Kurdish problem; he sent a draft bill to repeal the Law 2932<sup>140</sup> in April 1991 to allow the use of Kurdish language in broadcasts, publications and education.<sup>141</sup> But he promoted an Anti-Terrorism Law which defined terrorism as “any kind of action ...with the aim of changing the characteristics of the Republic” on 12<sup>th</sup> April 1991. Compared his predecessors, he was a more active President. While he was trying to intervene in the Kurdish problem with laws, he stayed in control through the dialogues with Kurdish actors like Celal Talabani and HEP’s representatives. As a result the Kurdish leader Talabani initiated a mediation process between the PKK and Turkey. PKK declared cease-fire for a month which started on 20th March 1993. In addition to Talabani’s efforts, Özal’s meetings with HEP deputies (Orhan Doğan, Mahmut Alınak and Selim Sadak) first in late 1992 and then just before 1993 Newroz paved the way for the decision of the PKK because Özal convinced the deputies to the necessity of a cease-fire. All in all, the renewal of the cease-fire was declared by Öcalan in April 1993 with the participation of all Kurdish leaders including Ahmet Türk, the chairman of HEP, the HEP deputies Hatip Dicle, Sedat Yurtdaş, Sırrı Sakık, Orhan Doğan and Feridun Yazar.<sup>142</sup> Ahmet Türk emphasized Özal’s liberal approach in his defense in the closure case by referring to their greetings by Turkey Embassy’s Undersecretary in Syria and meetings with Ambassador of Turkey in Damascus just before the renewal declaration of the cease-fire with Öcalan in Damascus.<sup>143</sup> The whole process was interrupted by the sudden death of Turgut Özal on 17<sup>th</sup> April 1993. PKK, unsatisfied with the measures taken by Turkey after the cease-fire, launched an attack at Bingöl which caused 33 unarmed soldiers’ deaths.<sup>144</sup>

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<sup>140</sup> Law 2932: The Law About the Use of Languages Other than Turkish

<sup>141</sup> David McDowall, *A Modern History of The Kurds*, p.429

<sup>142</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.231-244

<sup>143</sup> *Ibid*, p.244

<sup>144</sup> Philip Robins, “The Overlord State: Turkish Policy and the Kurdish Issue”, p.670

Turkish power holders, especially the military, perceived PKK's cease-fire declaration as a clear sign that PKK was defeated and exacerbated their operations in the region. On the other hand, Tansu Çiller, who was elected as Prime Minister after Demirel's Presidency, had liberal ideas like education and broadcasting in Kurdish. But the hardliners in the party like Coşkun Kırca dominated the Kurdish issue. Additionally, Demirel who approved the existence of "Kurdish reality" just a year ago claimed that "unless terrorism is solved, cultural issues cannot be debated".<sup>145</sup> Çiller did not hesitate to use the Kurdish issue in her 1994 local elections campaign with the slogan of "PKK out of Parliament" for the suspension of the Kurdish deputy's immunities; all democratization proposals (July 1993 and May 1994) of SHP including education in Kurdish, radio and television broadcasting in Kurdish were refused by their coalition partner under the pretext of the existence of terror. SHP succeeded to add amendments to the Article 8 of the Anti-Terror Law in 1994 for narrowing the definition of separatist propaganda to enlarge the party's political space. But the 1995 national election results were a total disappointment for mainstream parties in the region because the votes were divided in two distinctive poles, HADEP and RP.<sup>146</sup>

DYP's militarist approach in the Kurdish issue was very important in the election process of candidates; they replaced the traditional Kurdish candidates with individuals whose the origins were not Kurdish. Even if Motherland party would host almost all traditional Kurdish deputies like Kamran İnan or Şerif Bedirhanoğlu, Mesut Yılmaz could not address the issue consistently after Özal had been elected as the President of the Republic. While he was favoring the social and cultural dimension of the Kurdish problem in 1994, he opposed a report published by the Turkish Chamber of Commerce and Commodity about governmental policies in the region in 1995. Mesut

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<sup>145</sup> Kemal Kirşçi and Gareth M. Winrow, *The Kurdish Question and Turkey*: p.139-140

<sup>146</sup> Ibid.,p.142-144

Yılmaz's ANAP was not as successful as Özal's.<sup>147</sup> Their votes declined steadily with every new election, but what really jogged the dominance of the mainstream parties in the region is the rivalry of the pro-Kurdish parties and the ascension of Islamist parties.

Özal and SHP tried to liberalize the Turkish statist approach in Kurdish issue however the boundaries of the political system limited their action plan. Both played the brokerage role for integrating pro-Kurdish political parties to Turkish political life; they supported their struggle for social and cultural rights at the national level. But the acceptance of politicization of Kurdish nationalism as a country-wide problem did not bring direct positive consequences for Kurdish people; on the contrary they were encouraged to turn to more contentious actions because of the unspoken limits of Turkish politics. These contentious actions caused parties to be labeled as radicals like PKK's members. Therefore it was not possible for parties to deal in politics without any PKK emphasis. PKK is the other political figure which is as important as SHP and Özal in the trajectory of the politicization of Kurdish nationalism. While SHP and Özal paved the way for the parliamentarization and integration of pro-Kurdish political parties, PKK should be observed as an armed organization which prevents the normalization of party's politics.

### 2.2.3) As an Organization PKK

“It would be incorrect to assume that the PKK is simply a military *cum* terrorist organization. No nationalist movement has ever achieved as much as the PKK has without recourse to political activism and preparation. The group's military prowess has only made it easier to organize politically. The PKK is at first and foremost a political organization with distinct political objectives that employs violence, often extensively and even erroneously from its own standpoint. This violence is basically secondary to its fundamental character; while this does not imply that violence is unimportant for the PKK, it does not mean that violence is used to define and pursue political objectives.”<sup>148</sup>

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<sup>147</sup> Ibid.,p.144

<sup>148</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.26



A paragraph written by Graham Fuller and Henri Barkey; a simple character description of PKK. But Turkey always undertook PKK as a terrorist organization even they reached an agreement indirectly with PKK about cease-fire as mentioned above.

PKK emerged with Kurdish dissociation from Turkish leftist organizations in late 1970's. The leadership of Abdullah Öcalan was decided in first Congress of PKK in 1978. The 1980 military coup d'état put on the spot all kinds of organizations, especially the Kurdish ones, thus the organization's leaders went to training camps in Syria and Lebanon.<sup>149</sup>

At first PKK was described as a Marxist-Leninist organization which struggled against imperialism, especially Turkish imperialism. But the leftist character of PKK was losing its popularity, and; the nationalist emphasis gained importance. Fuller and Barkey claimed that this ideology shift was related directly with the ascendance of Islamic parties in the region. Furthermore they affirmed that PKK which started violent acts in 1984 for "the creation of a unified, independent Kurdish state" moderated their political demands by demanding a political settlement within the existing borders of Turkey in the middle of 1990's.<sup>150</sup> In fact these years were the most brutal period of the struggle, with; 5,104 civilian, 11,546 PKK, 3,621 military personnel deaths just between 1992-1995.<sup>151</sup> Civilian deaths figures rose over the years because the first target of PKK which was military presence in the region could not be sufficient enough to promote PKK's cause; teachers and ordinary Kurds had been the "collateral damages" of the struggle. The reason for so many civilian deaths was the belief in both sides that violence was the most effective way for a resolution of the Kurdish question. While the state adopted brutal measures such as emergency rule, the Anti-Terror Law of April

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<sup>149</sup> Ibid., p.22

<sup>150</sup> Ibid., p.23-25

<sup>151</sup> The numbers from Yeni Yüzyıl, 6 July 1995 and Turkish Daily News, 8 January 1996 cited in Kemal Kirşçi and Gareth M. Winrow, *The Kurdish Question and Turkey*, p.126

1991 or the village guard system; PKK raided the villages that were situated near the Turkish borders with Iraq and Iran. This situation led to a more brutal policy by the state, namely village evacuation. The numbers of evacuations reached 2,253 in October 1995. The villages were caught in the crossfire between PKK and Turkish military. For example a village headman described the situation; “slaves of the military during day time and slaves of PKK at night.”<sup>152</sup>

The brutal struggle in the Southeastern region of the country costed more than the financial expenditures of security because violence, especially the existence of emergency rule with super local governors, increased ethnic consciousness in the region and created a generation who were raised in this violent environment. The PKK was considered as a sole resort for them in the absence of any powerful political alternatives. The State exacerbated the situation by limiting the opportunities for the political representation of legal Kurdish nationalism.

Öcalan approached cautiously the formation of a political party; but he declared his support for the party. Therefore the political base of PKK started to get into HEP. But both organizations, PKK and HEP, wanted to stay distant from each other. Murat Dağdelen emphasized the impossibility of this type of distance as a “representative” of Öcalan in the party. Öcalan tried to stay in control through his agents in HEP; HEP overlooked this because any condemnation of PKK could result in the loss of its electoral base.<sup>153</sup> It was a win-win situation for both parties. While the PKK observed the prospective actions of “legal” nationalism in the Parliament, HEP took the advantage of PKK support for elections in the region even though all the deputies did not approve of the PKK. But the disapproval in Turkish political life pushed Kurdish deputies to more radical actions; consequently each successor party would be more radical than the previous one. For example Hatip Dicle, a

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<sup>152</sup> Ibid., p.128-131

<sup>153</sup> Aliza Marcus, *Kan ve İnanç PKK ve Kürt Hareketi*, İletişim, İstanbul, 2009, p.216-219

Kurdish deputy from DEP declared regarding the PKK bombing of Tuzla train station which five military student deaths that anyone who wore uniforms was a target. As political parties were prevented by political system in Turkey under the pretext of being PKK's political arm; they were getting closer to PKK.

The political parties have been in crossfire between the state and PKK. As the state pushes political parties out of the system, they are obliged to cooperate with PKK because of its monolithic domination of the Kurdish issue. This monolithic domination could not even be challenged with the "legal" politicization of Kurdish nationalism, but political parties became the permanent opposition actors of Turkish political life. The monolithic dominance of PKK cannot be explained only with the success of the organization; the international conjuncture which emerged after the invasion of Kuwait by Iraq and during the First Gulf War paved the way for a federated Kurdish state in Northern Iraq. While this change provided PKK territorial and organizational opportunity along the borders of Turkey, the Iraqi Kurdish issue became an international matter. Consequently the approach of Turkish state to Northern Iraq which based only on military solutions, evolved into a more diplomatic one with the new status of Iraqi Kurdish leaders.

#### **2.2.4) As a International Context Northern Iraq**

The struggle of Iraqi Kurds for autonomy in Iraq has continued since English colonial rule; Sheikh Mahmut Berzenci rioted three times against English colonial power between 1919 and 1932. The struggle continued with Sheikh Ahmet Barzani in 1931. Then Mullah Mustafa Barzani, the founder of Kurdistan Democratic Party and the younger brother of Sheikh Ahmet Barzani was the prominent figure of the rebellions during the Second World War in Iraq<sup>154</sup> but he escaped Iran where he helped Iranian Kurds to govern Kurdish Republic of Mahabad and he became the Minister of Defense and commander of the Kurdish army. But the life of Kurdish Republic of Mahabad

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<sup>154</sup> Baskin Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, Bilgi Yayınevi, Ankara, 1998, p.28-29

could not be long; after the Soviet Union had signed Yalta Agreement and withdrawn from Iran, the Kurdish Republic was dissolved by Iranian troops. Until the coup of General Abdul Karim Qasim in 1958, Mustafa Barzani could not return to Iraq. The new regime granted constitutional recognition to Kurds but Mustafa Barzani and his party, namely KDP, started an armed rebellion with peshmergas against the new regime after his demand of autonomy had been rejected in 1961. The autonomy demand of Kurds, led by Mustafa Barzani's KDP became a concrete matter with the March Manifesto of 1970 between Baath government and Kurds which consisted of 15 articles to be implemented within four years. The articles involve applications in favor of Kurdish autonomy like declaring Kurdish as official language in Kurdish regions (Dahuk, Irbil and Sulaymaniyah), the representational power in the parliament determined according to population, a Kurdish vice-presidency, autonomous Kurdish police and security organizations.<sup>155</sup> "To be implemented within four years" reached its meaning in 1974 with the disagreement between the Baath government and KDP over the status of Kirkuk. While Barzani's insistence about the existence of Kirkuk in Kurdish autonomous region continued; Baath government who mistrusted Barzani because of his relation with Iran was not anymore supporting the implementation of autonomy in KDP's terms.<sup>156</sup> The Baath government granted more limited autonomy for Northern Iraq without discussing Kirkuk's status and oil revenues. Then KDP launched again an armed rebellion with the support of Iran which had disputes with Iraq over Shatt-al Arab. But this armed rebellion would cause Barzani's ultimate defeat with the Iran-Iraq Algeria Agreement in the OPEC meeting of 1975; Iran took off its support from Barzani's troops. But Iran's cooperation with Iraqi Kurds would gain ground again after Iraq declared war on Iran on 22 September 1980.

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<sup>155</sup> Baskin Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, p.30

<sup>156</sup> [http://www.lib.unb.ca/Texts/JCS/CQ/vol007\\_4fall1987/borovali.pdf](http://www.lib.unb.ca/Texts/JCS/CQ/vol007_4fall1987/borovali.pdf), 23.03.2011

Iranian authorities and Baghdad had to find allies, for the purpose of manipulating internal issues in counterpart's territories, from Kurdish groups which were broken into several factions after Mustafa Barzani's departure from Iraq. These fragmented groups consisted of ex-cadres of Mustafa Barzani's KDP. Jalal Talabani, ex-member of Politburo in KDP, announced the formation of the Patriotic Union of Kurdistan (PUK) on 1 June 1975 in Damascus; KDP's heritor, KDP-Provisional Leadership (KDP-PL) was launched in Europe by Masud Barzani, son of Mustafa Barzani in August 1976.<sup>157</sup> PUK and KDP played crucial roles in Iran-Iraq war. While Talabani let Iraqi army units to use the region under his control for helping Iranian Kurds; Mesoud Barzani cooperated with Iranian government and helped them to enter northern Iraq.<sup>158</sup> Both sides used PUK and KDP as their pivotal instruments in the war, Baath regime guaranteed the loyalty of PUK by declaring mutual ceasefire with PUK and offering a broader autonomy agreement in 1983. However this ceasefire did not last long; PUK forces started to fight against the Baath regime in January 1985. This radical shift in the relation between PUK and Baath regime engendered the possibility of reconciliation with Mesoud Barzani's KDP. It is certain that the possibility of any kind of cooperation between Kurdish factions would be dangerous for PKK and Turkey.

Turkey preferred to protect its neutrality in Iran-Iraq war and redoubled its trade with belligerent countries. Despite the positive effect of the war, Turkey faced a danger, that is the war partnerships of Iran and Iraq respectively with KDP and PUK which strengthened Iraqi Kurdish position in Northern Iraq and caused a potential instability along the Turkish borders. The existence of a shelter in Northern Iraq for PKK was very crucial after the Bekaa valley had been risky after the invasion of Lebanon by Israel in 1982. Consequently in 1982, Abdullah Öcalan reached an agreement with KDP and gained the control

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<sup>157</sup> David Mcdowall, *A Modern History of The Kurds*, p.343

<sup>158</sup> [http://www.lib.unb.ca/Texts/JCS/CQ/vol007\\_4fall1987/borovali.pdf](http://www.lib.unb.ca/Texts/JCS/CQ/vol007_4fall1987/borovali.pdf), 24.03.2011

of the region in Northern Iraq. Clearly PKK gained an operational advantage by moving its bases to Northern Iraq. The direct consequence of the agreement is the Protocol of Security signed by Turkey and Iraq in 1984 which gave each state the right to enter other's territory for 5 km. without prior consent. The Protocol of Security was the legal infrastructure of Turkish trans-border operations until 1989, the trans-border operations between 1983-1989 were executed under the legal protection of "hot pursuit" protocol.<sup>159</sup> Additional to its affects on PKK, this protocol disturbed KDP and PUK in Northern Iraq. Turkey destroyed already some KDP bases in its first operation in 1983 against PKK. Consequently KDP demanded PKK to move its bases from Northern Iraq- Turkish border. The demand of KDP was not welcomed by PKK and Barzani revoked their agreement in 1987 especially after Turkish trans-border operations in 1986 and 1987 resulted in Iraqi Kurds deaths. But Abdullah Öcalan tried to reach an agreement with Talabani and they signed a mutual assistance protocol in Mai 1988. This mutual assistance protocol lost its importance for PKK with the Halabja Massacre. It was certain that PKK tried to establish good relations successively with KDP and PUK. But after Iraq had invaded Kuwait on 2 August 1990, and following it the international community's military and diplomatic response to this invasion in 1991, namely the First Gulf War, altered the existing power relations in the region.

Saddam's invasion of Kuwait evoked international community. Firstly United Nations adopted Resolution 661 which embraced economic embargo on Iraq on 6 August 1990; then UN adopted resolutions 667 and 670 which imposed maritime and air blockade to Iraq and Kuwait in September 1990 and finally UN Security Council gave an ultimatum to Iraq with Resolution 678 which grant time to Iraq until 15 December 1991 for withdrawing from Kuwait while implementing all previous resolutions. Operation of Dessert Storm started on 17 January 1992 with air operation and continued until 22 February 1992. The ceasefire was declared on 27 February 1992 following the land

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<sup>159</sup> Funda Keskin, "Turkey's Trans-Border Operations in Northern Iraq: Before and after the Invasion of Iraq", *Research Journal of International Studies*, Issue 8, November, 2008, p.63-64

operation. But the post-war settlement which was arranged by the resolution 686, could not envisage Saddam's attack with helicopters against the revolting Kurds in the Northern Iraq. The post-war measures which implied the ban of using fixed wings except Southern Iraq, did not mention the use of rotary wings.<sup>160</sup> But the use of rotary wings by Iraq for dealing with Kurdish riot in northern Iraq stimulated the international community's response with Operation Provide Comfort I with extraordinary efforts of Turkey.

The provision of camps in Northern Iraq for the returning Kurdish refugees with UN resolution 688 on 5 April 1991 aimed at protecting Iraqi Kurds in safe havens defended a multinational force formed by the United States, the United Kingdom, France, the Netherlands and Italy. These camps were formed in Northern Iraqi, Zaho. The deployment of military forces from Northern Iraq to Turkey (Operation Provide Comfort 2) in the mid-July of 1991 were implemented in three different places; the land forces of 2500 American, British, French and Turkish troops in Silopi, the logistic support center in Batman and 50 US, British, French and Turkish aircrafts in İncirlik air base. The land forces and the logistics center were deployed in September 1991 by the Turkish government.<sup>161</sup> The Turkish government's immediate deployment approval without any vote in Turkish General National Assembly was directly related to Özal's dominant role in Turkish foreign policy because he prepared the legal infrastructure of a powerful government in the First Gulf War successively with the Acts of Government 107 and 126 which granted the government the authority to send Turkish troops abroad and to deploy foreign troops in Turkish soil.<sup>162</sup> Consequently in spite of public and parliamentary opposition, Özal was at the table not on the menu in post-war settlement as he

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<sup>160</sup> Baskın Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, p.45-52

<sup>161</sup> Ramazan Gözen, "Operation Provide Comfort: Origins and Objectives" , *A.Ü. Siyasal Bilgiler Fakültesi Dergisi*, Vol:50, No.3, June-December, p. 177-179

<sup>162</sup> Baskın Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, p.45-47

wanted to be cautious about any possibility of independent Kurdish State.<sup>163</sup> Within the process the strongest opposition came from the Foreign Minister Ali Bozer and Chief of Staff Necip Torumtay, both of whom resigned to openly declare the strength of their opposition. The main reason was the way Ozal handled the process and a good example in point was the oil pipeline closure with Iraq. Both Bozer and Torumtay heard about the closure through the media. All in all, Özal became the sole decision-maker. He built relations indirectly with the representatives of Iraqi Kurdish leaders in March 1991. On a regular basis he contacted with Iraqi Kurdish leaders for the purpose of controlling Northern Iraq and getting PUK's and KDP's assistance in the fight against PKK. Consequently the post-war settlements prepared a safe haven for Iraqi Kurds with the air base in İncirlik and caused a de facto Kurdish state; the extensions of Operation Provide Comfort 2 became a matter of internal policy. Northern Iraq became a concern of internal policy as much as foreign policy.

The renewal of Operation Provide Comfort became one of the prominent disputes in 1990's. Despite the advantages it brought, the main concern was the drawbacks it brought. The opinions in favor of the renewal of Operation Provide Comfort intensified on Turkey's international reputation which provided the state the chance to continue good relations with Northern Iraq; USA's tacit approval for trans-border operations and control in the region which was crucial for the control of PKK militarily and logistically; and the preventing the foundation of an autonomous Kurdish state. Similarly, people who were against the renewal put same reasons as an argument for rejection such as logistic opportunity for PKK created by Operation Provide Comfort; the existence of a de-facto autonomous Kurdish State; and the vacuum of power because of NGO's independency in the region and internal disputes between PUK and KDP.<sup>164</sup> Turkish political parties' opinions also changed according to their status as being in the opposition or in the power. For

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<sup>163</sup> Cameron S. Brown, "Turkey in the Gulf Wars of 1991 and 2003", *Turkish Studies*, Vol.8, No.1, March 2007, p.92-95

<sup>164</sup> Baskin Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, p.150-165



example; SHP and Welfare Party had been against the renewal of the Operation Provide Comfort before they came to power. But both voted for the renewal of the Operation Comfort as the partners of coalition governments. In other words the renewal of Operation Provide Comfort 2 became a state policy, in other words, the party which governs the state became the supporter of it. Until 01.03.2003; it was extended several times in 6-month intervals. It was certain that the diversity of opinion about the renewal of Operation Provide Comfort 2 based on its contradictory affects. On the one hand Turkey's Iraq policy emphasized the political unity and territorial integrity of Iraq; and the strongest affect of the Operation, as a result of the existence of a United States air base in Turkish soil was to protect Iraqi integrity. On the other hand the existence of a de-facto Kurdish state and the strengthening power of PKK in the region through political instability were collateral damages of Operation Provide Comfort.

The declaration of the parliament of de facto Kurdish state in Northern Iraq which considered Iraqi Kurdistan as a constituent state in a Federal Iraq, came after the local elections. The result was the distribution of seats between PUK (49,2% of the votes) and KDP(50,8% of the votes) in May 1992. This distribution produced a state of deadlock in the decision making process. Consequently two separate governments in Irbil and in Sulaymaniya respectively by KDP and by PUK were settled. Two separate settlements provoked tensions between KDP and PUK which culminated as an armed struggle in the spring of 1994.<sup>165</sup> It exposed Turkish state's security concerns Until that time, relations of Turkey with both groups were good, especially during the cooperation with the peshmergas of KDP and PUK in the 1992 Autumn Operation against PKK in Northern Iraq. While Turkey attacked from north; the peshmergas moved from south so the operation was called

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<sup>165</sup> Asa Lundgreen, *The Unwelcome Neighbour Turkey's Kurdish Policy*, I.B. Tauris, New York, 2007, p.75-76

“Sandwich Operation”.<sup>166</sup> But Turkish state’s security concerns became concrete with the armed struggle of KDP and PUK

The clashes between KDP and PUK were directly related to joint revenues from Habour border gate. To gain the struggle, both parties cooperated with separate actors in the region. The most dangerous one for Turkey was PUK and PKK acting conjointly against KDP in 1995. As a result Turkey attempted to bring together counterparts, namely KDP and PUK in Silopi in June 1994. Meanwhile, the international community also endeavored to finish the war between PUK and KDP; after the meeting in Paris in July 1994 without Turkey, Turkey took measures to prevent any kind of future meeting without Turkey such as limiting foreigners’ entrees to Iraq under the pretext of protecting territorial integrity of Iraq and contacting with French government. Both Turkey and the meeting in Paris could not resolve the problem. Talabani occupied Irbil which was under the control of KDP. But the peace efforts of international community continued; the next meeting, which was organized with the initiative of the USA in Dublin between 10 and 12 August 1995, resulted with the cease-fire agreement between KDP and PUK.<sup>167</sup> Hereafter the armed struggle shifted towards a new one between PKK and KDP on 25-26 August 1995. Even if it continued for a very short time period that is until December 1995; it was a very determining factor in the formation of adversaries in Northern Iraq. On the one hand Iraq state helped KDP to take back Irbil from PUK forces in August 1996; on the other hand Iran, Syria, PKK and PUK met to cooperate in Northern Iraq before the second Dublin meeting in September 1995. The KDP and PUK representatives also met in Tehran not to exclude Iran from the process in Northern Iraq.<sup>168</sup> While these internal clashes in Northern Iraq strengthened the existing political vacuum; Turkish state tried to fill this vacuum with unilateral trans-border operations. Turkish

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<sup>166</sup> Baskin Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, p.154

<sup>167</sup> Baskin Oran, *Kalkık Horoz Çekiç Güç ve Kürt Devleti*, p.167-173

<sup>168</sup> *Ibid*, p.174-178

forces which moved along 30 kilometers into Iraq with 35.000 troops on 20 March 1995 entered Northern Iraq again on 14 May 1997 with 50.000 troops.<sup>169</sup> Moreover according to Safeen M. Dizayee, representative of the KDP in Ankara, Turkey cooperated with KDP closely in the exchange of information and military operations against PKK.<sup>170</sup> Turkey also tried to fill this political vacuum by contacting KDP and PUK diplomatically as the political party leaders of Iraq since 1992. The representations of KDP and PUK were established in Ankara but the state emphasized the fact that Iraq's territorial integrity was more important. For example border gate opening talks in Northern Iraq were executed with Iraq's central authority. Requiring Iraq visa from Turks who only pass into Northern Iraq was another example.<sup>171</sup> In other words Turkey's Iraq policy had a dualistic character; on the one hand they tried to prevent the foundation of any Kurdish state by staying in control militarily and diplomatically in Northern Iraq; on the other hand they determined their Iraq policy by depending on Iraq's territorial integrity. Iraq's territorial integrity was crucial for Turkey while the state's main argument in low-intensity conflict with PKK was protecting the indivisible integrity of Turkish Republic with its country and nation. The political parties which appeal Kurdish cultural and political rights would be closed; the political representation opportunities for these parties would be constrained under the pretext of protecting territorial integrity. Consequently Turkey which had to struggle diplomatically for Iraq's territorial integrity to crush an armed organization protected its own territorial integrity by closing political parties which tried to appeal Kurdish cultural and political rights under the shelter of the Parliament.

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<sup>169</sup> Asa Lundgreen, *The Unwelcome Neighbour Turkey's Kurdish Policy*, p.79

<sup>170</sup> Cited in *Ibid.*, p.80

<sup>171</sup> *Ibid*, p.84

Pro-Kurdish political parties were founded so as to be a party of Turkey; their formation started with the “socialist” deputies of SHP, but it could not continue in this way. The identity shift of pro-Kurdish political parties was realized with categorical expulsion of parliamentarians right from the beginning. This separate categorization formation led to the emergence of the concept of “pro-Kurdish party”. Their entry to the Parliament with SHP brought the struggle from local level to national arena. Furthermore it is obvious that the Parliament provided them the electoral immunity and indirectly national legitimacy that was very crucial in immunity crisis. On the one hand the national legitimacy did not mean political approval; the political constraints of Turkey, namely laws of internal security, anti-terrorism like Law of Political Parties, emergency rule or village guard system and, the pragmatist nationalist politics of mainstream parties and, the increasing power of PKK through the political vacuum in Northern Iraq after the First Gulf War did not let the first political party to act and stay within the system freely. On the other hand the international context with the First Gulf War in which HEP made politics facilitated their framing Kurdish political and cultural rights. But the intersection of all relational, cognitive and environmental mechanisms in the first period of 1990’s gave rise to the consolidation of all processes such as creation of HEP then its transformation to an ethnic-based party or HEP’s certification by Turkish political elites and then the closure case or the intention of being socialist democratic party and then radicalization through the new coming actors.

### **Chapter 3 Changing Landscape of Kurdish Politics**

The legal politicization of Kurdish nationalism through political parties is a routine phenomenon of Turkish political life. Their trajectory does not end with the closure of each party almost in two year intervals. The successive parties have always been founded, then the “legal” struggle continued. But their political attitude took on a more radical expression with each new party; HEP, DEP, HADEP, DEHAP, DTP and finally BDP. Firstly HEP was founded with the intention of becoming a socialist democratic party with a Turkish origin chairman, then DEP had a chairman, Yaşar Kaya who said “Our oath is death for independence” and finally DTP put Abdullah Öcalan’s offer “democratic autonomy” in its party program. But the most important determinant in their radicalization was their absence in the Turkish Parliament in the period of 1999-2007 because of 10 % national electoral threshold. In other words the structural limitations of the Turkish political system did not let their entry to the Parliament after a very contentious experience, the oath-taking ceremony. But the local electoral success of parties in this period was the only instrument of “legal” politicization; and it is certain that the political struggle of Kurdish mayors with the government was not a simple contention because of the existence of different political parties at local and national level. It was beyond that; while the governments were changing, the contentious actions of Kurdish mayors continued and still continue.

As a result of the electoral threshold, the power of pro-Kurdish parties in the region declined. In return, Islamic parties gained footage in the region. The Islamist parties became the unique rival of these parties. The replacement of the center-right main-stream parties by Islamist ones played a major role as well as local people’s sensitivity in terms of Islamic values. Moreover Turkey’s

candidacy of European Union membership is one of the most important factors in this process as the policies of both sides are determined according to this agenda. Consequently, liberalization through the EU integration process enabled Turkish governments to be more courageous for various openings; and the political struggle of parties became more important as a unique legal interlocutor for Kurdish people.

### 3.1) Radicalization of Kurdish Politics

The closure case of HEP by the Constitutional Court started in July 1993 on alleged separatist propaganda accusations. The case was based on violations of the Law of Political Parties, especially Articles 78, 80 and 81 which prohibit activities that threaten the unity of the Turkish state by compromising the integrity of the Turkish language, flag, national anthem and other symbols of nationhood, and organizing, mobilizing support on the basis of race, family and community, religious or sectarian affiliation.<sup>172</sup> Article 81 also includes linguistic reservations such as prohibiting a language other than Turkish in writing and printing party statues or programs at congresses, at meetings in open air or indoor gatherings, in propaganda, in placards, pictures, phonograph records, voice and visual tapes, brochures and statements.<sup>173</sup> These alleged violations showed the limited tolerance of Turkish state institutions towards any ethnic-based organization like political parties who appeal Kurdish cultural and political rights.

After ÖZDEP had been closed, HEP administrative cadres were renewed in the General Assembly of 3 July 1993 and HEP's sixteen deputies were expelled so as to join Democracy Party. HEP was closed on 14<sup>th</sup> July 1993.<sup>174</sup> But the deputies did not lose their parliamentary seats as they formed

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<sup>172</sup> Dicle Koğacıoğlu, "Dissolution of Political Parties by the Constitutional Court in Turkey:Judicial Delimitation of the Political Domain", p.261

<sup>173</sup> Ioannis N. Grigoriadis, "Political Participation of Turkey's Kurds and ALevis: A Challenge for Turkey's Democratic Consolidation", *Southeast European and Black Sea Studies*, Vol.6, No.4, December 2006, p.452

<sup>174</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.255-256

DEP prior to the closure of HEP.<sup>175</sup> DEP's political adventure would be more exciting than HEP. While the immunity crisis would make parties more radical, Turkish politics' vocation with People's Democracy Party and Democratic People's Party would stay at the local level until the 2007 election because of %10 electoral threshold.

### 3.1.1) DEP

The positive atmosphere through the ceasefire declaration of PKK brought together different actors of Kurdish political life such as İbrahim Aksoy who did not play a part in the foundation of HEP or Şerafettin Elçi, ex-minister of Ecevit's CHP government in 1978. The HEP cadres tried to form a new party, namely DEP, in a more general manner like it was envisaged in HEP's foundation, but they could assemble almost all Kurdish political actors this time. The new party was organized so as to be prospective interlocutor in the Kurdish issue after PKK's ceasefire. Kemal Burkay and Şerafettin Elçi were considered as potential chairman of the party but the chairmanship would be a problem in the party's foundation, and İbrahim Aksoy stood as a candidate in founder's meeting. But Yaşar Kaya, the owner of Özgür Gündem<sup>176</sup> was chosen and a petition was sent to establish the party on 7<sup>th</sup> May 1993.<sup>177</sup> It is certain that they founded DEP with the claim of being Turkey's party; yet the sudden death of Özal and the hardening of the State's position led to a similar fate for DEP. Hamit Bozarslan distinguished the similarities between HEP and DEP according to their foundation; which were based on parties' failures or the deficiency of Turkish political system. He claimed that the party's aim of being interlocutors of the Kurdish issue in the Parliament transformed into a mediator role between the State and the PKK. This approach led to the claims of both parties allegedly being "the legal branch of PKK". In other words, he emphasized their lack of specific identity and accordingly of independent

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<sup>175</sup> Nicole F. Watts, "Pro-Kurdish Parties in Turkish Politics, 1990-94", p.639

<sup>176</sup> Özgür Gündem: A pro- Kurdish newspaper which was founded in 1992. It has been closed by the Constitutional Court several times but it was opened again.

<sup>177</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.266-272

policies. According to Bozarslan, the generational differences of party members were also a problem, because all of them wanted to follow different paths of action like in the oath-taking ceremony. Bozarslan not only dealt with parties' handicaps; he also criticized the constraints of Turkish political life which were closed strictly to ethnic-based political parties, thanks to the army and the State apparatus.<sup>178</sup> Even though Fuller and Barkey described these two as *bona fide* parties<sup>179</sup> which intended to be mass- party, DEP would have to turn to contentious actions.

DEP promoted the "Campaign for Peace" for negotiations with the elected members of the population, for freedom to publish, educate and broadcast in Kurdish, for the abolition of the emergency rule in the southeast, for the removal of the special security forces and village guards, and for the introduction of economic measures and judicial reforms in Sultanahmet Square on 2 August 1993.<sup>180</sup> They published a statement which called for "the brotherhood of nations" through a democratic solution without violence. The party declared that it will organize meetings and gatherings until World Peace Day, the first of September. These contentious actions could not be tolerated by the State consequently the meetings in Bursa, İzmir and Diyarbakır were prohibited; two managers of DEP were killed in Batman and Diyarbakır. The Ankara State Security Court prosecuted DEP cadres including Yaşar Kaya, İbrahim Aksoy, Murat Bozlak, etc. because of "Campaign for Peace". The charges were based on undermining the indivisible integrity of Turkish Republic with its territory and nation on 9 November 1993.<sup>181</sup>

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<sup>178</sup> Hamit Bozarslan, "Political Crisis and the Kurdish Issue in Turkey", in *The Kurdish Nationalist Movement in the 1990's Its Impact on Turkey and The Middle East* ed. by Robert Olson, p.147

<sup>179</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.45

<sup>180</sup> *Ibid.*, p. 85

<sup>181</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.279-284



DEP's political struggle was harder than HEP because of the hardening position of the State and the dominant role of security forces in the region after Özal's death. On the one hand, local branches of the party were the target of investigations by the State; on the other hand, they were attacked by armed groups. DEP's regional representation was under strict control. For example, DEP deputies<sup>182</sup> who visited Batman for the investigation of unresolved homicides had to act under police surveillance. But the police surveillance could not prevent the killings of Mehmet Sincar, the deputy of DEP and Metin Özdemir, the provincial DEP chairman of Batman on 4<sup>th</sup> September 1993. According to Ölmez, this incident engendered tension between the government and DEP; Mehmet Sincar's funeral in front of the Parliament was not carried out under the pretext of security. Furthermore while he was writing about the funeral in detail, he emphasized DEP's and Mehmet Sincar's family's attitude not taking the funeral and that the ceremony was organized solely by the State in Mardin Kızıltepe on 9<sup>th</sup> September 1993.<sup>183</sup> This local fragmentation continued during the whole year of 1993. The local branches and the mayoralties of DEP<sup>184</sup> were attacked including its head office in Ankara on 18<sup>th</sup> February 1993. Furthermore the local fragmentation spread to party's cadres in the region, and its mayors, provincial chairmen and members even Yaşar Kaya, the Chairman of DEP, were arrested because of alleged accusation of "speaking against the indivisible integrity of the Turkish Republic with its territory and nation" in Bonn and the 11<sup>th</sup> Salahuddin Congress of Kurdistan Democratic Party on 17<sup>th</sup> September 1993.<sup>185</sup> On the one hand, this made local

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<sup>182</sup> Remzi Kartal, Zübeyir Aydar, Hatip Dicle, Leyla Zana, Nizamettin Toğuş, Mehmet Sincar, Ali Yiğit and Habib Kılıç.

<sup>183</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.285-301

<sup>184</sup> Hakkari Provincial Branch and Mayoralty, Çukurca Mayoralty, Yüksekova Mayoralty, Hakkari Mayoralty, Lice Provincial Branch, Ankara Yenimahalle Provincial Branch, Ankara Mamak Provincial Branch, Kars Digor Provincial Branch cited in A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.358-363

<sup>185</sup> <http://m.cnnturk.com/Haber/543772>, 10.12.2010

organization harder for DEP; on the other hand, they were pushed to find other ways than “legal” political representation.

The year 1993 for DEP ended with the election of a new Chairman, Hatip Dicle. Osman Ölmez talked about the probable radicalization of the party after Hatip Dicle had been elected as the new Chairman of DEP on 12<sup>th</sup> December 1993. He even claimed that on the one hand some parliamentarians such as Mahmut Alınak, Orhan Doğan, Sırrı Sakık, Muzaffer Demir, Ahmet Türk, Naif Güneş, Mahmut Kılınç, Sedat Yurtdaş and İbrahim Aksoy did not want the candidationship of Hatip Dicle because of a possible marginalized perception in Turkish political life; on the other hand, Hatip Dicle was supported by Leyla Zana, Ali Yiğit, Remzi Kartal, Nizamettin Toğuş and Zübeyir Aydar. But Osman Ölmez added that the claim of internal division because of approach differentiation in DEP members was left unproved.<sup>186</sup>

DEP’s preparation for the 1994 election would not be easy under the low-intensity war<sup>187</sup> conditions. The discussions about the withdrawal from elections within DEP came to an end in the Party’s Parliament meeting on 24<sup>th</sup> February 1994.<sup>188</sup> DEP withdrew from the 1994 local elections due to local fragmentation but the changes in election law which contained special measures for the region such as the changes in hours of voting, gathering of voting boxes in a determined place, the opening of boxes in safe places, the existence of security forces in voting areas were the some other determinants of the withdrawal decision according to Ölmez.<sup>189</sup> DEP, which withdrew from local elections purposefully, lost the “legal” representation opportunity, but the party lost its seats in the Parliament after the party had been closed down in

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<sup>186</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.325-337

<sup>187</sup> The statement of Doğan Güreş in 1993, the Chief of General Staff for the struggle between PKK and the security forces

<sup>188</sup> Mark Muller, “Nationalism and the Rule of Law in Turkey: The Elimination of Kurdish Representation During the 1990’s”, p.188

<sup>189</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*, p.357

1994. In other words, “legal” Kurdish nationalism which lost all opportunities of representation had to stay as a pressure group in the margins of Turkish political life until the 1999’s local elections.

The upcoming elections in 1994 would be a turning point for DEP because the pressure indirectly led DEP out of competition; the party became a propaganda instrument for mainstream parties especially for DYP. Ölmez claims that Çiller started the campaign in a “Meeting to Respect Atatürk” on 28<sup>th</sup> February 1993 by bringing accusations against DEP members to demolish Turkish Republic.<sup>190</sup> Furthermore she affirmed that they would “remove the PKK from Parliament”. Even if the putting on the agenda of the suspension of immunities continued for almost two years through the initiative of the Turkish Parliament, the Parliament voted in favor of suspension of the immunity of seven deputies including Hatip Dicle, Leyla Zana, Orhan Doğan, Sırrı Sakık, Ahmet Türk, Mahmut Alınak and Hasan Mezarıcı from the Welfare party. The parliament approved the removal of the immunity of just six Kurdish deputies, not following prosecutor Nusret Demiral’s demand for twenty-two deputies.<sup>191</sup> The capture of Orhan Doğan and Hatip Dicle in front of the Parliament just after the suspension caused more tension than the process itself; the Parliament claimed that the lifting was not valid until the publication in Official Gazette consequently their arrests were considered as an interference in Parliament’s sovereignty. Therefore the Parliament provided necessary protection to the rest of the deputies until they went to the Prosecutor’s Office voluntarily. The parliamentary protection continued even after DEP had been closed down by the Constitutional Court on 16<sup>th</sup> June 1994 based on the submission by the Prosecutor Demiral. While Cindoruk was securing Selim Sadak and Sedat Yurtdaş, who were sentenced to imprisonment, in Parliament until the publication of Constitutional Court’s decision in the Official Gazette, Demirel affirmed that “the door to the presidential palace was always open to them” in

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<sup>190</sup> Ibid., p. 370

<sup>191</sup> Nicole F. Watts, “Pro-Kurdish Parties in Turkish Politics, 1990-94”, p.647

the meeting with two deputies.<sup>192</sup> Overall, however these did not keep DEP within the Turkish political system. The six deputies were sentenced to imprisonment for different time periods. Ahmet Türk, Leyla Zana, Orhan Doğan, Hatip Dicle and Selim Sadak were sentenced to 15 years under Article 168 of Turkish Penal Code for membership of the PKK; Sedat Yurtdaş was sentenced to 7 years and 6 months under Article 169 of Turkish Penal Code and Mahmut Alınak and Sırrı Sakık were sentenced to 3 years and 6 months under Article 8 of Anti-Terror Law, but released on bail.<sup>193</sup>

The new party, People's Democracy Party (HADEP) was founded in 11<sup>th</sup> May 1994 before DEP had been closed on 16<sup>th</sup> June 1994. DEP deputies did not prefer to join the new party, instead they decided to stay in DEP. But the six representatives of the party, namely; Mahmut Kılınç, Remzi Kartal, Zübeyir Aydar, Ali Yiğit, Nizamettin Toğuş and Naif Güneş<sup>194</sup> fled to Europe before the party had been closed.

DEP's deputies who fled to Europe, joined the Kurdish Parliament in exile (KPE). The Kurdish Parliament in Exile was founded to be a partner for dialogue in the lack of any Kurdish political actors. Firstly Kurdistan National Congress (KUM) was planned as a representational body for Kurdish radical organizations, more moderate movements and the Iraqi Kurdistan Front. Kemal Burkay's chairmanship of KUM was almost certain. When the foundation of KUM was not realized, the idea of another Parliament was promoted in the PKK's fifth congress in January 1995.<sup>195</sup> But the representational power of KPE was limited; for example the Socialist Party of Kurdistan (PSK) of Kemal Burkay did not participate on the basis of the dominant role of PKK in the

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<sup>192</sup> Mark Muller, "Nationalism and the Rule of Law in Turkey: The Elimination of Kurdish Representation During the 1990's" ,...,p.188

<sup>193</sup> Ibid.

<sup>194</sup> A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi Legal Kürt Mücadelesi*,...p.430

<sup>195</sup> Micheal M. Gunter, *The Kurds and the Future of Turkey*, St Martin's Press, New York 1997, p.43

Parliament. Furthermore the Kurdistan Democratic Party of Massoud Barzani and Patriotic Union of Kurdistan of Jalal Talabani did not accept the invitation of KPE.<sup>196</sup> The Parliament consisted of 65 members; 12 seats for the National Liberation Front of Kurdistan (ERNK), 6 seats for DEP's deputies in exile and the rest were Kurdish personalities who were elected by 500 delegates chosen by Kurdish diaspora in Western Europe, Russia and Caucasus, Australia and America.<sup>197</sup> The legitimacy of the Parliament in exile was assured with the participation of DEP deputies. DEP deputies claimed that the ban on the party and its cadres ruled out all avenues of peaceful solution, so the political constraints of the politics in Turkey which did not let the parties stay within the system, pushed them to try radical solutions with the PKK.

The Parliament's 35 points program which was declared in its first session in the Hague on 12<sup>th</sup> April 1995, stated expressly the aims of the Parliament, which were establishing a national congress and a national parliament of a free Kurdistan, entering into voluntary agreements with neighboring peoples, supporting and strengthening the national liberation struggle to end the foreign occupation of Kurdistan, undertaking programs to safeguard the political, cultural and social rights of the Kurds, engaging in lobbying for the purpose of convincing members of the international community to initiate military, economic and political embargoes on the Turkish state, preparing draft resolutions relating to a constitution, citizenship laws, conscription laws, civil laws, tax laws, penal laws and an environmental protection act...etc.<sup>198</sup> Even if the Parliament assembled in Moscow in October 1994, Vienna on 30-31<sup>th</sup> July 1995, Copenhagen in March 1996, Rome in July 1996 and Norway in November 1996. Turkey's efforts to prohibit meetings of the Kurdish Parliament in Exile such as the ban of military

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<sup>196</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.37-38

<sup>197</sup> Gülistan Gürbey, "Peaceful Settlement of Turkey's Kurdish Conflict Through Autonomy", in *The Kurdish Conflict in Turkey Obstacles and Chances for Peace and Democracy* ed. by Ferhad İbrahim and Gülistan Gürbey, St. Martin's Press, New York 2000, p.84-85

<sup>198</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.36

purchases from Netherlands were important but the most important point undermining the representational power was the PKK's dominance in the Parliament. The Parliament disbanded itself in September 1999 and joined the National Congress of Kurdistan (KUK).<sup>199</sup> But the Parliament in Exile enhanced the international legitimacy of Kurdish problem in Turkey which reached already a certain level with the closure of DEP and the arrests of DEP deputies in front of the Turkish Parliament.

DEP's closure damaged enormously the legal representation of Kurdish nationalism; the majority of the deputies were prohibited from politics, the representation opportunities in the Parliament of parties were eliminated. But the People's Democracy Party was founded in May 1994. Even if HADEP could not get any seats in Turkish Parliament because of the 10% threshold, local elections in the region became another battleground for political parties.

### 3.1.2) HADEP

HADEP was founded by Murat Bozlak in May 1994. The trajectory of parties would continue with HADEP. HADEP was supposed to be the interlocutor between the State and Kurdish people but the party Congress in June 1996 turned the tide against HADEP's members. Men wearing masks removed the Turkish flag and placed the PKK banner in its place and all the party members were arrested. The State's judiciary power kept HADEP's actions under surveillance but HADEP's leaders were cautious, they cooperated with police in the November 1998 Congress.<sup>200</sup> This could not prevent the perception of HADEP as the legal branch of PKK. Additionally the results of national elections in 1995 and 1999 fueled this perception through the high percentages votes of HADEP in the heavily Kurdish populated areas of the Southeast.

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<sup>199</sup> Gülistan Gürbey, "Peaceful Settlement of Turkey's Kurdish Conflict Through Autonomy, in The Kurdish Conflict" in *Turkey Obstacles and Chances for Peace and Democracy*, p.85

<sup>200</sup> Aylin Güney, "People's Democracy Party (HADEP)," in *Political Parties in Turkey*, Barry Rubin and Metin Heper eds., London, Frank Cass, 2002, p. 125-126

The election of 24 December 1995 resulted in the victory of the Welfare Party (RP), with 21,4% of the vote and 158 deputies. HADEP gained just 4,2% of the votes, thus the party could not pass the nation-wide 10 % threshold. While the party obtained very high votes like 46,7% in Diyarbakır, 22% in Mardin, 26% in Şırnak and Siirt, 27,7% in Van, 37,4 % in Batman, 54,3% in Hakkari; it performed poorly in some cities such as 18 % in Ağrı, 7% in Bingöl, 10% in Bitlis, 4% in Elazığ, 1% in Erzincan, 6% in Erzurum, 6,7% in Kars, 2,8% in Malatya, 2,7% in Maraş, 17% in Muş and Tunceli and 13,6% in Urfa.<sup>201</sup> RP was nearly the unique competitor of HADEP in the region.<sup>202</sup> On the one hand, RP gained almost all the seats in the region as HADEP was below the 10% threshold, on the other hand the Islamist party was voted enormously in the cities which received Kurdish immigration. For example RP gained 56% of the vote in Sultanbeyli (İstanbul) which hosts Kurdish emigrated population; while HADEP obtained only 8,5%. There was general agreement on the reasons of RP's electoral success, which were mainly RP's populist and clientelist policies and the anti-system character of the party.<sup>203</sup> The main RP policy was to cooperate with Kurdish nationalists who preferred not to be close to the PKK and as a result, RP gained electoral seats with 34 Kurdish deputies in its group.<sup>204</sup> But the 1999 elections would be a turning point for parties.

Local and national elections were held together in 1999. The participation of HADEP in the 1999 elections was uncertain because the Prosecutor Office's had recourse to Constitutional Court for preventing HADEP's entry to the elections after Öcalan's declarations in his statement about PKK's money contributions to HADEP and the nomination of HADEP's

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<sup>201</sup> [http://www.belgenet.net/ayrinti.php?yil\\_id=12](http://www.belgenet.net/ayrinti.php?yil_id=12), 20 March 2011

<sup>202</sup> Hamit Bozarlan, "Political Crisis and the Kurdish Issue in Turkey", in *The Kurdish Nationalist Movement in the 1990's Its Impact on Turkey and The Middle East* ed. by Robert Olson, p.151

<sup>203</sup> Aylin Güney, "People's Democracy Party (HADEP)," in *Political Parties in Turkey*, p.126

<sup>204</sup> Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question*, p.78-79

candidates by PKK. But the Court rejected the recourse. Even if HADEP could not pass the electoral threshold with its 4,7% votes HADEP candidates won 37 municipalities including the metropolitan, Diyarbakır.<sup>205</sup> This local representation opportunity for the party reinforced the national and international legitimacy of the party because local politics would provide them representational space in the lack of nationwide deputies. Gambetti highlighted this phenomenon “the municipality became the engine force that opened new spaces of communication and expression, which not only fostered cultural life, but also allowed for new political publics to emerge”.<sup>206</sup> Moreover Nicole Watts calls local representation as pragmatic and symbolic politics. On the one hand, she emphasizes the governing experience by preparing budgets and improving socio-economic conditions such as in the Bağlar district of Diyarbakır where, the local government opened a health clinic for women, widened roads, opened a computer center for youth, coordinated the sale of dairy products to prevent milk-borne diseases while the local government of Diyarbakır balanced the books and reduced municipal debt; on the other hand, she mentioned the importance of local power in representative contention by the contentious actions of mayors which were publishing a three-volume history of the city with sections on Kurdish political activism in the 1950’s and 1960’s, the emergency rule’s negative effects, the organizing of special Kurdish festivals especially Newroz.<sup>207</sup> The field of contention shifted from the Parliament to local politics. Kurdish mayors put into action nationalist practices; for example the Mayor of Batman, Abdullah Akın, renamed 200 street names in the city by using Kurdish events, leaders and leftists, but a Turkish Court rejected some of them for posing risks to the State’s southeastern policy. The constraints of the political system in Turkey are not

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<sup>205</sup> <http://secim.ihh.com.tr/Bolgeler.aspx?il=0&ilce=0&belde=0&parti=0&skod=1061&stip=7&s=18%20Nisan%201999%20Belediye%20Se%C3%A7imi>, 29.11.2010

<sup>206</sup> Zeynep Gambetti, “The Conflictual Transformation of the Public Sphere in Urban Space: The Case of Diyarbakır”, *New Perspectives on Turkey*, Vol.32, Spring 2005, p.53

<sup>207</sup> Nicole F. Watts, “Activists in Office: Pro-Kurdish contentious politics in Turkey”, p.135-136



exclusive to national representation; they are also valid for local powers. The more pro-Kurdish mayors, 551 HADEP officials and members were detained; 57 of them were sent to prison. Furthermore Feridun Çelik, the mayor of Diyarbakır; M. Selim Özalp, the mayor of Siirt and Feyzullah Karaaslan, the mayor of Bingöl were arrested following to the allegations of aiding and abetting PKK but they were released after 3 days.<sup>208</sup> It can be said that the criticisms of European institutions were determining in the release of mayors but the President Demirel described this situation as an internal Turkish matter for preventing prospective European pressures. Therefore local offices enabled the parties to receive international recognition by the European Union. The meetings between government officials from EU member states and HADEP increased, reaching to three hundred meetings related to the Kurdish issue.<sup>209</sup>

Nicole Watts notes the importance of local offices for pro-Kurdish parties. While she highlights the new material resources of mayors which were provided through the local office, the representational opportunities offered by international organizations can be observed as an official recognition of Kurdish elites. But it was symbolic politics that is the focus point of Watts's argument for the power of local political representation. She claimed that local mayors attracted attention to the Kurdish issue exclusively by using the tools of symbolic politics. The mayors used Kurdish language in their local speeches; and they gave importance to local festivals such as Newroz.<sup>210</sup> In other words, they used Kurdish nationalistic tools unconventionally as state's local representatives in the region. This local power of "legal" Kurdish nationalism continued after HADEP had been closed by the Constitutional Court on the

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<sup>208</sup> <http://bianet.org/bianet/siyaset/117387-1990dan-bugune-hepten-dtpye-kurtlerin-zorlu-siyaset-mucadelesi>, 01.12.2010

<sup>209</sup> Ersel Aydınli, "Between Security and Liberalization: Decoding Turkey's Struggle with the PKK", *Security Dialogue*, Vol.33, No.2, June 2002,p. 212

<sup>210</sup> Nicole F. Watts, "Pro-Kurdish Mayors in As-If Democracy:Symbolic Politics in Diyarbakır", *World Congress of Kurdish Studies*, Salahaddin University, Irbil, 6-9 September, 2006, p.2-5

grounds of supporting PKK in March 2003. 46 members of the party were banned for life from participating in political activities again.<sup>211</sup>

The successor party, Democratic People's Party, (DEHAP) was founded in 1997; HADEP even competed in 2002 general elections under the name of DEHAP in case of any prospective closure and increased its votes to 6,2% nationwide. In 2002 local elections DEHAP preferred to compete with the left alliance which consisted of SHP, the Labour Party (EMEP), Freedom and Solidarity Party (ÖDP), Free Party and Socialist Democratic Party (SDP) under the umbrella of SHP. The candidates won 30 mayoral seats including Diyarbakır municipality with Osman Baydemir. While the Prosecutor's Office processed a case for the closure of DEHAP in 2002, the party dissolved itself on 17 August 2005 to participate in Democratic Society Movement (DTH) founded by Leyla Zana.

The trajectory of parties continued with the transformation of DTH to Democratic Society Party (DTP). The local representation power of parties was bolstered with national representation through the DTP deputies after 2007 general elections.

### **3.1.3) DTP**

Democratic Society Movement was founded by Selim Sadak, Orhan Doğan, Leyla Zana and Hatip Dicle on 22 October 2004. The transformation of the Movement into a party was realized on 9 November 2005. The aim of DTP, just like the predecessor parties, was to become the party of Turkey whose focus point would be the peaceful, democratic and permanent resolution of the Kurdish issue. But according to Orhan Doğan's declaration, the party could not follow the path in spite of delegate-based formation, co-chairmanship model and the determination of the party council by the founders. So he mentioned that the party could not go beyond being the successor of the previous pro-

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<sup>211</sup><http://www.radikal.com.tr/haber.php?haberno=82253>, 12.12.2010

Kurdish parties.<sup>212</sup> In other words DTP also encountered the same problems as the predecessor parties. These problems were the regional character of the party and its organic ties with PKK. Hatem Ete claimed that parties used two methods for blocking the accusations of being a regionalist party: to nominate candidates who do not come from Kurdish origins and to form electoral alliance with left parties. But she added that the radicalization of party cadres through each new party and the political constraints of Turkey prohibited pro-Kurdish party existence within the system.<sup>213</sup> DTP was also exposed to the same pattern with other pro-Kurdish parties but representation at national and local level thanks to the liberal atmosphere provided by the EU accession process offered more opportunities within the system.

DTP's election strategy would be different than its predecessors. They chose to stand for the 2007 general elections as independent candidates instead of forming an election alliance. DTP run 58 independent candidates for 43 cities; they planned to get 30-35 deputies but they got only 4% of the votes; and 22 representatives were elected. Almost all of the deputies were elected from Southeastern Turkey; Batman(2), Bitlis(1), Diyarbakır(4), Hakkari(1), Iğdır(1), Mardin(2), Muş(2), Siirt(1), Şanlıurfa(1), Şırnak(2), Tunceli(1) and Van(2). Only two deputies from İstanbul were elected, Sebahat Tuncel and Ufuk Uras. AKP got 86 deputies from the region; the party increased şts votes in the region from 20,29% in 2002 general elections to 49,25 in 2007 elections. The relative inefficacy of DTP could be explained by the dynamics of AKP's success; however it was also aboutthe party's own mistakes. Murat Somer offered the five reasons for AKP's success in the region as the development in health care and rural infrastructure, tolerance to ethnic-cultural identity, rising Islamist conservatism, peaceful resolution opportunity with AKP's Kurdish

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<sup>212</sup> İrfan Aktan, "DTP'nin Bağımsız Adayları, PKK ve 22 Temmuz Sonrası Artılar, Eksiler, Çarpılar", *Express*, July 2007, p. 13-14

<sup>213</sup> Hatem Ete, "Örgüt ile Parti Olma Geriliminde DTP", *Siyaset, Ekonomi ve Toplum Araştırmaları Vakfı*, Mart 2009, p. 6-11

deputies and anti-systemic character of the party against military dominance.<sup>214</sup> DTP's candidate selection was very crucial in the party's limited success as well. PKK's dominance in this process prohibited the selection of candidates freely by the party. Furthermore İrfan Aktan claimed that PKK put a reserve on the candidanship of Murat Bozlak from Adana and Baskın Oran from İstanbul in spite of Ahmet Türk's persistent effort. İrfan Aktan's claims about PKK's dominance in DTP covered also the formation of the party. He associated Ahmet Türk's chairmanship in DTP to PKK's control demand over opponents within the party among deputies who had good relations with PKK because Ahmet Türk and Murat Bozlak did not hesitate to support Feridun Çelik for Diyarbakır municipal candidacy against Osman Baydemir in 2004 local elections.<sup>215</sup>

PKK secured candidates for the 2007 general elections and at the same time continued its attacks after the elections. They killed twelve soldiers and captured another eight soldiers at the Iraqi border near Dağlıca in October 2007. The DTP deputies; Fatma Kurtulan, Aysel Tuğluk and Osman Özçelik's mediation efforts for the liberation of eight soldiers in Northern Iraq were perceived as a show of force by official Turkish institutions. While the media pointed out private Ramazan Yüce as a traitor because of his Kurdish origins and Fatma Kurtulan as a member of PKK with a picture taken in Kandil, Cemil Çiçek emphasized that DTP's deputies had no roles in the liberation of soldiers.<sup>216</sup> The politics of disengagement on the level of military which is based on the ignorance of DTP deputies such in the receptions of national celebrations continued on the level of government too. The government which disregarded the mediation efforts of DTP deputies showed that DTP would not

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<sup>214</sup> Murat Somer, "Why Aren't Kurds like the Scots and Turks like the Brits?: Moderation and Democracy in the Kurdish Question", *Cooperation and Conflict*, June 2008, Vol.43, No.2, p.243

<sup>215</sup> İrfan Aktan, "PKK Uzun Bir Savaşa Hazırlanıyor", *Birikim*, December 2007, Vol.224, p.24-25

<sup>216</sup> Yetivart Danzikyan, "Türkiye'den Teyakkuz Manzaraları", *Birikim*, December 2007, Vol.224, p.44

be the accepted interlocutor for the Kurdish issue. But the similarities between DTP's and PKK's approaches were determining in the government's attitude such as in the case of "democratic autonomy" suggestion of PKK. DTP put the "democratic autonomy" suggestion on agenda in its November 2007 Congress, but the party envisaged this suggestion narrowly as the extended version of the Local Government Law in Turkey. On the contrary, PKK planned a project for Iranian, Syrian and Turkish Kurds.<sup>217</sup> The radicalization of the party was completed with the election of Nurettin Demirtaş as Chairman of DTP in this Congress.<sup>218</sup>

Despite the limited success in general elections, the results in upcoming local elections in 2009 were good. While AKP could not keep its promises related to the Kurdish issue, the existence of pro-Kurdish parties in local government was more beneficial for Kurdish people than AKP mayors. AKP's approach to the Kurdish issue changed after the 2007 general elections as Recep Tayyip Erdoğan pointed out in his speech of November 2008 in Hakkari:

"We have a supra identity. This identity is Republic of Turkey citizenship. And we said something when we hit the road: One nation, one flag, one country, one state, we said. Does anyone oppose this? Can somebody say "no, not one nation" or "I don't accept one flag"? Well, if one does not like it, one is free to go anywhere he likes."<sup>219</sup>

It is certain that the nationalist emphasis on Erdoğan's speech was obvious, and AKP cadres chose to disqualify pro-Kurdish mayors in the region for the coming local elections by using the system. The mayor of Suriçi (District of Diyarbakır), Abdullah Demirbaş was accused of using Kurdish in his capacity as the mayor of Sur. The accusations consisted of publication of children's books and tourist brochures in Kurdish by using municipal

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<sup>217</sup> İrfan Aktan, "PKK Uzun Bir Savaşa Hazırlanıyor",...,p.21

<sup>218</sup> <http://www.cnnturk.com/2007/turkiye/11/08/dtpnin.yeni.baskani.demirtas.ordu/403152.0/index.html>, 02.12.2010

<sup>219</sup> <http://www.internethaber.com/istemeyen-ceksin-gitsin-164004h.htm>, 02.12.2010

resources, giving a blessing in Kurdish in a wedding ceremony and proposing Kurdish-speaking phone operators and printing public health pamphlets in Kurdish. After the investigators of Interior Ministry had prepared a file against him, the Interior Minister Abdulkadir Aksu applied to the State Council (Danıştay) for the dismissal of mayor Demirbaş. The Council took the decision in favor of the Interior Ministry. These cases against the mayors in the region were not limited to Abdullah Demirbaş. Osman Baydemir, the mayor of Diyarbakır had to endure 150 investigations and 15 pending court cases.<sup>220</sup> It is claimed that the municipalities in the region could not benefit from the State's resources as much as the AKP mayors as in the case with the mayors of other opposition parties. This discriminatory attitude of AKP could not prevent 2009 local elections results which were in favor of DTP in the region.

While DTP gained the municipalities of Diyarbakır, Hakkari, Batman, Şırnak, Tunceli in 2004 local elections; it regained some AKP municipalities like Siirt, Van and Iğdır in 2009 local elections. Furthermore they increased their votes in the cities they lost: in Bitlis from 27% to 34%, in Bingöl from 28% to 33%, in Muş from 25% to 39%, in Ağrı from 29% to 32%, and in Mardin from 26% to 36%.<sup>221</sup> DTP became stronger with national and local representatives in Turkish political life but it could not stop the closure case against DTP being filed based on the allegations of being “a suit-and-tie-clad front for the PKK” on 16<sup>th</sup> November 2007.<sup>222</sup> The prosecutor demanded also the ban of 221 party members and 8 deputies; Ahmet Türk, Aysel Tuğluk, Fatma Kurtulan, İbrahim Binici, Osman Özçelik, Sebahat Tuncel, Selahattin Demirtaş and Sevahir Bayındır from politics,<sup>223</sup> the ban of another party based

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<sup>220</sup>[http://www.nytimes.com/2008/02/17/magazine/17turkey-t.html?pagewanted=3&\\_r=1](http://www.nytimes.com/2008/02/17/magazine/17turkey-t.html?pagewanted=3&_r=1), 15.12.2010

<sup>221</sup><http://www.radikal.com.tr/Radikal.aspx?aType=RadikalEklerDetay&ArticleID=929950&Date=05.04.2009&CategoryID=42>, 15.12.2010

<sup>222</sup>[http://www.nytimes.com/2008/02/17/magazine/17turkey-t.html?pagewanted=2&\\_r=1](http://www.nytimes.com/2008/02/17/magazine/17turkey-t.html?pagewanted=2&_r=1), 15.12.2010

<sup>223</sup><http://arsiv.ntvmsnbc.com/news/426534.asp>, 15.12.2010

on alleged relations with PKK. But DTP's attitude against PKK was more apparent than the predecessor parties. Emine Ayna, Co-Chairman of DTP in the Congress of Woman Branches on 18<sup>th</sup> May 2008 said that "Öcalan is a legal person. We have rights to consider or ignore him like other persons". While the other Chairman of the party, Ahmet Türk emphasized the importance of health conditions of Öcalan for the up-coming developments in Turkey, he pointed to Öcalan as "the most sensitive point of peace".<sup>224</sup> These contentious declarations of DTP members which portrayed Abdullah Öcalan as the final authority on the Kurdish issue complicated the problem of the party's representational power. Moreover it is claimed that the DTP's decision of "sine-i millet" which was based on carrying the Parliament off year election with the lost of twenty eights deputies (21 deputies from DTP and 6 free parliamentary mandates) was blocked by Öcalan.<sup>225</sup> Consequently DTP was closed on 11<sup>th</sup> December 2009; Ahmet Türk and Aysel Tuğluk lost their parliamentary mandate but the back-up party, Peace and Democracy Party (BDP) had just been founded in May 2008.

The trajectory of parties continued with the hardening politics of Turkish governments after HEP. The more the State tried to restrict the pro-Kurdish parties within the boundaries of Turkish political life, the more the pro-Kurdish parties run for contentious actions. After the options for "legal" representation had been prohibited for years, DTP was also kicked out of the Parliament. It is certain that the party's tight relations with PKK played an important role in its ban. In addition the political constraints of Turkey did not let the party work within the system. But the party also did not hesitate to point to PKK as the final authority on the Kurdish issue. The process which could be

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<sup>224</sup> <http://www.milliyet.com.tr/Siyaset/SonDakika.aspx?aType=SonDakika&ArticleID=1168756&Date=02.12.2009&Kategori=siyaset&b=Turk:%20Ocalanin%20saglik%20kosullari%20Turkiye%20dekideki%20gelismeleri%20etkiler>, 20.12.2010

<sup>225</sup> Mete Çubukçu, Kürt Açılımı: Algılama, aciliyet ve yanılğı, Birikim, January 2010, Vol.249,p.78

more productive with the existence of pro-Kurdish parties since 1990 was chocked because of the strict approaches of both sides.

DTP was more fortunate than the predecessor parties because their political trajectory went hand in hand with EU accession process and benefited from the relatively liberal atmosphere in Turkey through EU reforms. EU process also forced internal actors to structural changes in the Kurdish issue.

### **3.2) The External and Internal Dynamics of Political Change**

The year 2001 could be accepted as the turning point so far as the Kurdish issue in Turkey is concerned. The political actors in the Kurdish issue, especially all Turkish governments after 2001, were limited in their decisions by the demands of EU accession process. The progress on the Kurdish issue was secured through EU; the AKP government took the initiative for being the actor who would solve the problem and put forward what was called the Kurdish opening. But the Kurdish opening increased more the tensions between the actors in the Kurdish problem instead of creating cooperation opportunities because of mutual ignorant attitudes of actors. The legal infrastructure which was prepared under the EU accession process could not be internalized by the State; the legal reforms could not go beyond any kind of theoretical preparations.

#### **3.2.1) EU**

EU is the permanent actor of the Kurdish issue since the official acceptance of Turkey as a candidate state in 1999. The relations of the State with EU have proceeded in accordance with the regular reports of European Commission and the legislative packages of Turkey which shows the results of the State's efforts in EU accession process.

Turkey as an EU candidate country declared a national program in 2001 and 2003 that contained measures to meet the Copenhagen political criteria. National programs adopted by the Accession Partnership Document signed with the EU consisted of preparing constitutional and legislative packages. Constitutional articles inconsistent with the Copenhagen political criteria



would be modified. In this context, the items that prevent the use of minority rights in the Treaty of Lausanne were changed. The change began with the 34 Articles of the Constitution in 2001. Even if twenty-seven of these articles concerned human rights, the articles relating to the protection of minority rights were not numerous. The expression "No language prohibited by law..." in the third paragraph of Article 26 which targeted directly the use of Kurdish was deleted. The second paragraph of Article 28 which stated that "Publication may not be made in any language prohibited by law" was deleted in conjunction with Article 26. The second package contained a legislative amendment to Article 6 of the Law of Associations, which shortens the text of the article by removing again the phrase "No language prohibited by law may be used for signs, brochures, plates, statements ... " in March 2002. One of the most controversial issues in Kurdish problem, the use of "different languages and dialects traditionally used by Turkish citizens in their daily lives" other than Turkish was included in the third reform package. While the amendment to the article 4 of the Law of Foreign Language Education and Teaching authorized instruction of these languages in special courses, the annexation of the Foundation Act of Radio and Television provided radio and television broadcasting in languages other than Turkish. Furthermore the sixth reform package in 2003 expanded the broadcasting rights to private radio and television channels.<sup>226</sup> The Turkish Radio and Television Corporation started broadcasting in Bosnian, Arabic, Circassian and both dialects of Kurdish (Kurmanji and Zazaki) on 7<sup>th</sup> June 2004 in channel TRT 3 from Monday to Friday at 7:30 to 8.00. The radio broadcasting was on Radyo 1 on the same days at 6.10 to 6.45. Finally the government founded a new TV channel, namely TRT 6 for 24-hour broadcasting in Kurdish on 1 January 2009, just before the 2009 local elections. Even if the linguistic reforms were put in practice, the political system in remained strictly closed to pro-Kurdish parties. The articles of the Law of Political Parties which caused the ban of pro-

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<sup>226</sup> Ergun Özbudun, "Democratization Reforms in Turkey,1993-2004", *Turkish Studies*, June 2007, Vol.8, No.2, p.183-187

Kurdish parties are still in force. But the Article 8 of the Anti-Terror Law which contained the causes about the separatist propaganda was abolished with the sixth reform package.

EU prepared at least the legal infrastructure for Kurdish linguistic rights and at the same time monitored the application process via its visiting committees. The committees paid regular visits to the Eastern region of Turkey and meet with local mayors to discuss the conditions of the region. The local governors of pro-Kurdish parties in the region became the regular interlocutors of EU institutions for Kurdish issue. Mesut Yılmaz as Deputy Prime Minister said "The way to the EU goes from Diyarbakır" on 16<sup>th</sup> December 1999, finally accepting the importance of the region in the process of EU as all governments would later accept. EU did not only push legal reforms on the Kurdish issue; the discursive shift in Turkey was also visible through EU accession process, especially after Turkey had started accession negotiations on 3 October 2005. The last 26-item constitutional package which was accepted on 12<sup>th</sup> September 2010 by referendum makes political party closures more difficult by conditioning all closure cases to the Parliament's approval. The ultimate authority of the Constitutional Court was diminished in favor of less longer bans from politics, 3 years instead of 5 years. It is certain that these changes are pragmatic actions of AKP to prevent its own closure but they can provide continuity for pro-Kurdish parties within the system.<sup>227</sup> AKP's Kurdish opening initiative was the consequence of this discursive shift and it would be the most controversial issue in Turkey for several months.

### **3.2.2) The Kurdish Opening**

The beginning of Kurdish opening is considered to be Recep Tayyip Erdoğan's "historical" speech in Diyarbakır on 12<sup>th</sup> August 2005:

“Diyarbakır is a province of Turkey as much as Ankara, İstanbul, Konya, Samsun and Erzurum. Everybody should understand this. Every country has mistakes in its past. Every country has tough days in its past.

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<sup>227</sup> <http://www.akparti.org.tr/media/www/Anayasa%20teklif%20metni.pdf>, 22.12.2010

Like other great and powerful states, we reached today through all those tough events. For this reason, turning a blind eye to the past mistakes does not suit a great state. The great state and great nation is the one which has the courage to face with itself and to discuss the mistakes in detail. With this understanding does our ruling aim to serve the country. I am the Prime Minister of the government, who believes to the self-confidence, historical awareness and geography consciousness of my nation and my state. I believe that, as facing the past and turning to the future, it is possible to guarantee our future with our past because the future is bright. While I was imprisoned for reading a poem, I had delivered this message to my people “I am never and ever angry with my state. The state, this flag and this homeland is ours. One day, the mistakes will be corrected”... Yes, This was the message I had delivered from the prison. For this reason, me and my friend’s dream is to make everyone equal in every part of this country, to make freedoms full available, to make the rule of law dominant in the country and to make our children hopeful of their future. We don’t have to label each problem we have because they are our problems But if you insist on naming it, the “Kurdish” problem doesn’t only belong to a sect of this nation, it belongs to us all. It is my problem also. The problems don’t have separated origins all the problems are the common problems of every citizen of Turkish Republic no matter they are Turkish, Kurdish, Circassian, Abkhazian or Laz. Because the sun warms everyone and the rain is mercy for everyone. Because we are the people of same land, we are a nation. For these reasons, to those who wonder what will happen in the Kurdish issue, I reply it concerns me more than anybody as the Prime Minister of this country. If they would come with another problem of this country, I would again say, it concerns me more than anybody. We are a great state and as the nation, we solve and would continue to solve each problem with more democracy, citizen rights and more wealth under the Constitutional order and under the main principles and the principle of the Republic which we have inherited from the founders of this country”<sup>228</sup>

Beşir Atalay declared Erdoğan’s speech as the birth date of the opening while he explained the details of the “Democratic Opening” in a governmental statement on 29<sup>th</sup> July 2009.<sup>229</sup> The launch of “Democratic Opening” was also indirectly related to deadlock in the war against PKK because the rejection of March 1<sup>st</sup> bill of the Turkish Parliament which allow troops passage through

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<sup>228</sup> <http://webarsiv.hurriyet.com.tr/2005/08/13/686222.asp>, the translation of Halime Karakaş Kökçe, 23.12.2020

<sup>229</sup> Halime Karakaş Kökçe, Unpublished MSc Thesis, *Two Transformative Actors of Turkish Politics: Justice and Development Party and Kurds*, The Graduate School of Social Sciences of Middle East Technical University, March 2010, p.121-122

Turkish soil in the Iraq War in 2003 gave an irreparable damage to Turk-American relations. Even if Turkish Parliament voted a motion authorizing the deployment of troops in Iraq for in security problems in the region on 7 October 2003; USA authorities could not get the help from Turkey because of the opposition of Iraqi Governing Council.<sup>230</sup> Iraqi Governing Council in which Barzani, Talabani and three independent Kurds took place was set up by American authorities as a temporary post-Saddam authority in July 2003. Furthermore the foreign minister of the transition government was Hoshyar Zebari, a top Barzani aide; the Transitional Administrative Law which was provisional constitution protected the Kurds' "Kurdistan Regional Government" and let the peshmerga stay in control in the region. Then with the constitution referendum on 15 October 2005; the authority of Kurdistan Regional government broadened through the recognition of three provinces, Dohuk, Irbil and Suleymaniyah as a legal region, the power to alter the application of national laws, the possession of internal security forces and embassies abroad.<sup>231</sup> Consequently the Iraqi Kurds became the most important partner of the USA in the region; and PKK which took the advantage of "Turkey troops free" Northern Iraq with the Iraq War removed the ceasefire on 2 September 2005 which was declared in February 2000 after Öcalan's capture in February 1999. PKK started to attack Turkish military positions again; Dağlica attack in October 2007 forced Turkish forces to act militarily again in Northern Iraq consequently and negotiate with USA. AKP government took the approval for trans-border operation from the Parliament on 17 October 2007 in spite of DTP's opposition votes. Turkey launched trans-border air strikes and ground raids in 2007 and 2008. But AKP government continued to contact diplomatically Kurdistan Regional Government; Turkey's President Abdullah Gül met with Iraq President Jalal Talabani and Kurdistan Regional

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<sup>230</sup>Meliha Benli Altunışık, "Turkey's Iraq Policy: The War and Beyond", *Journal of Contemporary European Studies*, August 2006, Vol. 14, No. 2, p.191

<sup>231</sup> Kenneth Kazman, "The Kurds in Post-Saddam Iraq", *Congressional Research Service Report for Congress*, 1 October 2010, p.3

Government Nechirvan Barzani on 23 March 2009. The diplomatic and military efforts of Turkey could not resolve the problem of PKK consequently Turkey launched an internal resolution plan for Kurdish problem.

The first workshop of “Solution to the Kurdish Problem: Towards a Model for Turkey” was organized on August 1, 2009 in Ankara Police Academy with the invitation of 15 journalists and academicians related the Kurdish issue by Beşir Atalay.<sup>232</sup> But he narrowed the scope of the Kurdish Opening by eliminating any possibilities of amnesty, education in mother tongue and constitutional amendment in the press conference of the Kurdish opening on 31th August 2009. Ahmet Türk, the Chairman of DTP openly criticized the limited nature of the opening just at the beginning of the process. AKP’s opening did not embrace legal pro-Kurdish parties as interlocutors in this process, especially after 34 ex-PKK members who came from Habur Camp<sup>233</sup> had been welcomed by DTP members including Ahmet Türk, Emine Ayna and other 13 DTP deputies in Iraqi-Turkish border. Tayyip Erdoğan even said “We can start all over again if necessary”.<sup>234</sup>

The expression of “Kurdish opening” was the name preferred by the media. The government named this process as “Democratic Opening” and aimed to lower reactions because of the PKK’s attacks in the region. AKP also pushed DTP to declare PKK as a terrorist organization while DTP members talked about taking Öcalan as a respondent in the opening process. The attitude of AKP could be accepted as one the failures of the opening but DTP members could not also take the initiative to lead the process without PKK. While DTP did not want a solution without the PKK’s consent and participation, AKP

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<sup>232</sup> Ruşen Çakır, “Kurdish Political Movement and the “Democratic Opening”, *Insight Turkey*, Vol.12, No.2, 2010, p.179

<sup>233</sup> Habur Border Crossing, return home operation on 19 October 2009, 26 people from the Mahmur Refugee Camp in Northern Iraq and 8 members of the organization from the PKK’s military headquarters in the Kandil Mountain entered the country and turned themselves in to the authorities.

<sup>234</sup> <http://www.hurriyet.com.tr/gundem/12721398.asp>, 23.12.2010

hegemonic role in the process which positioned DTP as spectator could not be the necessary framework for a resolution. The aim of AKP, that is isolating PKK from the Kurdish problem, could not be possible anymore after all pro-Kurdish parties had been excluded from the system through the closure cases. Because parties which could not act within the system became closer with PKK and in the end, DTP put in its program Öcalan's suggestion of "democratic autonomy". In other words, while DTP could not see a prospective solution without Öcalan, AKP did not accept DTP at least as its counterpart in Kurdish Opening. Consequently the Kurdish Opening which was pushed from above by the AKP government was still born from the beginning. AKP interrupted the process by judging seven mayors of DTP including Osman Baydemir, the mayor of Diyarbakır and Hatip Dicle in the trial of the Union of Kurdistan Communities, KCK, which is perceived as a civil organization of PKK. Furthermore KCK was singled out with PKK as interlocutors in Kurdish opening by DTP. BDP followed suit DTP but the limitations of the system also did not give much room to move for the successive party.

## Conclusion

The aim of this thesis is to draw attention to the trajectory of the politicization of legal Kurdish nationalism. It is certain that this process has different dimensions other than the political maturity of actors. The national and international socio-political changes are very determining in the evolution of a distinctive political identity as it is the case in the formation of Turkish identity after the foundation of the new Republic. The nation-building process of the new Republic was the social-political trigger for the politicization of Kurdish identity. While the identity struggle of Kurdish nationalism started as rebellions, strikes, and social movements in 1920's and 1930's, it continued in the politics of established institutions and armed organization PKK. The rising of ethno-political consciousness in the 1970's shaped Kurdish political identity's next round of contention as struggle within the Turkish political system via parties. The Kurdish political identity has moved along according to static Classical Social Movement Agenda until the formation of the first party in 1990. After the first political party, HEP had been founded; the static model transformed into a more dynamic model in which new generation of Kurdish political actors consequently new forms of action took place like oath taking ceremony, contentious declarations. While these contentious actions caused the perception of legal Kurdish nationalism as the organic partner of PKK, the judicial power of the Turkish state has not let the parties to practice politics within the system by closing down HEP, ÖZDEP, DEP, HADEP, DEHAP and finally DEP. The attitude of the judiciary could provide partial explanation for the absence of parties in Turkish political life; the other part of the explanation

is strictly related to the “unspoken” borders of the political system in Turkey. But the political parties had the obligatory social approbation by always trying to stay within the Turkish political system. Perhaps the most important political limit is 10% election threshold which was not even considered in recent amendments to the 1982 Constitution. In other words the national sovereignty in Turkey is ignored in favor of political stability or the indivisible integrity of the Turkish Republic. Even if the Kurdish People have representatives in the Parliament, they are not perceived as interlocutors of Kurdish people as DTP’s position in Kurdish opening shows. And that is the reason why political parties chose to act as unconventional actors of Turkish political life with their contentious actions.

The unconventionality of parties could be explained by the restrictive nature of Turkish political life; however part of the explanation comes from the organic ties of parties and PKK. In other words the existence of parties which frame their grievances in Turkish parliament does not pave the way for disappearance of organizations which makes extreme policies like PKK with the opportunity expansion. The dualistic character of ethnic contention in Turkey, contained and transgressive one at the same time; prevented the political parties who appeal Kurdish political and cultural rights to take initiative in the resolution process like in the process of Kurdish opening. The cadres of political parties may have relations with PKK on different levels and it is certain that their societal base is same. Parties could not form a distinctive identity than the PKK and they could not make politics generally without the blessing of PKK as in the formation of HEP. The reasons of their dependency could be perceived the above-mentioned relational mechanisms. All in all, the pro-Kurdish political parties are the dependent variable in Turkish life. On the one hand, the parties were criticized because of their organic ties with PKK; on the other hand they could not have sufficient material and moral resources for a struggle against PKK. PKK is still the most important actor of Kurdish problem in spite of the existence of parties for twenty years.





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