

RETHINKING THE KURDISH MOVEMENT:  
THE ROLE OF THE NEIGHBORHOOD ASSEMBLIES IN DIYARBAKIR

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## Thesis Abstract

Deniz Tuncel, “Rethinking the Kurdish Movement:  
The Role of the Neighborhood Assemblies in Diyarbakır”

Based on the judicial violence of the Turkish state against the Kurds after 2009 and the attempts of the Kurdish political movement for the implementation of participatory politics at a local level since 2005, this thesis argues how the Kurds have been pushed out of legal order and rendered silenced by the Turkish judiciary, and how the Kurdish movement used the neighborhood assemblies to enable the Kurds to have the representation of their own voice. The case studies of the thesis are accordingly composed of the KCK trial and the neighborhood assemblies in Diyarbakır. By exploring the process of the KCK trial, it argues that the Turkish judiciary as an institution of the sovereign power, through Schmitt, Agamben, Jakobs and Benjamin, decides the state of exception and makes “friend-enemy distinction” among its citizens concerning the security of the political and judicial order of the state. By observing the process of the decision-making processes from neighborhood to municipal level and, it asserts that the Democratic Autonomy is a practice of freedom of the Kurds and other subaltern communities, who were pushed out of legal order and mobilized outside the borders of that legal order, and the local assemblies founded by the Kurdish movement as the instruments of bottom-up democracy emerged as a space of struggle that were constituted by and constitutive of a community of struggle.

## Tez Özeti

Deniz Tuncel, “Kürt Hareketini Yeniden Düşünmek:

Diyarbakır Mahalle Meclislerinin İşlevi”

Bu tez, Türk Devleti'nin 2009 sonrası Kürtlere karşı uyguladığı hukuki şiddete ve Kürt siyasal hareketinin 2005 sonrası yerel düzeyde katılımcı demokrasiyi yerleştirme çalışmalarına dayanarak, Kürtlerin Türk yargısı tarafından yasal düzenin dışında bırakılarak nasıl sessiz kılındığını ve Kürt hareketinin mahalle meclisleri üzerinden Kürtlerin kendi seslerini temsil etmelerini nasıl sağladığını tartışmaktadır. Tez bu doğrultuda KCK davalarını ve Diyarbakır'daki mahalle meclislerini incelemektedir. KCK davalarının sürecini Schmitt, Agamben, Jakobs ve Benjamin üzerinden analiz eden tez, egemen gücün bir kurumu olan Türk yargısının, devletin siyasal ve hukuki düzeninin güvenliği iddiasıyla istisna hallerine karar vererek vatandaşları arasında “dost-düşman ayrımı” yaptığını ileri sürmektedir. Mahalleden belediye düzeyine kadar geçen karar alma süreçlerini inceleyen tez, aynı zamanda Demokratik Özerklik modelinin yasal düzenin dışına itilmiş ve bu düzenin dışında mobilize olan Kürtler ve diğer “madun” toplumlar için bir özgürlük pratiği olduğunu, ve tabana dayalı demokrasinin araçları olan mahalle meclislerinin mücadele toplumu tarafından kurulan ve aynı zamanda mücadele toplumu yaratan bir mücadele alanı olarak ortaya çıktığını iddia etmektedir.

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## CHAPTER I

### INTRODUCTION

This thesis is based on studying the Kurdish political movement which emerged out of the organization of the Kurds in the legal politics through a political party, People's Labor Party (HEP), in the beginning of the 1990s. Beginning with emphasizing the bias in the Turkish official history, which lacks the voices/perspectives of the Kurds and rendered them subaltern, and underlining how the Kurds have been excluded from the political and judicial order through arbitrary applications of the certain state institutions, including Turkish judiciary, this thesis basically aims to study the political struggle of the Kurdish movement, which claims the rights and freedom of the Kurds in Turkey.

Since the early twentieth century, Kurds in Turkey have been exposed to state massacres, exiles, and assimilative and exclusionary policies. Such violence, which has been carried out by particular state institutions, including army and judiciary, for about one hundred years, has put severe limitation on the ability of the Kurds to have their own voice, and given birth to the Kurdish Issue in Turkey. At the same time however, the Kurds have perpetually resisted against these violent policies through local rebellions in the 1920s and 1930s, Marxist/Leninist and Maoist organizations in the 60s and early 70s, and Kurdish guerrilla movement, which aimed the foundation of an independent Kurdistan since the mid of the 70s till the end of the 90s,

In 1990, besides the guerrilla struggle of Kurdistan Worker's Party (PKK)<sup>1</sup>, the Kurdish legal politics "set out when HEP (People's Labor Party) began organizing as a political party in 1990 to form the basis of a large scale social movement – Kurdish movement – which spread out in Turkey's metropolitan centers"<sup>2</sup> and in 'Turkey's Kurdistan'. Until 1999, the Kurdish movement dealt with national politics and entered general elections through its political party which could not win the elections because of 10 % national threshold.<sup>3</sup> In 1999, the PKK gave up the ideal of the foundation of an independent Kurdish state and embraced the aim of creating democratic, equal and free society in existing borders of Turkey. In the same year, the political party of Kurdish movement, HADEP<sup>4</sup>, entered local elections which were a turning point for the Kurdish movement. After winning the municipalities in Kurdish-populated cities, the movement began focusing on the local politics and using the municipalities to reverse the *Turkification* policies of the state in the Kurdish-populated cities.<sup>5</sup>

The mobilization of the Kurdish movement at a local level through the municipalities until the mid of the 2000s led them to initiate an alternative governance model, namely "Democratic Autonomy". The PKK also reorganized

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<sup>1</sup> PKK is a guerrilla organization founded by Abdullah Öcalan and his friends in 1974 to found an independent Kurdish state.

<sup>2</sup> Bilgesu Sümer, *Kurdish Urban Politics in the Neoliberal Era: Cases of Diyarbakir and Van Mobilized under BDP*, (M.A. Thesis, Boğaziçi University, 2012), p. 17.

<sup>3</sup> After the military coup in Turkey in 1980, the military regime changed the election law and put the national threshold of 10 % to prevent the small parties to join the parliament.

<sup>4</sup> The HEP was the first political party of the Kurdish movement. In 1993, the HEP was dissolved by the Constitutional Court for their activities, the Court claimed, against the unity of the Turkish state and nation. The Democracy Party (DEP), the People's Democracy Party (HADEP), the Democratic People's Party (DEHAP), Democratic Society Party (DTP) are other parties of the Kurdish movement that have been closed by the Constitutional Court for the same reasons until 2009. The Peace and Democracy Party (BDP), which was founded in 2008, pursues their legacies.

<sup>5</sup> Zeynep Gambetti, "Decolonizing Diyarbakir: culture, identity and the struggle to appropriate urban space" in *Comparing Cities: The Middle East and South Asia*, ed. Kamran Asdar Ali and Martina Rieker (Karachi: Oxford University Press, 2009), p. 99.

itself under the umbrella organization of the Union of Communities in Kurdistan (KCK)<sup>6</sup> which also proposed the Democratic Autonomy model for the solution of the Kurdish Question. The model suggests the solution of the Kurdish Issue by creating a democratic, anti-nationalist, free, equal, gender egalitarian and ecological society which is based on the devolution of political power to the local assemblies.<sup>7</sup> The model presupposed the foundation of village and neighborhood assemblies, district assemblies, city assemblies and the Democratic Society Congress (DTK). The DTK, which is able to function only in Turkey's Kurdistan because of structural and legal restrictions, was formulated as the main assembly constituted by all local assemblies, elected representatives and mayors, delegates of labor groups, labor unions, NGOs, ethnic and belief groups, woman assembly, youth and children assembly and LGBT individuals and ecologists. The Democratic Autonomy was presented as an alternative governance model against the Turkish representative system in which the citizens participate in decision-making processes only through voting in the elections that are held once in 4 to 5 years. After 2007, the municipalities of Peace and Democracy Party (BDP) began founding these local assemblies through which the participation of the people in the decision-making processes was aimed. On the other hand, unlike the model of the participatory budgeting in Porto Alegre and the *Panchayat* system in Kerala, and like the Zapatistas' participatory politics in

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<sup>6</sup> The Union of Communities of Kurdistan (KCK) is the umbrella organization that includes the Kurdistan Worker's Party (PKK), The Free Life Party of Kurdistan (PJAK) active in Iran, the Democratic Union Party (PYD) active in Syria, the Union of Women (KJB), Democratic Youth Confederation and civil society organizations.<sup>6</sup> The KCK put its aim as to create a democratic society which is based on mass participation of the citizens in decision-making processes through local assemblies, gender equality and ecological awareness. For a detailed information, see the Cengiz Çandar's report '*Leaving the Mountain*', available online: [http://www.tesev.org.tr/Upload/Publication/1fe2c9c3-fe84-4044-81a1-d8a3ab906e5c/12028ENGsilahsizlandirma16\\_03\\_12Rev1.pdf](http://www.tesev.org.tr/Upload/Publication/1fe2c9c3-fe84-4044-81a1-d8a3ab906e5c/12028ENGsilahsizlandirma16_03_12Rev1.pdf)

<sup>7</sup> *Demokratik Toplum Kongresi Bileşenlerince Hazırlanmış Olan, Demokratik Özerk Kürdistan Modelinin Taslak Sunumu*, presented in the 'Democratic Autonomy Workshop' in Diyarbakır on December 18-19, 2011.

Chiapas, the Democratic Autonomy model has not been implemented with the state hand in hand. In other words, its intent was not to integrate the subaltern communities into the existing political system, but creating alternative political spaces in and through which the Kurds and other subaltern communities can exercise their political and cultural rights, namely their freedom.

In 2009, the process of the implementation of the participatory politics at a local level coincided with the police operations, which were called the KCK operations. The judiciary treated the implementation of participatory politics through local assemblies as activities that serve “terrorism”.<sup>8</sup> The KCK trial was carried out by ‘Specially Authorized Courts’ which have extra-ordinary authorities.<sup>9</sup> In the indictment of the KCK trial, the neighborhood assemblies were treated as “terror homes”.<sup>10</sup> Since 2009, about 10,000 Kurds including elected deputies, mayors, municipal councilors and the members and administrators of the BDP and the members of local assemblies<sup>11</sup>, who claimed that they struggle for the rights and freedom of excluded parts of society, especially of the Kurds, were detained through the KCK operations because of their political activities. They were accused of being members of Turkey’s Assembly of the “terrorist organization” KCK, although none of them were involved in violent activity. Their trial has not started for four years

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<sup>8</sup> The KCK Indictment, p. 253, available online: [www.radikal.com.tr/files/kckiddianame.docx](http://www.radikal.com.tr/files/kckiddianame.docx)

<sup>9</sup> In parallel to the Copenhagen Criteria of EU, the State Security Courts (DGM), which included military staff and authorized with exceptional authorities, was abolished. Instead of it, the Specially Authorized Courts (ÖYM) was founded. However, like DGM, the ÖYM has also extra-ordinary authorities that violate the Law regarding the trial of the detainees, in spite of the fact that it does not include military staff. In July 2012, the ÖYM was also abolished, but it will be active until it solves its trials, including the KCK trial.

<sup>10</sup> The KCK Indictment, p. 253.

<sup>11</sup> “4. Paket hazır 1000 KCK’lıya tahliye”, *Radikal* (January 12, 2012), [http://www.radikal.com.tr/turkiye/4\\_paket\\_hazir\\_1000\\_kckliya\\_tahliye-1116504](http://www.radikal.com.tr/turkiye/4_paket_hazir_1000_kckliya_tahliye-1116504)

because of their insistence on giving their deposition in Kurdish instead of Turkish which is the official language of the Turkish state.

The Kurdish movement has aimed to organize itself in legal politics after 2000 to participate in decision-making processes; however, the limits of the representative system give way them to compensate the limits of the representative system by implementing the participatory politics at a local level. At the same time however, the state illegalizes their attempts to implement participatory politics through the model of Democratic Autonomy. Put differently, as much as they try to be effective in legal politics, the system criminalizes their attempts and illegalizes them.

Based on the judicial violence of the Turkish state against the Kurds after 2009 and the attempts of the Kurdish political movement for the implementation of participatory politics at a local level since 2005, this thesis asks how the Kurds have been pushed out of legal order and rendered silenced by the Turkish judiciary, and how the Kurdish movement used the neighborhood assemblies to enable the Kurds to have the representation of their own voice. The case studies of the thesis are composed of the KCK trial and the neighborhood assemblies in Diyarbakır. By exploring the process of the KCK trial, it argues for the former question that: the Turkish judiciary as an institution of the sovereign power, through Schmitt, Agamben, Jakobs and Benjamin, decides the state of exception and makes citizen-enemy distinction among its citizens concerning the security of its political and judicial order. It legitimizes its violence carried out on Kurds by defining and treating them as “enemy” rather than “citizen”, and such violence has constituted their subalternity. By observing the process of the decision-making processes from neighborhood to municipal level and, of who and to what extent the constituents of

the neighborhood assemblies can speak, it asserts for the latter question that: the Democratic Autonomy is a practice of freedom of the Kurds and other subaltern communities, who were pushed out of legal order and mobilized outside the borders of that legal order, and the local assemblies founded by the Kurdish movement as the instruments of bottom-up democracy emerged as a space of struggle that were constituted by and constitutive of a community of struggle.

This thesis analyzed the Kurdish movement through these two cases, namely the KCK trial and the neighborhood assemblies in Diyarbakır. If one takes, like Agamben and Schmitt, the Kurds as just the victims of the state violence and treats the state as the absolute sovereign, he does not leave any space for resistances of the excluded parts of society and underestimates their struggle against this state violence. If one takes them as just the democratizing power, he ignores the effects of state violence. Herein, as Porto Alegre and Kerala, the process of the implementation of participatory politics by the Kurdish political movement in Turkey's Kurdistan is a story of democratization. At the same time however, unlike those cases, it is also a story of state violence which pushes the Kurds and their political struggle out of political and judicial order and illegalize them.

Regarding the Kurds in Turkey, although there are many studies that analyze how they have been excluded and marginalized by the Turkish state or that underline the conflicts between them and the state or citizenship issues, most of the scholars, who wrote on the Kurds and the Kurdish Issue, paid scant attention to the struggle of the Kurdish political movement itself. In this sense, Gambetti and Jongerden are the exceptions who explore how the municipalities of the political party of the Kurdish movement initiated the spatial transformation of the cities by reversing the

*Turkification* policies of the state.<sup>12</sup> The Kurds have been depicted either the potential ungrateful and savage enemies of the Turkish state who must be civilized and/or put in order<sup>13</sup>, or presented as the victims who have been pushed by the state out of political and judicial order through systematic violence. The former statements have been put by the Turkish official history and the latter one have been argued by the scholars who explored the state violence through particular events or time periods.

The official-history of Turkey lacks the voices of the Kurds, in spite of the fact that they have their own stories and perceptions regarding the reasons, processes and results of their struggles including local rebellions or their massacres by state. Shoshana Felman accordingly writes that “because official history is based on the perspective of the victor, the voice with which speaks authoritatively is *deafening*: it makes us unaware of the fact that there remains in history a claim, a discourse, that we *do not hear*.”<sup>14</sup> The official history consistently reflects the perspective of the sovereign: it presents the sovereign as the central subject of history. Furthermore, it also shades the subjectivity of ‘others’. Put differently, whereas the official history exposes the past through a state-based perspective, it excludes and silences the voice of other sides of the story.

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<sup>12</sup>Zeynep Gambetti, “The conflictual (trans)formation of the public sphere in urban space: the case of Diyarbakır”, *New Perspectives on Turkey*, 32 (2005), pp. 43-71; Zeynep Gambetti, “Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements”, *New Perspective on Turkey*, 31 (2009), pp. 43-87; Zeynep Gambetti, “Decolonizing Diyarbakır: culture, identity and the struggle to appropriate urban space” in *Comparing Cities: The Middle East and South Asia*, ed. Kamran Asdar Ali and Martina Rieker, (Karachi: Oxford University Press, 2009), pp. 97-129; Joost Jongerden, “Crafting space, making people: The spatial design of nation in modern Turkey”, *European Journal of Turkish Studies*, 10 (2009), 1-20.

<sup>13</sup> Mesut Yegen, *Devlet Söyleminde Kürt Sorunu* (Istanbul: İletişim Yayınları, 1999), p. 110.

<sup>14</sup> Shoshana Felman, *the Juridical Unconscious: Trials and Traumas in the Twentieth Century* (Cambridge: Harvard University Press, 2002), p. 30.

As the history excludes the voices of the excluded parts of society, their stories and struggles with that sovereign are usually not mentioned in the studies that focus on state-society relations as well. While underlining the exclusionary, assimilative and violent state mechanisms and policies which push some parts of society out of political, social and judicial order, these studies generally do not discuss and refer how they experience those particular events and what they do. In other words, the literature that underlines violence and exclusionary mechanisms of the state helps in revealing the history and process of victimization of excluded communities. It usually comes up short however, on reflecting the history and existing struggle of those communities against sovereign power. Whereas the state excludes and applies violence on some parts of the society however, those excluded parts of that society struggle against that violence. They organize, mobilize and have their own stories.

Herein, the subaltern literature stands as a response to this gap in state-society literature. As an intervention to the official history-writing, Ranajit Guha and some other scholars began publishing *Subaltern Studies* whose intention is to make marginalized, excluded and silenced, in other words subaltern, parts of society “the sovereign subjects of history”<sup>15</sup> by revealing their voices. The subaltern literature has initiated the depiction of stories, lives and relations of the subaltern with the sovereign from the perspective of the former.

Besides exploring the judicial violence carried out after 2009 as one of the exclusionary mechanisms of the Turkish state that rendered the Kurds subaltern, based on the subaltern literature, like Gambetti and Jongerden, this thesis underlines

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<sup>15</sup> Dipesh Chakrabarty, “Minority Histories, Subaltern Pasts”, *Economic and Political Weekly*, Vol.33, No.9 (1998), p. 475.

how the Kurds as an excluded community used the local institutions to claim their rights and freedom. In addition to them however, this thesis does not only look at legal municipalities, but also focuses on the politics of the Kurdish movement in the neighborhood assemblies which were depicted as illegal by the Turkish judiciary, and explores the participatory politics as a practice of freedom outside the legal system.

### Organization of the Thesis

The thesis is composed of five chapters. The first chapter introduces the research question, arguments, methods and case studies of the thesis. The second chapter provides the theoretical framework of the thesis. By underlining the shortcomings and inconsistencies of the official history of the Republic of Turkey, the fourth chapter presents the historical background of the Kurdish Issue, the Kurdish movement and the Democratic Autonomy. The fourth chapter is composed of two parts. The first part explores the judicial violence in Turkey which has been carried out against the Kurds since 2009 under the name of the KCK operations and the KCK trials and rendered them subaltern by excluding them from the legal order. The second part, on the other hand, reveals how the participatory politics emerged as practice of freedom of the Kurds outside the legal order and how the Kurds used these ‘illegal’ spaces to raise their voice in the legal politics.

## Methodology

I conducted the research of the thesis in Diyarbakır from November 2010 to September 2012. I chose four neighborhoods in three different districts of Diyarbakır to conduct my research. Diyarbakır is the most populated city and one of the most politicized cities in Turkey's Kurdistan where the municipal power is the BDP. Because the city is the center of industry and commerce in Eastern and Southeastern of Turkey, the city attracts migration from its peripheries. Especially, in the 1990s, as a result of evacuations of villages in Kurdistan, the migration of villagers led to an enormous increase in Diyarbakır's population. Because the city shelters voices from different cities, culture, belief and socio-economic status, I chose Diyarbakır as the case of this thesis.

Due to structural and legal constraints however, the assemblies were not founded yet in some municipalities. The assemblies in Bağlar, Kayapınar and Sur districts of Diyarbakır are more developed assemblies than those in other districts. Sur is the poorest district of Diyarbakır and the education-level of the inhabitants is lower than Bağlar and Kayapınar. On the other hand, the Bağlar district is among the politically most organized districts of Turkey. In addition, although Kayapınar is also among the politically organized districts, Kayapınar shelters the middle and upper middle classes of Diyarbakır. In addition to Bağlar and Sur, to see the effects of economic differences and education level on the participation of the inhabitants to the meetings of neighborhood assemblies, I chose Kayapınar as one of my research fields.

At the same time however, the process of my fieldwork has coincided with the KCK operations which had negative effects on the research process of this thesis as well. My initial aim was to attend the meetings of the Hasırlı and Fatihpaşa neighborhood assemblies in Sur district, 5 Nisan neighborhood assembly in Bağlar district and Diclekent neighborhood assembly in Kayapınar district. Then, I would attend the meetings of these three district assemblies and the meetings of Diyarbakır city assembly as a participant observer to see the bottom-up decision-making process from neighborhood level to the city level. However; I could not implement my research plan consistently because of the KCK operations. Many members of constitutive assemblies were detained, therefore the meetings could not be held regularly. I have gone to Diyarbakır eight times in two years for my research; however I could just attend two meetings of Fatihpaşa neighborhood assembly and one meeting of the Hasırlı neighborhood assembly. Furthermore, I attended a meeting of the Sur district assembly and a meeting of the Diyarbakır city assembly. To compensate for the information that I expected to gather from Kayapınar and Bağlar districts through meetings, I have conducted in-depth interviews with spokespersons of the neighborhood assemblies of Kayapınar and Bağlar and with some inhabitants who lived there. In addition to these interviews, I conducted in-depth interviews with the BDP deputies, mayors, members of municipal councils and lawyers and detainees of the KCK trial.

## CHAPTER II

### THEORETICAL FRAMEWORK

#### Introduction

Through the examples of the participatory budgeting model in Porto Alegre, the *panchayat* system in Kerala and the participatory model in Chiapas, this chapter provides the theoretical framework of how the participatory politics emerged as a way of struggle and as a practice of freedom for the Kurds, upon whom the state carried out violence by excluding them from the judicial and political order.

Unlike the participatory models in Porto Alegre and Kerala, and like one in Chiapas, the implementation of the participatory politics in the cities, where the municipal power is the political party of the Kurdish movement, did not go hand in hand with the state. The Turkish state through judiciary treated the implementation of the model as a ‘terrorist activity’, and the local assemblies as illegal organizations. On the other hand, the Kurds have mobilized themselves through these ‘illegal’ assemblies to struggle against the political, judicial and economic exclusion of the state and to take their decisions at a local level by means of the municipalities of the political party of the Kurdish movement.

Herein, in the light of Benjamin, Schmitt, Agamben and Jakobs, the initial part of the thesis presents the theoretical framework of how the Turkish state

criminalized and excluded the resistant parts of the society from the borders of citizenship and from the legal order by focusing particularly on the judicial violence carried out against the Kurds between 2009 and 2013.

At the same time however, because these scholars depict those parts of the society as just the objects upon whom the state violence was carried out, the second part of the thesis begins with the subaltern literature to reveal why those parts of the society are also the subjects of their struggle. Then, it continues with the theoretical framework of how the Kurds used participatory politics through neighborhood assemblies to practice their rights and freedom and how the local assemblies emerged as spaces of struggle.

### The State Violence as 'Exception'

The state violence applied on the Kurds judicially and physically including massacres, torture and unjust and arbitrary detentions by suspending law is the primary factor that has constituted the conditions that have rendered them subaltern. How can a state which is responsible for the protection of its citizens and their rights legitimize the violence that it applies to its citizens? Being inspired by Carl Schmitt, I argue for this question that the Turkish state as a sovereign has made enemy-friend distinction among its citizens concerning the security of its political and judicial order and it has tried to legitimize its violence applied to Kurds by defining and treating them as "enemy" rather than "friend". I support my argument particularly through the judicial violence applied before and during the participatory politics process initiated by the Kurdish movement.

Benjamin states that all forms of violence as a means corresponds to either “lawmaking” or “law-preserving violence”.<sup>16</sup> He stresses that the power is created through lawmaking violence. In other words, lawmaking pursues its ends by using violence as a means to establish those ends as law. After the power as a sovereign constituted the law according to its aims, the sovereign keeps violence as a threat against those that stand as danger for existing legal order. He states that “at this very moment of lawmaking, it establishes as law not an end unalloyed by violence, but one necessarily and intimately bound to it, under the title of power. Lawmaking is power making, and, to that extent, an immediate manifestation of violence.”<sup>17</sup> Due to the fact that, revolutionary movements as another lawmaking initiative constitute a threat against existing law, the violence applied by sovereign against those revolutionary movements is taken by Benjamin as “law-preserving” violence.<sup>18</sup>

In his studies of *the Concept of Political* and *Political Theology*, Carl Schmitt defines the sovereign and its capabilities and argues that the sovereign is a political entity that decide enemy-friend grouping<sup>19</sup> and to suspend the law as an exception on the basis of its right of self-preservation is one of the significant marks of sovereignty.<sup>20</sup> Accordingly, Schmitt puts, “the sovereign is he who decides on the exception”<sup>21</sup> that includes any kind of economic and political threat which requires the application of extra-ordinary measures. The decision on the exception includes

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<sup>16</sup> Walter Benjamin, “Critique of Violence”, in *Selected Writings: Volume 1*, ed. Marcus Bullock and Michael W. Jennings (Cambridge: Harvard University Press, 2002), p. 243.

<sup>17</sup> *Ibid.*, p. 248.

<sup>18</sup> *Ibid.*, p. 241.

<sup>19</sup> Carl Schmitt, *The Concept of Political*, translated by George Schwab (Chicago: The University of Chicago Press, 1996), p. 39.

<sup>20</sup> Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, translated by George Schwab (Chicago: The University of Chicago Press, 2005), p. 12.

<sup>21</sup> *Ibid.*, p. 5.

the production of domestic enemies as well.<sup>22</sup> Schmitt argues that the state of exception decided by sovereign aims a legal order that functions through norms.<sup>23</sup> However, during exception, the sovereign decides who enemy and who friend is. Put differently, the enemy and friend distinction is done by political decision of the sovereign and those who do not accept that distinction are forced to be left out of political and legal order by being announced by the sovereign as an enemy.<sup>24</sup>

In addition to Schmitt, Agamben also asserts that the sovereign determines who remains inside and outside of judicial order or who does not by using its monopoly of decision in the state of exception.<sup>25</sup> Herein, he asserts, the ability to decide on the state of exception gives way to sovereign including modern democracies to institutionalize the civil war that renders the elimination of the resistant part of the community as enemy that stands against the existing political system.<sup>26</sup> For example, the war against terror means suspending the judicial order for the sake of judicial purposes that serves the sovereign.<sup>27</sup>

The Kurds in Turkey were treated as the ‘domestic enemies’ of the Turkish state since just before and after the foundation of the Republic of Turkey in 1923.

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<sup>22</sup> George Schwab, “Introduction” in Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, translated by George Schwab (Chicago: The University of Chicago Press, 2005).

<sup>23</sup> Carl Schmitt as quoted in Giorgio Agamben, “Olağanüstü Hal”, in *Şiddetin Eleştirisi Üzerine*, ed. Aykut Çelebi (Istanbul: Metis Yayınları, 2010), p. 173.

<sup>24</sup> Carl Schmitt, *The Concept of Political*, translated by George Schwab (Chicago: The University of Chicago Press, 1996), p. 26.

<sup>25</sup> Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, (California: Stanford University Press, 1998), p. 15.

<sup>26</sup> Giorgio Agamben, “Olağanüstü Hal”, in *Şiddetin Eleştirisi Üzerine*, ed. Aykut Çelebi (Istanbul: Metis Yayınları, 2010), p. 166.

<sup>27</sup> Zeynep Direk, “Yasa, Adalet ve Siyaset”, in *Şiddetin Eleştirisi Üzerine*, ed. Aykut Çelebi (Istanbul: Metis Yayınları, 2010), p. 241.

The measures of the state against the Kurds have been exceptional and inhuman mostly. In Dersim<sup>28</sup>, the Kurds, who resisted against the assimilative policies of the Turkish state, were treated by the state as the brigands and traitors, namely 'enemy'.<sup>29</sup> The assembly passed a law as an exception for Dersim in 1935. The results of the exceptional measures of the Turkish state were the massacre of tens of thousands of Kurds by the Turkish armed forces in Dersim in 1938 and the exile of the survivors of the massacre to the cities in the West of Turkey.<sup>30</sup> The village evacuations in the Turkey's Kurdistan in 1990s were another example of the elimination of the Kurds through exceptional measures. Through passing the law of 'state of emergency', the Turkish state founded Governorship of State of Emergency in the Kurdish-populated cities in 1987. The massacre of thousands of Kurds by the security forces, the evacuations of thousands of villages and forced migration of millions of Kurds from their villages were among the results of the exceptional measures of the Turkish state in 1990s.<sup>31</sup> These are the significant examples that showed that the citizen as 'enemy' for the Turkish state was to be terminated through exceptional measures.

The KCK operations and KCK trials carried out by the Turkish judiciary in the years between 2009 and 2013 were one of the examples that showed the exceptional measures of the state applied by the Specially Authorized Courts (ÖYM) against the Kurds. Since 2009, thousands of Kurdish politicians including elected

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<sup>28</sup> Dersim is a city in eastern part of Turkey which is populated by the Kurdish-Alevi people.

<sup>29</sup> Mesut Yeğen, *Devlet Söyleminde Kürt Sorunu* (Istanbul: İletişim Yayınları, 1999), p. 110.

<sup>30</sup> "Avrupa'daki Dersimlilerden Çağrı: CHP'yi İhraç Edin", *Radikal* (January 29, 2012), [http://www.radikal.com.tr/politika/avrupadaki\\_dersimlilerden\\_cagri\\_chpyi\\_ihrac\\_edin-1119036](http://www.radikal.com.tr/politika/avrupadaki_dersimlilerden_cagri_chpyi_ihrac_edin-1119036)

<sup>31</sup> Joost Jongerden, "Contested spaces in landscapes of violence: Displacement and return in Diyarbakır at the run of the 21st century", *Kurdische Studien*, 4+5, (2004/2005), p.62.

mayors, deputies and municipal councilors and numerous members of the BDP were detained by the state through KCK operations due to managing Turkish Assembly of 'the terrorist organization KCK' (KCK/TM). The political struggle of the Kurdish movement to implement participatory politics at a local level was shown as the most significant activity of the KCK/TM.<sup>32</sup>

The KCK trials have been carried out by the Specially Authorized Courts which had the exceptional authorities that could suspend the law considering 'presumption of innocence', 'the right of defenses in native-language' and 'the right to trial in reasonable time'.

Being inspired by Schmitt, Jakobs analyzes criminal law under two sub-titles, namely 'Citizen Criminal Law' and 'Enemy Criminal Law' and argues that the enemy, who is no longer a citizen, is judged according to Enemy Criminal Law by exception instead of Citizen Criminal Law.<sup>33</sup> The citizen-enemy distinction put by Jakobs reflects the marks of Schmitt's friend-enemy distinction and the application of the Enemy Criminal Law corresponds to Schmitt's extraordinary measures during the state of exception. For Jakobs, if a citizen commits a "normal" crime such as theft or murder, the penalty requires the compensation of the damage caused by him by using force.<sup>34</sup> The purpose of the punishment here is to reintegrate the criminal into society as a responsible citizen after his punishment. Accordingly, he writes that "the assaulter acting with resentment should not be left out of the society and he should not be deprived of his individuality, because he is an addressee that could appear in

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<sup>32</sup> The KCK Indictment, p. 89.

<sup>33</sup> Günther Jakobs, "Düşman Ceza Hukuku? – Hukukiliğin Şartlarına Dair Bir İnceleme" in *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 519.

<sup>34</sup> Ibid. p.522.

the court and convicted for compensation of damages and therefore go back into society as a responsible individual.”<sup>35</sup>

Comparatively, the citizen as an enemy that threatens the legal order should be expelled from the rights to be judged according to Citizen Criminal Law and be disposed through applying Enemy Criminal Law.<sup>36</sup> Because he is no longer taken as a citizen, he is void of rights to be judged within the borders of judicial order; therefore his judgment should be done exceptionally through Enemy Criminal Law. In other words, while a “normal” criminal is kept within the borders of judicial order as a candidate for becoming responsible citizen after his punishment, the citizen as “enemy” is taken as an “unperson” and no longer an addressee of judicial order. For example, due to the fact that the sovereign suspends the Law and the rights in the case of judging the citizen as enemy, that enemy is not subjected to the principles of Law including “presumption of innocence”. Here “enemy” and “citizen” are defined by the sovereign itself regarding the security of its political and judicial order and, in the case of “enemy”, the sovereign suspends law by applying Enemy Criminal Law.

Furthermore, Enemy Criminal Law does not require actual commitment of a crime that threatened the legal order. The assumption that crime can be committed against legal order is enough for the state to treat and judge a citizen as enemy and ‘unperson’ through Enemy Criminal Law.<sup>37</sup> Jakobs states the significance of the threat led by enemy by saying that “as much as the threat posed by the enemy

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<sup>35</sup> Ibid. p. 515.

<sup>36</sup> Hayrettin Ökçesiz, ““Düşman Ceza Hukuku” Düşüncesinin Eleştirisi”, *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 554.

<sup>37</sup> Günther Jakobs, “Düşman Ceza Hukuku? – Hukukiliğin Şartlarına Dair Bir İnceleme” in *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 522.

increases, it sure becomes more possible to reject him as a person on a legal basis.”<sup>38</sup> He explains the need for Citizen Criminal Law and Enemy Criminal Law through the example of terrorism. He defines the terrorist as the potential enemy that intends to change his circumstances and the lives of other citizens through coercion. According to him, in this situation, the protection of other citizens from a terrorist is the primary objective; even if the security of the citizens necessitates the elimination or lifelong imprisonment of the terrorist as enemy.<sup>39</sup> Such a violence legitimized through Enemy Criminal Law and used by the sovereign as exception corresponds to Benjamin’s definition of law-preserving violence.

In the light of Benjamin, Schmitt, Agamben and Jakobs, the state in Turkey as a sovereign power has treated the Kurds as the potential “enemy” of existing political and judicial order and judged them according to Enemy Criminal Law instead of Citizen Criminal Law. The suspension of law including arbitrary detention, underestimation of “presumption of innocence” and of “the right to trial in reasonable time” as exception of the legal order decided by state has resulted imprisonment of about 10,000 Kurdish politicians including Kurdish deputies, mayors and some other elected officials. Put differently, application of the Enemy Criminal Law by the judiciary on the Kurds as an exception through ÖYM was a significant way of the Turkish state to exclude the Kurds from political and judicial order, including from the decision-making processes.

Besides the victimization of the resistant parts of the society by the state violence, these scholars do not mention what these victims do against that violence,

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<sup>38</sup> Günther Jakobs as quoted in Jörg Arnold, “Beş Tezde Düşman Ceza Hukukunun Gelişim Süreçleri”, *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 535.

<sup>39</sup> Günther Jakobs, “Düşman Ceza Hukuku? – Hukukiliğin Şartlarına Dair Bir İnceleme” in *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 523.

except Agamben. Agamben puts *Homo Sacer* as the most excluded person of the political system and judicial system who does not have political rights and waits to be killed.<sup>40</sup> At the same time however, not all excluded communities are *Homo Sacer*. There are also excluded communities, who were victimized by the state violence and struggled against that violence. Taking the state, like those scholars, as the absolute sovereign power does not leave any space for the political struggles and resistances of excluded communities to practice their rights and freedom. Herein, the Subaltern Studies emerged as a response to this gap in the state literature and aimed to reflect the lives, stories, and struggles of those excluded parts of the society.

### Subalternity

First, through publications Subaltern Studies, inspired by Fanon, Foucault and Said, began to emerge as a field in 1982 by Ranajit Guha, the founding editor of the journal with this title, and a group of historians as an intervention to the South-Asian historiography; as an alternative approach to elitist historiography by colonialists and nationalist bourgeoisie in India.<sup>41</sup> Then, in 1993, the Latin American Subaltern Studies was founded and the essays and monographs on 'subalternity' have since proliferated in Africa, China, Ireland, and Palestine. Chakrabarty stresses that the history of nationalism in India has been presented by these colonialist and anti-

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<sup>40</sup> *Homo Sacer* is a Roman figure who were void of political rights and status. To kill *Homo Sacer* was not forbidden and have not required punishment. See: Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (California: Stanford University Press, 1998), pp. 71-119.

<sup>41</sup> Vinayak Chaturvedi (ed.), "Introduction", *Mapping Subaltern Studies and the Postcolonial*, (London: Verso, 2000), p. vii.

colonialist (nationalist) historians as a story of an achievement by elite classes.<sup>42</sup> Elite historiography has treated the subordinated people as if they have been lacking a consciousness of their own and the ability to make their own history.<sup>43</sup> Put differently, the voices or the actions of the subordinated people, namely subaltern people, have not been represented in the history of India. They have been muted/silenced subjects of the history. Accordingly, Guha criticizes this elitist historiography as well due to its failure in revealing the contribution made by the people “independently of the elite to the making and development of this nationalism.”<sup>44</sup> Subaltern pasts represent the gaps or emptiness in the history written by colonialist and nationalist historians. Similarly, Turkish official history does not contain the perspective of Kurds regarding how they experienced particular events. Hence; it is significant to read the Turkish official history as a manipulation of the histories of excluded/denied/marginalized communities including the Kurds.

To compensate for this failure of this elite historiography, Chakrabarty posits, Subaltern Studies has been aiming;

to write the subaltern classes into the history of nationalism and the nation and to combat all elitist biases in the writing of history. To make subalterns the sovereign subjects of history, to stage them as the agents in the process of history, to listen to their voices, to take their experiences and thought (and not just their material circumstances) seriously -- these were goals we had deliberately and publicly set ourselves.<sup>45</sup>

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<sup>42</sup> Dip Kapoor, “Subaltern Social Movement Learning and the Decolonization of Space in India”, *International Education*, Volume 37, Issue 1 (Fall 2007), p. 36.

<sup>43</sup> Rosalind O’Hanlon, “Recovering the Subject Subaltern Studies and Histories of Resistance in Colonial South Asia”, *Modern Asian Studies*, Vol. 22, No. 1 (1988), p. 192.

<sup>44</sup> Ranajit Guha, “On Some Aspects of the Historiography of Colonial India” in *Selected Subaltern Studies*, ed. Ranajit Guha and Gayatri Chakravorty Spivak (New York: Oxford University Press, 1988), p. 39.

<sup>45</sup> Dipesh Chakrabarty, “Minority Histories, Subaltern Pasts”, *Economic and Political Weekly*, Vol.33, No.9 (1998), p. 475.

Subaltern Studies, for instance, has intended to study a peasant rebellion from the perspective of those peasants as an active and conscious subject of history rather than as an object of history. In other words, they have focused on what have been happening among the lowest level of society rather than among elites. It looks for the possibility for a “history from below” that hears the voices of the subordinated.<sup>46</sup>

However Prakash claims, Subaltern Studies has not ignored the elites, since the subalterns have always been exposed to their activity. Therefore; what is needed is to analyze the elitist historiography so as to understand more of the colonialist and nationalist elites, their relations with each other and the structure of colonial state.<sup>47</sup>

Then; who is subaltern? To whom does the term of subaltern refer? What characteristics are needed to be had to define a community or group as subaltern? In the ‘Oxford Dictionaries’ the word ‘subaltern is defined as ‘of lower status’<sup>48</sup> or, as Guha puts in his article, ‘of inferior rank,’<sup>49</sup> especially, to point out subordinates or lower ranks in ‘military hierarchies.’<sup>50</sup> The non-military use of the word “subaltern” was firstly seen in Gramsci’s writings and then the Subaltern Studies Group was inspired from his use of the word in their series on Indian history.<sup>51</sup> Spivak asserts

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<sup>46</sup> Ileana Rodriguez, “Reading Subaltern Across Texts, Disciplines, and Theories: From Representation to Recognition” in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodriguez (Durham and London: Duke University Press, 2001), p. 6.

<sup>47</sup> Gyan Prakash, “Subaltern Studies as Postcolonial Criticism”, *The American Historical Review*, Vol. 99, No. 5 (Dec., 1994), p. 1475.

<sup>48</sup> <http://oxforddictionaries.com/definition/subaltern>

<sup>49</sup> Ranajit Guha, “Preface” in *Selected Subaltern Studies*, ed. Ranajit Guha and Gayatri Chakravorty Spivak (New York: Oxford University Press, 1988), p. 35.

<sup>50</sup> David Ludden, “Introduction” in *Reading Subaltern Studies: Critical History, Contested Meaning and the Globalization of South Asia*, ed. David Ludden (New Delhi: Permanent Black, 2001), p. 4.

<sup>51</sup> Dipesh Chakrabarty, “Radical Histories and Question of Enlightenment Rationalism: Some Recent Critiques of “Subaltern Studies””, *Economic and Political Weekly*, Vol. 30, No. 14 (Apr. 8, 1995), p.

that Gramsci, imprisoned in Italy, used the word 'subaltern' to mean 'proletarian' and the reason for the necessity of this reference was to "escape to prison censors".<sup>52</sup> However, Smith underlines that Gramsci's reference to 'subalternity' is not just applied to 'proletariat' but also to people who have different religions and cultures or who are at the margins of society.<sup>53</sup>

Ranajit Guha and Prakash, members of Subaltern Studies, on the other hand, present the Gramsci-inspired word of subaltern as a name that refers to the subordinated people in terms of class, ethnicity, caste, race, age, language, culture, gender, sexual orientation or religion.<sup>54</sup> Guha also defines the position of subalternity as "the demographic difference between the total Indian population and all those whom we have described as the 'elite.'"<sup>55</sup> By 'elite', he refers to indigenous and foreign dominant groups including officials of the colonial state, foreign industrialists, financiers, merchants, landlords, missionaries and planters.<sup>56</sup> Furthermore, Spivak argues, silence is the most important characteristic of being

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751., and see also Dip Kapoor, "Subaltern Social Movement Learning and the Colonization of Space in India", *International Education*, Vol. 37, Issue 1 (Fall 2007), p. 19.

<sup>52</sup> Gayatri Chakravorty Spivak, "The New Subaltern: A Silent Interview" in *Mapping Subaltern Studies and the Postcolonial*, ed. Viyanak Chaturvedi (London: Verso, 2000), p. 324.

<sup>53</sup> Kylie Smith, "Gramsci at the Margins: Subjectivity and Subalternity in a Theory of Hegemony", *International Gramsci Journal*, No. 2 (Apr. 2010), p. 39.

<sup>54</sup> Ranajit Guha, "Preface" in *Selected Subaltern Studies*, ed. Ranajit Guha and Gayatri Chakravorty Spivak, (New York: Oxford University Press, 1988), p. 35; Gyan Prakash, "Subaltern Studies as Postcolonial Criticism", *The American Historical Review*, Vol. 99, No. 5 (Dec., 1994), p. 1477.

<sup>55</sup> Ranajit Guha, "On Some Aspects of the Historiography of Colonial India" in *Mapping Subaltern Studies and the Colonial*, ed. Viyanak Chaturvedi (London: Verso, 2000), p. 7.

<sup>56</sup> *Ibid.* p.7

“subaltern”<sup>57</sup> and adds that having limited or no access to the cultural imperialism makes someone subaltern.<sup>58</sup>

The subaltern may simply be defined as an identity that marks people or groups, whose voices and actions have been silenced; who have not been allowed to exist with his/her voice because of their class, ethnicity, gender, language, religion, etc., and that have been exposed to subordination. In this thesis, I will treat Kurds and other oppressed groups as “subaltern” and the Kurdish movement will be treated as a movement led by subalterns.

There exists a huge literature that writes history or an issue from the perspective of subalterns by treating him/her as a conscious subject. The volumes of Subaltern Studies have explored a wide range of issues that have been ignored in South Asia. The Latin American Subaltern Studies initiated the same attempt for Latin America as well. Some studies explore pasts or struggles of colonized people, social movements, workers or peasants in different regions and times, while some of them reveal a subaltern story of religious groups, women/ a woman, ethnicities, ‘rowdy-sheeters’, farmers, etc. as subaltern.

In the second volume of Subaltern Studies, Chakrabarty writes the history of the conditions of the jute mill workers of Calcutta as a subaltern group from their perspective for the years between 1890 and 1940. In India, the government was informed by its officer through documentation of the working conditions of the jute mill workers in Calcutta and the capital owner also had documents about those

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<sup>57</sup> Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossberg (Urbana and Chicago: University of Illinois Press, 1988), p. 283.

<sup>58</sup> Leon de Kock, “Interview with Gayatri Chakravorty Spivak: New Nation Writers Conference in South Africa”, *Ariel: A Review of International English Literature*, 23 (3) (1992), p. 45, available online: <http://ariel.synergiesprairies.ca/ariel/index.php/ariel/article/viewFile/2505/2458>

conditions. Chakrabarty has first checked those documents. In one of the documents written by government officer to the Government of Bengal, the conditions have been presented as that:

The 'general conditions of the [mill] operatives' were found 'very satisfactory', the coolie-lines were "well laid out", their work 'not arduous', the water supply 'good', the latrines 'well kept', the children 'thoroughly healthy' and their work 'in no way detrimental to them', and arrangements for the workers' medical care 'satisfactory'.<sup>59</sup>

Contrastingly, Chakrabarty explored that the working conditions of those workers have been very heavy including low wages, long working hours, insufficient education of workers to use the machines, inadequate health services, illegal child employment, etc. These workers are referred to as subaltern because they had no voice in the official documents due to the subordination by the Government of Bengal and capital owners. Nevertheless, these gaps or emptiness were filled by the workers' past in which they became the subject of their history through the work of Chakrabarty.

Indigenous peoples are treated as the world's most subaltern groups in the article of Seed who writes about the resource rights of aboriginal communities.<sup>60</sup> She emphasizes that the struggle of the aboriginal peoples of former English and Iberian colonies for the rights to have and benefit from their lands. For example, she adds that the indigenous people in Brazil were excluded from exercising any rights in their territories through the 1988 constitution. The economic pressures on the world's

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<sup>59</sup> Dipesh Chakrabarty, "Conditions for Knowledge of Working-Class Conditions: Employers, Government and the Jute Workers of Calcutta, 1890 – 1940" in *Subaltern Studies II*, ed. Ranajit Guha (New Delhi: University of Oxford Press, 1983), p. 271.

<sup>60</sup> Patricia Seed, "No Perfect World: Aboriginal Communities' Contemporary Resource Rights" in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodriguez (Durham and London: Duke University Press, 2001), p. 129.

indigenous people, she concludes, sustain their subaltern status and therefore, there is no perfect world for the indigenous people of the Americas and Australia.<sup>61</sup>

Comparatively, some studies reveal the struggles of the subaltern communities who were not just the victims of the violence but the strugglers against that violence. In the same line, Seed, Rabaza and Saldana-Partillo mention indigenous people in Mexico and treat Zapatistas as a subaltern group that began armed struggle in January 1994 against the Mexican state to attain the political, cultural and human rights for not only indigenous people but the citizens of Mexico in general. They have been active mostly in the Chiapas region of Mexico and 32 municipalities out of 118 are under the control of the Zapatistas.

Accordingly, in Tepoztlan, an indigenous-populated town in the state of Morelos in Mexico, Rabasa writes that people have overthrown their elected government to protect their town from international enterprise that intended to build a golf course, eight hundred luxury homes, etc. The youth of people has barricaded and guarded the city. They announced the 'free municipality' of Tepoztlan which was not bounded to the authorities of the state of Morelos and called for a new election in the town.<sup>62</sup> For the election, they needed funds; however to get federal funds from the state, the 'free municipality' must be renounced. Then; to get funds they signed an agreement with *Partido Revolucionario Democrático* (PRD) to use the party to elect their mayors in their own ways. He concludes by saying that "they retained the right to use their own legal traditions and comply with the State's requirements to receive federal funds...In a word, their autonomy is a fact even if the

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<sup>61</sup> Ibid. p. 138.

<sup>62</sup> José Rabasa, "Beyond Representation? The Impossibility of the Local (Notes on Subaltern Studies in Light of a Rebellion in Tepoztlan, Morelos)", in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodríguez (Durham and London: Duke University Press, 2001), p. 193.

State does not recognize in yet.”<sup>63</sup> Rabasa wrote the struggle of the indigenous people, who were rendered subaltern and treated as terrorists, from their perspective. Subaltern people are being dominated, being silenced, lacking of autonomous power, and are the object rather than subject in history. As the case of Tepoztlan puts however, the subalterns also struggle against the violence of the sovereign.

Furthermore, there is another question in the center of these discussions regarding subalternity: “Can the subaltern speak?” Spivak asks this question and answers it as “No”.<sup>64</sup> She gives the example of the suicide of Bhuvaneswari Bhaduri, sixteen or seventeen-year-old young woman living in Calcutta and therefore, she writes, she could not represent herself, could not be heard.<sup>65</sup> In other words, she says, it is not possible to recover the woman’s voice, if she does not have a subject-position from which to speak.<sup>66</sup> Relatedly, Prakash argues that subalterns and subalternity emerges in its silences and its blindness. Their existence as subaltern depends on the functioning of power and dominant discourse. In addition to Prakash,

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<sup>63</sup> Ibid. p. 208. For some other subaltern pasts of indigenous people and agrarian movements see: Sara Castro-Klarén, “Historiography on the Ground: The Toledo Circle and Guaman Poma” in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodriguez (Durham and London: Duke University Press, 2001), pp. 143-171; Javier Sanjinés C., “Outside In and Outside Out: Visualizing Society in Bolivia” in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodriguez (Durham and London: Duke University Press, 2001), pp. 288-310; Josefina Saldaña-Portillo, “Who’s the Indian in Aztlán? Re-writing Mestizaje, Indianism, and Chicanismo from the Lacandón” in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodriguez (Durham and London: Duke University Press, 2001), p. 402-423; Gautam Bhadra, “Two Frontier Uprisings in Mughal India” in *Subaltern Studies II*, ed. Ranajit Guha (New Delhi: Oxford University Press, 1983), pp. 43-59; Gyan Pandey, “Agrarian Change from Above and Below: Bihar 1947 – 78” in *Subaltern Studies II*, ed. Ranajit Guha (New Delhi: Oxford University Press, 1983), pp. 180-227; David Hardiman, “The Bhils and Shahukars of Eastern Gujarat” in *Subaltern Studies V*, ed. Ileana Rodriguez (New Delhi: Oxford University Press, 1987), pp. 1-54; David Hardiman, “Power in the Forest: The Dangs, 1820 – 1940” in *Subaltern Studies VIII*, ed. David Arnold and David Hardiman (New Delhi: Oxford University Press, 1994), pp. 89-147.

<sup>64</sup> Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Lawrence Grossbert (Urbana and Chicago: University of Illinois Press, 1988), p. 308.

<sup>65</sup> Ibid., p. 307.

<sup>66</sup> Gayatri Chakravorty Spivak as quoted in Gyan Prakash, “Subaltern Studies as Postcolonial Criticism”, *The American Historical Review*, Vol. 99, No. 5 (Dec. 1994), p. 1482.

Beverley also stresses that the subaltern identity is performative.<sup>67</sup> If a subaltern finds a position to speak and to be heard, then s/he cannot be treated as a subaltern anymore.

As the results of the struggles of the subaltern communities in the world, including Porto Alegre, Kerala and Chiapas, proved, although those oppressed, subordinated, silenced or unrepresented groups may be treated as yesterday's and today's subaltern, they can be defined as democratic subjects of tomorrow as a result of their struggle. The pasts of these subaltern groups in Turkey can and should be written in the way that the historians of Subaltern Studies wrote; however it is significant to underline that my main aim for this thesis is not to write the pasts of these subaltern groups, but to argue the historical and existing conditions that created their subalternity; and whether and to some degree subaltern groups can speak and exercise their political and cultural rights and their freedom through participatory politics implemented by the Kurdish movement at a local level.

## Participatory Politics as a Way for the Subaltern to Speak

### From Representative System to Participatory Politics

The citizens in Turkey participate in the decision-making processes by voting in the elections once in 4 to 5 years and have no other legal means to affect the decision-making body. Furthermore, the 10% national threshold prevents the representation of

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<sup>67</sup>John Beverley, "The Im/possibility of Politics: Subalternity, Modernity, Hegemony", in *The Latin American Subaltern Studies Reader*, ed. Ileana Rodriguez (Durham and London: Duke University Press, 2001), p. 52.

the minority voices in the national parliament in Turkey. In other words, those minority voices cannot participate in the decision-making processes even by voting in the elections. The structural constraints of the representative system and 10% national threshold were also among the significant reasons of the subalternity of the Kurds. Thus, the questions of what the incentives are that democratic representation requires and what kind of system can substitute democratic representation for democratic governance of people by themselves deserves much more attention.

In its etymological sense, representation (re-presentation) simply, as the word itself indicates, means a making present again.<sup>68</sup> In other words, a representative, ideally, is the elected person by people that is authorized to make the voices of its constituents present in the places where those constituents themselves are physically absent. Put differently, a 'true' representative acts as the agent of his constituents.<sup>69</sup> Therefore, the mission of representation includes representative's potential readiness to respond to his constituents and constituents' right to recall the representative. If he misuses his mission by transferring the ideas and decisions of his constituents wrongly or distortedly, he no longer represents those constituents. 'True' representation requires that a representative is responsive to his constituents at every moment for his actions and decisions and, for unforeseen contingencies. Similarly, Pitkin, Birch and Achen emphasize, a government can be called representative if its electors have effective control over what it does<sup>70</sup> and Pitkin also adds that "a

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<sup>68</sup> Hanna Fenichel Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967), p. 8, 9.

<sup>69</sup> Hanna Fenichel Pitkin, 'Representation and Democracy: Uneasy Alliance', *Scandinavian Political Studies*, Volume 27, Issue 3 (September 2004), p. 339.

<sup>70</sup> Hanna Fenichel Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967), p. 232; A. H. Birch, *Representation* (London: The Macmillian Press, 1972), p. 109; Christopher H. Achen, 'Measuring Representation', *American Journal of Political Science*, Vol.22, No:3 (Aug. 1978), p. 497.

representative government must not merely be in control, not merely promote the public interest, but must also responsive to the people.”<sup>71</sup> To guarantee the government’s potential readiness to respond to its electors, there should also be ‘rule of recall’.<sup>72</sup> Put differently, if it is thought that he does not represent the will of his constituents by misusing his mission; the constituents should have the right and ability to denounce his mission of representation in any time.

These criteria for a true representation are also valid for governances that were constituted through the representative system. The representative system emerged as a way for the large-scale democracies to render the participation of all citizens in the decision-making processes possible. In representative systems, people authorize the representatives by means of regular elections that are supposed to be free and fair to make those representatives able to constitute the body of governance. On the other hand, although the aim of representation is making democratic governance possible in large-scale democracies, the representative system has supplanted democracy instead of serving it. Parallel to Arendt, who stresses that ‘once more the business of government has become the privilege of the few’ by means of representative government<sup>73</sup>, Pitkin also emphasizes that “our governors have become a self-perpetuating elite that rules – or rather, administers – passive or privatizes masses of people.”<sup>74</sup> The voters pass their political power for decision-making to those representatives through elections and the monopoly of the use of this

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<sup>71</sup> Hanna Fenichel Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967), p. 232.

<sup>72</sup> Nadia Urbinati, *Representative Democracy: Principles & Genealogy* (Chicago: The University of Chicago Press, 2006), p. 55.

<sup>73</sup> Hannah Arendt, *On Revolution* (New York: Viking Press, 1963), p. 237.

<sup>74</sup> Hanna Fenichel Pitkin, ‘Representation and Democracy: Uneasy Alliance’, *Scandinavian Political Studies*, Volume 27, Issue 3 (September 2004), p. 339.

political power is held in the hands of this small elite group. Similar to Arend and Pitkin, Alain de Benoit also stresses that “in the representative system, once the voter has delegated his political will to his representative by voting, power’s center of gravity inevitably resides in the representatives and the political parties that subsume them, and no longer in the people.”<sup>75</sup> Regarding Benoit’s argument, in Turkey, the elections are held once in every four years and once those representatives are elected, the citizens that voted for them have no opportunity to intervene in the decision-making processes in this four-year period. The only way to participate in the decision-making processes in Turkey is to vote in the elections. During the campaigns organized for the electoral candidates, the voters mention their expectations and problems and the candidates give remarkable amount of promises to their constituents, however most of these promises are forgotten after the elections. In other words, in representative systems, citizens vote for their supported representatives once every four to five years and then withdraw from the public realm.

The points that I have emphasized about representative system are only valid for those that are included in this system as constituents or representatives. However, As Miller stresses, universal suffrage, referendum, recall and responsiveness are not enough to bring democracy to a representative system.<sup>76</sup> There are also people excluded from this system, in other words, they are not allowed to take part in it. For example, for the Apartheid regime in South Africa, Birch writes that although the white community in South Africa was enjoying full rights to representation in a

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<sup>75</sup> Alain de Benoit, ‘Democracy: Representative and Participatory’, *The Occidental Quarterly*, vol. 8, no. 2 (Summer 2008), p. 20.

<sup>76</sup> Joseph Dana Miller, ‘The Difficulties of Democracy’, *International Journal of Ethics*, Vol.25, No.2, (January 1915), p. 215.

freely-elected Parliament that had overall control of the government, the Bantu communities had no representation in Parliament.<sup>77</sup> Accordingly, Urbinati writes that “democracy meant that each and every citizen had an equal and meaningful chance to take part in lawmaking and to address the assembly...In democratic representation two rights converge: the right to an equal voice and the equal right to be heard, or electoral right and the right to be represented.”<sup>78</sup>

In addition to the structural restrictions of the representative system, 10% national thresholds and the dissolution of the political parties by the Constitutional court prevented the equal chance of minority groups, including the Kurds, to take part in the decision-making processes in Turkey. Although the political parties of the Kurdish movement won the highest votes in most of the Kurdish-populated cities in Turkey, they could not win the elections in the 1990s due to 10% national threshold. They could participate in the 2007 and 2011 national elections through independent candidates, because of the national threshold. In the 2011 national elections, the BDP sent 36 candidates to the Assembly as a result of joining to the elections through independent candidates. At the same time however, joining to the elections through independent candidates could not give way to BDP to have equal chance in the elections. For example, in Diyarbakır (Kurdish populated city) independent candidates of BDP got 410,000 votes and AKP (Justice and Development Party)<sup>79</sup> got 230,000 votes. However; because AKP joined elections through a party, AKP sent five deputies to the Assembly from Diyarbakır and BDP sent six deputies. In

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<sup>77</sup> A. H. Birch, *Representation* (London: The Macmillian Press, 1972), p. 69.

<sup>78</sup> Nadia Urbinati, *Representative Democracy: Principles & Genealogy* (Chicago: The University of Chicago Press, 2006), p. 41.

<sup>79</sup> The Justice and Development Party is the political party that has run the government since 2002. The Party has been headed by Recep Tayyip Erdoğan, who has been Prime-minister since 2002.

addition, in the assembly, the majority takes decisions on behalf of themselves and even if the BDP deputies can succeed in talking (but not speaking) in the Assembly, they cannot make their voice to be heard. Their questions and suggestions have not been answered mostly.

The detention of the BDP deputies also undermined the right to vote of the citizens who elected them. Six BDP deputies have been in the prison since 2009 due to managing terrorist organization. The BDP tried to compensate the failures of the representative system regarding the representation of voices of the Kurds, the BDP used the municipalities to make the Kurds speak. The political parties of the Kurdish movement have won the municipal elections in most of the Kurdish populated cities since 1999. In the 2009 local elections, BDP won 99 municipalities. Although the structural restrictions of the representative system and the exclusionary policies of the state have not allowed the political parties of the Kurdish movement, including DEHAP, DTP and BDP to affect and take part in the national politics, the Kurdish movement through the municipalities of these political parties promoted their struggle at a local level. The most significant attempt of the Kurdish political movement was to begin the implementation of the Democratic Autonomy since 2007.

The movement began implementing the Democratic Autonomy model in the cities, where the municipal power is BDP, after 2007 to make the Kurds, who were excluded from decision-making processes at the national level, participate in decision-making processes at a local level through local assemblies. Its aim was to open political spaces as an alternative to the representative system to make the Kurds speak.

In Turkey, citizens, especially Kurdish ones, are not included in any kind of decision making process, vital or not. The system paving way for it is called representative democracy. However, this system does not serve democracy. In this system, people see themselves a mere bit player of the democracy. So adopting the motto of “the rights and freedoms come before laws”, we, without waiting for the state to introduce democracy, are taking steps to democratize the government and involve the people in decision making process as the subject instead of the object.<sup>80</sup>

The Zapatistas also treated the representative system of Mexico as one of the most significant reasons behind the sustained subordination, exclusion and exploitation of the Mayan people; therefore they have not participated in elections and succeeded the implementation of participatory politics in Chiapas after the war with the government in 1994.<sup>81</sup> The village assemblies established by autonomous municipalities in Chiapas created the space not only for indigenous people but also for women to make their voice to be heard through exercising their freedom. Otero writes that:

In fact, the main locus of politics should remain local if significant changes in the life chances of subordinate groups, communities and classes are the goal. These subordinate groups will be able to affect domestic state interventions in their favour only to the extent that they constitute themselves politically at the local level.<sup>82</sup>

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<sup>80</sup> From the interview conducted with Abdullah Demirbaş, the Mayor of Sur, in Diyarbakır in April 2011: “Kürtler başta olmak üzere, Türkiye’de vatandaşlar hayati olsun olmasın hiç bir karar alma sürecine dahil olamıyor. Buna ortam hazırlayan yöntem ise temsili demokrasi olarak adlandırılıyor. Ancak bu demokrasiye hizmet etmeyen bir sistemdir. Bu sistemde insanlar kendilerini demokrasinin bir figüranı olarak görüyor sadece. Biz de haklar ve özgürlükler yasalardan önce gelir şiarıyla devletin demokrasi getirmesini beklemeden, devleti demokratikleştirmeye çalışan, halkın karar alma süreçlerinin nesnesi değil, öznesi olmasını hedefleyen bir çalışma başlattık.”

<sup>81</sup> Zeynep Gambetti, “Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements”, *New Perspective on Turkey*, 31,( 2009), p. 76.

<sup>82</sup> Gerardo Otero, “Global Economy, Local Politics: Indigenous Struggles, Civil Society and Democracy.”, *Canadian Journal of Political Science*, Vol. 37, No.2 (2004), p. 325.

The experiences of the participatory politics in the world, including Porto Alegre, Belem, Santo Andre, Ipatinga and Belo Horizonte in Brazil, Villa El Salvador in Peru, Kerala and West Bengal in India, Venezuela and, Botswana, participatory governance led by Zapatistas in Chiapas, Mexico, also showed that the decentralization of the decision-making power by devolving it to the local assemblies dispelled the deficiencies of the representative system, and gave way to the subordinated people to affect the decision-making processes on behalf of themselves.

### Porto Alegre

In the mid-1980s, community movements proliferated in Porto Alegre and created the Union of Neighborhood Associations of Porto Alegre (UAMPA) that mainly aims to encourage the participation of citizens in the process of budget making. Their 1986 proposal underlines that “the most important aspect that determines the actions of the city government is prioritizing the allocation of public resources. We want to participate in the decision-making process on investment priorities in each neighborhood, in each region, and in the city in general.”<sup>83</sup> In addition to the efforts of UAMPA led by the citizens, municipal administrations in Brazil gained political independence and sufficient resources to restructure policymaking processes with the 1988 constitution that decentralized political authority.<sup>84</sup> In this context of political renewal and citizens’ demand, a mayor from the Worker’s Party (Partido dos Trabalhadores – PT) was elected in 1988 for the municipality of Porto Alegre, the

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<sup>83</sup> UAMPA, as quoted in Brian Wampler and Leonardo Avritzer, “Participatory Publics: Civil Society and New Institutions in Democratic Brazil”, *Comparative Politics*, Vol.36, No.3 (Ap. 2004), p. 297.

<sup>84</sup> Enriqueta Aragonés and Santiago Sanchez-Pages, “A Model of Participatory Politics: Understanding the Case of Porto Alegre”, working paper from Barcelona Graduate School of Economics (2004), p. 2.

southern capital city at the center of a metropolitan area of three million people, and participatory budgeting was initiated in there (664 neighborhood associations in 16 regions in 2001) in 1989 through the program of PT on a decentralized form of participation in decision-making processes that allocated public goods.<sup>85</sup>

With the implementation of participatory budgeting in Porto Alegre as a new type of decision-making system, people gained the authority 'to vote on general revenue streams and specific policy outlays' through which enhancing accountability, curtailing corruption and arbitrary allocation of public resources were sought.<sup>86</sup> Accordingly, Fung and Wright write that "the participatory budget of Porto Alegre, Brazil, enables residents of that city to participate directly in forging the city budget and thus use public monies previously diverted to patronage payoffs to secure common goods such as street paving and water services."<sup>87</sup>

The participatory budgeting process, Baiocchi asserts, creates face-to-face deliberation between citizens at the local level and devolves significant amounts of decision-making power to the local units.<sup>88</sup> The citizens regularly meet at a local level and take part in problem-solving and in monitoring and implementing solutions. The local units, namely neighborhood associations, work in harmony with each other and with the central agencies in solving problems. The central agencies just offer supervision or material and logistical support to the neighborhood

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<sup>85</sup> Brian Wampler and Leonardo Avritzer, "Participatory Publics: Civil Society and New Institutions in Democratic Brazil", *Comparative Politics*, Vol.36, No.3 (Ap. 2004), p. 299.

<sup>86</sup> *Ibid.*, p. 299.

<sup>87</sup> Archon Fung and Erik Olin Wright, "Thinking about Empowered Participatory Governance" in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, ed. Archon Fung and Erik Olin Wright (London: Verso, 2003), p. 5.

<sup>88</sup> Gianpaolo Baiocchi, "Participation, Activism and Politics: The Porto Alegre Experiment" in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, ed. Archon Fung and Erik Olin Wright (London: Verso, 2003), p. 50.

associations in discussing budgetary issues and public policy and respect the decisions that are taken by those local units.<sup>89</sup>

The participatory budget model functions through direct participation of citizens and representation. The process begins in March of every year at the neighborhood and street level in all 16 regions of the city. The citizens evaluate the investment plan approved during the previous year to check what was achieved, what has not been initiated and why, and discuss the needs and priorities of the region. After the priorities are decided, the delegates are elected to present and defend the assemblies' decisions. The delegates are chosen according to the size of the population of each neighborhood. In June and July, these delegates regularly meet to learn and deliberate about the technical issues of the needs of each district and to rank them. Then, in July, these delegates elect councilors among themselves (two councilors from each district) to serve on the Municipal Council of the Budget. The councilors are elected once a year. The main function of the Council is to meet biweekly with representatives of municipal government over several months to reconcile the demands of the districts with available resources and to propose and approve a municipal budget. The councilors keep themselves in touch with assemblies in their districts during this process as well. After the approval of the investment plan, the implementation process of the plan is initiated and each neighborhood monitors the execution of it.<sup>90</sup>

The allocation of municipal budget is determined with respect to population, socioeconomic status and existing infrastructure of the districts. Thus, the greatest

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<sup>89</sup> Ibid., p. 50.

<sup>90</sup> Ibid., p. 49.

impact of the participatory budget model is felt by poorer and disadvantaged districts. Accordingly, Wampler and Avritzer assert that “more populous, poorer regions with substandard infrastructure will receive a larger percentage of resources than regions that are wealthier and smaller and already have access to basic infrastructure.”<sup>91</sup> The poor, low-educated and women, namely disengaged citizens gained a way, through the participatory budgeting model, to make their voices heard and actually those disadvantaged citizens constitute the general profile of the participants of the assemblies.<sup>92</sup> According to the research conducted by Wampler and Avritzer, 69 % of the respondents stated that they were able to obtain public goods and 54 % of the respondents stated that they gained public goods after the implementation of participatory budgeting.<sup>93</sup> At the same time however, women constitute over 50 % of the general participants and persons of low-income constitute 33 % of the general participants of the meetings for the allocation of the budget. Furthermore, low-educated persons constitute over 60 % of the general participants.<sup>94</sup> The success in making ordinary citizens take part in decision-making processes and to make their voices be heard, according to Lieberherr, is based on four principles, namely “redirecting public resources for the benefit of poorest,

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<sup>91</sup> Brian Wampler and Leonardo Avritzer, “Participatory Publics: Civil Society and New Institutions in Democratic Brazil”, *Comparative Politics*, Vol.36, No.3 (Ap. 2004), p. 300.

<sup>92</sup> Gianpaolo Baiocchi, “Emergent Public Spheres: Talking Politics in Participatory Governance”, *American Sociological Review*, 68, 1 (February 2003), p. 53.

<sup>93</sup> Brian Wampler and Leonardo Avritzer, “Participatory Publics: Civil Society and New Institutions in Democratic Brazil”, *Comparative Politics*, Vol.36, No.3 (Ap. 2004), p. 305.

<sup>94</sup> Gianpaolo Baiocchi, “Participation, Activism and Politics: The Porto Alegre Experiment” in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, ed. Archon Fung and Erik Olin Wright (London: Verso, 2003), p. 53.

creating a new relationship between municipalities and citizens, rebuilding social ties and inventing a new democratic culture and promoting active citizenship.”<sup>95</sup>

### Kerala

The insufficiency of the representative democracy and techno-bureaucratic administration dominated by the elite that has privileged the opportunistic interest politics and so fed the unequal social structure and corruption led to the returning of Communist Party of India (CPM) to power in Kerala in 1996 and the “People’s Campaign for Decentralized Planning” was launched by CPM.<sup>96</sup> The *panchayat* system, which was implemented in 1988 by law, was rendered active in taking decisions regarding developmental plans and implementation of them after 1996.

Accordingly Isaac and Heller write that:

The developmental failures of the Indian state are too well documented and bear tragic testimony to the shortcomings of insulated, top-down, and unaccountable decision-making. The resulting crisis of Indian democracy has become so acute that across the political spectrum a consensus has emerged for promoting more decentralized and democratic form of governance.<sup>97</sup>

In 1997, the local assemblies began holding regular meetings at the village to ensure the development plans. Currently, in Kerala, there are 978 *Grama Panchayats*, 152

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<sup>95</sup> Francoise Lieberherr, “Participatory Budgets: A Tool for Participatory Democracy”, *Urban News*, No.7 (February 2003), p. 2.

<sup>96</sup> T. M. Isaac and Patrick Heller, “Democracy and Development: Decentralized Planning in Kerala in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, ed. Archon Fung and Erik Olin Wright (London: Verso, 2003), p. 78.

<sup>97</sup> *Ibid.*, p. 78.

Block *Panchayats*, 14 District *Panchayats* and 60 municipalities.<sup>98</sup> These local councils have been authorized to have new functions and powers of decision-making and officials from many departments were given under the authority of these locally elected councils. Furthermore, 40 % of all developmental expenditures have been allocated directly to these Local Self-Governing Institutions (LSGIs) to design, fund and implement their own development policies and projects.<sup>99</sup>

The process of development planning begins with *Grama Sabhas*, namely village assemblies in which participants discuss and rank the developmental priorities. *Grama Sabhas* are constituted by persons whose names are included in the electoral rolls relating to the village.<sup>100</sup> According to the Kerala *Panchayat Raj Act*, *Grama Sabha* should meet at least once every three months and the president and officials of the Village *panchayat* and the members of Block and District *Panchayats* that represent the area of the related village should attend *Grama Sabha* meetings.<sup>101</sup> The decisions taken by *Grama Sabha* are then formulated by *Grama Panchayats* and the final plans are presented back to the *Grama Sabha* for the final decision and integrated into blocks and districts' plans.<sup>102</sup> Furthermore, the Act imposes presenting a report in *Grama Sabha* by *Grama Panchayat* that informs the

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<sup>98</sup> Local Self-Government Structure, Government of Kerala, [http://www.lsg.kerala.gov.in/en/LSGDDept\\_en.php](http://www.lsg.kerala.gov.in/en/LSGDDept_en.php)

<sup>99</sup> T. M. Isaac and Patrick Heller, "Democracy and Development: Decentralized Planning in Kerala in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, ed. Archon Fung and Erik Olin Wright (London: Verso, 2003), p. 78.

<sup>100</sup> The Kerala *Panchayat Raj Act*, Chapter II, Section 3, Article 2, available online: [http://www.nrddp.org/file\\_upload/THE%20KERALA%20PANCHAYAT%20RAJ%20ACT%201994.pdf](http://www.nrddp.org/file_upload/THE%20KERALA%20PANCHAYAT%20RAJ%20ACT%201994.pdf)

<sup>101</sup> The Kerala *Panchayat Raj Act*, Chapter II, Section 3, Article 3.

<sup>102</sup> T. M. Isaac and Patrick Heller, "Democracy and Development: Decentralized Planning in Kerala in *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance*, ed. Archon Fung and Erik Olin Wright (London: Verso, 2003), p. 79.

constituents about the developmental programs of the previous year. If a decision of *Grama Sabha* could not be implemented, the president of *Grama panchayat* should report the reason to *Grama Sabha*.<sup>103</sup>

In addition, according to the Act, the seats in *Grama*, Block and District *Panchayats* should be reserved for women and citizens from different castes and tribes. For instance, the Act states that one-third of the seats of local councils should be reserved for the women.<sup>104</sup> Relatedly, the research conducted by Besley, Pande and Rao concluded that “we find that it is the most disadvantaged groups who attend village meetings and that holding such meetings improves the targeting of resources towards the neediest groups.”<sup>105</sup> As Besley, Pande and Rao stress, the problems are solved more efficiently through the involvement of ordinary citizens, who are affected by the problems directly, in the decision-making processes. Furthermore, the participatory politics initiated in India have induced the historically excluded groups of society to make their voice heard.

### Chiapas

In January 1994 when Mexico joined the economic association represented by the North American Free Trade Agreement, the EZLN initiated a war against the

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<sup>103</sup> The Kerala *Panchayat Raj* Act, Chapter II, Section 3, Article 6.

<sup>104</sup> The Kerala *Panchayat Raj* Act, Chapter III, Section 7, Article 5; Section 8, Article 5; Section 9, Article 5.

<sup>105</sup> Timothy Besley, Rohini Pande and Vijayendra Rao, “Participatory Democracy in Action: Survey Evidence from South Asia”, *Journal of the European Economic Association*, Vol. 3, No. 2/3, (Apr. - May, 2005), p. 649.

government in the southeastern state of Chiapas. After the war, Gambetti puts, Chiapas became “an autonomous zone no longer controlled by government.”<sup>106</sup> 38 municipalities in Chiapas that are under the control of Zapatistas established their autonomy from the state and began preparing the infrastructure for a bottom-up democracy.<sup>107</sup> Relatedly, in 2000, EZLN stated before the Mexican elections that:

We want to find a politics which goes from below to above, one in which “governing obeying” is more than a slogan; one in which power is not the objective; one in which “referendum” and “plebiscite” are more than just words which are difficult to spell; one in which an official can be removed from his position by popular elections.<sup>108</sup>

The efforts of Zapatistas to initiate participatory, grass-roots politics led to the foundation of local assemblies that enabled indigenous communities to decide on their own solutions to their problems.

In 1996, the EZLN and the government signed the San Andres Accords that basically aimed to recognize the culture and identity of the indigenous people and their right to self-determination and to enable the representation of indigenous people in state mechanisms including judiciary.<sup>109</sup> However; the government did not meet the requirements of the agreement and led Zapatistas to implement the agreement in their own way. They established the autonomy in 38 municipalities in Chiapas and initiated participatory politics that would allow local people to control their region

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<sup>106</sup> Zeynep Gambetti, “Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements”, *New Perspective on Turkey*, 31 (2009), p. 61.

<sup>107</sup> *Ibid.*, p. 65,76.

<sup>108</sup> EZLN, “Communiqué Regarding Elections” (2000), available online: [http://flag.blackened.net/revolt/mexico/ezln/2000/ccri\\_elections\\_june.html](http://flag.blackened.net/revolt/mexico/ezln/2000/ccri_elections_june.html)

<sup>109</sup>“San Andres Accords” (1996), available online: [http://flag.blackened.net/revolt/mexico/ezln/san\\_andres.html](http://flag.blackened.net/revolt/mexico/ezln/san_andres.html)

through their own vision and hands.<sup>110</sup> Then, the official representatives of the government were expelled from those municipalities and the village assemblies were founded, and their decisions regarding political and social order began to be carried to the *municipos*, then to the *regiones* and lastly to the *caracoles*. The communities and their delegates meet the people from the autonomous governments in the *caracoles* to discuss and shape the communal needs and make the decisions.<sup>111</sup> Gambetti defines the *caracoles* as the place where community power is wielded.<sup>112</sup> Accordingly Mora writes that “within the newly created municipal structures, the communities name their authorities, community teachers, local health promoters, indigenous parliaments, and elaborate their own laws based on social, economic, political and gender equality among the inhabitants of diverse ethnic communities.”<sup>113</sup> Flood accordingly states that, in Diez De Abril village, for example, the people meet in the church once a week to speak and determine all problems that people face either; local or state level problems and their decisions are carried to the regional assemblies and other village assemblies through representatives.<sup>114</sup> Unlike the representative system in Turkey and in so many other countries, the representatives work through delegation and those representatives are recallable when the assemblies or community are not happy with them. Furthermore, as in Porto Alegre and Kerala, the assemblies in Chiapas have played a significant

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<sup>110</sup> Mariana Mora, “The EZLN and Indigenous Autonomous Municipalities” (1998), available online: [http://flag.blackened.net/revolt/mexico/comment/auto\\_munc.html](http://flag.blackened.net/revolt/mexico/comment/auto_munc.html)

<sup>111</sup> Zeynep Gambetti, “Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements”, *New Perspective on Turkey*, 31 (2009), p. 66.

<sup>112</sup> *Ibid.*, p. 66.

<sup>113</sup> Mariana Mora, “The EZLN and Indigenous Autonomous Municipalities” (1998).

<sup>114</sup> Andrew Flood, “The Mexican Zapatistas and Direct Democracy” (1998), available online: [http://flag.blackened.net/revolt/ws98/ws55\\_zapatista.html](http://flag.blackened.net/revolt/ws98/ws55_zapatista.html)

role in bringing women's voices to the scene as well. For example, women's participation in the decision-making processes led to guaranteeing women's right to choose their partner and decide their number of children by Revolutionary Women's Law.

### Freedom by the State vs. Freedom from the State

The failures of the representative system in Turkey in reflecting the voices of the subaltern people to the decision-making processes were also a significant reason for the Kurdish movement to decide the implementation of the participatory politics. As it happened in the Porto Alegre, Kerala and Chiapas, the Kurdish movement also began implementing the Democratic Autonomy model in the BDP municipalities through the local assemblies, including the neighborhood and village, district and city assemblies. The BDP municipalities have been bound to the decisions of these local assemblies. The inhabitants in the neighborhoods, districts and the cities were the constituents of these local assemblies. The process of the decision-making from neighborhood to the municipalities has functioned through delegation rather than representation. The constituents had the right to recall the delegates at any time. In addition, all these assemblies had the quorum for the women, youth and children.

On the other hand, the decentralization of the politics in Porto Alegre and in Kerala was carried out by the state and implemented by law. At the same time however, the autonomous model in Chiapas was implemented as a result of EZLN's armed struggle with the Mexican state; treated by state as illegal. Unlike the models in Porto Alegre and Kerala and like the one in Chiapas, the Kurdish movement tried

to implement the participatory politics autonomously from the state. As I discussed in the first part of the thesis, the Turkish state treated the local assemblies of the BDP municipalities as illegal organizations. Furthermore, the Kurdish movement tried to make the Kurds participate in the decision-making processes by not integrating them into the representative system of the Turkish state, but creating alternative political spaces in which the Kurds and other subaltern communities can exercise their political and cultural rights. For the DEHAP municipality in Diyarbakır, Gambetti underlines that:

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...The municipality metaphorically became the *agora* in which various new and diversified voices could be heard.<sup>115</sup>

The local assemblies, especially the neighborhood assemblies, of the BDP municipalities emerged as the spaces constituted by and constitutive of a community of struggle. Hardt and Negri state that “the struggles are at once economic, political and cultural – and hence they are biopolitical struggles, creating new public spaces and new forms of community.”<sup>116</sup>

The Kurds, whose voices have been pushed out of political and judicial order through representative system and judicial violence, could participate in the decision-making processes at a local level through the neighborhood assemblies of the BDP municipalities. In this sense, the participatory politics, which was tried to implement

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<sup>115</sup> Zeynep Gambetti, “Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements”, *New Perspective on Turkey*, 31 (2009), p. 53.

<sup>116</sup> Michael Hardt and Antonio Negri as quoted in Zeynep Gambetti, “Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements”, *New Perspective on Turkey*, 31 (2009), p. 45.

by the Kurdish movement autonomously from the state, represents a practice of freedom. Put differently, the participation of the Kurds in the decision-making processes from an illegal space to legal space is a practice of freedom in itself. Borren accordingly puts that “action carries its goal, namely freedom, in itself. Freedom is not something external to political action, but emerges in political participation and action in itself. In this sense, politics is not the way to reach freedom, but the way to make it real.”<sup>117</sup>

Unlike the participatory budgeting system in Porto Alegre and the *panchayat* system in Kerala and like the participatory model in Chiapas, the participatory politics in Turkey’s Kurdistan emerged not as a result of the freedom given by the state but as a practice of freedom from the state.

## Conclusion

This chapter provided the theoretical framework of how the judicial violence and representative system stand as the mechanisms that kept some parts of society subaltern. It also provided, through the cases of Porto Alegre, Kerala and Chiapas, the theoretical framework of how participatory politics at the local level may render those subaltern parts of the society to speak. It argues that the Kurdish movement which tries to organize in legal politics implements participatory politics at a local level to compensate the failures of the legal representative system of Turkish system

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<sup>117</sup> Marieke Borren, ‘Feminism as Revolutionary Practice: From Justice and the Politics of Recognition to Freedom’, *Hypatia*, Volume 28, Issue 1 (February 2013), p. 211.

to include the Kurds. Unlike the cases of Porto Alegre and Kerala, the attempts of the Kurds to implement participatory politics at a local level, on the other hand, lead their criminalization and illegalization by the Turkish judiciary. In this sense, this chapter provided the excluded communities are neither just the victims of the state violence nor just the strugglers who can practice their rights and freedom through participatory politics. The Kurds reflect the tension between being victim and being struggler.

The next chapter, in addition, will contribute the thesis by presenting the historical background of this state violence and of the struggle of the Kurds against it. Before entering into the discussion of the new path of Kurdish movement in encouraging participatory politics as practices of freedom through which they are able to speak, to mention the subaltern history of subalternity of the Kurdish people through particular events that occurred during Republic may help us to understand the current condition of the subalternity and the movement of the Kurds better.

CHAPTER III  
HISTORICAL BACKGROUND OF THE KURDISH MOVEMENT AND  
KURDISH ISSUE

Introduction

This chapter presents a short history of the Kurds as a subaltern community by revealing how they have experienced those particular events, and so emphasizes the shortcomings and inconsistencies of the official history of the Republic. The issue of minorities, be them religious and/or ethnic, has been an important question for the nation-building process of the Turkish state. These minorities have been exposed to ‘state terror’<sup>118</sup>; namely to systematic massacres, assimilative policies, exiles, and forced migrations. One of the most significant “rationales” or motivations behind such acts of the Turkish state was its desire to create an ‘imagined’ pure, homogeneous community that was thought to be required for the ideal of ‘Turkish’ nation state.<sup>119</sup> Benedict Anderson describes the nation as ‘imagined’ because “the members of even the smallest nation will never know most of their follow-members,

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<sup>118</sup> Tarık Ziya Ekinci, *Vatandaşlık Açısından Kürt Sorunu ve Bir Çözüm Önerisi* (Istanbul: Küyerel Yayınları, 1997), p. 152.

<sup>119</sup> Robert Olson, *Kan İnançlar ve Oy Pusulaları: Türkiye’de Kürt Milliyetçiliğinin Yönetimi 2007-2009* (Diyarbakır: Avesta, 2010), p. 25.

meet them, or even hear of them, yet in the minds of each lives the image of their communion.”<sup>120</sup>

In the words of Benedict Anderson, after the fall of the Ottoman Empire, a nation was imagined by Atatürk and his Republican comrades in the territory of the Republic. All of the differences that of the different communities including their names, languages, cultures, religions, etc. have begun to be tried to be eliminated by the state through the ideology of nationalism to be able to assimilate them into the category of the “Turkish nation”. Even though they were ethnically, culturally, and linguistically different and had never known each other, they were imagined to be a homogeneous community. In other words, through Turkish nationalism, the Turkish nation-state has treated people that live in an area of land as one same community and because the existing conditions were different to this fiction, that situation has always tried to have been transformed into the fiction through violent policies, if not consent.<sup>121</sup> Regarding this argument, Besikci writes that “Kemalist nationalism mobilized all ideological and political tools and all the resources of the government to eliminate the Kurdish language, the names of ‘Kurdish’ and ‘Kurdistan’.”<sup>122</sup> Accordingly, Gellner also puts that “a territorial political unit can only become ethnically homogeneous, in such cases, if it either kills, or expels, or assimilates all non-nationals.”<sup>123</sup> Similar to Gellner, Habermas also asserts that the nation-states

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<sup>120</sup> Benedict Anderson, “Introduction, *Imagined Communities* (New York: Verso, 2006), p. 6.

<sup>121</sup> Dilara Sezgin, “Constructing the Kurds in the Turkish Press: a case study of Hurriyet newspaper”, *Media, Culture and Society* (27, Sep. 2005), p. 993; Mesut Yegen, *Devlet Söyleminde Kürt Sorunu* (Istanbul: İletişim, 1999), p. 31., Kemal Kirisci and Gareth M. Winrow, *Kürt Sorunu, Kökeni ve Gelişim* (Tarih Vakfı Yurt Yayınları, 1997); Ahmet İçduydu, David Romano and Ibrahim Sirkeci, “The Ethnic Question in an Environment of Insecurity: the Kurds in Turkey”, *Ethnic and Racial Studies*, Volume 22, Issue 6 (1999), p. 993.

<sup>122</sup> İsmail Beşikçi, *Tunceli Kanunu ve Dersim Jenosidi* (Istanbul: Belge Yayınları, 1990), p. 147.

<sup>123</sup> Ernest Gellner, *Nation and Nationalism* (NY: Cornell University Press, 1983), p. 2.

have emerged at the expense of pressured, assimilated, marginalized sub-communities.<sup>124</sup>

The exclusion of the Kurds by the state's hand through nationalist policies has pushed them to the margins of society and has rendered them (with their identity, culture, religion and language) voiceless and unrepresented; in other words, subaltern, which is defined by Bhabha as "oppressed minority groups whose presence was crucial to the self-definition of the majority group".<sup>125</sup>

The exclusionary and violent policies of the Turkish state have led to the emergence of a Kurdish Issue whose existence has been denied by the state until the last decade. In truth, the Turkish state has denied not only the Kurdish Issue, but also the very existence of the Kurds. Such denial has been reflected in the official discourse as well. Kurds have been defined as "Mountain Turks" and coded as "crowd" without any historical and cultural background; the Kurdish language has been claimed to be merely a derivation from Turkish. The spokesmen of the state have created their own myth; such as the "surreal" argument that claims the word "Kurd" comes from the sound of "*kart-kurt*" that emerges while Kurds walk on the snow. In addition, their resistances against the assimilative and exclusionary policies of the state were chronologically named as reactionary, pre-modern attempts, provocation of foreign powers or movement caused from economic problems. Sometimes all these discourses of the state were used to cumulatively define Kurdish

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<sup>124</sup> Jürgen Habermas, "*öteki*" olmak, "*öteki*"yle yaşamak (Istanbul: Yapı Kredi Yayınları, 2010), p. 50.

<sup>125</sup> Homi Bhabha, quoted from Dr. Abhishek Gopal, "Concept of Subaltern and Subaltern Studies", p. 2, available online: [http://www.onlineijra.com/catogery/english%20research%20paper/Concept\\_of\\_Subaltern\\_and\\_Subaltern\\_Studies.pdf](http://www.onlineijra.com/catogery/english%20research%20paper/Concept_of_Subaltern_and_Subaltern_Studies.pdf)

resistances from state perspective. Accordingly, Prof. Heper, as his words reflect, also views Kurds as passive agents who are able to be directed by the enemies of the Republic:

Kurds were mostly living in Turkey's poorest and least developed areas. The other communities, including Turks, living in the same places with Kurds were as poor as Kurds. However, different than the other communities, Kurds were made to believe that were exposed to discrimination, because they did not feel as a part of the society which was considered equal to other communities.<sup>126</sup>

Nazan Üstündağ argues that the roots of the Kurdish Issue and Kurdish movement have been explained through the intervention of external factors, rather than taking the components of them as active agents.<sup>127</sup>

The history of Kurds in the Republic of Turkey is a history of subalternity. Their ethnicity, culture, language and resistances have been written and documented from the perspective of the state. The Turkish Historical Society, established by Atatürk in 1930, has been one of the major actors to expound the official Turkish views on history according to Turkish nationalist needs.<sup>128</sup> For instance, the Dersim Rebellion was documented as a revolt rooted in pre-modern incentives whilst the Sheikh Said Rebellion was written as a reactionary attempt against the secularist policies of the state.

To create a homogeneous community within the borders of the Republic, Turkey has turned to massacres and assimilation policies and, these policies have

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<sup>126</sup> Metin Heper, *Devlet ve Kürtler* (Istanbul: Doğan Yayıncılık, 2010).

<sup>127</sup> Nazan Üstündağ, "Türkiye'de "devlet sorunu" üzerine Nazan Üstündağ ile söyleşi", *Feminist Yaklaşımlar*, (Haziran 2009).

<sup>128</sup> Martin van Bruinessen, "The Kurds in Turkey", *MERIP Reports*, no. 121 (1984), p. 2 available online: [http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Bruinessen\\_Kurds\\_in\\_Turkey\\_1984.pdf](http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/Bruinessen_Kurds_in_Turkey_1984.pdf)

rendered the Kurds silent, unvoiced; namely subaltern. In this chapter, a short history of Kurds will be included, not only from the perspective of the state but also from the perspective of the Kurds. Wallerstein claims that “certain doctrines are irrational when they go to extremes, since they are extreme; they are faced with resistance, especially from their victims.”<sup>129</sup> Instead of viewing the Kurds as solely the passive victims of state violence, in this chapter, they will be viewed as active agents regarding their resistances against the violent policies of the nation-state.

### Denial and *Turkification* in the Early Years of the Republic

The history of the ‘*turkification*’ policies of Turkey as a nation-state, which have been put into action just before and after the foundation of the Republic of Turkey in 1923, and the long-lasting resistances of the Kurds as a minority group against those policies is vital to better understand the dynamics of the current path of the Kurdish movement as a model of participatory politics.

During the reign of the Ottoman Empire, Kurdistan had been governed indirectly through *sheikhs* and tribe leaders. This hierarchical structure of Kurdistan had been protected and supported by the state. The years following the foundation of the Republic, Kurdistan has been tried to be governed directly through centralist policies.

Until the end of the War of Independence, as Bruinessen also emphasized, Mustafa Kemal consistently mentioned the alliance of the Kurds and Turks; and the Kurds were promised to be as equal citizens of the Republic as Turks, without

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<sup>129</sup> Immanuel Wallerstein, “Kapitalizmin Ideolojik Gerilimleri: Irkçılık ve Cinsiyetçilik Karşısında Evrenselcilik” in *Irak, Ulus, Sınıf*, ed. E. Balibar and I. Wallerstein (Istanbul: Metis Yayınları, 1993), p. 47.

looking at their ethnic origin.<sup>130</sup> The protocol that was written in Amasya in 1919 by the Ottoman War Minister Salih *Paşa* and Mustafa Kemal, Rauf *Bey* and Bekir Sami *Bey* who were the members of *Heyet-i Temsiliye* (Committee of Representation) is a significant document in this respect. The protocol puts it that “Kurds and Turks should fight together. After the war is over and victory is gained, the Kurds will have their national rights. This should be made clear to Kurds to prevent them from being provoked by foreign powers, especially the British.”<sup>131</sup> Furthermore, in a press meeting in Izmit in 1923, for the Kurdish Issue, Atatürk stated that:

Kurdish question is absolutely not an issue in favor of us, Turks. As we know, Kurdish elements, present within our national borders are settled in such a way that there are few places densely populated by Kurdish people. However, as they blend into Turkish society, if we want to draw a border for the Kurds, this will require destroying Turkishness and Turkey. (...) Therefore, instead of an independent Kurdish state, our constitution will give them autonomy. In that case, the cities that has a Kurdish population, they will be ruled autonomously. Other than this, the Kurds should be included when Turkish people is referred. If the Kurds are not included they can always make it a problem. The Turkish Grand National Assembly is comprised of both Turkish and Kurdish representative and these two elements unite their interests and fates.<sup>132</sup>

Abdulbari Küfrevi, Kurdish Sheikh of Bitlis, who was jailed by the Turkish state in 1925, additionally asserts that:

(...) Kemal *Paşa* came to Kurdistan in 1919. The Ottoman state sentenced him to death but Kurdish Sheikh, Kurdish landlords and I protected him. We attended Erzurum Congress. Then we went to Sivas with 500 guardsmen of

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<sup>130</sup> Martin van Bruinessen, “Constructions of ethnic identity in the late Ottoman Empire and Republican Turkey: the Kurds and their Others”, paper presented at the workshop “Social identities in the late Ottoman Empire”, Department of Middle Eastern Studies, New York University (March 8, 1997), available online: [http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/constructions\\_of\\_ethnic\\_identity.htm](http://www.let.uu.nl/~martin.vanbruinessen/personal/publications/constructions_of_ethnic_identity.htm)

<sup>131</sup> Faik Reşit Unat, “Amasya Protokolleri, Tarih Vesikaları”, *Yeni Seri Cilt* 1, 3, no. 18 (1961), p. 361.

<sup>132</sup> Mustafa Kemal Atatürk, *Eskişehir-Izmit Konuşmaları (1923)* (Istanbul: Kaynak Yayınları, 1993), p. 104.

Bedir *Aga* of Kahta and the forces of Diyar *Aga* of Dersim, and attended the congress in Sivas. Kemal *Pasa* assured us that he will remain committed to his promise about the rights of Kurdish people and we believed him and protected him.<sup>133</sup>

However, after the Independence War, according to the Lausanne Treaty signed in 1923, all Muslims, including Kurds, were named and treated as Turk, and non-Muslims were taken as minority groups.<sup>134</sup> Despite defining Turkishness as citizenship of the Republic of Turkey, the state had begun putting distance between the Kurds and itself. Initially, the definition of Turkishness was defined through territory, however, after the War of Independence, the ethnic and racial characteristics and the culture of the Turks was promoted by the Republican elite and “did not permit the expression of Kurdish identity and language within its borders.”<sup>135</sup> In addition, the third article of the 1923 program of the Republican People’s Party, the founding party of the Republic, also asserts that “Any Turkish citizen and any individual who becomes a Turkish citizen and adopts Turkish culture can join the People's Party.” The eighth article of the 1927 program of the CHP also states that “any Turkish citizen that is not against the national movement and proved to have no negative political purposes can join the party provided that he adopts the Turkish culture and accepts the principles of the party.”<sup>136</sup> Moreover, it was forbidden to give names to children in other languages except Turkish, and in 1927

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<sup>133</sup> From Musa Anter’s interview with Küfrevi as quoted in *Demokratik Siyaset ve Demokratik Toplum Savunması: KCK Savunmaları*, ed. Fatma Aktaş (Istanbul: Aram, 2012), p. 67

<sup>134</sup> Lausanne Peace Treaty, Article 38, available at: <http://www.mfa.gov.tr/lausanne-peace-treaty-part-i-political-clauses.en.mfa>

<sup>135</sup> Ahmet İcduydu, David Romano and Ibrahim Sirkeci, “The Ethnic Question in an Environment of Insecurity: the Kurds in Turkey”, *Ethnic and Racial Studies*, Volume 22, Issue 6 (1999), p. 993.

<sup>136</sup> Ahmet Yıldız, *Ne Mutlu Türküm Diyebilene: Türk ulusal kimliğinin etno-seküler sınırları (1919-1938)* (Istanbul: İletisim, 2010), p. 142.

“Citizen! Speak Turkish!” campaigns were promoted to encourage people to speak Turkish.

The *Turkification* policies of the state had also been supported through the “Turkish History Thesis” announced in Turkish History Conferences in 1932 and in 1937, and “Sun Language Theory”, which argues that the roots of all languages are based on Turkish, emerged after the Language Conference in 1932.<sup>137</sup> In Turkish History Conferences, there were presentations about the racial characteristics of Turks and the roots of Turks, as the measurement of the skull presented by Edward Pittard, and the research carried out by Dr. Nurettin Onur about the roots of the Turk blood-type proves.<sup>138</sup> The statements of Atatürk regarding Turks are also significant enough to reaffirm the approach of the state towards Kurds. “*Ne mutlu Türküm Diyene!*” (“How happy is the one who says ‘I am Turkish’”), “*Türk! Öğün, çalış, güven!*” (“Turk! Be proud, Work, Trust!”), “*Bir Türk dünyaya bedeldir*” (“One Turk is worth to the world”), etc. were noteworthy statements that show the nationalist, even racist, side of the Republic.

Put differently, the collapse of Ottoman Empire, the foundation of the Republic of Turkey as a nation-state, the new policies for the centralization and secularization of the state, the denial of the rights, culture and identity of the Kurds and the resistances led by the Kurds against these policies were precursors to the emergence of the Kurdish Issue.<sup>139</sup> Yeğen asserts that Turkish nationalism had estimated that Kurds were also *turkified* like other Muslim communities in Anatolia,

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<sup>137</sup> Ibid., p. 191,192.

<sup>138</sup> Ibid., p. 189.

<sup>139</sup> Mesut Yeğen, *Devlet Söyleminde Kürt Sorunu* (Istanbul: İletişim Yayınları, 1999) , p. 14.

and did not expect that it would face such an issue.<sup>140</sup> İnönü declared his position regarding Kurds by stating that “we are openly nationalist. Nationalism is the only cause that keeps us together. Besides the Turkish majority, none of the other [ethnic] elements shall have any impact. We shall, at any price, turkified those who live in our country, and destroy those who rise up against the Turks and Turkdom.”<sup>141</sup> The denial of the existence of Kurds as a political, social and linguistic community is reflected in the official discourse. In the following processes of denial, Kurds were defined as brigands (*eşkiya, şaki*) and then as terrorists, through claiming that foreign powers (*dış mihraklar*) used Kurds to divide Turkey.<sup>142</sup>

On the other hand, these exclusionary policies of the Turkish state have perpetually faced resistances of the Kurds, and the state policies and the resistance strategies have changed significantly over time. The Sheikh Said and Dersim rebellions were the first significant examples of such resistances led by Kurds against the Turkish state.

In the official history of Turkey, the Shekh Said Rebellion was one of the most significant movements against assimilative policies of the Turkish state. However, it was evaluated as a reactionary attempt rather than a movement for the identity and rights of Kurds. Accordingly, Bozarslan writes that after the Kurds had understood that they would not be able to integrate with the Republic through their ethnic identity, they (except *Alevi* Kurds) searched for a common ground, namely

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<sup>140</sup> Mesut Yeğen, *Müstakbel-Türk'ten Sözde-Vatandaşa* (Istanbul: İletişim Yayınları, 2006), p. 21.

<sup>141</sup> İsmet İnönü as quoted in Martin van Bruinessen, “Genocide in Kurdistan? The Suppression of the Dersim Rebellion in Turkey (1937-38) and the Chemical War Against the Iraqi Kurds” in *Conceptual and historical dimensions of genocide*, ed. George J. Andreopoulos (University of Pennsylvania Press, 1994), p. 11, available online: [http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen\\_Genocide\\_in\\_Kurdistan.pdf](http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen_Genocide_in_Kurdistan.pdf)

<sup>142</sup> Mesut Yegen, *Devlet Söyleminde Kürt Sorunu* (Istanbul: İletişim Yayınları, 1999), p. 110

religion, with Turks to be able to protect their existence in the republic as Kurds.<sup>143</sup> However; the secularization policies of the Republic, including the abolishment of Caliphate in 1924 and the closure of *tekke* and *zaviye*, and the obligation of education in the Turkish language through the new education law (*Tevhid-i Tedrisat Kanunu*) caused this common ground being lost. The increasing attempts of the state to take the Kurds under its control, to assimilate them through military stations and schools which educate in Turkish, led to the emergence of the Sheikh Said Rebellion in 1925. The state intervened and ended the rebellion with a military operation, and hung its leaders through Independence Courts (*İstiklal mahkemeleri*), which were special courts that were founded in 1920 to judge “quislings”. The operation resulted in 15,000 deaths and the destruction of 200 villages and more than 8,000 houses.<sup>144</sup> Just after the Sheikh Said Rebellion, the state began encouraging Turks that had lived outside Turkey to situate themselves in Kurdish-populated cities through *Şark Islahat Planı* (Reform Plan for the East). About 750,000 Turks that had migrated from the Balkans and Russia to Turkey were placed in Kurdish-populated districts to accelerate the assimilation of the Kurds.<sup>145</sup>

Another significant rebellion that emerged because of the violent policies of the Turkish state was the Dersim Rebellion. This rebellion had different characteristics compared to other movements led by the Kurds against the state (including Sheikh Said and Ağrı Rebellions). Dersim was populated by the Kurdish-

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<sup>143</sup> Hamit Bozarşlan, “Türkiye’de (1919-1980) Yazılı Kürt Tarih Söylemi Üzerine Bazı Hususlar” in *Kürt Milliyetçiliğinin Kökenleri*, ed. Abbas Vali (Istanbul: Avesta, 2005).

<sup>144</sup> Martin van Bruinessen, “Genocide in Kurdistan? The Suppression of the Dersim Rebellion in Turkey (1937-38) and the Chemical War Against the Iraqi Kurds” in *Conceptual and historical dimensions of genocide*, ed. George J. Andreopoulos, (University of Pennsylvania Press, 1994), p. 11.

<sup>145</sup> Çağaptay, Soner, “Kemalist Dönemde Göç ve İskân Politikaları”, *Toplum ve Bilim*, 93 (2002), p. 225.

*Alevi* people and the Turkish state had aimed to use this difference in religion to place a division among the Kurds. The rebellions in Dersim began in 1926 with the *Koçuşağı* Rebellion and continued until 1938. State had begun building schools for educational development and military stations to remove unjust and hierarchical structure. The state has presented itself as a protector of the Dersim society, from ignorance and chaos. In the words of Balibar, in Dersim, the state has legitimized its nationalist policies with the argument of “to wage a social war against wild masses and to civilize the same masses in every way.”<sup>146</sup> However in essence, the schools have been built to try to educate in Turkish, and the military stations have been built to eliminate the protests and movements of the local people against these assimilative policies. From 1925 to 1935, there were negotiations between the state and leaders in Dersim. The state had presented many promises to the people of Dersim and none of them were held. The negotiations and promises resulted in the arrest and murder of most of the leaders. Accordingly, Seyit Rıza, one of the leaders in Dersim, stated just before his execution in 1937 that “I could not cope with your lies and cheating, that was my trouble. I did not bow before you, let that be your trouble.”<sup>147</sup> The contents of the negotiations were not revealed and are still hidden in the archives.

In the reports that have been written on Dersim it is said that in the early years, the republic was insistently trying to prove the Turkishness of the people that are from Dersim and adding that Dersim people are being assimilated by the Kurds.<sup>148</sup> Relatedly, in the report that was prepared by *Jandarma Genel Komutanlığı* (Gendarmerie General Command) in 1932, it is written that “Plumer region, the tribe

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<sup>146</sup> Etienne Balibar, “Sınıf Irkçılığı” in *Irak, Ulus, Sınıf*, ed. E. Balibar and I. Wallerstein (Istanbul: Metis, 1993), p. 266.

<sup>147</sup> Cevdet Konak, “Kemalizmin Şeref Sözü”, *Bianet* (November 28, 2011), <http://bianet.org/bianet/siyaset/134353-kemalizmin-seref-sozu>

<sup>148</sup> *Dersim: Jandarma Umum Kumandanlığı Raporu (1932)* (Istanbul: Kaynak, 1998), p. 47.

names and the people's wish to move to the West from the East could prove that Dersim is originally Turkish."<sup>149</sup> Although the state has claimed, since the foundation of the Republic, that the word "Turk" means citizens that live within the borders of the Republic of Turkey without ethnic reference to Turkishness, the report was trying to prove the Turkishness of people from Dersim with ethnic and racial references by claiming that "the Redheads in Capakcur, Genc, Palo, Lice, Ovacik, Hozat and Cemisgezdek are hard to be of different origin other than Turkish considering their round heads, wide foreheads, flat faces and the liveliness of their eyes always searching for far places."<sup>150</sup> The report attributed an "official Turkishness" to the people of Dersim, without looking at how those people defined themselves. In other words, the state decided and defined who they were through ethnic and racial definitions. The report was also trying to prove its argument by using Dersim women, by claiming that:

*Zaza woman is almost impossible to differentiate from Turkmen women who milk her cow in front of the tent on wide meadows. Another characteristic of Zaza woman is that she is not mannish like some women referred as "wolf". Zaza woman, like Turkmen and Yoruk woman, is fond of sexual contact...to dissociate Turkmen woman, who raises her joyful laughter to the moonlight and loom for a mate in her own tribe, from the Zaza woman...is not to recognize them. Zaza woman, just like Turkmen woman takes care of the house.<sup>151</sup>*

This passage of the report claims the difference of Dersim women from Kurdish women who were also defined through racial and cultural differences. At the end of the report, it is written that the state should intervene in Dersim and should apply

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<sup>149</sup> Ibid., p. 32.

<sup>150</sup> Ibid., p. 35.

<sup>151</sup> Ibid., p. 35, 36.

violence if necessary. As can be observed, for Dersim, state defined the community in a way that served the nationalist intentions of the Republic and it inferred legitimate reasons to intervene in Dersim from the state-defined identity and these events. As a result, about 70,000 people were killed using bullets, water and cave poisoning, and chemical arms. One of the people that witnessed the massacre in Dersim says in the *Dersim 38* documentary that:

I asked where my brother is. My brother was on his knees, facing away. The lock of the trunk and his identity card were on the ground. I thought he was alive, but they cut him half and his torso was standing on the ground. He seemed alive. I didn't touch him. I decided to go and fetch people to move the bodies...The soldiers made a heap of bodies, as tall as these houses! They put a blond naked boy on the top of dead bodies. If a stranger could see us, he would be sorry for us...<sup>152</sup>

There are about ten interviews in the documentary and all of them have their stories led by state violence. This passage uncovers that the real motivation of the state was not to make the region secure and modern, but to destroy them physically and mentally. Moreover, almost all of the Dersim people that survived were exiled to different cities in Turkey.<sup>153</sup> They were placed systematically in those cities. For example, each nuclear family has been sent to different villages and girls under five-years old were taken from their family and sent to boarding school to be easily assimilated. The history of Dersim in 1938 stands unwritten and today the Kurdish movement pressurizes the state to open its archives to reveal what had happened in Dersim during those years.

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<sup>152</sup> *Dersim 38*, documentary by Çayan Demirel (2006).

<sup>153</sup> Martin van Bruinessen, "Genocide in Kurdistan? The Suppression of the Dersim Rebellion in Turkey (1937-38) and the Chemical War Against the Iraqi Kurds" in *Conceptual and historical dimensions of genocide*, ed. George J. Andreopoulos, (University of Pennsylvania Press, 1994), p. 4.

From 1925 to 1938, the state eliminated almost all of the movements (Sheikh Said, Agri, Dersim, Zilan, Nasturi Rebellions, and so on) that had emerged against the exclusionary nation-state policies of the Republic through huge massacres. With the elimination of these local movements and the weakening of the Kurds, the state increased its policies to create a homogeneous community based on Turkish ethnicity. The state has forbidden Kurdish language, Kurdish dress, Kurdish names and Kurdish folklore and has continued to exile Kurdish families to other cities, settling Turkish immigrants in Kurdistan.<sup>154</sup>

The timing of the massacre executed by the state in 1938 and the rise of fascism in Germany was not a coincidence. Turkey had significant trade relations with Germany throughout this period. With other non-Muslim minorities, Kurds were also exposed to exclusionary policies in the 1940s. However; the massacres carried out until the 1940s and the exile of surviving Kurds destroyed the abilities of the Kurds to mobilize for almost 20 years.

#### The Kurds and the Turkish Left

Until the 1960s, resistances were organized by the Kurds; however these resistances did not transform into a significant movement. During the period of the Democrat Party, Kurdistan was also attempted to be governed through *sheikhs* and tribe leaders and seats in the Assembly were given. Although there have been some tribe leaders and sheiks that have tried to represent and reflect the opinion of the Kurdish people regarding their identity as well, many of these local authorities, as Bruinessen also

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<sup>154</sup> Martin van Bruinessen, "The Kurds in Turkey", *MERIP Reports*, no. 121 (1984), p. 3.

points out, were not in the Assembly to represent the Kurdish identity, but to be allied with political forces for their capital.<sup>155</sup>

The coup of 1960 was followed by a rapid increase in the activities of socialist movements and the Kurds have begun mobilizing in these socialist movements. Turkey's Left met with the Kurdish Issue in the 1950s and began organizing with the Kurds in the 1960s.<sup>156</sup> The Worker's Party of Turkey (TİP), founded in 1961 by trade unionists, was the corner stone in bringing the Kurds and Turkey's Left together. This process is well underlined by Bruinessen that like the socialists in the 1920s and 1930s, TİP had initially seen the roots of the Kurdish Issue as pre-modern incentives and regional inequalities<sup>157</sup>; however, "the Kurdish members of the TİP later succeeded in getting the view accepted that the problem also had an aspect of national, or at least ethnic, inequality and cultural oppression."<sup>158</sup> Contrastingly, as Mesut Yegen and Bruinessen argue, Turkey's Left had not given up the approach of relating the Kurdish Issue with backwardness, feudalism and peasantry.<sup>159</sup> Turkey's Left and the Kurds organized within claimed that the Kurdish Issue would be solved with the proletariat revolution which would eliminate imperialism and the bourgeois state. Furthermore, although Lenin's thesis of nations' right of self-determination was accepted by Turkey's Left, they (except TKP-ML led by Ibrahim Kaypakkaya) claimed that this right to self-determination was not appropriate for the Kurds, to remove the possibility of the Kurds' division

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<sup>155</sup> Ibid., p. 3.

<sup>156</sup> Ibid., p. 4.

<sup>157</sup> Ibid., p. 4.

<sup>158</sup> Ibid., p. 4.

<sup>159</sup> Ibid., p. 4.; Mesut Yeğen, *Müstakbel-Türk'ten Sözde-Vatandaşa* (İstanbul: İletişim Yayınları, 2006), p. 174.

from Turkey's Left. They covered this inconsistency, as Bruinessen also argues that "by refusing to consider the Kurds as a nation, or by adding rider that this right could only be exercised under the leadership of the proletariat."<sup>160</sup>

At the same time, some Kurdish intellectuals that had not been included in Turkey's Left and believed in the right to self-determination of the Kurds and the Kurdish activists in Turkey's Left organized East Meetings (*Doğu Mitingleri*) in many cities and towns in Kurdistan in 1967 to reveal the conditions of the region. In 1969, Kurdish leftists founded the Revolutionary Cultural Societies of the East (DDKO) in Ankara as the first legal Kurdish organization. It is significant to add that the Kurdish movement had not given up the Marxist-Leninist line with the foundation of DDKO and wrote mainly about the economic problems of the East, the suppression of the Kurdish villagers by landlords and tribal leaders and the violent activities of the Turkish army in Kurdish villages.<sup>161</sup>

The military intervention in March 1971 led to the closure of both TİP and DDKO and the imprisonment of many active members of leftist organizations and DDKO. After parliamentary democracy was restored again at the end of 1973, the Kurdish movement also organized itself with a broader social base and more radical national demands that were not supported by Turkey's Left. The imprisoned activists of DDKO were released in 1974 and started activities under the name of Revolutionary-Democratic Cultural Associations (DDKD). It has organized high school students in Kurdish cities and towns. Comparatively, at the end of the 1970s, an armed initiative as a more direct action than long-lasting political activities was

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<sup>160</sup> Martin van Bruinessen, "The Kurds in Turkey", *MERIP Reports*, no. 121 (1984), p. 7.

<sup>161</sup> *Ibid.*, p. 5.

demanded by many Kurdish activists to bring freedom to Kurdistan. Consequently, beginning in 1974, a small group of students in a student union in Ankara met in the village of Lice, Diyarbakır and continued to found the Marxist the Worker's Party of Kurdistan (PKK) in 1978 as a guerilla movement, with the goal of foundation of a free, independent Marxist state.<sup>162</sup>

### The PKK as “the Last Rebellion of the Kurds”

The PKK described Kurdistan “as an area under colonial rule, where tribal leaders and a comprador bourgeoisie colluded to help the state exploit the lower classes”<sup>163</sup>, and therefore, it targeted not only Turkish state but also local ‘collaborators’ of the state, namely feudal and tribal lords. Bruinessen asserts that the members of PKK were mostly drawn from the lowest social classes – “half educated village and small town youth who knew what it felt like to be oppressed, and who wanted action, not ideological sophistication.”<sup>164</sup> However; in addition to Bruinessen, it should not be underplayed that a significant number of the members also came from universities in cities and abroad.

The activities of PKK was perceived by the Turkish army as a major threat to the national security of Turkey, and after the military takeover of September 1980,

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<sup>162</sup> Ibid. p. 10; Martin van Bruinessen, “Between guerrilla war and political murder: The Workers’ Party of Kurdistan”, *MERIP Middle East Report*, 153 (July-August 1988), p. 3, available online: [http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen\\_PKK\\_between\\_guerrilla\\_war\\_and\\_political\\_murder.pdf](http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen_PKK_between_guerrilla_war_and_political_murder.pdf)

<sup>163</sup> Svante E. Cornell, “The Kurdish Question in Turkish Politics”, *Orbis*, Vol. 45:1 (2001), p. 39.

<sup>164</sup> Martin van Bruinessen, “Between guerrilla war and political murder: The Workers’ Party of Kurdistan”, *MERIP Middle East Report*, 153 (July-August 1988), p. 1.

junta, the government immediately initiated a huge effort to eliminate the PKK completely; most of the leading members of the Kurdish organizations had been arrested, the ban on the Kurdish language was implemented more strictly than ever, both prisons and streets have witnessed huge suppression and violence at the hands of the state, military operations were carried out in all areas where PKK was active and tens of thousands of people that lived in those areas were arrested and interrogated under severe torture. For the members of Kurdish organizations, Bruinessen states that:

Their treatment in prison and in the courtroom is much harsher still than that of Turkish left activists. The members of the violent PKK have been treated with special cruelty. In mass trials directed at this party, the state has demanded over 600 death sentences. About ten of them have died (or been killed) in prison, while many others seem to be close to death.<sup>165</sup>

Diyarbakır Prison was one of the most significant places that witnessed this pure cruelty and brutality. The detainees were tortured to speak in Turkish in prison, although some of them did not know Turkish. They were killed, tortured and even forced to salute the dogs of the military officials and to eat stool.<sup>166</sup> Relatedly, one of the detainees that have been under arrest in Diyarbakır Prison after 1980 coup shares that:

He had this thick big stick and he was counting to 500 while hitting... They were making us crawl in sewage water... Making us lick the floor... They were lowering us down through manhole covers to sewage water... No water... They had a dog, they once gave us the water they washed that dog's head... They starved us for 20 days... Four people share a bread once in a week...<sup>167</sup>

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<sup>165</sup> Martin van Bruinessen, "The Kurds in Turkey", *MERIP Reports*, no. 121 (1984), p. 14.

<sup>166</sup> Orhan Miroğlu, *Dijwar* (Istanbul: Everest, 2009).

<sup>167</sup> Yıldırım Türker, "Diyarbakır Cezaevi", *Radikal* (15.09.2008), [http://www.radikal.com.tr/yazarlar/yildirim\\_turker/diyarbakir\\_cezaevi-898691](http://www.radikal.com.tr/yazarlar/yildirim_turker/diyarbakir_cezaevi-898691)

To protest these severe tortures, four of the Kurdish activists, namely Ferhat Kuntay, Necmi Öner, Eşref Anyık and Mahmut Zengin, burned themselves and Mazlum Doğan hanged himself.<sup>168</sup> Kemal Pir, one of the leading members of PKK, Hayri Durmuş, Akif Yılmaz and Ali Çiçek died as a result of fasting to death to protest the prison tough conditions. Selim Çürükkaya, who was one of the detainees in Diyarbakır Prison, wrote in the preface of his book that it is impossible to express the events of Diyarbakır Prison with words.<sup>169</sup>

However, in 2012, the Chief of General Staff declared the manager of the prison, Esat Oktay Yıldırım, as a valuable and adored officer and presented the tortures and murders in the prison as a consequence of the internal struggle between the members of the organization.<sup>170</sup> The events of Diyarbakır Prison have no place in the official history of Turkey either. It is a non-event for the official history, but not for the non-official history.

The suppression and violence carried out by state after the 1980 military takeover led to the enhancement in the social base of PKK. The decedents in Diyarbakır Prison like Mazlum Doğan and Kemal Pir were claimed as the immortalized symbols of the Kurdish movement. The PKK formally initiated its resistance with its assaults on the military stations in Şemdinli and Eruh in August, 1984.<sup>171</sup> This time was a turning point regarding Kurdish resistances in the history of

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<sup>169</sup> Selim Çürükkaya, *Dörtlerin Gecesi*, İstanbul: Komal, “Önsöz”.

<sup>170</sup>“Esat Oktay Yıldırım kıymetli bir subaydı”, *Demokrat Haber* (April 9, 2012), <http://www.demokrathaber.net/tarih/tsk-esat-oktay-yildiran-kiymetli-bir-subaydi-h8125.html>

<sup>171</sup> Murat Güney, *Türkiyede İktidarı Yeniden Düşünmek* (İstanbul: Varlık, 2009), p. 288.

Republic. Until the end of the 1980s, PKK gained much popularity in the Kurdish-populated areas.

As a response to the activities of PKK, in 1987, the state established Governorships of State of Emergency in Diyarbakır, Bingöl, Elazığ, Hakkari, Mardin, Siirt (Şırnak and Batman), Tunceli and Van. The governors in the state of emergency regions have had more authority than other governors, such as regarding the evacuation of the villages, censoring the press, transferring state employees considered as harmful.<sup>172</sup> In addition, the state began mobilizing some Kurdish villagers through ‘village guards’ system to fight against PKK and put them under the authority of the ‘super-governors’. Village guards took arms and payment to kill the members of PKK that came to their villages and they were also rewarded an additional payment for each killed guerrilla. This additional payment and legitimate use of power given to the village guards led to the killing of many people that had no involvement to the PKK.<sup>173</sup> The village guards also killed many people in other Kurdish villages that did not choose to be included in the village guard system and these villages have were also exposed to severe violence by the military. As Jongerden writes that:

Either they could militarize their villages by becoming members of the village-guard militia and take arms against PKK, or face punitive measures, including expulsion and destruction of their villages, which aimed at the forced resettlement of civilians to urban centres, where state forces were better able to control and supervise the population.<sup>174</sup>

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<sup>172</sup> Ibid., p. 303.

<sup>173</sup> Martin van Bruinessen, “Turkey and the Kurds in the early 1990s: Guerrilla, Counter-insurgency, and Emerging Civil Society” (1993), p. 4, 5, available online: [http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen\\_Turkey\\_and\\_the\\_Kurds\\_in\\_the\\_early\\_1990s.pdf](http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen_Turkey_and_the_Kurds_in_the_early_1990s.pdf)

<sup>174</sup> Joost Jongerden, “Contested spaces in landscapes of violence: Displacement and return in Diyarbakır at the run of the 21st century”, *Kurdische Studien*, 4+5, (2004/2005), p. 61.

The state evacuated the villages that were not included in village-guard system to remove the possibility of their support for PKK. The evacuation and burning of the Kurdish villages that had not been included in village-guard system intensified after the Özal period. Turgut Özal was the first leader of the Republic that recognized the necessity of a political solution for the Kurdish Issue rather than a military one. In this sense, he allowed Kurdish-language publications and music in his period (1991), even if they were not strong attempts for the solution of the Issue. The Özal period was followed by the Tansu Çiller period and the village evacuations and killing of the people by secret state forces like JİTEM rapidly increased during her time after 1993. Bozarslan evaluated the Çiller period as the “militarization” of political life.<sup>175</sup> Former general staff and architect of Turkey’s repressive Kurdish policy Doğan Güreş, former governors of “the region of exception” Ural Erkan and Hayri Kozakçıoğlu and the former chief of police Mehmet Ağar were chosen representatives from Çiller’s True Path Party (DYP). As a consequence, government statistics reveal, more than 3,000 villages were evacuated and destroyed by military and village guards and, the reports of TESEV and BM assert that 3-4 million people were exposed to forced migration to major cities in western Anatolia<sup>176</sup>. Not just their homes, but their trees, gardens and animals, in other words, their livelihood were destroyed.

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<sup>175</sup> Hamit Bozarslan, “Turkey’s Election and the Kurds”, *Middle East Report*, No: 199 (1996), p. 19.

<sup>176</sup> Joost Jongerden, “Contested spaces in landscapes of violence: Displacement and return in Diyarbakır at the run of the 21st century”, *Kurdische Studien*, 4+5, (2004/2005), p. 62; Robert Olson, *Kan İnançlar ve Oy Pusulaları: Türkiye’de Kürt Milliyetçiliğinin Yönetimi 2007-2009* (Diyarbakır: Avesta, 2010), p. 26; Ahmet İçduydu, David Romano and Ibrahim Sirkeci, “The Ethnic Question in an Environment of Insecurity: the Kurds in Turkey”, *Ethnic and Racial Studies*, Volume 22, Issue 6 (1999), p. 1002, 1003.

However; in those years, the representatives of the True Path Party, Çiller's party, in the parliament were claiming that the state did not evacuate the villages and did not kill the citizens and arguing that the villages were evacuated by "the members of terrorist organization PKK" who camouflaged themselves by wearing Turkish Armed Forces' uniforms.<sup>177</sup> The officials of the state including representatives, ministers and governors, argued that PKK was threatening villagers and forcing them to leave their villages.<sup>178</sup> On the other hand, GÖÇ-DER (Migrated People Social Aid and Culture Association) conducted a research through in-depth interviews with the Kurds that migrated to big cities after the evacuation of their villages. One of the interviewees says that:

We had our home, farms, trees and animals; we were working and taking care of ourselves. Then, in 1993, the armed conflicts began increasing between PKK and the state... And the state forced us many times to take arms from the state and serve as village guards to fight with PKK. We refused their offer and they threatened us to burn our homes and used violence against me, my wife, my children... In February 1993, over 500 soldiers came to the village and began fire to the village, several villagers were killed and the rest of them (man and young people) were taken to the military station. I have remained under arrest for 68 days and been exposed to torture. During that time they burned our village. After they released me, I met my family and we migrated to Istanbul. My two feet were cut by doctors because of the damage led by torture.<sup>179</sup>

The evacuations of the villages meant destruction of their history, memories, lives and identities. One of the villagers who were living in Islamköy, Diyarbakır and was forcedly migrated and lost his village states about the burning of his village that "an airplane flew low over the village. It looked as if it sprayed some kind of smoke over

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<sup>177</sup> *Milliyet* (November 6, 1994; October 26, 1994)

<sup>178</sup> *Milliyet* (June, 21, 1995)

<sup>179</sup> Resul Aslan, "Acıyı gören insan başkasını acıtmaz" in *Göç Hikayeleri*, ed. Göç-Der (Istanbul: Göç-Der, 1997), p. 28-37.

the houses, which burst into flames a moment after. The fire it produced was so hot that stones melted.”<sup>180</sup>

Besides the destructions of the villages and forced migration, in 1991, 31 people were killed by ‘unknown perpetrators’; and in 1992, 360 people and in 1993, 510 people were assassinated.<sup>181</sup> The clues show that many of the killings were carried out squads “acting on instructions or co-operation with the police or the intelligence body of the gendarmerie (JITEM).<sup>182</sup> Until the beginning of the 2010s, about 18,000 people were killed by ‘unknown perpetrators’. One of the assassinated was Mehmet Sincar, a representative of the Democracy Party (DEP) that was the second legal political party of the Kurdish movement which was founded after the closure of People’s Labor Party (HEP).

On the other hand, at that time, some intellectuals and bureaucrats were also giving speeches and writing about the Kurdish Issue to make international public opinion believe that there was no Kurdish Issue in Turkey. Altermur Kılıç, former Deputy Chairman of the Supreme Council of Radio and Television and former Deputy Permanent Representative of Turkey to the United Nations, claimed in 1993 that:

Until recently, Turks lived peacefully with their compatriots of Kurdish descent in both the southeast and other regions of Turkey. A common history binds them together, in a writer’s words, ‘as flesh and sinew’. Intermarriages through several generations have wrought strong blood ties between Kurds

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<sup>180</sup> Interview as quoted in Joost Jongerden, “Contested spaces in landscapes of violence: Displacement and return in Diyarbakır at the run of the 21st century”, *Kurdische Studien*, 4+5, (2004/2005), p. 73.

<sup>181</sup> Martin van Bruinessen, “Turkey and the Kurds in the early 1990s: Guerrilla, Counter-insurgency, and Emerging Civil Society” (1993), p. 20, available online: [http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen\\_Turkey\\_and\\_the\\_Kurds\\_in\\_the\\_early\\_1990s.pdf](http://www.hum.uu.nl/medewerkers/m.vanbruinessen/publications/Bruinessen_Turkey_and_the_Kurds_in_the_early_1990s.pdf)

<sup>182</sup> *Ibid.*, p. 20.

and Turks. In some areas it is difficult to determine who real Kurd is and who Turk is.<sup>183</sup>

Then he added that if Kurdistan were to be founded, the Kurds might demand their rights over the Mediterranean region and asked “when experiments in federalism have recently ended disastrously in other areas, why should Turkey, also faced with religious dissension, now take the same risk of splintering?”<sup>184</sup> In addition, Kudret Oytan, having served in the Turkish Embassy in New Delhi, wrote an article in 1995 and mentioned the good relations of the Turks and Kurds and the financial assistance of the state for Kurdish people. He also emphasized that they occupied the highest levels in the society in Turkey.<sup>185</sup> The words of Kılıç and Oytan also help us to understand the approach of the state to the Kurdish Issue. While Kurdish villages had been burned by the armed forces and the representatives of the Kurdish-led Democracy Party (DEP) were arrested, the state denied the use of violence and has given speeches to silence the voices of the Kurds that were exposed to long-lasting violence.

On the one hand, towards the end of 1990s, besides the guerrilla struggle, the Kurdish movement sought grounds for the solution of the Kurdish Issue through political means by criticizing state’s violent approach to the Issue. Öcalan, Bruinessen writes, “had from early 1990s on, when his movement was at its strongest, made efforts to transform the guerrilla struggle into a primarily political

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<sup>183</sup> Altermur Kılıç, “Kurds are Turks too” (1993), p. 190.

<sup>184</sup> Ibid., 191.

<sup>185</sup> Kudret Oytan, “Kurds in Turkey”, *Economic and Political Weekly*, Issue no: 16 (April 1995), p. 846

one”<sup>186</sup> However; in addition to Bruinessen, it must be mentioned that the political struggle of the Kurdish movement was also promoted by Kurdish people in the local regions with the effect of their increased education-level and politicization. Then; the PKK announced unilateral cease-fires in 1993, 1995 and 1998 to show its willingness for a democratic solution of the Issue.<sup>187</sup>

On the other hand, in 1999, Öcalan was captured in Kenya and brought to Turkey. As a result of his trial, he was sentenced to death in June 1999. While he was in the prison, in September 1999, he called PKK to announce a cease-fire and to shift their forces to the Iraqi border. The process of membership of the EU and the possibility of the negotiations between the state and Öcalan were the significant reasons for the announcement of the cease-fire. With the Helsinki Summit in December 1999, Turkey became a candidate for membership of European Union and began putting forward the reforms that were required for the membership, namely Copenhagen Criteria that stipulates guaranteeing democratic governance, rule of law and respect for human rights.<sup>188</sup> Through the reforms that the EU required, the death sentence of Öcalan was canceled and he was sentenced to lifelong imprisonment on Imralı Island.

In 2001, in his defense presented to the ECHR, Öcalan wrote the history of Kurds, Kurdistan and PKK (as a resistance) and criticized the assimilative and exclusionary policies of Turkish state.<sup>189</sup> However, he also criticized himself and

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<sup>186</sup> Martin van Bruinessen, “Between guerrilla war and political murder: The Workers’ Party of Kurdistan”, *MERIP Middle East Report*, 153 (July-August 1988), p. 5.

<sup>187</sup> *Ibid.*, p. 5.

<sup>188</sup> <http://www.tbmm.gov.tr/komisyon/insanhaklari/pdf01/437-438.pdf>

<sup>189</sup> Abdullah Öcalan, *Bir Halkı Savunmak* (Istanbul: Çetin Yayınları, 2004), p. 242.

PKK because of their insistent aim of founding an independent Kurdistan. He stated that the independence may not bring freedom and emphasized the significance of a democratic society rather than an independent Kurdistan by saying that:

PKK's second mistake is its nation and national war of independence. We adopted becoming a nation and achieving this via a national war of independence as an order of the Koran, because all the classic works and contemporary examples of war were ordering to become a nation. Without becoming a nation, neither freedom and equality nor being a modern human being could be achieved. However, if we could see what really mattered was to be able to be a national community that is democratic, equal and free, we could have seen more realistic results. What was important was not whether we were under a state or not, but it was whether we were democratic or not.<sup>190</sup>

Instead of aiming to found another nation-state, with the impact of the Kurdish movement's political struggle through legal political parties and municipalities in the early 1990s, the decline in the significance of the nation-state in world politics and the EU process of Turkey, Ocalan suggested the Kurdish movement to struggle for an anti-nationalist, anti-statist, democratic, equal, free, ecological and gender egalitarian society in existing borders by enabling citizens to participate in decision-making processes through People's Congress that is based on neighborhood, village, district and city assemblies.<sup>191</sup> The project is called "Democratic Autonomy". Accordingly, the movement rendered the policies more visible; not only for the rights of the Kurds, but also for the rights of Armenians, *Alevi*s, women, LGBTs; in other words, for the rights of the excluded groups in Turkey and for the protection of the environment as well.

In the universities and Kurdish-populated cities, demonstrations were organized for the right to an education in the mother language and protesting

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<sup>190</sup> Ibid., p. 275.

<sup>191</sup> Ibid., p. 309.

Öcalan's prison conditions and the military operations which targeted PKK. In every *Newroz* time, with the participation of about one million people, Kurdish politicians expressed their demands including using their own language in education and protested the imprisonment of Öcalan. PKK also ended the cease-fire in 2004 and the military conflicts between Turkish security forces and PKK restarted.

### The Kurdish Movement in Legal Politics

In 1990, the first Kurdish political party, People's Labor Party (HEP), was founded by eight former representatives of Social Democrat Populist Party (SHP) who were forced to resign after they had attended Kurdish Conference in Paris in 1989.<sup>192</sup> HEP, in its party program, gave priority to the solution of the Kurdish Issue through democratic means. The HEP was also welcomed exclusively by PKK. In 1991, HEP entered elections by allying with SHP because "HEP, which had been established so recently that it had not yet had occasion to convene its first congress, was for this reason not allowed to take part under its own name."<sup>193</sup> The reason for the alliance for SHP was to attract the votes from Eastern and Southeastern Anatolia. 22 HEP candidates were elected as representatives through SHP to have a place in TBMM (Turkey Grand National Assembly). After their oath in the parliament as representatives, Leyla Zana and Hatip Dicle made speeches in Kurdish. Their speeches in Kurdish led to their being expelled from SHP. In July 1993, the

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<sup>192</sup> Martin van Bruinessen, "Turkey and the Kurds in the early 1990s: Guerrilla, Counter-insurgency, and Emerging Civil Society" (1993), p. 8.

<sup>193</sup> *Ibid.*, p. 8, 9.

Constitutional Court banned HEP; it was accused of becoming the center of illegal activities and terrorist organization and of cultivating “social differences with the aim of destroying the “inseparable unity” existing between the Turkish state and the Turkish people.”<sup>194</sup>

During the abolishing of HEP, another Kurdish party, Democracy Party (DEP), was founded in May 1993 and the expelled representatives continued their political life in DEP. In September 1993, DEP representative Mehmet Sincar was killed in Batman. In March 1994, the parliamentary immunities of DEP representatives Leyla Zana, Hatip Dicle, Selim Sadak and Orhan Doğan were canceled and they were taken into custody in TBMM. Each of them was accused of being included in separatist activities and sentenced to imprisonment for 15 years. DEP was also banned by the Constitutional Court in June 1994.

Before the closure of DEP, in May 1994, People’s Democracy Party (HADEP) was founded and Kurdish politicians continued their political struggle through this party. In the 1995 and 1999 national elections, the party won about 5 % of the votes; however it was not enough to join to the Assembly due to the 10 % election threshold. In the 1999 local elections, HADEP won 37 municipalities including Diyarbakır. The results of the elections proved that most Kurdish people demanded the representation of the Kurdish rights in the Assembly.<sup>195</sup> HADEP was

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<sup>194</sup> Dicle Kogacioglu, “Progress, Unity, and Democracy: Dissolving Political Parties in Turkey,” *Law and Society*, 38, no. 3 (2004), p. 443.

<sup>195</sup> Svante E. Cornell, “The Kurdish Question in Turkish Politics”, *Orbis*, Vol. 45:1 (2001), p. 45.

also closed down by the Constitutional Court in 2003, accused of being a center for the illegal activities and aiding and abetting the PKK.<sup>196</sup>

Just before the dissolution of the HADEP, its members joined the Democratic People's Party (DEHAP). DEHAP was "founded in 1997 as a "spare party" that members could join to resume political activity in case the main party was dissolved."<sup>197</sup> In 2005, the Constitutional Court opened a closure case against DEHAP; therefore, Kurdish politicians founded another party, Democratic Society Party (DTP) in November 2005 and dissolved DEHAP after a week.

The DEHAP – DTP municipalities were the corner-stone to the struggle for the democratic, free and equal society in Turkey suggested by Kurdish movement. For the DEHAP Diyarbakır Metropolitan Municipality, Gambetti relatedly puts that it is "using its institutional power to reverse the *Turkification* of the city"<sup>198</sup> and it played a central role "in politicizing Kurdish culture at the local level."<sup>199</sup>

Accordingly she writes for the municipality that:

It enabled the local youth to form theatre or music groups; it inaugurated a festival that brought local and national artists together; it used shrewd tactics to dodge the ban on celebrating *Newroz*, the Kurdish New Year, and actually turned the event into a festivity attracting popular Turkish singers and hundreds of thousands of spectators.<sup>200</sup>

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<sup>196</sup> <http://www.ntvmsnbc.com/id/25029246/>

<sup>197</sup> Dicle Kogacioglu, "Progress, Unity, and Democracy: Dissolving Political Parties in Turkey," *Law and Society*, 38, no. 3 (2004), p. 440.

<sup>198</sup> Zeynep Gambetti, "Decolonizing Diyarbakir: culture, identity and the struggle to appropriate urban space" in *Comparing Cities: The Middle East and South Asia*, ed. Kamran Asdar Ali and Martina Rieker (Karachi: Oxford University Press, 2009), p. 99.

<sup>199</sup> *Ibid.*, p. 110.

<sup>200</sup> Zeynep Gambetti, "Politics of place/space: The Spatial Dynamics of the Kurdish and Zapatista Movements", *New Perspective on Turkey*, 31 (2009), p. 63.

Moreover, the municipality opened the laundry houses to encourage women to go there and contact each other, which then accelerated their politicization.<sup>201</sup> In the middle of 2007, the foundation of neighborhood assemblies in the municipalities, where DTP was in power, was planned and these assemblies were established in 2008 to make people participate in the decision-making processes.

In 2007, DTP entered general elections through independent candidates because of the 10 % election threshold and sent 22 deputies to the Assembly. In the 2009 local elections, DTP won 99 municipalities and this was taken as a clear proof of the failure of Justice and Development Party (AKP) in managing the Kurdish Issue. After the local elections in March 2009, DTP was dissolved in December 2009 and the deputyship of the co-chairs, Aysel Tuğluk and Ahmet Türk, were canceled. Many of the DTP politicians that had struggled for the solution of the Kurdish Issue through democratic means including 16 mayors, hundreds of staff of DTP municipalities, 105 journalists, 500 students and 40 lawyers were arrested and accused of being member of the terrorist organization, the Union of Communities in Kurdistan (KCK). Regarding these closure cases, KCK prisoners stress in their defense presented to the Court that “although the insistence on being organized and expressing oneself on a legal democratic ground started with HEP in 1991 always met the government’s applications such as arrests, pressure and party closures, Kurdish people tried to hold on to this with patience and determination.”<sup>202</sup>

In 2008, the Peace and Democracy Party (BDP) was founded as a ‘spare party’ and the DTP politicians continued to be organized through this new party.

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<sup>201</sup> Zeynep Gambetti, “Decolonizing Diyarbakir: culture, identity and the struggle to appropriate urban space” in *Comparing Cities: The Middle East and South Asia*, ed. Kamran Asdar Ali and Martina Rieker (Karachi: Oxford University Press, 2009), p. 127.

<sup>202</sup> *Demokratik Siyaset ve Demokratik Toplum Savunması: KCK Savunmaları*, ed. Fatma Aktaş (Istanbul: Aram, 2012), p. 87.

BDP entered the 2011 national elections through independent candidates and 36 candidates were gained. Six of the deputies that were elected while they were under arrest are still in prison.

It should also be noted that, in 2012, HDK (People's Democratic Congress), was initiated as a new political movement composed of different political parties; NGOs that fight for the environment, democracy and for the rights of ethnic and religious minorities, women, LGBT individuals, etc., to found a new unifying political party in which the excluded groups in Turkey are thought to have a seat and voice. BDP is one of the founding members of HDK.

As a consequence, all of the Kurdish-led political parties have sought for a democratic solution of the Kurdish Issue. Contrastingly, as their dissolution and mass trials have shown, not only did the state refuse to negotiate with the PKK, but "it has also refused to take the legal Kurdish parties seriously and has consistently attempted to get rid of them."<sup>203</sup>

### Neighborhood Assemblies as a Means of Participatory Politics

At the end of the 1990s, the Kurdish movement radically changed its motivation by presenting a self-criticism and gave up the purpose of founding an independent Kurdistan. They criticized PKK because of its initial aim based on the formation of an independent Kurdistan and deemed this purpose problematic. They denoted that

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<sup>203</sup> Martin van Bruinessen, "Turkey and the Kurds in the early 1990s: Guerrilla, Counter-insurgency, and Emerging Civil Society" (1993), p. 15.

the problem is not the Turkish state, but the *state* itself. Founding another nation-state may not eliminate the problems that still exist in 2013 and may lead to the oppression of some groups as well.<sup>204</sup> In other words, the Kurdish movement began arguing that independence may not always bring about freedom. Instead of establishing an independent Kurdistan, the movement embraced a program that intends to form an anti-nationalist and anti-statist, democratic, equal and free society within existing borders.<sup>205</sup>

Accordingly, the movement began producing policies not only for the rights of Kurds, but also for the rights of Armenians, Alevis, women, LGBTs; in other words, for the rights of the excluded groups in Turkey and for the protection of the environment as well. The movement, especially the political parties of the Kurdish movement, which argues for the democratic solution of the Kurdish Issue, with its representatives in parliament, is trying to fight for the rights of these excluded groups.

At the same time however, the Kurdish movement is also trying to enable local people to participate in the decision-making processes in municipal level, in other words, to make them speak in the districts where the municipal power was the HADEP, DEHAP, DTP and BDP.<sup>206</sup>

As a national politics, unlike the assumption that it is a homogeneous or nationalist movement that intends to establish an independent Kurdistan; the Kurdish movement is trying to make the voices of almost all excluded groups heard, as

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<sup>204</sup> Abdullah Öcalan, *Bir Halkı Savunmak*, İstanbul: Çetin Yayınları, 2004, p. 255, 256.

<sup>205</sup> *Ibid.*, p. 316.

<sup>206</sup> In 2009, the BDP took the legacies of the HEP, DEP, DEHAP, HADEP and the DTP which have been dissolved by the constitutional court. The municipalities were ruled by the HADEP between 1999 and 2003, by the HADEP until 2005, by the DTP until 2009 and by BDP since 2009.

HDK's process also proves. For example, the woman's movement within the Kurdish movement has strong ties with other feminist associations in Turkey. In addition, BDP deputy Sabahat Tuncel is in close contact with LGBT associations<sup>207</sup>, while another BDP deputy Pervin Buldan is in solidarity with the environmentalist associations in Turkey<sup>208</sup> and the BDP deputy Gültan Kışanak stands together with the organizations of *Alevis*.<sup>209</sup>

In the local politics however, the Kurdish movement struggles to lead as well as create a democratic society by enabling local people to take active role in politics and to participate in the decision-making processes. The municipalities are the key institutions to be able to put the policy into action.

As previously discussed, in the middle of 2007, the neighborhood assemblies were founded to promote people take part in decision-making processes. Neighborhood assemblies regularly meet and make decisions and these decisions are carried to the district assemblies through a representative from each neighborhood. The decisions that are made in districts are carried to the city assembly in the same way. In the city assembly, there is quorum restriction. For example, women have their own quorum, while the youth has its own quorum. The Kurdish movement is trying to encourage local people to participate in these meetings of the neighborhood assemblies. The constituents of the assemblies are all inhabitants of those neighborhoods.

In the meetings, the national politics of the Kurdish movement and the local problems of the neighborhoods are debated together. While they were discussing the

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<sup>207</sup> <http://www.minidev.com/public/page.aspx?id=432>

<sup>208</sup> <http://www.emekdunyasi.net/ed/cevre-ekoloji/9749-cevreciler-sit-yasa-taslagina-karsi-eyleme-hazirlaniyor>

<sup>209</sup> <http://www.turnusol.biz/public/haber.aspx?id=15527&pid=19>

referendum process in July 2010, they were also debating the daily problems that they encountered in the neighborhoods such as sewerage issues.

However, the foundation and function of the neighborhood assemblies could not be completed because of some structural problems. For example, hundreds of staff of the BDP municipalities was arrested. The neighborhood assemblies are taken as a 'new terror homes' by the state. On the other hand, the BDP municipalities were not supported so much financially by the state as much as other parties' municipalities and therefore, the budget of the Diyarbakır municipality was rather limited in meeting the needs of the city.

#### Justice and Development Party (AKP)'s Democratic Opening

In 2002, the Justice and Development Party led by Recep Tayyip Erdoğan, which is a conservative party that had also a basis in Kurdish-populated cities, won the national elections and began ruling the government. In the direction of the Copenhagen Criteria, the AKP government dissolved the Governorships of State of Emergency and, in 2004 it abolished the State Security Courts (DGM), which included military judges. During the government of Justice and Development Party (AKP) in 2004, DEP deputies were released from prison; state owned TRT 3 began broadcasting a half an hour long programs in other languages including Arabic and Kurdish and

opening Kurdish language courses was allowed.<sup>210</sup> In January 2009, the state set up a TV channel, TRT 6 that exclusively broadcasts in Kurdish.

Nevertheless, the military operations against PKK intensified in those years too, for example, despite of these hopeful reforms, education in Kurdish in schools was still forbidden. In addition, the democratic reforms of the AKP, including the foundation of the Kurdish-broadcasting TV-channel TRT 6, had no legal basis.

Considering the reforms for the solution of the Kurdish Issue, the AKP excluded the political parties of the Kurdish movement from the process. Besides the reforms, the constitutional court dissolved the Democratic Society Party (DTP) in 2009. In the same year, many BDP politicians including mayors and members of the administration of the party, the leading people in many NGOs, students, Kurdish children, lawyers and even doctors were arrested through KCK operations. About 10,000 Kurdish politicians are now under arrest. The success in the local elections in 2009 and the policies of the mayors in initiating participatory politics in their municipalities were taken as terroristic activities and led to this situation.

In addition, in 2011, it was revealed that the AKP government through the National Intelligence Organization (MIT) initiated confidential negotiations called *Oslo Meetings* with PKK in Kandil Mountain and with Öcalan in Imralı. Although they have agreed on some articles, AKP aborted the Oslo process. Erdoğan presented the reason for the end of the Oslo process as the insincerity of PKK.<sup>211</sup> After the end

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<sup>210</sup> Kemal Kirişçi, "The Kurdish Issue in Turkey: Limits of European Union Reform", *South European Society & Politics*, volume 16, No. 2 (2011), p. 340.

<sup>211</sup> "Başbakan Erdoğan'dan Oslo Görüşmeleri Açıklaması", *Milliyet* (September 26, 2012), <http://siyaset.milliyet.com.tr/basbakan-erdogan-dan-oslo-gorusmeleri-aciklamasi/siyaset/siyasetdetay/26.09.2012/1602761/default.htm>

of the Oslo process, the pressure on the Kurds began intensifying. Regarding *Oslo Meetings*, the head of the KCK Executive Council Murat Karayilan asserted that:

We were sincere during Oslo negotiations and ready to go all the way. We made a serious decision to leave the guns out altogether. We were strategic. However the Turkish side ended the negotiations and declared a war. Erdogan made this decision, won the election and came into power with 50 % of the votes. It was over for him.<sup>212</sup>

Öcalan, as the imprisoned leader of the Kurdish movement, has not been permitted to meet his lawyers for more than a year, until 2013, and the prison conditions of Kurdish politicians have worsened. About 10,000 Kurdish politicians arrested through the KCK operation protested the AKP's policies regarding political and cultural rights of the Kurds with a hunger strike that has gone for 68 days. It was the way to make their voices heard by "leaving their bodies to the death"<sup>213</sup>.

## Conclusion

Throughout this chapter, the history of the Kurdish movement and the Kurdish Issue and the exclusionary policies of the state are mentioned through particular events in which the state's violent policies have met with resistances from the Kurds. The history of the Kurds is a history of subalternity: they have been silenced by the nation-state for about 100 years and their voice has not been allowed to have a place

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<sup>212</sup> "Görüşmelere başlamaya açığız", *Bianet* (October 5, 2012), <http://bianet.org/bianet/siyaset/141287-gorusmelere-baslamaya-acigiz>

<sup>213</sup> Nazan Üstündağ, "40. Gün", *Bianet* (October 21, 2012), <http://bianet.org/bianet/bianet/141582-40-gun>

in historical, political, cultural and social life in Turkey. They were claimed in the history mountain Turk, fundamentalist, brigand, terrorist, and so on; instead of being coded just as Kurd. They have been jailed, killed and tortured severely. At the same time however, the history of the Kurds is also a history of a struggle against silencing and destructive policies of the Turkish state however. As the particular events show, the violent policies of the state have always met the resistances of the Kurds. Besides analyzing the judicial violence of the Turkish state applied on the Kurds since 2009, the next chapter explores the democratic struggle of the Kurdish political movement and argues how the Kurds used participatory politics to make themselves speak.

## CHAPTER IV

### DEMOCRATIC AUTONOMY AS A PRACTICE OF FREEDOM AND KURDS AS A COMMUNITY OF STRUGGLE

#### Introduction

Previous chapter presented the history of the state violence which have rendered them subaltern and of the resistances of the Kurds against the state violence. This chapter explores the state violence carried out by the Turkish judiciary which has rendered the Kurds subaltern in the political and judicial order through the KCK operations since 2009.

Based on the structure and extra-ordinary authorities of the Specially Authorized Courts (ÖYM), the KCK indictment, the proofs presented to the courts by the Turkish police and the experiences of the KCK detainees and their lawyers, this first part of this chapter argues that the Turkish judiciary and Turkish security forces determined the borders of the citizenship and pushed the Kurds out of this borders and rendered them subaltern by treating them as ‘the domestic enemy’ who treated the political and legal order of the Turkish state. The second part of this chapter explores through the neighborhood assemblies in Diyarbakır that the Kurds were a community of struggle who were pushed out of political order and the participatory politics was a practice of freedom of the Kurds which emerged out of and gave way to the struggle of the Kurds.

## KCK Trial as a Response of the State to the Practices of Freedom of Kurds

The KCK operations began with the detention of more than 100 Kurdish politicians, including elected BDP mayors, municipal staff and municipal councilors in April 2009. In the years between 2009 and 2013, about 10,000 Kurdish politicians, activists and constituents of Democratic Autonomy have been detained through these operations. In the beginning of 2013, this number included 17 BDP mayors, six BDP deputies, hundreds of staff and councilors of municipalities of BDP, 105 journalists, more than 500 students, 40 lawyers, and hundreds of children, human rights defenders, publishers and academicians.<sup>214</sup> In the KCK indictment, they are accused of being administrators of the Turkey Assembly of the “terrorist organization KCK” (KCK/TM) and of destroying the unity of the state.<sup>215</sup>

In the indictment of the trial, which was prepared by the chief office of prosecution of Diyarbakır, treated them as the managers of the Turkey’s city wing of “the terrorist organization KCK (KCK/TM)” The indictment is composed of 7,500 pages which are based on supporting evidences of 130,000 pages. Reading the indictment by the court alone lasted 32 months.<sup>216</sup> The proofs through which the indictment was constituted were composed of phone records of the Kurdish

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<sup>214</sup> <http://firatnews.tv/index.php?rupel=nuce&nuceID=57202>

<sup>215</sup> The KCK Indictment, p. 72.

<sup>216</sup> ‘32 ay geđti, sadece iddianame okundu’, *Milliyet* (December 7, 2011), <http://gundem.milliyet.com.tr/32-ay-gecti-sadece-iddianame-okundu/gundem/gundemdetay/07.12.2011/1471986/default.htm>

politicians, their photos taken during the demonstrations or conferences, and the statements of the secret witnesses upon them.<sup>217</sup>

The implementation of the participatory politics at a local level by the Kurdish political movement in the cities where the Peace and Democracy Party (BDP) was the municipal power was shown as the KCK/TM's most significant terrorist activity that intended to the foundation of an independent Kurdistan. The court through indictment treated the neighborhood assemblies as the organizations which served the independent Kurdistan ideal of 'the terrorist organization KCK/PKK'.<sup>218</sup>

The statements of the secret witnesses about the Kurdish politicians were the basis for the Turkish police and judiciary to initiate the KCK operations in 2009.<sup>219</sup> The voice records and the photos were presented as the supportive evidences of these statements. The courts have not informed the detainees and their lawyers about when, where and under which conditions the statements were made by the secret witnesses.

Due to the fact that the courts prevented the lawyers of the detainees to question the secret witnesses regarding their statements, the accuracy of the statements could not be questioned by the lawyers as well.<sup>220</sup> Meral Daniş Beştaş, one of the lawyers of the KCK trial and the vice-president of the BDP, states that:

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<sup>217</sup> The KCK Indictment

<sup>218</sup> Ibid. p. 434, 604.

<sup>219</sup> ""Gizli Tanık"tan Delil Olur mu?", *Bianet* (June 28, 2012), <http://www.bianet.org/bianet/insan-haklari/139402-gizli-tanik-tan-delil-olur-mu>

<sup>220</sup> Ibid.

In the past, they (the police) were taking people into custody and make them sign a statement under torture and force them to admit the crime. Now, the same thing is working through secret witness, which is presented as a legitimate cover. As a lawyer of the case, I cannot see and question these secret witnesses. Someone, as a secret witness, gives a statement about you and you are taken into custody. It creates a situation which is against the freedom and the safety of the individual, but this is how the judiciary works now.<sup>221</sup>

The Turkish Criminal Procedure Code states that the parts of a case have the right to question the witnesses even if those witnesses are under the protection of the court because of their safety.<sup>222</sup> The ÖYM violated this law in the KCK trials. The statements of the secret witnesses were supported by the phone records, statements and photos of the detainees.

In spite of the fact that almost none of the KCK detainees have been included in a violent activity and none of the voice records and photos prove that they committed a crime according to Turkish Criminal Code, they have been detained for four years.

A part of the speech between Nadir YILDIRIM, the suspect of the file dated 14.02.2009, and Ayla Akat ATA, which was recorded with the tape number 417159430.

Nadir YILDIRIM : How are you? Are you crying again?

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<sup>221</sup> From the interview conducted with Meral Danış Beştaş in Diyarbakır in February 2012: “Önceden biri gözaltına alınır, daha sonra işkenceyle kendisine bir ifade imzalatılır, suçu kabul etmek durumunda bırakılır. Şimdi ise bu süreç gizli şahit müessesesi üzerinden meşru bir kılıfa bürünerek işliyor. Ben avukat olarak bu gizli tanıkları ne görebiliyorum ne de sorgulayabiliyorum. Birisi gizli şahit olarak üzerine ifade veriyor, sonra gözaltına alınıyorsun. Bu kişi özgürlüğüne ve güvenliğine aykırı bir durum yaratmaktadır, ama yargı böyle işliyor günümüzde.”

<sup>222</sup> Ceza Muhakemesi Kanunu (Criminal Procedure Code), Article 58/3,

Ayla Akat ATA : No, I was exposed to gas bomb. My voice heightened up. And the gas bomb...

Nadir YILDIRIM : I mean it, were you exposed?

Ayla Akat ATA : I shouted a lot, so my voice got hoarse.

Nadir YILDIRIM : What is up? Is there any problem?

Ayla Akat ATA : There are custodies, injured ones... we visited the injured but I think ... There are the ones whose houses are stoned. Everybody is fine, here is very good.

Nadir YILDIRIM : Have you got any problems?

Ayla Akat ATA : No, no... arrived at some places. There is nothing.

Nadir YILDIRIM : Okay, okay, okay.

EVALUATION: Out of this speech, it is obvious that in the course of demonstrations organized and led by KCK/TM executives on the grounds that Abdullah Ocalan, the ringleader of PKK, caught in Kenya on 15.02.1999 and brought to Turkey to be imprisoned in Imrali Closed Prison was caught by an international conspiracy, Ayla Akat ATA who is an MP of DTP organized the demonstrations in Batman on February 14, 2009 through KCK/TM executives and she actively participated in them. It is clear that the demonstrations by her and KCK/TM executives were appreciated, there were injuries and custodies; and their goal to drive a wedge between the state and the people was achieved.<sup>223</sup>

Nadir Yıldırım was the political advisor of dissolved DTP and Ayla Akat Ata was the Batman deputy of DTP and of BDP after 2009. The evaluation of the phone record accuses them of organizing demonstrations and provoking the Kurdish people in Batman against the state. As the speech shows that they were talking about the police intervention and the gas bombs thrown by the police. There are no words which state that Yıldırım was one of the managers of the KCK and Ata was moving

<sup>223</sup> In the full version of the KCK indictment provided by the KCK lawyers in Diyarbakır in December 2010.

with the managers of the KCK. Furthermore, the conversation does not give the clues, which confirmed that they organized the demonstrations and provoked the people against the state.

A part of the speech between Salih Akdogan, the suspect of the file dated 01.11.2008, and the person X, which was recorded with the tape number 344948710.

X Person	: There is conflict, there is conflict everywhere. They say one is dead.
Salih AKDOGAN	: Is that true?
X Person	: Yes, I swear it is true. A friend told that he saw it himself. He saw it in an ambulance.
Salih AKDOGAN	: Is it going on?
X Person	: Still it is going on. Besides, the crowd is gathered and they are waiting. And they have brought security staff, so that the security may...

EVALUATION: From this speech, one can understand that in the course of demonstrations and shutting the shops down in the country and Diyarbakir, organized on the grounds for the so-called abusive treatment and isolation towards the ringleader of the terrorist organization, Abdullah OCALAN, many people were injured. Besides, it is obvious that these were organized by the executives of KCK/TM and these people actively participated in the demonstrations.<sup>224</sup>

Akdoğan was the DTP Assembly member who was detained in 2009. Salih Akdoğan asked questions and got information about the demonstration. Unlike the evaluation of the police and prosecution of the case, they do not state in this conversation that they organized the demonstration, and they are the executives of the KCK/TM. Put differently, these two conversations recorded through phone tapping and presented to

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<sup>224</sup> Ibid.

the court as the proofs of their membership of the KCK/TM and of their activities which served the purposes of the KCK, although they do not include information that points out their inclusion in a criminal activity. At the same time however, the average sentence proposed for each KCK detainee is their imprisonment for 15 years at least.<sup>225</sup> Another KCK lawyer, Barış Güngör, asserts that:

The KCK operations functions in the way that: they come to your home at 5.00 in the morning upon the statements of the secret witnesses and take you under custody. Then, they show your photos taken in the meetings and demonstrations and the notes that you took in the meetings, and accuse you of being the member of the KCK. They also take your phone and computer and look at the names and check whether they have something in their hands about those names.<sup>226</sup>

As the lawyers state, the process of the KCK operations and trials have functioned through beginning from ‘the person’ to reach ‘the crime’. In other words, besides the ways through which the police formed the proofs, the ÖYM have the exceptional authorities, including ignoring the “presumption of innocence” and “the right to trial in a reasonable time” which are the judicial rights of the citizens in Turkey. The CMK denotes that the detention of a suspect requires a strong doubt of crime and the reasons for the detention, and ‘the presumption of innocence’ cannot be underestimated in the case of a trial.<sup>227</sup> In addition, the CMK also states that the time

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<sup>225</sup> “Sur Belediye Başkanına 15 yıl hapis istemi”, *Haber Türk* (March 2, 2012), <http://www.haberturk.com/gundem/haber/721046-sur-belediye-baskanina-15-yil-hapis-istemi> ; BDP’li Başkana 20 yıl hapis istemi”, *Hürriyet* (October 29, 2010), <http://www.hurriyet.com.tr/gundem/16166175.asp> ; “Baydemir’e 28 yıl hapis istemi”, *Sabah* (November 8, 2011), <http://www.hurriyet.com.tr/gundem/19191847.asp> .

<sup>226</sup> From the interview conducted with Barış Güngör in Diyarbakır in February 2012: “KCK operasyonları şöyle yürütülüyor: Sabahın 5’inde evine geliyorlar, gizli tanıkların ifadesi doğrultusunda ve seni gözaltına alıyorlar. Sonra eylem ve toplantılarda çekilen fotoğraflarını ve varsa toplantı notlarına gösteriyorlar ve seni KCK üyesi olmakla suçluyorlar. Aynı zamanda telefonuna ve bilgisayarına el koyuyorlar ve rehberini kontrol ediyorlar, isimlere dair herhangi bir şey bulabilirler mi diye.”

for the detention cannot exceed two years (If required, this time may be extended to three years by showing the reasons for the extension).<sup>228</sup> Contrastingly, the KCK detainees have been under in the prisons for four years without the existence of ‘a strong doubt of a crime’. Abdullah Demirbaş, the Mayor of Sur and one of the KCK detainees denotes that:

I was released pending a trial six months after being arrested in April 2009. I was jailed pending trial based on the possibility of tampering with evidence and fleeing the country. I am an elected Mayor, where would I go? Now I have to get treatment abroad because of my illness, but the ban from travelling abroad is preventing me to get treatment.<sup>229</sup>

The court presented the risk of the detainees’ escape to abroad and spoliation of the evidences as the reasons for the detention of the Kurdish politicians.<sup>230</sup> The secret witness and the long detention periods without a strong doubt of a crime were presented as the exceptional authorities of the ÖYM which have violated the Turkish Criminal Procedure Law. On the other hand, the exceptions have become the Law regarding the KCK operations and the KCK trial.

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<sup>227</sup> Ceza Muhakemesi Kanunu (Criminal Procedure Code), Article 100, <http://www.ceza-bb.adalet.gov.tr/mevzuat/5271.htm>

<sup>228</sup> Ibid, Article 102.

<sup>229</sup> From the interview conducted with Abdullah Demirbaş in Diyarbakır in April 2011: “Nisan 2009’da tutuklandıktan sonra, hastalığımın ötürü 6 ay sonra tutuksuz yargılanmak üzere serbest bırakıldım. Tutuklu yargılanmamızın sebebi delilleri karartma ve yurtdışına kaçma olasılığımızın olarak sunuldu. Ben halk tarafından seçilmiş bir belediye başkanım, nereye kaçacağım? Şimdi hastalığımın ötürü yurtdışında tedavi olmam gerekirken, mahkemenin aynı nedenlerden ötürü koymuş olduğu yurtdışına çıkış yasağı tedavi olmamı engelliyor.”

Although he had a fatal disease, Demirbaş was also imprisoned in April, 2009. After 6-month detention, he released from the prison due to his illness. On the other hand, the court prevented him to go abroad to get treatment. Upon the campaigns carried out in Turkey and abroad against the ban on Demirbaş, the court removed it in March, 2012.

<sup>230</sup> “Tahliye için formül: ‘Kaçma ve karartma’ şüphesine delil şartı”, *Radikal* (June 6, 2001), [http://www.radikal.com.tr/turkiye/tahliye\\_icin\\_formul\\_kacma\\_ve\\_karartma\\_suphesine\\_delil\\_sarti-1054576](http://www.radikal.com.tr/turkiye/tahliye_icin_formul_kacma_ve_karartma_suphesine_delil_sarti-1054576)

Moreover, about 40 lawyers of the KCK detainees were detained through a KCK operation in November 2011 due to serving ‘the terrorist organization KCK’.<sup>231</sup> The court violated the rights of the detainees to be defended by a lawyer. Put differently, the detention of the lawyers showed that to defend the Kurdish politicians was also a crime for the Turkish judiciary which violated the thirty-sixth article of the Constitution of the Republic of Turkey “everyone had the right to litigation either as plaintiff or defendant and the right to a fair trial before the courts through lawful means and procedures.”<sup>232</sup>

Considering the process of the KCK trial, the documents presented as the proofs and the exceptional authorities of the ÖYM regarding the KCK detainees, the Kurdish politicians, who were detained through the KCK operations in the years between 2009 and 2013, were treated as a threat by the courts against the unity of the Turkish state. Put differently, they have been detained by the courts due to their threat against the security of the political and judicial order of the Turkish state, in spite of the fact that none of the detainees, as the proofs of the indictment show, have been included in a criminal activity. The threat was the attempts of the Kurdish movement to implement participatory politics through Democratic Autonomy model.<sup>233</sup>

Herein, being inspired by Benjamin, the courts treated the democratic struggle of the Kurdish movement to implement participatory politics through the project of the Democratic Autonomy as an alternative governance model that claims

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<sup>231</sup> ‘KCK’da avukatlara ‘BÜYÜK GÖZALTI’, *Milliyet* (November 23, 2011), <http://gundem.milliyet.com.tr/kck-da-avukatlara-buyuk-gozalti-gundem/gundemdetay/23.11.2011/1466131/default.htm>

<sup>232</sup> “The Constitution of the Republic of Turkey”, Article 36.

<sup>233</sup> The KCK Indictment, p. 604.

to compensate the failures of the representative system of the Turkish state stood as a 'law-making violence', which threatened the existing political and judicial order.<sup>234</sup> Benjamin calls the violence put by the sovereign against this 'law-making violence' as 'the law-preserving violence'.<sup>235</sup>

Schmitt and Agamben depict the sovereign as one who decides the state of exception, and determines who remains inside or outside political order by suspending the law as an exception of the basis of its self-preservation. In the light of Benjamin, Schmitt and Agamben, considering the suspension of the law by the ÖYM regarding the KCK trials, in Schmitt's words, the Turkish judiciary made a 'enemy-friend distinction' among its citizens and treated the Kurdish politicians as the enemy of the Turkish state who could be expelled from their rights which are bound to its citizenship. In other words, through declaring the democratic struggle of the Kurdish movement as a terrorist activity, the judiciary pushes the Kurdish politicians out of political and judicial order and silences their voices by suspending law. As the KCK indictment also put, the concept of 'terror' was the key here to declare resistant citizens as the domestic enemies of the Turkish state, due to the fact that the judiciary legitimizes its exceptional applications carried out during the KCK operations and the KCK trials which made the Kurdish politicians void of their constitutional rights to be judged within the borders of the judicial order.

Based on the perspective of Jakobs, the KCK detainees have been judged according to Enemy Criminal Law instead of Citizen Criminal Law. For the Enemy

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<sup>234</sup> Walter Benjamin, "Critique of Violence", in *Selected Writings: Volume 1*, ed. Marcus Bullock and Michael W. Jennings (Cambridge: Harvard University Press, 2002), p. 295.

<sup>235</sup> Walter Benjamin, "Critique of Violence", in *Selected Writings: Volume 1*, ed. Marcus Bullock and Michael W. Jennings (Cambridge: Harvard University Press, 2002), p. 285.

Criminal Law, the commitment of a crime is not necessary for the judiciary to judge the enemies, but the existence of a threat is enough.<sup>236</sup> Considering the Enemy Criminal Law, it becomes more possible to reject the Kurdish politicians on a legal basis, as much as their threat perceived by the judiciary increases.<sup>237</sup> The criminal as an enemy here is the expandable one, while the criminal as a friend is to be rehabilitated to reintegrate into the society. In this sense, the ÖYM is the executive of the Enemy Criminal Law in Turkey regarding the Kurdish democratic movement. The distinction carried out by the judiciary among the citizens also violated the tenth article of the Constitution of the Republic of Turkey underlines that:

All individuals are equal without any discrimination before the law, irrespective of language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such considerations...State organs and administrative authorities shall act in compliance with the principle of equality before the law in all their proceedings.<sup>238</sup>

The process of the trial has not begun in these four years. In addition to its exceptional authorities and unjust applications, the judiciary puts a ban on the KCK detainees that prevented them to make their defenses in their mother language, although the Criminal Procedure Law allows the detainees to defend themselves in their own language through translators.<sup>239</sup> The Kurdish was treated as an ‘unknown languages’ by the courts.<sup>240</sup> Put differently, the Turkish judiciary as an institution of the Turkish state has forced the Kurds to defend themselves in Turkish which is the

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<sup>236</sup> Günther Jakobs, “Düşman Ceza Hukuku? – Hukukiliğin Şartlarına Dair Bir İnceleme” in *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 522.

<sup>237</sup> Günther Jakobs as quoted in Jörg Arnold, ‘Beş Tezde Düşman Ceza Hukukunun Gelişim Süreçleri’, *Terör ve Düşman Ceza Hukuku*, ed. Yener Ünver (Ankara: Seçkin, 2008), p. 535.

<sup>238</sup> ‘The Constitution of the Republic of Turkey’, Article 10.

<sup>239</sup> Ceza Muhakemesi Kanunu (Criminal Procedure Code), Article 202.

<sup>240</sup> “Ve bilinmeyen dil resmen tanındı”, *Radikal* (January 25, 2013), [http://www.radikal.com.tr/turkiye/ve\\_bilinmeyen\\_dil\\_resmen\\_tanindi-1118493](http://www.radikal.com.tr/turkiye/ve_bilinmeyen_dil_resmen_tanindi-1118493).

language of the ‘sovereign’. At the same time however, the detainees have struggled to present their defenses in Kurdish. As a result of the ban of the judiciary on the defense in Kurdish and the resistance of the KCK detainees to present their defenses in Kurdish, the trial did not begin. One of the detainees denotes that:

The court tells me that Kurdish is an unknown language. You know the languages spoken across the world but you don't know Kurdish spoken on this land for thousands of years? Then I don't know Turkish.<sup>241</sup>

As a response to the unjust applications of the judiciary, the state pressure on the Kurds and on Kurdish politicians, the ban on the Kurdish language and the resistance of the state to obstruct the solution of the Kurdish Issue and cease the peace meetings with the Kurdish movement and Abdullah Öcalan, about 10,000 Kurdish detainees in the prisons presented their struggle by starting hunger strikes which have lasted 68 days. Nazan Üstündağ accordingly writes “what they are doing is not appealing to the conscience. They made themselves the sign of a great cruelty. They started to leave their bodies. While they were leaving their bodies which belong to the government, they were blowing souls into the ones who are exhausted from fighting.”<sup>242</sup> According to her, they do speak neither to the consciences of people nor the state’s one. They stand not as victims or sufferers but as strugglers who participate in struggle of the Kurdish movement outside.

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<sup>241</sup> From the interview conducted with S, municipal councillor and one of the KCK suspects, in Diyarbakır in February 2012: “Bana mahkeme diyor ki Kürtçe bilinmeyen bir dil. Ben de diyorum ki dünyanın öteki ucundaki dilleri biliyorsun da bu topraklarda binlerce yıldır konuşulan Kürtçe’yi mi bilmiyorsun? O zaman ben de Türkçe’yi bilmiyorum.”

<sup>242</sup> Nazan Üstündağ, “40. Gün”, *Bianet* (October 21, 2012), <http://bianet.org/bianet/diger/141582-40-gun>

## Neighborhood Assemblies in Diyarbakır: Struggle as a Freedom Practice

The failure of the representative system in containing and reflecting the voices of citizens in the governance, and the consolidation of power in the hands of a few, who direct their power against the Kurds and other subalterns in violent way are the crucial points in leading the Kurds to struggle for Democratic Autonomy. KCK detainees denoted in their common defense presented to the court that:

To turn freedom, sharing, solidarity, equality, justice, peace and participation which are the values of a democratic civilization into a lifestyle with a politics focusing on humans and society, to value the freedom of the society above the sanctity of the state, to base the social liberation on the liberation of women are the main principles of the movement.<sup>243</sup>

The ultimate end of Democratic Autonomy was defined as the free and equal society which is expected to be obtained through participation of the citizens in the decision-making processes. The neighborhood and village assemblies promoted through BDP municipalities are the main pillars of the model of “Democratic Autonomy”. As the BDP aims to reflect the voices of subalterns in the TBMM, the main function of the assemblies is to create a zone in which subalterns, as equal and free citizens, can exercise their rights and freedom.

The neighborhood assemblies were first established in 2008 by BDP municipalities as the basic stones of participatory politics through which an alternative decentralized governance model is intended to render subalterns’ voices

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<sup>243</sup> *Demokratik Siyaset ve Demokratik Toplum Savunması: KCK Savunmaları*, ed. Fatma Aktaş (Istanbul: Aram, 2012), p. 90.

able to be heard. More significantly however, neighborhood assemblies in Turkey's Kurdistan emerged as a space of collective struggle for the freedom of subaltern identities. Therefore; before going into deep discussion on the structure and functioning of the neighborhood assemblies, I will mention how the neighborhood assemblies in Diyarbakır were constructed as public spaces of struggle.

### Neighborhood Assemblies as a Space of 'Struggle'

The office of *Fatihpaşa* neighborhood assembly was in the Sur district of Diyarbakır. Due to the fact that the neighborhood assemblies were treated by the state as illegal organizations, some assemblies did not have particular offices. Some of them including *Fatihpaşa* neighborhood assembly, on the other hand, legally institutionalized themselves through founding associations and had their own offices. The associations were called 'Equal, Free Citizen Association'.

The office of *Fatihpaşa* neighborhood assembly is a kind of inn. The middle of the office is an open-air hall in which there are more than 50 chairs; the rooms and kitchen circle the hall. The meetings are usually held in this hall. It is also the place where the spokespersons of the assembly meet their guests during fine weather. The room located at the left corner of the hall is used as a small library, classroom and meeting hall for youth of the neighborhood. In the middle of the room there is a table with chairs. On the table, there were several editions of *Özgür Gündem*<sup>244</sup> newspaper which is an alternative tool to the mainstream media, reflecting the news from the

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<sup>244</sup> *Özgür Gündem* is a newspaper of the Kurdish movement which mostly reports the news about the state violence, human rights violations etc., which are underestimated by the main stream media.

perspective of the excluded. At the right side of the table, there was a poster on the wall which included the message of 'An azadi, an azadi! Newroz piroz be!' (Either freedom or freedom! Happy Newroz!) and at the foot of the wall, there is a wood stove over which a teapot was put. At the left side of the table, there was a book shelf holding about 30 books including Kurdish grammar, Kurdish-Turkish/Turkish-Kurdish dictionaries and editions of *Demokratik Modernite*<sup>245</sup> journal. The marks of Kurdish identity and of Kurdish struggle stand out everywhere in the office.

Across the library, there is another room which is used as a small office and in which I conducted my interviews with spokespersons of the assembly. There was also a small table, a sofa and several seats and an edition of *Özgür Gündem* newspaper on the table. The only technological tool in the room is a 35-inch television through which they were usually watching Kurdish-broadcasting *Roj TV*. A calendar pressed by *Eğitim-Sen*<sup>246</sup> which is a trade union for education laborers and also argues for a democratic solution of Kurdish Question, leaps to attention over the table. Some photos including the photos of Seyid Rıza, Sheikh Said, Mazlum Doğan and Aydın Erdem, who are depicted as Kurdish 'martyrs' by the Kurdish movement, are hung on the wall behind the table. The existence of their photos underlines that the constituents of the assembly appropriates the previous Kurdish struggles and resistances, and takes the assembly also as a space of struggle regarding the freedom and identity of the Kurds. The spokesperson of *Hasırlı* neighborhood assembly, F, stresses that:

They arrested almost 10000 friends of ours. This number can rise fivefold if necessary. This (Hasırlı neighborhood assembly) is the road to our freedom.

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<sup>245</sup> *Demokratik Modernite* is a magazine that publishes theoretical works considering the Kurdish Issue in Turkey.

<sup>246</sup> *Eğitim-Sen* is one of the trade unions in Turkey that argues for a democratic solution of the Kurdish Issue.

We feel alive here. Let them take me as well. I will be replaced by my siblings, children and friends.<sup>247</sup>

There was also a wood stove in this room as well. The tea was heated on the stove and those who want take their tea for themselves. The office is a kind of house in which the inhabitants of the neighborhood are socialized and politicized. At the same time, as Özlem Aslan argues for the office of Mothers of Peace in Istanbul, the office of the assembly is also a kind of public space for the inhabitants of the neighborhood to make themselves and outsiders aware of Kurdish identity. The member of Diyarbakır city assembly, H, emphasizes that:

Leaving the Kurdish people out of decision making mechanisms and process is not just the about the dead ends of the representative system, it is also about their identities, their Kurdishness. Therefore, the assemblies are a way to not only to be included in decision making process but also to be included in that process with their own identities.<sup>248</sup>

At the same time however, for the case of Mothers of Peace however, Ozlem Aslan writes that:

The space enabled through the apartment serves as a meeting place for the Kurdish women. Kurdish women who are marginalized were invited to tell their stories within this space. Individuals narrated their sufferings, named

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<sup>247</sup> From the interview conducted with F in Diyarbakır in April 2011: “Şimdi 10000’e yakın arkadaşımızı içeriye almışlar. Alsınlar. Gerekirse bu sayı 5’e katlanır. Burası bizim özgürlüğümüze giden yoldur. Biz buradayken nefes aldığımızı hissediyoruz. Beni de alsınlar. Ama benim yerime benim kardeşim, çocuğum, arkadaşım gelip burada oturacak, yerim boş kalmayacaktır.”

<sup>248</sup> From the interview conducted with H in Diyarbakır in April 2011: “Kürt halkının karar alma mekanizmalarının ve süreçlerinin dışında bırakılması sadece temsili sistemin açmazlarıyla ilgili değildir; aynı zamanda onların kimlikleriyle, Kürt olmalarıyla ilgilidir. Dolayısıyla, meclisler halkın sadece karar alma süreçlerine dahil olabilmesinin değil, halkın kendi kimlikleriyle o süreçlere dahil olabilmesinin yoludur.”

their own histories and claimed the collective force to resist the sovereign power.<sup>249</sup>

According to her, the space is created and empowered by sharing the sufferings and histories of Kurdish women. Put differently, the space is created by a community of suffering. In the case of neighborhood assemblies in Diyarbakır, it is realized that the space is created by a community of struggle. Although all interviewees, including spokespersons, members of the assemblies and mayors, often emphasize the state violence experienced by the Kurds, and the state violence is one of the mutual points upon which they take part in the implementation of participatory politics. Almost none of my interviewees emphasize their victimization while they mention the state violence: instead they underline how they struggle in an organized way against this violence. They depict themselves as a side of a conflict. In other words, the spokespersons of the assemblies do not depict Kurds as the objects upon which the state violence is applied, but define them as the subjects of their struggle against this state violence.

Accordingly, the neighborhood assemblies are taken by their constituents as the free and indispensable zones, in which they struggle to remove the conditions that render them subaltern. In addition, the struggle of the people in the neighborhoods in transforming their public spaces regarding their history, freedom, and political and cultural rights has been parallel to the struggle of the Diyarbakır Metropolitan Municipality to reverse the *Turkification* policies of the state. Jongerden writes that:

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<sup>249</sup> Özlem Aslan, *Politics of Motherhood and the Experience of the Mothers of Peace in Turkey*, (M.A. Thesis, Boğaziçi University, 2007), p. 46.

In response to references to Turkish nationalism and nationalists in the naming of items in urban spaces, the Diyarbakır municipality sought to commemorate events and individuals related to the Kurdish struggle against an oppressive Turkish state. Through commemorative naming a past is brought into the present and versions of history into a setting of everyday life.<sup>250</sup>

The argument of Jongerden also puts that the pillars of Democratic Autonomy including local assemblies and municipalities exhibit practices of freedom without waiting the state to democratize itself.

### Neighborhood Assemblies as a Practice of Freedom

The process of participatory politics functions in four levels, namely neighborhood, district, city and DTK. All inhabitants in a neighborhood without exception are claimed to be “natural” members of the assembly of that neighborhood. One of the members of the administrative board of BDP Diyarbakır office, M, asserts that:

Each constituent of the neighborhood is a decision making member of that neighborhood assembly, without any discrimination. These assemblies should include the view of each individual living in that neighborhood.<sup>251</sup>

The assembly is composed of executive and legislation. The inhabitants of the neighborhood constitute the legislation of the assembly of the neighborhood. They

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<sup>250</sup> Joost Jongerden, “Crafting space, making people: The spatial design of nation in modern Turkey”, *European Journal of Turkish Studies*, 10 (2009), p. 14.

<sup>251</sup> From the interview conducted with Z in Diyarbakır in April 2011: “Mahallenin her bir bileşeni, ayırım yapılmaksızın, o mahallenin meclisinin karar verici bir üyesidir. Dolayısıyla, mahalle meclisleri, o mahalledeki bireylerinin her birinin görüşünü, kendi iradesinde bulundurmak durumundadır.”

choose representatives as delegates among themselves for each street to send their decisions and demands to the district and city assemblies. In addition, the women, children and youth of the neighborhoods send delegates to the woman, youth and child assemblies of Diyarbakır. The spokespersons of these three assemblies send delegates to the city assembly as well.

As the delegates in the models of Porto Alegre, Kerala and Chiapas, the delegates of these local assemblies are the mere agents of their constituents. While the representatives in the current representative system can make decisions by themselves in the name of their constituencies and pass the laws as “self-perpetuating elites”<sup>252</sup>, the delegates of the participatory model promoted by the Kurdish movement present the demands of their constituencies to those whom they interact with. These delegates cannot make decisions by themselves and they can be recalled at any time upon the request of the constituents of the assemblies. Mayor of Sur states that:

People want their representatives and mayors to be among people. They want to talk about their requests and complaints directly to them. This system brings more. The representatives are not decision makers to whom the people convey their requests and complaints, but mediators who are responsible to implement people’s decisions and could be suspended indefinitely by the people if necessary.<sup>253</sup>

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<sup>252</sup> Hanna Fenichel Pitkin, ‘Representation and Democracy: Uneasy Alliance’, *Scandinavian Political Studies*, Volume 27, Issue 3 (September 2004), p. 339.

<sup>253</sup> From the interview conducted with Abdullah Demirbaş in Diyarbakır in April 2011: “Halk vekilini, belediye başkanını, temsilcisini kendi içinde görmek istiyor. Talebini, şikayetini doğrudan yüzüne söyleyebilmek istiyor. Bu sistem daha fazlasını getiriyor. Temsilcileri, halkın talebini, şikayetini ilettiği bir karar verici mercii değil, halkın kararını uygulamakla yükümlü, istenildiğinde yine halk tarafından zaman kısıtlaması olmadan görevden alınabilecek araçlar olarak sunmaktadır.”

The delegates constitute the body of executive and three of them are chosen as spokespersons (*sözcü*). The executive bodies of the assemblies were constituted firstly by municipalities through volunteers in the neighborhoods. Delegates and spokespersons are expected to be chosen once in six months; however, the inhabitants as a legislative have the authority to elect a new executive when it is needed.

The district assembly comprises of delegates of the neighborhoods and municipal staff of the district. The executive of the district assembly is formed by these delegates. Contrastingly, the city assembly is composed of delegates of districts, delegates of NGOs, municipal staff of districts and city, delegates of woman's movement, of youth, child and disabled assemblies, of ethnic and belief groups, and of labor unions and political parties.

The executive and spokespersons of the neighborhood assemblies are expected to meet twice a week and the assembly meets once in a month, except extra-ordinary situations. The district and city assemblies meet once in a week. In the case of urgency, the executive of the assembly, is however, always reachable by the inhabitants. Not only the executive bodies of the assemblies but also elected BDP mayors and BDP deputies are always reachable as well. In this sense, the responsiveness and recall, which are functionless in the current representative system in Turkey, are among the most significant sanctions that the Democratic Autonomy model brought to the region.

However, the neighborhood assemblies were treated by state as illegal organizations; therefore some assemblies that were not legally institutionalized through Equal, Free Citizen Association do not have particular offices. The

assemblies, which do not have a particular office, mostly meet in representation offices of BDP or in the municipality. Because the assemblies and its meetings are treated by the state as illegal activity, the meetings are done by means of BDP or municipalities. The Sur, Kayapınar and Bağlar district assemblies meet in the offices of BDP or municipalities as well. Accordingly, the city assembly meets in the Diyarbakır city office of BDP.

The meetings are held under two titles. On the one hand, the constituents of neighborhood, district and city assemblies discuss the problems that correspond with Turkey's agenda; on the other hand, they also argue for the local problems. In other words, besides the local problems of the neighborhoods, the most significant issue on the agenda of the neighborhood assemblies is to deliberate and determine the local responses to the exclusionary and oppressive policies of the state regarding the rights and freedom of the Kurds and of other oppressed parts of society. The spokesperson of the *5 Nisan* neighborhood assembly, M, underlines that:

The people want freedom the most, meaning, we are people, we live on this land and we have a right to be free as much as other people living in other places. We also have a right to live with our identities, language and culture.<sup>254</sup>

BDP in Diyarbakır attained about 70 % of the votes in the last election in 2009 through which the inhabitants of Diyarbakır approved that their most immediate need is having rights and freedom.

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<sup>254</sup> From the interview conducted with M in Diyarbakır in April 2011: "Halk en çok özgürlük istiyor. Yani diyor ki biz insanız, biz de bu coğrafyada yaşıyoruz ve bizim de başka coğrafyada yaşayanlar gibi özgür olma hakkımız var. Kimliğimizle, dilimizle, kültürümüzle özgürce yaşamaya bizim de hakkımız var."

Due to the fact that the neighborhood assemblies are recognized only by BDP and BDP municipalities, their decisions regarding national politics are reflected to the Grand National Assembly of Turkey (TBMM) by BDP deputies, even if their implementation is not approved by other political parties. The BDP deputies have here deployed themselves between the legal sphere of the state and the illegal sphere of the local assemblies.

For example, Emine Ayna, the Mardin deputy of BDP, suggested TBMM in 2010 to investigate *Dersim 38* Operation through which tens of thousands Kurds were killed and exiled and hundreds of villages were burned in 1938. She listed her questions as that:

Why was Discipline and Banishment necessary? What happened during Discipline and Banishment? How many people were killed? How many of them were women, old and children? Where are the graves of Seyit Riza and his seven friends hanged in Elazig, in November 1937? Who planned and implement Discipline and Banishment? How many people were banished? How many parentless girls were taken to western cities by military officers? What are the consequences seen today in terms of benefit and interest of the country and people?<sup>255</sup>

Furthermore, Sırrı Sakık, the Muş deputy of BDP, proposed in 2008 to investigate the murder of Armenian journalist Hrant Dink.<sup>256</sup> Şerafettin Halis, the Dersim ex-deputy of BDP, proposed to investigate why the *Suni imams* are assigned to *Alevi* villages.<sup>257</sup> Sevahir Bayındır, the Şırnak deputy of BDP, suggested the investigation

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<sup>255</sup>[http://www.tbmm.gov.tr/develop/owa/td\\_v2.sayfa\\_getir?sayfa=600:601&v\\_meclis=1&v\\_donem=23&v\\_yasama\\_yili=&v\\_cilt=58&v\\_birlesim=045](http://www.tbmm.gov.tr/develop/owa/td_v2.sayfa_getir?sayfa=600:601&v_meclis=1&v_donem=23&v_yasama_yili=&v_cilt=58&v_birlesim=045)

<sup>256</sup>[http://www.tbmm.gov.tr/develop/owa/td\\_v2.sayfa\\_getir?sayfa=354:355&v\\_meclis=1&v\\_donem=23&v\\_yasama\\_yili=&v\\_cilt=15&v\\_birlesim=069](http://www.tbmm.gov.tr/develop/owa/td_v2.sayfa_getir?sayfa=354:355&v_meclis=1&v_donem=23&v_yasama_yili=&v_cilt=15&v_birlesim=069)

<sup>257</sup>[http://www.tbmm.gov.tr/develop/owa/td\\_v2.sayfa\\_getir?sayfa=744:747&v\\_meclis=1&v\\_donem=23&v\\_yasama\\_yili=&v\\_cilt=16&v\\_birlesim=078](http://www.tbmm.gov.tr/develop/owa/td_v2.sayfa_getir?sayfa=744:747&v_meclis=1&v_donem=23&v_yasama_yili=&v_cilt=16&v_birlesim=078)

of increasing air pollution.<sup>258</sup> In addition, Sebahat Tuncel, the Istanbul deputy of BDP, proposed to the assembly the investigation of the discrimination against the LGBT individuals. She asked Ministry of Justice that:

1. Are you planning to take any action to introduce legal assurance to enable lesbian, gay, bisexual, transvestite and transsexual citizens to have working and housing right and exist in every area of the life without being exposed to discrimination? 2. Do you have regulations on your agenda to change the negative perception and discriminative practices –sometimes making an attempt on their lives- in social sphere against lesbian, gay, bisexual, transvestite and transsexual citizens? 3. What are your plans to prevent those who use violence against lesbian, gay, bisexual, transvestite and transsexual citizens from getting reduced sentence based on the extenuating reasons?<sup>259</sup>

The BDP deputies do not only argue for the freedom and rights of the Kurds. As their proposals put, they reflect the problems of almost all excluded parts of society in the TBMM. The structure and functioning of the neighborhood assemblies is also based on the inclusion of all voices in the neighborhood. The member of municipal council of Bağlar, Z, states that:

Neighborhood assemblies are units consisting of neighborhood residents regardless of religion, language, race and ideology. The assemblies are responsible for taking everyone's problem to an upper unit. This is also the requirement to be an equal and free citizen. For instance, five *Alevi* families are living in a neighborhood of a 50.000 people and these *Alevi* citizens request a *Cemevi* for their worships, the assembly should take this into consideration and make a decision in line with the requests. Similarly, there is a Kurdish question in Turkey and Kurds are carrying out a democratic struggle for the solution. Assemblies should be sensitive to requests and problems of Kurdish people and stand up to discrimination.<sup>260</sup>

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<sup>258</sup>[http://www.tbmm.gov.tr/develop/owa/td\\_v2.sayfa\\_getir?sayfa=279:281&v\\_meclis=1&v\\_donem=23&v\\_yasama\\_yili=&v\\_cilt=26&v\\_birlesim=137](http://www.tbmm.gov.tr/develop/owa/td_v2.sayfa_getir?sayfa=279:281&v_meclis=1&v_donem=23&v_yasama_yili=&v_cilt=26&v_birlesim=137)

<sup>259</sup>[http://www.tbmm.gov.tr/develop/owa/td\\_v2.sayfa\\_getir?sayfa=835:836&v\\_meclis=1&v\\_donem=23&v\\_yasama\\_yili=&v\\_cilt=22&v\\_birlesim=116](http://www.tbmm.gov.tr/develop/owa/td_v2.sayfa_getir?sayfa=835:836&v_meclis=1&v_donem=23&v_yasama_yili=&v_cilt=22&v_birlesim=116)

<sup>260</sup> From the interview conducted with Z in Diyarbakır in April 2011: “Mahalle meclisleri din, dil, ırk, görüş farketmeksizin o mahallede yaşayan bireylerden oluşan bir kurumdur. Ayrım yapılmaksızın herkesin sorununu kendi sorunu bilip bir üst kuruma yansıtmakla veya buna karşı tutum sergilemekle

The functioning of the neighborhood assemblies depends on the ‘awareness’ of identities, rights and problems of not only the Kurds but of all excluded and marginalized collectives. The recognition of identities and problems of the communities is taken as a pre-condition in taking decisions. Although those excluded and marginalized parts of society can speak in the neighborhood assemblies, the government and the TBMM do not take steps for the demands of BDP deputies regarding the voices of those subalterns. In this sense, the excluded and marginalized parts of society are rendered silenced by the Turkish representative system, although the BDP deputies in the TBMM are reflecting the voices of those parts of society in the assembly. Put differently, the subalterns still cannot speak in Turkey at the national politics.

Accordingly, Spivak describes speaking as “a transaction between the speaker and the listener”.<sup>261</sup> According to her, speaking is not just letting the voice out of the mouth; it requires the voice to be heard by someone also as a listener. Nevertheless, listening is not just hearing. Listening requires a response, an answer. In the case of BDP deputies, their proposals or statements have remained answerless. There is no listener. Their voices are not heard. In other words, the voices of subalterns are rendered silenced in spite of the fact that those voices are reflected to the TBMM.

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yükümlüdür meclisler. Eşit özgür yurttaş olmanın gereğidir de bu aynı zamanda. Mesela 50 bin kişilik bir mahallede 5 tane Alevi yaşıyorsa ve bu Alevi yurttaşlar ibadetlerinde gerçekleştirebilmek için bir Cemevi talebinde bulunuyorsa, meclis bunu dikkate almalıdır ve talepleri doğrultusunda karar verebilmelidir. Aynı şekilde, Türkiye’de bir Kürt sorunu vardır ve çözüm için demokratik bir mücadelesi vardır Kürtlerin. Meclisler yine Kürt bileşenlerinin taleplerine ve sorunlarına duyarlı olmalı ve ayrımcılığa karşı tutum sergileyebilmelidir.”

<sup>261</sup> Gayatri Chakravorty Spivak, *The Spivak Reader*, ed. Donna Landry and Gerald Maclean (Routledge, 1995), p. 289.

From another point of view, the decisions of the neighborhood assemblies bind BDP municipalities to be implemented. Due to the fact that the municipality is the decisive body at the local level to the extent allowed by law, the decisions of the assemblies are implemented to the utmost. For instance, Armenian and Kurdish are not officially recognized languages in Turkey, although the BDP deputies have proposed to the assembly that they should be. The state does however, recognize some other languages. The civil servants who know one of 23 foreign languages including English, German or Russian, for example, are paid extra money by the state. Armenian and Kurdish are not part of that group, however. In this respect, as a result of the decision of the local assemblies, the *Sur* Municipality began paying extra money to its employees who know a second language without exception including Armenian, Kurdish or *Süryanice*. The mayor of *Sur* states that:

If civil servants who speak English, French and German are paid language allowance pursuant to principle of equality in the Constitution, the civil servants who speak Kurdish, Armenian and *Syriac* should also be paid language allowances. This is discrimination. So, as the municipality, we started to pay a small amount of language allowances to our personnel who speak Kurdish, Armenian, Hebrew and *Syriac*.<sup>262</sup>

Regarding their political and cultural rights, the Kurds or Armenians became able to speak to some extent by means of the BDP municipalities. In this sense, their decisions about the exclusionary and silencing policies of state bind the BDP municipalities. At the same time however, besides the political and cultural problems that correspond to Turkey in general, the issues discussed in the meetings of the

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<sup>262</sup> From the interview conducted with Abdullah Demirbaş in Diyarbakır in April 2011: “Anayasanın eşitlik ilkesi gereği, İngilizce, Fransızca, Almanca bilen devlet memurlarına dil tazminatı ödeniyorsa, Kürtçe, Ermenice, Süryanice bilen devlet memurlarına da dil tazminatı ödenmeli. Burada bir ayrımcılık söz konusu. Biz de belediye olarak devletin bu ayrımcılığına karşı Kürtçe, Ermenice, İbranice ve Süryanice bilen personelimize cüzi bir miktar da olsa dil tazminatı ödemeye başladık.”

neighborhood assemblies are mostly about local infrastructural problems, unemployment and poverty. Regarding these local grievances, the district assemblies and district municipalities do not transmit the decisions of the neighborhoods to the city assembly and city municipality, if the decisions do not bind Diyarbakır in general. The municipality of the district approves the plans regarding the decisions of the neighborhoods to be implemented. The decisions of the neighborhood, district and city assemblies have the primary effect on the allocation of the municipal budget.

Neighborhood assemblies inform the city assembly about their decision via delegates. As the mayor, I am a member of this city assembly. After prioritizing the problems, the municipality starts the process to implement the decisions taken. Neighborhood assemblies and municipalities complement each other in decision making process.<sup>263</sup>

In this regard, the local assemblies and municipalities create a ‘hidden law’ in the process of municipal affairs. Finchett-Maddock defines *hidden law* as “the law that evades the spotlight of the system” and presents the legal/illegal forms of *hidden law* as “the instances of resistance to social injustice”.<sup>264</sup>

The Democratic Autonomy includes a participatory budgeting process as well. Parallel to what Mayor of Sur emphasizes, the budget of the municipalities is

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<sup>263</sup> From the interview conducted with municipal councillor in Bağlar, Z, in Diyarbakır in April 2011: “Mahalle meclislerimiz mahalleleriyle ilgili kararları aldıktan sonra bu kararları delegeler üzerinden belediyemizin temsilcilerinin de içinde yer aldığı ilçe meclisine iletiyorlar. Bir belediye başkanı olarak ben de bu ilçe meclisinin mensubuyum. Sorunların aciliyetine ve önemine göre bir sıralaması yapıldıktan sonra, belediye bu sorunlarla ilgili alınan kararların yerine getirilmesi için süreci başlatıyor. Mahalle meclisleri ile belediyeler karar alma süreçlerinde birbirlerini bu şekilde tamamlamaktadır.”

<sup>264</sup> Lucy Finchett-Maddock, “Finding Space for Resistance through Legal Pluralism: The Hidden Legality of the UK Social Centre Movement”, *Journal of Legal Pluralism*, v. 61 (2010), p. 31.

allocated mostly to the poorest and neediest neighborhoods and districts of the city.

A member of the *Hasırlı* neighborhood assembly, A, states that:

I am 58 years old and live in Diyarbakir for 35-40 years. Nobody has served for this neighborhood as much as this municipality. Everyone is poor around here maybe the number one place in Turkey in terms of poverty. The municipal administration was not active in this region under the rule of other political parties. It is different now. You can take off your shoes and walk barefoot.<sup>265</sup>

As the participatory budgeting in Porto Alegre, the existence of the voices of the most disadvantaged groups in the meetings of local assemblies leads the allocation of the municipal resources towards the neediest parts of Diyarbakır. The larger part of the municipal budget is intended to be given to the neighborhoods with substandard infrastructure, over more improved neighborhoods. Accordingly, besides the budgets of the district municipalities, the budget of the Diyarbakır Metropolitan Municipality is also determined by the advices of the Diyarbakır city assembly.<sup>266</sup>

Besides the Kurdish Issue, unemployment and poverty are the biggest problems in Southeastern Anatolia. The forced migration in Southeastern Anatolia in the mid-1990s has led to a population explosion in Diyarbakır. Almost all immigrants have lost their homes, lands and jobs. Therefore, the forced migration has also led to an explosion of poverty and unemployment. In this respect, the BDP municipalities sometimes consult with the local assemblies about employment issues

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<sup>265</sup> From the interview conducted with A in Diyarbakır in April 2011: “Ben 58 yaşındayım, 35-40 senedir de Diyarbakır’da oturuyorum. Bu belediyenin yaptığı hizmeti hiç kimse yapmadı bu mahalleye. Burada herkes fakirdir, belki Türkiye’de birincidir fakirlikte. Daha önceki partiler döneminde belediyenin yüzünü görmüyorduk burada. Yollarda çamurdan yürüyemiyorduk. Ama şimdi öyle değil. Ayakkabını çıkar, ayakkabısız yürü.”

<sup>266</sup> <http://www.haberler.com/diyarbakir-buyuksehir-belediyesi-2010-butcesini-haberi/>

as well. The neighborhood assemblies affect the recruitment of the employees for the municipality. Put differently, the process of the recruitment of the employees for the municipalities also functions in a participatory way. For example, during the recruitment of the employees for the Sur municipality, the municipality assigns a quorum for each neighborhood assembly to choose employees among the neighbors to work in the municipality. The spokesperson of the *Fatihpaşa* neighborhood assembly, F, puts that:

This neighborhood might be the poorest in Turkey. It is not unusual for people to come to city assembly asking for a job. The municipality does not have the chance to provide work for everyone, but when the municipality is hiring, they consider the opinion of the assembly. For instance, the municipality will hire 15 people and each city assembly has a quota of three. The assembly chooses the people who are most in need. It was not like that before. Municipalities used to do the hiring on their own.<sup>267</sup>

The participation of the people in the decision-making process has created the opportunity for the neediest people of the neighborhoods to be employed in the municipalities. In addition, the employment of the inhabitants, especially woman inhabitants, is also provided through cooperative systems. For instance, *Bağlar* Woman Cooperative and *Sur* Woman Production Cooperative have been founded by the *Bağlar* Municipality and *Sur* Municipality, respectively, to employ women inhabitants. The aim of the BDP municipalities for the foundation of these cooperatives was to allow women to gain their economic independence and to contribute to their family budgets.

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<sup>267</sup> From the interview conducted with F in Diyarbakır in April 2011: “Yani bu mahalle en fakir mahalledir belki Türkiye’de. Halk iş talebiyle gelmiyor meclislere dersem yalan olur. Belediyenin herkese iş verme olanağı yoktur tabiki. Ama belediye işçi aldığı zaman meclisin görüşünü dikkate alıyor. Mesela diyelim belediyeye 15 kişi lazımsa her bir meclise 3 kişi kontenjan veriyor. İçimizde en mağdur, en işe ihtiyacı olan kimlerse onları belirleyip, ona göre çalışacak işçileri seçiyor meclis. Bugüne kadar böyle bir şey yoktu. Belediyeler kendi kafasına göre yapıyorlardı işçi alımını.”

As the municipality of Sur, we took a step for woman to gain their economic freedom by making breads at their home and grow mushrooms. Now women sell their breads and mushrooms to the grocery stores preferred by the municipality. In this way, women can be economically independent from their husbands and contribute to home economics at the same time. Most importantly, these women do not need the food aid given by the government on certain conditions.<sup>268</sup>

The cooperative system promoted by Democratic Autonomy functions in coordination with the neighborhood assemblies. As neighborhood assemblies, through which the subaltern constituents of the assemblies participate in the decision-making processes to make their voice to be heard without waiting for the state to take a step towards democratization, the cooperative system also serves as an alternative economic model, promoted by the neighborhood assemblies and municipalities without waiting for the state to give an opportunity for those subalterns to be employed.

Furthermore; the cooperative system also emerges as an alternative economic model that partly challenges the capitalist system, because the means of production for *tandır* bread and mushrooms are provided by the municipality whose budget is constituted through the taxes taken from citizens. In other words, the means of production does not belong to the certain part of the society and the process is not based on the profit of some, at the exploitation of others. The process functions in a collective way for the collective profit of the constituents. The municipalities do not gain profit from these production processes. Dambiec accordingly states that:

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<sup>268</sup> From the interview conducted with Abdullah Demirbař in Diyarbakır in April 2011: “Biz Sur Belediyesi olarak, kadınların kendi evlerinde tandır ekmeđi yaparak ve mantar üreterek kendi ekonomik özgürlüklerini kazanmalarına yönelik bir girişimde bulunduk. Şimdi kadınlar kendi ürettikleri mantarları ve tandır ekmeklerini belediyenin anlaşmalı olduđu marketlere satıyorlar. Böylece kendi ekonomisini yaratan, kocasına ekonomik olarak bađlı olmayan ancak ev ekonomisine katkıda bulunan, ve en önemlisi devletin belli şartlara dayalı olarak yaptıđı makarna, pirinç gibi yardımlara muhtaç olmayan bir kadın ortaya çıkmaktadır.”

The basic reason for having cooperatives as a form of economic enterprise in an economy is to help people work together and move forward in a collective way. Cooperatives are considered to be the best form of economic enterprise because they are capable of seeking a balanced adjustment between collective spirit and individual rights.<sup>269</sup>

From another point of view, as the foundation of woman cooperatives proves, the participatory politics which functions through neighborhood assemblies and BDP municipalities also creates a space for women who are also subalterns with respect to men, to speak. *Bağlar* Municipality initiated a project in 2011 to employ women drivers for public buses and taxis and 120 women who were victims of forced migration were trained and employed within the scope of this project. Funda Ipek, the coordinator of the project underlines that “our main purpose is to employ young women, increase the number of women in employment and contribute to economic growth with the understanding of gender equality.”<sup>270</sup> Accordingly, the Democratic Autonomy aims to remove the subalternity of women by enabling them to participate in the decision-making processes through local assemblies. The district and city assemblies have a 40 % quorum for women and the woman’s movement in the Kurdish movement also asks neighborhood assemblies to choose women as delegates of neighborhoods. Children and youth also have their own quorum in these assemblies. Put differently, youths, children and women affect the decisions of the local assemblies regarding their problems and demands.

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<sup>269</sup> Dieter Dambiec, “Cooperatives: Alternative Economic Structure and Business Enterprises” (1997) available online: <http://www.proust.org/pna/cooperatives.html>

<sup>270</sup> *Bağlar* Municipality, “120 Kadın İş Sahibi Olacak” (2011), <http://www.baglar.bel.tr/bilgi721-120-kadin-is-sahibi-olacak.baglarbelediyesi>

The neighborhood assemblies also play a role in the solution of the conflicts between neighbors which are caused by marriages, fights or debts. One of the members of the 5 *Nisan* neighborhood assembly states that:

My daughter ran away and got married. I haven't seen her for two years. I didn't see her even when she had a baby. Then my friends from the assembly brought my daughter, her husband and her child to me. What was I supposed to say? She came and kissed my hand and I kissed her, that is how we made peace.<sup>271</sup>

In spite of the fact that these assemblies are effective in the solution of local problems and the policies and budget of the municipalities, and the subaltern people began speaking at the local level to some extent, the process of the implementation of participatory politics at the local level is at its beginnings. In other words, through the Democratic Autonomy model implemented by BDP municipalities, the Kurds and other subaltern communities struggle against the silencing policies of the state and try to speak by participating in the decision-making processes at a municipal level. Nonetheless, the mass participation of the inhabitants of these neighborhoods is not yet possible because of some structural, sociological, psychological and legal constraints; although they exhibit a mass demonstration against the violence of the state in the case of their political and cultural rights.

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<sup>271</sup> From the interview conducted with M in Diyarbakır in April 2011: “Benim kızım kaçtı, evlendi. İki sene görmedim ben kendisini. Bile çocuğu oldu yine görüşmedim. Sonra bu bizim meclisten arkadaşlar kızımı, kocasını bir de çocuğunu alıp bizim eve geldiler. Ne diyeydim? Benim kız geldi elimi öptü, ben de yüzünü öptüm, öyle barıştım kendisiyle.”

Structural and Legal Constraints Regarding the Functioning of the Local  
Assemblies and the Participation of the People

Almost all of the current neighborhood assemblies are constitutive assemblies that work to organize people at the local level to make them take part in decision-making processes. The vast majority of the members of the executive body are volunteers, and the rest of the members of the assemblies were organized people from the Kurdish movement or sympathizers of the movement. Although the constitutive assembly welcomes each inhabitant to the assembly as an agent who constitutes the decision-making body, the people who do not feel sympathy to the Kurdish movement do not attend to the meetings. Correspondingly, K, a member of municipal council of Diyarbakır Metropolitan Municipality, K, asserts that:

Neighborhood assemblies are not a party or an ideological organization. We expect citizens of every walk of life to attend the meetings and we are working on this. However, mostly patriotic people attend the assemblies and the meetings. For instance, people who support AKP do not come to the meetings. They see the neighborhood assemblies as an association. However, we aim participation of everyone in decision making process as long as they respect each other's language, culture, identity and rights required to be a free and equal citizen.<sup>272</sup>

The perception that the neighborhood assemblies are associations which serve the interests of the BDP is presented as one of the reasons for low participation in the meetings. The inhabitants that support other political parties abstain from attending meetings of the neighborhood assemblies. The more remarkable factor that leads to

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<sup>272</sup> From the interview conducted with B in Diyarbakır in April 2011: “Mahalle meclisleri, bir parti veya ideolojik bir örgüt değildir. Dolayısıyla, her kesimden veya görüşten vatandaşların katılmasını beklemekte, bununla ilgili çalışmaları da mahallelerde yapmaktayız. Ancak daha çok yurtsever<sup>1</sup> bireyler katılıyor mahalle meclislerine ve bu meclislerin toplantılarına. Örneğin, bir AKP’li gelmiyor kolay kolay toplantıya. Mahalle meclislerini, bir dernek olarak görüyor. Halbuki biz birbirinin diline, kültürüne, kimliğine ve eşit, özgür yurttaş olmayı gerektiren haklarına saygı duydukları sürece, her kesimin bu karar alma süreçlerine katılımını amaçlamaktayız.”

low participation however, is the perception that they are to be governed by someone else. The spokesperson of the *5 Nisan* neighborhood assembly, M, accordingly states that:

People were ruled, tyrannize and exploited by the government for years. They were not involved in decision making process before. They got used to someone else to decide for themselves. The most difficult thing for us is to tell them that the assemblies are the place that they can make their own decisions.<sup>273</sup>

The inhabitants see the executive of the assembly as a municipal representative rather than a delegation body constituted by them. In other words, they present their problems to the executive body of the assembly and wait for the implementation of the solutions regarding those problems. Nonetheless, although the physical participation of the inhabitants was low, almost all participants in the meetings had to-do-lists that were constituted through the demands and views of many inhabitants. One of the members of the executive of *Hasırlı* neighborhood assembly, Z, underlines that:

When I am walking on the street someone calls my name and shows me the heap of debris or garbage in front of his house and asks me about it. I tell them to come to the meetings and talk about their problems. They say they would but they can't since they are busy. I take notes and share their complaints at the assembly meetings. They should attend the meetings like me and say something so that things can change around here.<sup>274</sup>

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<sup>273</sup> From the interview conducted with M in Diyarbakır in April 2011: "İnsanlar yıllardır devlet tarafından yönetilmiş, ezilmiş, sömürülmüş. Kendilerine dair karar alma süreçlerinin içinde bulunmamışlar daha önce. Kendi adlarına hep başkalarının karar almasına alıştırmışlar. Meclislerin, kendi kararlarını kendilerinin alabildiği bir yer olduğu algısını yerleştirmek de zorlanıyoruz en çok."

<sup>274</sup> From the interview conducted with Z in Diyarbakır in April 2011: "Mahallede yürürken biri çağırıyor beni, evinin karşısındaki molozu, çöpü gösteriyor, diyor bu ne. Gel derdini toplantıda anlat diyorum. Gelirdim ama işim çok diyor, gelmiyor. Ben not alıyorum şikayetini, talebini o vatandaşın

The to-do lists were mostly about infrastructural problems and personal problems including unemployment or disagreements between neighbors. After a two-hour discussion, the participants ranked the problems with respect to urgency. Then, the final list was constituted by the executive of the assembly to be transmitted to the district assembly and district municipality.

The participation of the inhabitants mostly tries to be provided through personal networks. In two meetings of both *Fatihpaşa* and *Hasırlı* neighborhood assemblies held in April 2011 and March 2012, there were about 50-55 men and 7-8 women. The number of participants was low in relation to the population of the neighborhood. Before the meetings start, they have asked questions to each other whether they invited their neighbors and friends to the meeting or not. One of the members of *Fatihpaşa* neighborhood assembly stresses that:

When the first meeting was to take place, the municipality board member in Sur came to my shop and said “there will be an assembly meeting tonight you should come too”. I have been in the assembly since then, now I am in the executive assembly.<sup>275</sup>

From another point of view, the participation of the inhabitants in the meetings of the neighborhood assemblies in the Sur and Bağlar districts is higher than the participation of them in the assemblies in Kayapınar. In this sense, the neighborhood assemblies of *Fatihpaşa* and *Hasırlı* in Sur district and 5 Nisan in Bağlar district are more organized than the Diclekent neighborhood assemblies in Kayapınar district. In

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ve meclis toplandığında ben aldığım bu notları toplantıdaki arkadaşlarla paylaşıyorum. Oysa benim gibi onlar da toplantılara katılmalı, sözlerini söylemeli ki bir şeyler değişebilsin bu topraklarda.”

<sup>275</sup> From the interview conducted with Y in Diyarbakır in April 2011: “İlk toplantı olduğunda bizim Sur’da belediye encümeni var, dükkana geldi, dedi akşam meclis toplantısı olacak, gelirsin sen de dedi. Odur budur meclisteyim, şimdi de yürütmedeyim.”

the meetings of Fatihpaşa and Hasırlı neighborhood assemblies there have been about 55-60 participants, whereas the participation of the inhabitants in the neighborhood assemblies has been relatively low. Regarding the low-participation in the meetings of Diclekent neighborhood assembly, one of the spokespersons of Diclekent neighborhood assembly in Kayapınar, C, asserts that:

Most of the residents' financial states are relatively good here. I mean they have regular salaries, they are not poor. Especially civil servants live here. They are usually organized in general unions or other non-governmental organizations. This does not mean that they don't care about democratic autonomy, but they don't usually attend neighborhood assembly meetings.<sup>276</sup>

Kayapınar is a recently constructed district of Diyarbakır. The middle and upper middle classes of Diyarbakır mostly live in Kayapınar rather than other regions of Diyarbakır. Accordingly, the economic conditions and education level of inhabitants, and the improved infrastructure of the neighborhood are seen as the significant reasons for the low participation in the meetings of the Diclekent neighborhood assembly. Instead of taking part in the neighborhood assemblies, the politicized inhabitants of Kayapınar are generally organized in NGOs, BDP, woman or labor assemblies or labor unions in Diyarbakır.

Women's participation in the assembly meetings is also low when compared to the participation of men from the neighborhoods. The women mostly apply to the woman assemblies and take part in them. Correspondingly, the Hasırlı laundry house was established in 2003 by the Sur municipality to allow women of the neighborhoods to wash their clothes. Furthermore, it also works as a woman

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<sup>276</sup> From the interview conducted with C in Diyarbakır in April 2011: "Buradaki çoğu oturanın maddi durumu hemen hemen iyidir. Yani düzenli maaşları vardır, fakir değiller. Memur kesimi daha çok oturuyor özellikle burada. Genelde sendikalarda veya başka sivil toplum kuruluşlarında örgütlü oluyorlar. Dolayısıyla bu demokratik özerkliği önemsemedikleri anlamına gelmiyor ama mahalle toplantılarına pek katılmıyorlar."

assembly in the Sur district. Most women in the Hasırlı neighborhood do not attend the meetings of the neighborhood assemblies, but apply to the laundry house for their problems and demands. F, staff of the laundry house and one of the spokesperson of the Hasırlı neighborhood assembly, stresses that:

Laundry houses (çamaşır evleri) are directly linked to women's movement. Women in the neighborhood usually come to us when they have problems, instead of the neighborhood assemblies. If we find out that the assembly is responsible for that particular problem, we let them know and do the follow up. Likewise, the assemblies contact us when they have a situation they can't handle. Women in Hasırlı are more comfortable to share their problems with women, therefore the laundry house is their first choice. We are also carrying out works to get women to attend the neighborhood assemblies meetings.<sup>277</sup>

The workers of the laundry house, however, participate in the meetings of neighborhood assemblies to reflect the voices of women from the neighborhood in the decisions. Furthermore, they also work in the neighborhood to raise women's participation in the assembly meetings. In addition, the women have 40 % quorum in the city assembly and the women in the neighborhoods reflect their voices to the city assembly through the delegates of women assembly. For example, in a meeting of the city assembly that I attended in Diyarbakır in July 2011, three men were sitting in the first line and then two women arrived at the meeting hall. One of them headed towards second line of the seats. Hereupon the second woman called and suggested that she sits in the first line. Put differently, while the woman's movement is struggling within the movement to open a space for women, the movement struggles also with the Turkish state to open a place not just for the Kurdish women but also

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<sup>277</sup> From the interview conducted with F in Diyarbakır in April 2011: "Çamaşır evleri doğrudan kadın hareketine bağlıdır. Mahalledeki kadınlar genelde bir sorunları olduğunda mahalle meclisleri yerine bize başvuruyorlar. Biz kadınlarla ilgili bir sorunda meclise düşen bir sorumluluk varsa, sorunu kendilerine iletip, takibini yapıyoruz. Meclisler de kadınlarla ilgili üstesinden gelemedikleri bir durum olduğunda bize yönlendiriyorlar. Hasırlı'daki kadınlar sorunlarını kadınlarla daha rahat paylaşıyor, dolayısıyla başvurdukları ilk kurum çamaşır evi oluyor. Ancak biz bir yandan da kadınların mahalle meclisi toplantılarına katılmaları için çalışma yapıyoruz."

for women in Turkey. There is a 40 % quorum for women in the BDP<sup>278</sup> and the system of co-presidency functions in the BDP and the municipalities. This was achieved through the struggle of the woman's movement in the Kurdish movement.

At the same time however, as the first part of the chapter explored, the most significant factor that has decelerated the process of the implementation of Democratic Autonomy was the KCK trial, through which the constituents of the local assemblies and DTK were detained.

### Conclusion

This chapter displayed how the state violence carried out by the judiciary criminalized and excluded the Kurds out of political and judicial order. It also underlined how the neighborhood assemblies, which were treated as illegal organizations by the state, were created as spaces of struggle through which the Kurds exercised their political and cultural rights by pushing the limits of current legal system that tried to keep them as subaltern, and by enabling the constituents of the society in the cities where the BDP was the municipal power to participate in the decision-making processes.

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<sup>278</sup> <http://www.bdp.org.tr/hakimizda/tuzuk.html>

## CHAPTER V

### CONCLUSION

This thesis was based on studying the Kurdish political movement which claimed for the rights and freedom of the Kurds and other subaltern communities in Turkey, including women and on analyzing the state violence carried out against the democratic struggle of the Kurdish movement. The case studies of this thesis accordingly consisted of the neighborhood assemblies in Diyarbakır and the process and the structure of the KCK trials.

Through these two cases, this thesis revealed that the Kurds do not depict themselves only victims of state violence, but also as strugglers against this state violence by making themselves to speak through participatory politics. It also added that the Kurdish movement tried to legalize itself by participating in the legal system; however it tried to enable its participation through implementing participatory politics at a local level which led their criminalization and illegalization by the Turkish state.

Herein, the Kurdish movement can be understood by looking at the tensions between suffering and struggling; legality and illegality; and national representation and local representation and participation. This thesis has pondered on these tensions, and argued that the struggle of the Kurdish movement to implement participatory politics at a local level has been neither exclusively about the state violence nor exclusively about freedom struggle. It has been about both of them.

The literature which focuses on state-society relations and state violence in general reveals the processes and mechanisms through which the state pushes some parts of society out of political and judicial order by using extra-ordinary measures. In this sense, their arguments uncover the victimization processes of those excluded parts of society. Not all excluded, marginalized and subordinated communities are extremely pushed out of political and judicial order by the state, like Agamben's *Homo Sacer*, however. At the same time, there are subaltern communities who have been excluded, subordinated and silenced by the sovereign and by the history as well, but have continued to struggle against those exclusionary and violent policies of the sovereign. The second chapter provided the theoretical framework of how the state excludes some parts of society out of political and judicial order and how these subaltern parts of the society create alternative political spaces through participatory politics to make themselves speak.

The Turkish state has pushed some parts of society, including the Kurds, out of political and judicial order through exclusionary, assimilative and violent policies since just before the foundation of the Republic in 1923 until the beginning of the 2010s, and had rendered them voiceless, marginalized; in other words, subaltern. At the same time however, that the Kurds have perpetually resisted against the violent policies of the Turkish state. The local rebellions, revolutionary Marxist/Leninist and Maoist resistances, armed guerrilla struggle were examples of the Kurdish resistances. The voices of the Kurds considering their subordination and struggle do not have representation in the Turkish official history. It has depicted them as 'brigands', 'traitors' or 'terrorists'. By focusing and analyzing particular events in the history of Turkey from the perspective of the Kurds, the third chapter revealed the

historical background of how the Kurds have been rendered subaltern by the state and how they have resisted.

The judicial violence carried out through the KCK trials between 2009 and 2013 and the elite-led Turkish representative system were among the basic means of the Turkish state that kept the Kurds as the subaltern parts of the society by pushing them out of political and judicial order. Furthermore, since 2005, the Kurdish movement has been struggled to implement participatory politics in the cities, districts and neighborhoods where the municipal power was the political party of the Kurdish movement, through which it aimed to make the subaltern parts of society speak. The participatory politics model initiated by the Kurdish movement was called Democratic Autonomy. Because Kurds were excluded from decision-making processes, the model gave way to Kurds to constitute alternative decision-making bodies, which would be based on the participation of all constituents of the society through neighborhood assemblies.

Due to the fact that the Kurds have been pushed out of political and judicial order and the movement organized outside these order, the first part of the fourth chapter argued how the Kurds have been excluded from the legal order by focusing on the judicial violence carried out against the Kurds after 2009. In the light of Benjamin, Schmitt, Agamben and Jakobs, it stated that the Turkish state has determined the borders of the citizenship by making enemy-friend distinction among its citizens and pushed the resistant parts of the society, including the Kurds, out of political and judicial order by treating them as ‘domestic enemies’ and making him/her void of her political rights to legitimize his/her elimination. The criminalization of the political activities of the Kurdish politicians including elected deputies, mayors and municipal councilors, the extra-ordinary measures of the ÖYM

which violated the basic principles of the law including ‘presumption of innocence’ and ‘right to trial in a reasonable time’ and the ways through which the police produced the crime proofs for those Kurdish politicians supported the arguments of this thesis. In other words, it revealed the victimization process of the Kurds by the judicial violence. Furthermore, reading the Kurdish movement just through this state literature does not leave any spaces for the resistances of the Kurds.

Based on the analysis of the process of the participatory politics in Diyarbakır, the second part of the fourth chapter argued how the participation in the decision-making processes itself became as a practice of freedom outside the legal order and state recognition, and how the neighborhood assemblies emerged as spaces of struggle.

The research that I conducted in Diyarbakır regarding neighborhood assemblies put that the neighborhood assemblies emerged as spaces which are constituted by and are also constitutive of, a community of struggle. The constituents of the assemblies did not depict themselves only victims upon whom state violence has been applied, but defined themselves also as the subjects of a struggle, although almost all of them have experienced state violence. Rather than associations including Göç-Der or Mothers of Peace whose organizations were based on the victims of state violence sharing their sufferings and creating solidarity among them; the neighborhood assemblies, as the internal designs of the offices, the language that the constituents of the assemblies used and the taken decisions of the assemblies also proved, were based on not only a community of suffering but also a struggling community. While their decisions did not bind the state at the national level, these assemblies also did not wait for the state to give them their freedom and their political and cultural rights.

The implementation of participatory politics at the local level, through which the participation of all constituents of the neighborhoods and villages in the decision-making processes at the municipal level was aimed, the implementation of cooperative systems by municipalities as an alternative economic model by enable inhabitants to create their own economy, the municipalities' recognition of the subaltern languages which were not recognized officially by the state, and the quorum for all constituents of society including women, youth, children, laborers, ethnic and religious communities to find their representation in the decision-making bodies were among the practices of freedom led by the constituents of the districts where the municipal power was the BDP.

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