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Minority Rules

By MELINE TOUMANI

Walking through the Sur district of Diyarbakir with Abdullah Demirbas was like taking an old-fashioned mayoral stroll. As the day got under way in one of the largest cities in southeastern Turkey, Demirbas passed through the narrow stone alleys, and one by one, shopkeepers stepped outside and waved. In return, Demirbas patted his chest and called out loud greetings. He stopped to compliment a cafe owner's new door frames, asked a trio of women if they were satisfied with the trash collection and teased some kids about getting to school on time. Demirbas addressed most of the locals in Kurdish, his native language, but every now and then he switched to Turkish. When I asked him why, he said he has known all his constituents long enough to remember which language each speaks.

Neither my question nor his answer was idle. Demirbas was in a legal ordeal when we spoke last summer because he had been using Kurdish in his capacity as the mayor of Sur, Diyarbakir's central district, an ancient neighborhood ringed by several miles of high basalt walls. For printing a children's book and tourist brochures in Kurdish, according to a report by the pro-Kurdish Democratic Society Party, Demirbas was accused of misusing municipal resources. For giving a blessing in Kurdish while officiating at a wedding ceremony, he was accused of misusing his position. And for proposing that his district should employ Kurdish-speaking phone operators and print public-health pamphlets in Kurdish, he was accused (and later acquitted) of aiding a terrorist organization — the Kurdistan Workers Party, or P.K.K.

The fact that a reference to terrorism should find its way into the reported accusations against Demirbas, a 41-year-old schoolteacher-turned-politician, might seem bizarrely beside the point, given the scale of the conflict between Turks and Kurds. The fighting between P.K.K. guerrillas and Turkish soldiers has raged in various forms for nearly 30 years and since 2004 has alternated between short-lived cease-fires and sporadic attacks. After 12 Turkish soldiers were killed in a devastating assault in October last year, the military began a series of airstrikes against P.K.K. camps in northern Iraq. These came after months of diplomatic wrangling in which Turkey criticized American and Iraqi leaders for not supporting its fight against the P.K.K., and the Bush administration begged Turkey not to destabilize the one part of Iraq that was fairly functional. This would seem to be far more serious than a dispute over the language of a children's book.

But the battle that Demirbas entered, waged entirely on paper and in courtrooms, is closely related to the violence. For the past two years, politicians all over southeastern Turkey, along with human rights advocates, journalists and other public figures, have been sued for instances of Kurdish-language usage so minor that they are often a matter of a few words: sending a greeting card with the words "happy new year" in Kurdish, for example, or saying "my dear sisters" in a speech at a political rally. Such lawsuits have become so common that in some cases the accused is simply fined for using the letters W, X or Q — present in the Kurdish but not the Turkish alphabet — in an official capacity. In cases involving elected politicians, like Demirbas, the language usage is sometimes considered disloyalty and can carry a prison sentence.

This miniaturist culture war and the fighting in the mountains are related because they both reflect the inability of Turkish society to integrate Kurds — about 20 percent of the country's total population and the majority in the southeast — in a way that doesn't insist on assimilation down to the last W, X or Q. For decades, Turkish law has not allowed acknowledgment of Kurds as a distinct ethnic group; from 1983 to 1991 it was even illegal to speak Kurdish in public. Until 2002, broadcasting in Kurdish was essentially banned, and only in 2003 could parents give their children Kurdish names (except, again, for names using W, X or Q). But even these small advances suggest that while the military fight has been a stalemate, the deeper cultural conflict can, with relative ease, be resolved. Such at least is the vision of Abdullah Demirbas. His may not be the effort that makes headlines, but it is probably the one that matters most.

In his huge, wood-paneled office, filled with leather couches and elegant tables, Demirbas held up a picture frame that he keeps on his desk. "I look at these photos every day," he told me. His office was buzzing with aides, television news and ringing phones, but he seemed calm and focused. The frame holds two photographs: a black-and-white picture of Musa Anter, a Kurdish writer and activist who was killed in 1992, and a school portrait, in color, of a 12-year-old boy, Ugur Kaymaz, who was killed alongside his father by the Turkish police in 2004 on the grounds that they were terrorists.

In Turkish media coverage of P.K.K. attacks, there is little discussion of Kurdish civilians being killed by Turkish soldiers — still less about why a child growing up in the southeast might be driven to sympathize with the P.K.K. The young victim in Demirbas's picture frame, Kaymaz, played a role in another of the lawsuits against the mayor. Directly across the street from the entrance to the Sur district office building, Demirbas erected a sculpture: an abstract and striking figure made of stone, with its arms curved up into the air. The statue has 13 small, identical round holes carved into it; these represent the 13 bullets with which Ugur Kaymaz was killed. The words on the statue are paragraphs from the [United Nations](#) Convention on the Rights of the Child, in Turkish. For erecting such a memorial Demirbas was accused of "misuse of municipal office and resources" once again.

Children have a special place in Demirbas's work. He served as the head of the Diyarbakir teachers' union for 18 years — he was fired for criticizing the nationalist school curriculum — and as mayor championed children's festivals, libraries, music groups and the free distribution of children's activity books in Kurdish, Turkish and Assyrian. He was likely to take the opportunity to explain why the Turkish primary-school experience is a particularly sensitive issue for Kurds. Most Kurdish children in poor, rural areas start school without knowing how to speak Turkish. Demirbas told me that on his first day of school, at age 6, his teacher lifted him up by the earlobes because he did not know how to say "my teacher" in Turkish. "I am 41 years old," Demirbas says. "But I can never forget that teacher and that school."

Demirbas's colleague Osman Baydemir is six years younger but has similar stories. A lawyer by profession, Baydemir is mayor of the greater Diyarbakir municipality, which encompasses Sur and 31 other districts. Baydemir faces more than 50 investigations and also risks prison for a long list of cultural offenses. Baydemir, too, started school without a word of Turkish. He recounted to me the informal "web of espionage" that characterized his childhood years: in his Kurdish village near Diyarbakir, a few children kept track of which kids spoke Kurdish in the village and reported the names to their teachers, who levied punishments accordingly. Baydemir, who has published health brochures and a book of baby names in Kurdish, among other materials, said that in meetings with the public in this part of the country, if politicians don't speak

Kurdish most people do not understand them: “If we carry out a public-service campaign in Turkish only, there are limited results.”

But the use of Kurdish is not simply a matter of linguistic comprehension. Sometimes it is a form of diplomacy. One of the most aggressive legal investigations against Baydemir concerned a series of public statements he made in Kurdish in March 2006. In a battle that month between P.K.K. militants and Turkish soldiers, 14 Kurds had been killed. Diyarbakir exploded in mass demonstrations that ultimately became violent. Baydemir begged the crowd — in Turkish — to settle down, to refuse further violence, to go home and rest. The crowd chanted P.K.K. slogans, like “Teeth to teeth, blood to blood, we are with you Ocalan,” referring to [Abdullah Ocalan](#), the head of the P.K.K. whom Baydemir, as a lawyer, had defended after his capture in 1999. Desperate to subdue the crowd, Baydemir switched to Kurdish. “You claimed your identity,” he told them. “With burnt hearts, you claimed your people and your pain. We are also with you. Be sure of this. But for the sake of peace, for the sake of your success, we have to listen to each other under the leadership of the party” — the Democratic Society Party, or D.T.P., Turkey’s only legal “pro-Kurdish” party. “We fear,” he went on, “that this mobilization from now on will harm our nation and our people. From now on, we all will go back to our homes quietly.” Sixteen people were killed in the rioting that subsequently spread across the southeast and into Istanbul. The mandate — the ordeal — of a mayor in a Kurdish town was clear: a kind of internal mediation of the highest order, the challenge of connecting to the hearts of the Kurdish population while governing according to the laws of the state.

Nearly all of the prominent Kurdish politicians accused of language violations are members of the D.T.P. But the latest front in the party’s legal battles is not crimes against the alphabet but the status of the D.T.P. itself. On Nov. 16, Abdurrahman Yalcinkaya, chief prosecutor of the Supreme Court of Appeals, applied to the Constitutional Court to ban the D.T.P., arguing that it is merely a suit-and-tie-clad front for the P.K.K. “The party in question has become a base for activities which aim at the independence of the state and its indivisible unity,” the prosecutor wrote in his statement.

This move to ban the pro-Kurdish party, likely to last several months in court, is in some ways less surprising than the fact that the D.T.P. made it to Parliament at all. In the past several years, at least four Kurdish parties have been banned or forced to dissolve in Turkey, always under the accusation of supporting the P.K.K. and threatening Turkey’s unity. But the D.T.P. has been different. In last July’s elections, it became the first Kurdish party to have a strong presence in Parliament in more than a decade. It did so by running its candidates as independents in order to get around a 10-percent minimum (of the total vote) that a party would need to achieve in order to actually win seats. Supporters saw its victory as a chance to address Kurdish issues in Turkey through democratic means. D.T.P. members took great pains to assert their desire to work within the law, to give voice to the economic, social and cultural concerns of their constituents and to bridge the deep chasms between their group and Turkey’s old guard, which is represented by the Republican People’s Party and the Nationalist Action Party.

But from the new Parliament’s opening session in August, the D.T.P.’s presence set in motion a circus of hostile and even juvenile behavior. At the helm of Parliament, the neo-Islamist Justice and Development Party has been the most neutral. But throughout the late summer and fall, Turkish society was captivated by play-by-play scrutiny of who would shake whose hand and who would be invited to whose parties. Some representatives of nationalist and secularist camps took to calling their D.T.P. colleagues “separatists.”

Since D.T.P. members first entered Parliament, they have been urged by everybody from the prime minister to the [European Union](#) to the United States to condemn the P.K.K. Prime Minister [Recep Tayyip Erdogan](#) and the leaders of other parties have stated repeatedly that until the D.T.P. does so, it will not be trusted. D.T.P. leaders have attempted to distance themselves from the P.K.K. without directly condemning the group: in public statements, they constantly reiterate that they are against separatism, do not want to divide the Turkish state and oppose all violence. In the autumn, D.T.P. leaders began calling fallen Turkish soldiers “martyrs,” as the military and the rest of Turkey’s establishment have always done. But that wasn’t nearly enough after an early-October attack killed 13 — the worst strike by the P.K.K. in years. Turkish television channels broadcast continuous gut-wrenching footage of soldiers’ mothers collapsing over coffins and uniformed officers comforting them. An intense climate of national mourning set in, along with a focus on national security that Kurdish activists feared would obliterate any hope for cultural reforms.

Aysel Tugluk, a young female leader of the D.T.P. and a one-time member of Ocalan’s defense team, sounded exhausted when she spoke at a conference in Istanbul later that month. She started her talk with a long string of condolences for all those who died, then went on to say: “If you force the D.T.P. to condemn the P.K.K., you deny us the possibility to take initiative in a way that could turn out to be effective.” But she added that if Kurdish cultural demands were met, the D.T.P. would be able to condemn “any force that deploys violence” and that the most important step right now would be for Kurds to be allowed to express themselves in their native language. “After 30 years, we still have violence,” Tugluk said, “so I think we should stop and ask, What was our mistake? The P.K.K. has to be taken into account from a sociological point of view; it is the result of the nonsolution to the Kurdish issue: we have to focus on the origins of that issue.” Ayhan Aktar, a sociologist at Istanbul’s Bilgi University, described the situation to me more bluntly: “If the D.T.P. condemns the P.K.K., they won’t ever be able to go to Diyarbakir again; they will get beaten up on the street by some hotheads when they set foot in town.”

Dilek Kurban, an analyst at Tesev, the research institute that was a sponsor of the event at which Tugluk spoke in October, told me that the personal element should not be discounted: “Every family in the southeast has someone in prison or in the mountains.” (“In the mountains” is a euphemism for fighting on behalf of the P.K.K.) “For them,” she continued, “the condemnation seems like a betrayal of their own sons and daughters, who, in their opinion, have paid too high a price for their national liberation. If those people are integrated into social life and civic life, I wonder how much of this problem will remain. But when there is still a conflict, both sides cling to their symbols: the Turkish flag or the photos of Ocalan.”

After the October crisis, harassment of Kurdish politicians only worsened. In December, a military court arrested the 35-year-old D.T.P. chairman, Nurettin Demirtas, on charges of forging medical documents to avoid military service. (Among politically minded, university-educated Kurds and Turks alike, it is common to evade military service.) Demirtas is now in a military jail awaiting word on a possible five-year prison sentence. Meanwhile, a photo began to circulate of a woman, dressed in a P.K.K. uniform, standing outside a camp in northern Iraq. The largest Turkish daily, *Hurriyet*, along with many other media organizations, reported that it was the D.T.P. legislator Fatma Kurtulan, leading to an official investigation. (When reporters asked Kurtulan to explain herself, she said, “You know perfectly well I’m not the person in that photo.”) In December, the Turkish chief of staff, Gen. Yasar Buyukanit, made a statement that showed what some in the military thought of the D.T.P.’s July election gains. “The P.K.K. is in the Parliament,” the general said, a charge repeated throughout the Turkish media.

But the most dubious moment in this legal battle came last month, when the chief prosecutor for Turkey's capital city, Ankara, filed a case against Ahmet Turk, a D.T.P. deputy (and former party president), for "insulting the military." The reason for the accusation was emblematic: last August, when the military held a reception celebrating Turkish Victory Day, it refused to invite D.T.P. legislators. The D.T.P.'s Turk (who is Kurdish, despite his last name) made a statement admonishing the military for excluding his party, saying, "Now it is clear who is engaging in separatism." As a result, he stands to face a two-year sentence for insulting the military by accusing it of being separatist.

When I asked Demirbas how he feels about the P.K.K. and the prospect of a separate state, his voice grew softer both in tone and in volume. "I am against separation," he says, "but it's difficult to convince people of this. I am not working for the Kurds; I am working for all people. Democracy means that when you want something for yourself, you also want it for others."

It was Demirbas's interest in others that led me to seek him out. I had heard from a friend in Istanbul that the mayor of the central neighborhood of Diyarbakir had published a map of the city in Armenian. One hundred fifty years ago, Armenians and other Christians made up about half of Diyarbakir's population, but as an ethnic Armenian myself, I was astonished that a mayor in a Turkish town had done something to acknowledge this history. Most old Armenian sites in Turkey are either abandoned altogether or labeled with signs and explanations that offer roundabout explanations without ever mentioning that a particular site was Armenian. (Even the much-lauded official renovation of an Armenian church in Van relied on the geographical term "Anatolian.") In Turkey, the "Armenian question" — whether the massacre of the Ottoman Armenian population during World War I was a state campaign — is at least as taboo as the Kurdish issue.

When Demirbas learned of my ethnic background, he took out a stack of about a hundred tourist brochures describing Diyarbakir, printed in Armenian, and handed them to me. "Please give these to Armenians in the United States," he said. He also showed me the same brochure in Assyrian, Arabic, Russian and Turkish. "Why is it," he asked by way of example, "that tourists who visit Topkapi Palace in Istanbul can get an audio listening guide in English, French, Spanish, German or Italian, but when I publish a small tourist brochure in Armenian, as a welcoming gesture to Armenian tourists who want to visit their ancestral home, I am accused of committing a crime?" (The brochures are among the many projects for which Demirbas has been accused of misusing municipal resources.) We spent the rest of the afternoon touring an area that Demirbas calls "the Streets of Culture Project." Tucked among a cluster of alleyways in his district, several ancient structures remind visitors of the Armenians, Assyrians, Chaldeans, Jews and other groups who once populated a neighborhood that is still known locally as the infidel quarter. Demirbas calls it the "Armenian quarter," at least while talking to me, and has drafted a proposal to undertake a major renovation of the area and its monuments.

"So many civilizations lived in the Sur district over millennia," he says. "Kurds, Arabs, Armenians, Chaldeans, Assyrians, Nestorians, Jews, Turks, Hanafi, Shafi'i, Alevi, Yezidi, traces of Sabihi" — occasionally he lengthens his list by repeating groups he has already named — "all these different beliefs coexisted in the Sur district of Diyarbakir. The more we lose this multicultural side of ourselves, the more we become one another's enemies."

Listening to him, I felt sure that he meant it, but also sure that he knew he was undermining the nationalist

foundations of the Turkish Republic. At first, I wondered if he was using Diyarbakir's other ethnicities to somehow soften the blow of his support of Kurdish cultural rights. But supporting the Armenian issue would hardly win him friends in Turkey, at least not friends with power. I was told that his emphasis on multiculturalism was not so much strategic as it was part of a natural long-term shift in the dynamics of Kurdish identity in Turkey. According to Hisyar Ozsoy, a scholar of Kurdish origin at the [University of Texas](#) who was as an adviser to Baydemir, Kurdish politics has been moving "from war and struggle to themes of multiculturalism," and "when you talk to Abdullah Demirbas, you hear him saying that 'this is just a kind of richness; we are very much innocent here.' This is not the kind of political actor who was operating effectively in Diyarbakir during the 1990s." Multiculturalism, according to Ozsoy, also helps Kurds gain legitimacy in the eyes of outsiders, especially Europeans: "There is always this foreign gaze on Kurds. They're looking at us like" — he mimics a baby voice — " 'Oh, these poor guys, they just want to speak in Kurdish and sing songs and dance, and then we can come and enjoy the richness of these cultures.' " In democratic societies, such an attitude might properly be criticized as condescending, Ozsoy says, but in the Turkish system, it becomes a critical force in legitimizing ethnic identity.

The European Union has been consistently supportive of Kurdish cultural rights, and Demirbas's case has held the attention of E.U. observers since 2006, when he traveled to Strasbourg to talk about using multiple languages in municipal affairs. For presenting a paper, "Municipal Services and Local Governments in Light of Multilingualism," Demirbas was sued by the Turkish minister of the interior on the grounds of "making propaganda to promote the aims of the terrorist organization P.K.K."

A European delegation visited Diyarbakir to monitor Demirbas's case, among others, and in a September report on local democracy in Turkey, it harshly criticized the legal actions against the mayor and his colleagues and called on Turkey to sign the Council of Europe's Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.

But the huge distance between such conventions and Turkish official policy was obvious when the delegation members described how officials at the Ministry of the Interior in Ankara justified the language lawsuits. The Turkish officials argued that the distinction between Kurdish and other languages was that Kurdish was only an "ethnic" language. The Europeans were not impressed with this reasoning. They wrote that the laws under which Demirbas, his district council and countless other politicians throughout the southeast had been accused were "so flawed as to be unsustainable."

Unfortunately, European support of minority rights in Turkey has its own hazards: for many Turks, it brings to mind the period when European nations sought to undermine the Ottoman empire's strength by pitting different ethnic groups against one another and against the Ottomans. The eventual collapse of the empire and the trauma of dismemberment were in many ways the foundation for Turkish nationalism, as [Mustafa Kemal Atatürk](#) sought to empower his new nation with a strong Turkish identity.

These days, each instance of criticism from European observers gets an angry response from mainstream Turks. According to the latest polls, only half of the population says it wants to join Europe, down from 70 percent a few years ago. Turks with the highest education levels were disproportionately more likely to oppose closer E.U. ties.

Even some of the most sympathetic analysts of the Kurdish problem believe that Demirbas and Baydemir have been needlessly provocative in their initiatives. One analyst with a major human rights organization said that the mayors should know better than to work blatantly outside of the system. “The Kurdish people are suffering because their leaders are not realistic about what Turkey can accept right now,” she said. This refrain is repeated by people on all sides of the problem. And perhaps Turkey is not ready for major change, but you wonder how it will ever become so. Demirbas and Baydemir, and to a lesser extent their colleagues all over the southeast, have chosen to forge new fiefs in what may ultimately prove to be a self-destructive campaign, heavily dependent on a European support whose usefulness is itself questionable.

The mayors’ efforts are as much as anything evidence of desperation. “In primary school, every day and especially on Fridays, I was supposed to say, ‘I am Turkish, and I am righteous and hardworking,’ ” Baydemir says, referring to the pledge that schoolchildren make each morning. “But all those things did not actually turn us into Turks. This system is somehow creating fake personalities. Diversity is the constitutive element of this society; and when there is that perception, then Turkey will be the model democracy.”

Baydemir can be convincing, but a surprise development in July’s parliamentary elections may have weakened calls for multicultural reform like his. To widespread surprise, a significant percentage of Kurds in the southeast did not vote for the Kurdish party. Just over half of the region did, while just under half voted for the ruling Justice and Development Party, or A.K.P. According to Kurban of the Tesev institute, this is evidence that Kurds are looking for more of the economic benefits that the A.K.P. has already delivered. “If you ask people what is more important to them — the restoration of historical sites in the Sur district or cash to send their children to school — which will they choose?” she asks, referring to the popular cash-transfer program that the ruling party has established, giving poor families stipends for sending their children to school and vaccinating their infants. She adds that the party wisely fielded a number of ethnically Kurdish candidates from the southeast, politicians who are sympathetic to Kurdish cultural rights but are working outside official Kurdish parties. “The people in the southeast who voted for the A.K.P. didn’t vote against Kurds,” she says, “they just voted for different Kurds.” The A.K.P.’s interest in Islamic rights was a significant motivator, since religion is an important part of life for many Kurds in the southeast. Perhaps above all, the A.K.P. was an outsider to the traditional centers of power. It was the underdog, and Kurds responded to the fact that a party that the nationalists hated had a chance to take over.

The A.K.P. has been kinder to the Kurds than any of the other major parties, but that isn’t saying much. The party’s commitment to minority rights in general has been spotty and varies significantly from one party leader to another. One of Erdogan’s deputy prime ministers, Cemil Cicek, for example, was until recently the justice minister under whom the much-criticized Article 301, which limits freedom of expression, gained traction among nationalist lawyers. He is also the person who in 2005 said that scholars at the country’s top universities were “stabbing the nation in the back” when they planned a conference on the Armenian issue — hardly a sign that he is ready to help loosen the grip of Turkish nationalism.

The revised constitution that the A.K.P. is currently drafting for a 2008 referendum will be the moment of truth for some of these issues, not least for Turkey’s faltering European Union bid, but it may well stop at putting a slight polish on existing laws without touching the underlying issues. For example, the use of Kurdish in municipal affairs is not addressed in the early draft, but there is a guarantee that Kurds who wind up in court could have Kurdish-speaking translators. In the meantime, Turkish courts continue to penalize

writers, politicians and human rights advocates for all manner of activities: offending the military by criticizing its operations against the P.K.K., offending the memory of Ataturk by writing about his personal life, offending Turkishness itself by discussing the Armenian issue or any number of other taboos. Lawyers working on behalf of those singled out under such laws are blocked at every turn in their investigations and are frequently subject to investigation themselves.

An extraordinary state investigation, disclosed last month, illustrates both the depth of the problem and the possibility of progress. A retired general, an ultranationalist lawyer and other prominent figures were arrested on accusations of plotting the murder of the novelist [Orhan Pamuk](#) and of being responsible for the killing of the Armenian journalist [Hrant Dink](#), whose death a year ago led to huge rallies and counterrallies and transformed the Turkish political scene. The group has also been linked to several other murders and bombings. The handling of this investigation will be the most significant test yet of Turkey's capacity to match promised reforms to action.

Demirbas was forced out of office in July. He fought the case against him into the winter of last year, through a maze of appeals, accusations of mistrial and further postponements. An Ankara-appointed vice governor moved in to do his job. He recently told me in an e-mail message that he continued to work on his projects "from a historic house inside the city walls." In public statements, meanwhile, Baydemir called his colleague "the mayor in our hearts," and by all accounts the locals still saw him that way. An election to replace him has been delayed indefinitely by Ankara-appointed authorities. Now he is returning to Strasbourg — where his troubles began in 2006, when he spoke openly about using Kurdish — to seek a judgment from the European Court of Human Rights. He always put a great deal of faith in outside intervention. He had shown me framed photos of him with these European Parliament members, the op-ed articles that he wrote and tried to publish in foreign newspapers and the giant binders in which he stores the business cards of anybody who comes to see him, no matter how insignificant the visit.

"I mean, my dismissal won't change the fact that there is cultural diversity in this country," he told me. "Like those who judged Galileo and wanted to execute him, that didn't change the fact that the earth was revolving around the sun."

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