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Turkey's Failed Peace Process with the Kurds: A Different Explanation

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In July 2015, the Turkish government, led by President Recep Tayyip Erdoğan and his Justice and Development Party (AKP), launched an unprecedented military offensive against the Kurdistan Workers' Party (PKK). In 10 cities and 39 districts of the Kurdish region of Turkey, governors declared round-the-clock and open-ended curfews that lasted for 169 days.¹ Both the Turkish Army—which deployed thousands of troops and heavy artillery—and the Air Force fought PKK-affiliated Kurdish urban militias located within the curfew sites. According to a recently published report by the Office of the United Nations High Commissioner for Human Rights (OHCHR), these military operations have claimed the lives of 2,000 people, displaced half a million others, and heavily destroyed housing stock.² Subsequent politically motivated operations have detained democratically elected representatives of Kurds, including 12 parliamentarians and 85 municipality mayors.

It is easy to forget that only two years earlier, in April 2013, the AKP government was on the verge of reaching a historic peace agreement with the PKK. Top-tier bureaucrats from the Turkish Intelligence Agency and the National Security Council sat at the negotiation table with the PKK's long-imprisoned leader, Abdullah Öcalan, to strike a deal, and the Turkish Army and PKK guerrillas subsequently declared a mutually recognized cease-fire that held for twenty-seven months, opening a space for deliberation on the political and collective rights that the Kurds would

enjoy in post-conflict Turkey.³ During this golden period in the history of the Kurdish conflict, both the Turkish state and the Kurdish movement seemed ready to disregard the red lines that had been drawn by arms since 1984.

How did a peace process that reflected the will of Turks and Kurds alike swirl into an even more destructive war in a matter of only two years? This Brief argues that the much-celebrated peace process contained in itself the seeds of its own destruction. It identifies the AKP's shift from secret to open peace talks in 2013 as a turning point that resulted in the negotiating parties' garnering record-high support from their respective constituencies. This popular support conferred a form of legitimacy upon the peace process that was conducted outside the purview of law; but the absence of legislative action delineating a roadmap for peace rendered Kurds more vulnerable to a possible breakdown in negotiations while augmenting the bargaining power of the AKP. The Brief's explanation for the collapse of the peace process is that the discrepancy between the popular support for peace and the absence of legal support allowed the strained negotiations between the AKP and PKK to fall apart when the political circumstances changed. It concludes with some reflections on the possibilities of restarting negotiations between the AKP and PKK in the aftermath of Turkey's 2017 constitutional referendum.

Actor-Oriented versus Process-Oriented Explanations

With the collapse of the cease-fire, various explanations have been offered as to who broke the peace process and why. These explanations typically revolve around the intentions of three groups of actors: leaders of the negotiating parties and their instrumental if not cynical approach to peace; the Kurdish armed forces in northern Syria and their indirect impact on PKK decision making; and the Gülen Movement, which is an Islamist social movement led by Turkish preacher Fethullah Gülen, and its infiltration into Turkish state organs. In prioritizing the role of these actors over the negotiating process itself, these explanations offer slightly varying portraits of the concerned actors' complex and conflicting interests as they came into play in the peace process.

One explanation offered for the collapse of the talks was that Erdoğan and Öcalan were invested in the peace process for reasons other than peace. Having planned to transform the Turkish political system from a parliamentary to a presidential one, Erdoğan is said to have approached the peace process as a means of materializing this transformation. According to this narrative, what was at stake for Erdoğan was enlarging his electoral base by tricking Kurdish voters with the promise of peace to support his aspiration to become a permanent president of Turkey with unprecedented executive powers. And the reason for Öcalan's involvement in this sham is alleged to have been a purely personal interest: to strike a deal that would assure his eventual release from prison. Thus, critics claim that both Erdoğan and Öcalan feigned a populist discourse to increase the appeal of a peace process that they would later use in the service of their own interests.

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Another explanation for the collapse of the peace process focused on the uprising of the People's Protection Forces (YPG) in northern Syria and its impact on the PKK's commitment to peace in Turkey. Sharing the same political ideology as the PKK, the YPG gained full control of a strip of territories on the other side of the border in a matter of a couple of years and has become the strongest ally of the United States in its fight against the Islamic State. Some argued that the swift turn of events for Syrian Kurds convinced the PKK that it would be more likely to gain autonomy for Turkish Kurds through urban warfare. The deployment of urban militias in Turkey's Kurdish region during the peace process is offered as evidence of the PKK's preparation for war.

Finally, in the aftermath of the 2016 coup attempt, some placed the blame for the collapse of the peace efforts on the shoulders of the Gülen Movement. The argument is that the peace process would soon have borne fruit if the Gülen Movement had not infiltrated the Turkish Army and then pulled it back into a war with the PKK—presumably with the aim of toppling Erdoğan or at least tainting his peace-builder reputation among the Kurds. The fact that the army commanders who had served in the Kurdish region during the collapse of the peace process have been prosecuted in the aftermath of the coup attempt on charges of membership in the Gülen Movement is viewed as evidence that Fethullah Gülen and his followers sabotaged the peace process.

There are merits to all three of these explanations for the collapse of the peace process and the return to violence. Yet these narratives fall short of explaining how, between 2013 and the 2015 national elections, the peace process survived the leaders' very different personal motivations, the emerging power of Syrian Kurds, and the Gülen Movement's war tactics. By moving the lens from the actors' hidden intentions to the manner in which the peace process was conducted, this Brief will situate the reasons for the collapse of the process and the slide back to violence within the particular characteristics of the peace process itself.

A Brief History of the Negotiations

With an estimated population of 35 million, Kurds are one of the largest ethnic groups without a nation-state in the contemporary world.⁴ At the turn of the 20th century, territories populated by Kurds fell under the jurisdiction of the modern states of Turkey, Iraq, Iran, and Syria. Contesting the concentration of power in the central state in these countries, Kurds instigated

dozens of nationalist uprisings, which were harshly repressed by their respective armies.⁵ The latest and longest one was officially launched in Turkey by the PKK in 1984. Inspired by anti-colonial Marxist liberation movements from the Cold War era, the PKK launched guerrilla warfare against what it called colonial powers in Kurdistan. Over the course of three decades, its strategy and tactics have gone through many transformations: from forming a guerrilla army for independence in the 1980s to mobilizing Kurds en masse in the 1990s, to shifting to civilian politics in pursuit of autonomy in the 2000s.

The Turkish government attempted to negotiate with the PKK for the first time when the armed conflict escalated to high-intensity warfare in the early 1990s. The most noteworthy attempt was undertaken in 1992 by President Turgut Özal, who convinced Abdullah Öcalan to declare a unilateral cease-fire.⁶ But Özal's sudden and suspicious death in 1993 pulled the parties back into war—and the efforts of succeeding state officials were all sabotaged by paramilitary forces deeply rooted within the Turkish Army, conducting what is today known as “dirty war” in Turkey's Kurdish region. During the 1990s, paramilitaries assassinated moderate Turkish military commanders, while death squads made Kurdish politicians “disappear” and eliminated any possibility for negotiation.⁷ When Turkish security forces captured Öcalan in 1999 in Kenya, the government believed that the era of failed negotiations was finally over. In the absence of its leader, the government assumed, the PKK would soon dissolve itself.

Contrary to these expectations, however, the PKK was reorganized within five years and resumed guerrilla warfare in 2004.⁸ At the time, then Prime Minister Erdoğan admitted that military means had so far failed to end the Kurdish conflict and expressed a willingness to embark on a peace process.⁹

Three main factors helped the AKP government overcome the obstacles that previous governments had faced and carry the negotiations forward. First, the AKP's efforts were less likely to be spoiled by the Turkish Army, whose connections with paramilitary forces were now under criminal investigation. The mass trials of Ergenekon and Sledgehammer curbed the power of high military commanders who had been involved in the dirty war of the 1990s.¹⁰

Second, owing to its absolute power in Parliament, the AKP avoided internal conflicts and filibusters that had hampered previous coalition governments. Finally,

drawing on Öcalan's prison writings, the PKK redefined its political strategy as securing autonomous regions for Kurds in their respective countries rather than establishing an independent and united Kurdistan. The road maps sent by Öcalan to the PKK and the AKP government identified democratization of Turkey as the ultimate goal of the Kurdish movement. Under these circumstances, the AKP was in a position to engage with the PKK to outline the terms and conditions of Kurdish autonomy in a democratized Turkey.

The delegations of the AKP and the PKK met for the first time in Oslo, Norway, in 2009 amid the ongoing war between their armed forces. With the assistance of international observers, the directors of the Turkish Intelligence Agency held meetings with the executive members of the PKK.¹¹ They discussed three main topics: cease-fire and disarmament, a new constitution and legal reforms, and reparations and reconciliation. The substance of these discussions remained unknown, as the meetings were hidden from the public, until an audio recording was leaked online in 2011. The leak proved to be a turning point in the trajectory of the peace process, as it left the AKP with only two options: to terminate the negotiations with the PKK and resume armed conflict, or to shift the peace process to another level by opening it to the participation of the public. The AKP chose the latter, moving the peace talks from Norway to Turkey and making them public.

The leak could have spoiled the peace process if the war-torn people of Turkey had not been willing to make peace. And aside from a small minority of Turkish ultra-nationalists, the disclosure of secret meetings did not cause an uproar. Instead, it facilitated the transition of the peace process to a second stage in which both Erdoğan and Öcalan sought the support of their publics by promoting people's active participation in the talks.¹² The next section will examine the steps taken to win popular support for a prospective peace agreement.

Garnering Popular Support for the Peace Process

Despite the deeply rooted discourse of national security that demonized the Kurdish movement by labeling the PKK a terrorist organization and Abdullah Öcalan the head terrorist, the negotiating parties elicited majority support for open peace talks in less than fourteen months. Even though the substance of peace talks was left ambiguous, 57 percent of Turks expressed support for them in 2014, and the level of support showed by Kurds—the direct witnesses, victims, and subjects of the war—was 83 percent.¹³ To understand why the peace process appealed to such wide majorities, it is necessary to examine the symbolic moves undertaken by the political actors to include both the Kurdish and Turkish populations in the open peace process.

The celebration of Newroz (the spring solstice) on March 21, 2013, in Diyarbakır, the political epicenter of the Kurdish movement, constituted a landmark event in the peace process. As much as marking the coming of spring, Kurds celebrate Newroz as the symbol of resistance and rebellion. Owing to that politically loaded meaning, governors often ban public gatherings on that day, and public prosecutors bring participants to trial, charging them with having engaged in terrorist propaganda.

But the year 2013 was different. The PKK and the AKP government agreed on a mutually recognized cease-fire that would be announced on March 21. The governor of Diyarbakır issued an official permission for celebrations that drew Kurds from across the country into the city. Not only were all hotels in Diyarbakır overbooked on the eve of Newroz, but the houses of Diyarbakırates were packed with guests.

On March 21, Newroz Park at the outskirts of Diyarbakır was crowded with around 1.5 million people. Outlawed flags of the PKK, which under normal circumstances would trigger a criminal investigation, colored the entire park in green, red, and yellow, and a significant number of men and women wore guerrilla outfits in addition to traditional festival clothes. Pictures of Abdullah Öcalan, PKK commanders, and Kurdish martyrs were hung on the poles surrounding the park, and posters carried by participants read: "Peace will break down unless it brings freedom to our leader." Because Öcalan had been confined to İmralı Prison since 1999, he sent what would turn out to be in retrospect a historic Newroz message with a letter that was going to be read in public on that day. In facilitating Öcalan's communication with the outside world, the AKP government was well aware that only Öcalan's own words could convince the PKK and Kurds at large that the government was sincere in its efforts to end the war.

Around noontime that day, two Kurdish parliamentarians, Sırrı Süreyya Önder and Pervin Buldan, stood up on an enormous platform to read Öcalan's letter, first in Kurdish and then in Turkish. The music being played from speakers was muted; drummers within the crowd left their instruments on the floor; and the entire park became silent. Those sitting in the VIP section of the park—including ambassadors from European countries and the United States, representatives from the Kurdistan Regional Government, and dozens of national and international press correspondents—put on their headphones for simultaneous translation while filming and photographing the crowd with their cameras.



Figure 1. The Newroz celebrations in Diyarbakır, Turkey, on March 21, 2013

Like his other writings, Öcalan's letter was interwoven with references to Kurds' ethnic identity, examples from history of the political unity of Kurds and Turks, and literary metaphors drawn from nature to emphasize their coexistence. Assuming the brotherhood of Kurds and Turks as a cultural norm, Öcalan blamed "colonial imperial powers" and their "local collaborators" for the establishment of modern nation-states, the drawing of superficial borders, and for planting seeds of animosity between the peoples of the Middle East.

Proposing joint resistance against external enemies, Öcalan proclaimed the beginning of a new period: a return to the original, untainted relationship that Kurds and Turks had arguably enjoyed under the holy flag of Islam. After this long prelude, he called on the PKK: "Today we open a door from armed resistance to democratic politics. Principles of equality, democracy, and justice will thrive. Silence weapons; let ideas speak! Now is the time to withdraw our armed forces to the other side of the border." It was unclear how this transition to democracy and equality would happen; instead, Öcalan's letter outlined what this transition entailed: a cease-fire and withdrawal. His Kurdish listeners expressed their support for peace as they gleefully chanted the slogan "Long Live Apo,"¹⁴ which resounded throughout the open park.

No one from the AKP government attended the Newroz celebrations in Diyarbakır. Nevertheless, then Prime Minister Erdoğan appeared on national television within a couple of hours, praising Öcalan's call for cease-fire and withdrawal as a positive development. PKK commanders replied favorably to their leader's message and began to withdraw their guerrilla forces from Turkey—but they noted that the pace of PKK withdrawal would depend on progress in fulfilling Öcalan's demands. Neither the PKK nor the Kurds trusted the AKP or Erdoğan; it was the charismatic leadership of Öcalan, who served as the main negotiator for the Kurds, that kept them committed to the peace process.

The counterpart of Öcalan in the AKP was undoubtedly Erdoğan himself. Immediately after the PKK's declaration of a cease-fire and withdrawal, Erdoğan invited sixty-three public intellectuals and nationally acclaimed figures from Turkish popular culture to serve on a civilian commission, called the "Commission of Wise Persons," that would

communicate with the people of Turkey about the peace process. The Commission was established to assuage the nationalist and security concerns of the Turkish population, to convince the Kurdish population of the government's commitment to the peace process, and, ultimately, to encourage the constructive participation of both parties in the process.

Although it was intellectuals who undertook the responsibility for explaining the necessity and indispensability of peace in town hall meetings, popular figures became the public face of this project. The beloved arabesque singer Orhan Gencebay, for instance, wrote a song, "My Dear Turkey," to acclaim that the peace process would reunite all ethnicities that had drifted apart on account of war. The famous movie star of Yeşilçam (Turkey's Hollywood), Kadir İnanır, was on television every other day talking about the necessity to say "No" to this endless war that had claimed so many lives on both sides. His female counterpart, Hülya Koçyiğit, gave interviews to mainstream Turkish newspapers inviting Kurdish and Turkish mothers to bring peace to the country.

Between 2013 and 2015, the negotiating parties achieved remarkable progress in the peace process through their meticulous choice of tactics, symbols, and language, which combined to generate a consensus that peace was a common good. As Commission member Deniz Ülke Arıboğan noted, the charismatic leadership of Erdoğan and Öcalan helped Turks and Kurds support the peace process in spite of their mutual distrust.¹⁵ Town hall meetings, rallies, and the results of polls indicated that the process had become legitimate in the eyes of the people. More precisely, the process acquired legitimacy as people expressed their support for peace in polls, participated in town hall meetings, and rallied in the streets. The next section will argue that what was missing was a robust legislative initiative that could lead to a permanent peace agreement. It will show how the discrepancy between popular support and legislative inaction made the negotiation table unsteady.

The Extralegality of the Peace Process

By the time the peace process collapsed in July 2015, no legal framework or interim agreement had yet been established or concluded by the negotiating parties. While the AKP government has been protected by legal immunity, the Kurdish political actors involved in the negotiations have been subjected to criminal investigations. Öcalan's communication with the outside world has been cut off; Kurdish parliamentarians have

been detained on charges of membership in a terrorist organization; and democratically elected mayors in the Kurdish region have been replaced by state-appointed trustees. The two Kurdish politicians who read Öcalan's Newroz letter aloud in 2013 have faced terrorism charges providing up to forty-year imprisonment.¹⁶ In the absence of legislative ratification, the legitimacy conferred upon the negotiations, and by extension upon their Kurdish political participants, has been revoked.

Popular attitudes and legislative actions can be complementary in reaching a peace agreement. The history of different peace processes has shown that well-articulated legal frameworks may not guarantee the peace unless peace is supported by the public;¹⁷ the binding power of framework documents is weak and cannot keep the negotiating parties from resuming conflict. Moreover, the objectives and procedures in such documents are vaguely defined and open to divergent interpretations on the part of the conflicting parties.¹⁸ Legislative action can be a painstaking route, but it is worth undertaking: An agreement stipulated by the state to negotiate with a guerrilla organization can assuage the power disparity between state and non-state actors which so often afflicts negotiations.

Contrary to common belief, the AKP conducted the peace process outside the purview of law for almost five years. From the beginning of secret negotiations in 2009, however, the extralegal character of the peace talks put at grave risk the delegation of the AKP engaged with commanders of the PKK who had been officially listed as the most wanted "terrorists" by Turkey. When information on their secret meetings in Oslo leaked online, a prosecutor in Ankara issued an arrest order for the chief director of the Turkish Intelligence Agency pursuant to a charge of treason. At that point, the AKP government promptly stepped in to stop the criminal investigation by amending the procedures regarding prosecution of intelligence agents. After new legislation was passed in 2011, such investigations have become conditioned on the approval of the Turkish prime minister.

This was the first, but not the last, time that the need emerged for amending existing Turkish laws. Insofar as the PKK remained on the terrorist list, anyone involved in the open peace process (2013–15) could have been accused of aiding or being a member of a terrorist organization. In July 2014, the AKP government enacted legislation providing legal immunity to all state officials participating in negotiations.

Yet, neither this law nor the previous one extended any immunity to Kurdish political actors. The only

protection that Kurds obtained was a fictive immunity that the AKP granted based on its political power over other state institutions. The government ordered the judiciary not to pursue any investigations while the peace process was underway. When Kurds rallied in the streets with the PKK's outlawed flags, public prosecutors and the police acted as if the law on terrorist propaganda was no longer applicable so as to avoid pressing criminal charges. When Kurdish detainees were brought before criminal courts, judges acted as if it was no longer a crime to defend the political cause of the PKK. When serving at observation towers, soldiers pretended that guerrilla fighters had not illegally crossed the border. This politics of "as if" helped the AKP government keep the negotiations intact, while at the same time rendering Kurds more vulnerable to their collapse.¹⁹

The AKP government reached the limits of "as if" politics in 2015. Not only were Kurds still excluded from the protection of law, but also the peace process was deprived of a road map. In the absence of any interim agreement that would clarify the status of Öcalan, of the PKK, and of the Kurdish population in post-conflict Turkey, the PKK slowed the withdrawal of its forces to the Iraqi side of the border. In February of that year, Öcalan sent a final letter that could have served as a road map. He focused mainly on the steps that the government should take toward Turkey's democratization, including the writing of a new constitution and the passing of legal reforms, and requested the inclusion of a third party that would oversee the negotiations. Representatives from the AKP government and the Kurdish political party (the HDP, or People's Democratic Party) announced their commitment to Öcalan's road map on national television on February 28, 2015. Shortly afterwards, however, President Erdoğan declared the agreement null and rejected the proposal of third-party mediation. No concessions were going to be made, Erdoğan said, until all armed forces of the PKK left the country. The cease-fire was still effective, but negotiations came to a halt in April 2015. It was under such strained circumstances that Turkey held national elections on June 7, 2015.

The election results were promising in one respect so far as the peace process was concerned, in that the total number of seats won by the AKP and the HDP—338 out of 550—was enough to establish a coalition government; this could be read as the continuation of popular support for the peace process. Yet, when it came to the distribution of seats among political parties, things looked a bit more complicated. The results showed that the AKP lost the absolute majority necessary to form a

one-party-government for the first time in thirteen years. By receiving 13 percent of the vote, the HDP, on the other hand, passed the 10 percent threshold required for a party to take up seats and has become the second largest opposition party in Parliament.

The much-celebrated peace process, which had a populist character from the very beginning, came to an end when the AKP lost majority power. In the immediate aftermath of the June 2015 elections, the AKP terminated the peace process, launched a new war against the PKK, and declared early elections for November 2015. Between June and November, war between the Turkish government and the PKK unfolded with an unprecedented intensity. The Turkish Army besieged city centers and declared curfews so as to fight the urban militias situated in the Kurdish region of Turkey with full force. By February 2017, an OHCHR report noted that "an apocalyptic picture of wholesale destruction of neighborhoods" had come into being.²⁰

The PKK and AKP in Post-Referendum Turkey

This Brief has argued that the historic peace process between the AKP and PKK contained within it the seeds of its own collapse. Contrary to previous Turkish governments that had attempted to strike a deal with the PKK behind closed doors, the AKP government carried the negotiations one step further by opening them to public deliberation. Notwithstanding existing Turkish laws defining the PKK as a terrorist organization, this strategy succeeded in shifting the discourse on the Kurdish conflict from a national security problem to one involving the rights and freedoms denied to a minority. But the AKP failed to enact laws delineating specific rights and freedoms that the Kurds would enjoy in post-conflict Turkey. And in the absence of any legal framework, the fate of the peace process was dependent on the popularity of the AKP at the ballot box, thus rendering the process susceptible to the public's shifting political preferences. When the AKP lost majority power in Parliament by only a few percentage points, Erdoğan terminated the negotiations.

In the immediate aftermath of the 2017 constitutional referendum, one of the pressing issues on the AKP's agenda is, once again, a solution to the Kurdish conflict. The question is whether the AKP will pursue another war or embark on a new series of peace talks. Since the collapse of the peace process, numerous diplomats from the European Union have urged the Turkish government to return to the peace process with the Kurds.²¹ And

after Erdoğan's victory in the referendum, civil society organizations joined in calling on the government to return to the negotiation table.²²

As of this writing, it is still uncertain whether Erdoğan will become more authoritarian and ignore any possibility of peace, or take a more moderate position in the interest of securing a victory in the 2019 elections. If reelected, Erdoğan would be able to manipulate laws as he wishes, for he would enjoy sweeping power over the legislature. Yet, the referendum results have shown that he is in need of a new political coalition to get to that point.²³

Given the critical role that Kurdish voters will play in the 2019 presidential elections, another peace process might be Erdoğan's best bet. Should negotiations be rekindled, Kurds would also have the leverage to push the AKP government to decriminalize the Kurdish movement and pass legislation undergirding a final peace agreement. Thus, the unfolding of the tension between Erdoğan's popular sovereignty and his disregard of law will shape the trajectory of the Kurdish conflict in post-referendum Turkey.

Endnotes

- 1 See the [Turkey Human Rights Foundation's report \(2017\) on human rights violations during the latest military offensive of Turkey](#).
- 2 Even though it is difficult to obtain accurate information about the death toll, the OHCHR estimates that around 800 members of the Turkish armed forces and approximately 1,200 local residents— an unspecified number of whom may have been involved in violent or non-violent actions against the state—were killed between July 2015 and December 2016. The OHCHR Report estimates that in Nusaybin (Mardin), 1,789 buildings were damaged; in Sur (Diyarbakır), 70 percent of buildings in its eastern part were destroyed. The total area of razed urban dwellings was estimated at 18.7 hectares. See http://www.ohchr.org/Documents/Countries/TR/OHCHR_South-East_TurkeyReport_10March2017.pdf.
- 3 Kevin Matthees and Günter Seufert, "Erdoğan and Öcalan Begin Talks: A Paradigm Shift in Turkey's Kurdish Policy and a New Strategy of the PKK," *SWP Comments* 13 (April 2013).
- 4 David McDowall, *A Modern History of the Kurds* (London: I.B. Tauris, 2004).
- 5 Martin van Bruinessen, "Kurdish Paths to Nation," in *The Kurds: Nationalism and Politics*, ed. Fâlih 'Abd al-Jabbâr and Hosham Dawod (London: Saqi, 2006), pp. 21–48.
- 6 Cengiz Çandar, *Dağdan İniş- PKK Nasıl Silah Bırakır? Kürt Sorununun Şiddetten Arındırılması* (Istanbul: TESEV Yayınları, 2011).
- 7 Timur Şahan and Uğur Balık, *İtirafçı: Bir JİTEM'ci Anlattı* (Istanbul: Aram Yayınları, 2004).
- 8 Ahmet Hamdi Akkaya and Joost Jongerden, "2000'lerde PKK: Kirilmalara Ragmen Sureklilik," *Toplum ve Kuram* 4 (2010): pp. 79–102.
- 9 Erdogan made a historic speech in Diyarbakır on August 10, 2005, promising to solve the Kurdish problem. See "Peace be unto you: The Turkish prime minister paves the way for a deal with the Kurds," *The Economist*, August 18, 2005.
- 10 Başak Ertür, "The Conspiracy Archive: Turkey's 'Deep State' on Trial," in *Law, Violence, Memory: Uncovering the Counter-Archive*, ed. Honni van Rijswijk and Stewart Motha (London: Routledge, 2016).
- 11 For more information on the Oslo meetings, see Jake Hess, "The AKP's 'New Kurdish Strategy' Is Nothing of the Sort": An Interview with Selahattin Demirtas [then co-president of the pro-Kurdish Peace and Democracy Party], *Middle East Research and Information Project*, May 2, 2012.
- 12 Nazan Üstündağ, "Barış Sürecinin Sorunları ve Çözüm Yolları I."
- 13 Hakan Yılmaz, "Identity in Turkey, Kurdish Question and Reconciliation Process: Perceptions and Positions," Open Society Foundation, 2014.
- 14 "Apo" is an affectionate reference to Abdullah Öcalan.
- 15 Aribogán published this report on her personal website: <http://www.denizulkearibogan.net/haberler/deniz-ulke-aribogan-in-akil-insanlar-heyeti-kisisel-raporu/>.
- 16 At the time, attaching a title of respect to his name, such as "Mr. Öcalan" or "the leader Öcalan," was sufficient to initiate a criminal investigation according to the Penal Code, Article 125, which forbids any praise of a crime or criminal. Furthermore, Öcalan was not allowed to meet anyone except his family and lawyers, whose visits had been subjected to strict security controls prior to 2013. During visits, lawyers were forbidden to take any notes, so as to prevent circulation of information outside the prison that might constitute a "security threat." None of these laws, which had previously criminalized sympathizers of Öcalan and his lawyers on grounds of terrorist activity, were lifted when Kurdish politicians met with Öcalan in prison several times between 2013 and 2015.
- 17 The most recent case is that of peace talks between the Columbian government and the FARC. Even though the parties had stipulated a robust legal framework, the peace agreement was overturned by the people in a 2016 referendum. For more information on the Columbian peace process, see Alex Fattal and Maria Vidart-Delgado, "The Columbian Peace Process: A Possibility in Spite of Itself," *Cultural Anthropology*, April 30, 2015.

- 18 Abdel Monem Said Aly, Shai Feldman, and Khalil Shikaki, “Oslo’s State-Building and Peacemaking,” in *Arabs and Israelis: Conflict and Peacemaking in the Middle East* (London: Palgrave Macmillan, 2013), pp. 306–330.
- 19 My use of the concept of “as if” politics differs from that of Lisa Wedeen’s in “Acting ‘As If’: Symbolic Politics and Social Control in Syria,” *Comparative Studies in Society and History*, 40, no. 3 (July 1998), pp. 503–523. Wedeen highlights the subversive potential that “as if” politics acquires in the hands of people living under authoritarian regimes, such as the regime of Hafez al-Assad in Syria. Departing from Wedeen’s conceptualization, I highlight the oppressive character of such politics when used by those in power.
- 20 See [Office of the United Nations High Commissioner for Human Rights, “Report on the Human Rights Situation in South-East Turkey, July 2015 to December 2016,” \(February 2017\).](#)
- 21 Speaking in the European Parliament on January 20, 2016, Neighborhood Commissioner Johannes Hahn expressed concern over growing tensions in Turkey between the government and the Kurdish community and strongly appealed for a return to the peace process. See [“Hahn Urges Turkey to Return to the Kurdish Peace Process,” January 21, 2016.](#) The European Union High Representative for Foreign Affairs and Security Policy, Federica Mogherini, said on November 29, 2015 that Turkey needed to revitalize the peace process that had been undermined by rising violence since July 2015. See [Ari Khalidi, “Top EU Diplomat Urges Turkey to Restart Peace Talks with the Kurds.”](#)
- 22 On April 24, 2017, the representatives of fifteen bar associations in the Kurdish region of Turkey urged the conflicting parties to return to the negotiation table; see [“A statement on peace process by the presidents of 15 bar associations meeting in Siirt”](#) (In Turkish). On May 13, 2017, a spokesperson for the Diyarbakır Industry and Business People’s Association (DISIAD) underlined the need to rekindle the negotiation process; see [“DISIAD President Burç Baysal: The process should be taken out of the fridge”](#) (In Turkish).
- 23 Note that the race between the supporters and opponents of the presidential system was very tight (51% to 49%). Erdoğan won the race with the help of a coalition between the AKP and the Turkish ultra-nationalist party (MHP, or Nationalist Action Party), which is currently facing organizational disintegration. For more information on the Turkish Constitutional Referendum, see [Association for Political and Legal Anthropology, “Emergency for Turkish Democracy: APLA/PoLAR Respond to the Constitutional Referendum.”](#)



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