



The continuing Kurdish problem in Turkey after Öcalan's capture

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ABSTRACT Turkey's sudden and dramatic capture of Abdullah (Apo) Öcalan in Nairobi, Kenya on 16 February 1999, far from ending the odyssey of the longtime leader of the Kurdistan Workers Party (PKK), has led to a process of continuing implicit bargaining between the Turkish government and the PKK that holds out the hope of a win-win result for all the parties involved. Turkey's EU candidacy, future democratisation and economic success have all become involved with the stay of Öcalan's execution and the continuing Kurdish problem.

Far from ending the odyssey of the longtime leader of the Kurdistan Workers Party (PKK), Turkey's sudden and dramatic capture of Abdullah (Apo) Öcalan in Nairobi, Kenya on 16 February 1999 signalled a whole new beginning in the attempt to solve Turkey's continuing Kurdish problem. The purpose of this article is to analyse this evolving situation.¹

Despite his earlier reputation as a Stalin-like, murderous terrorist, Öcalan, in retrospect, had done more to re-establish a sense of Kurdish self-esteem and nationalism in Turkey (and possibly elsewhere) than any other Kurdish leader in recent years. This was aptly illustrated by the dismay most Kurds and their supporters throughout the world showed upon hearing that he had been apprehended by the Turkish authorities. In the process Öcalan once again illustrated the old adage that one person's freedom fighter is another's terrorist, because to most Turks Öcalan seemed bent on destroying Turkey's territorial integrity through terrorist methods.

The Turkish authorities argue that their citizens of Kurdish ethnic heritage (who probably number as much as 20% of the total population in Turkey) enjoy full rights as Turkish citizens and that, therefore, there is no Kurdish problem in Turkey, only a terrorism problem. Since the mid-1970s, however, an increasingly significant proportion of Turkey's Kurds has actively demanded cultural, linguistic, and political rights *qua* Kurds. The government has ruthlessly suppressed these demands for fear they would lead to the break-up of the state itself. This official refusal to brook any moderate Kurdish opposition helped encourage extremism and, in August 1984, Öcalan launched an insurgency that by the end of 1999 had resulted in more than 31 000 deaths, as many as 3000 villages destroyed, and some 3 000 000 people internally displaced.

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Domestically, the Kurdish problem impedes the implementation of democratic and human rights reforms, while harming the economy through the expenses it involves. The Kurdish problem also limits Turkish foreign policy by giving foreign states a powerful opening with which to pressure the country, while alienating the democratic West and European Union (EU) Turkey has long aspired to join. Arguably, the Kurdish problem has become the main source of political instability in Turkey and the biggest challenge to its very future.

For a short period in the early 1990s Öcalan actually seemed close to achieving a certain degree of military success. In the end, however, the over-extended himself, while the Turkish military spared no excesses in containing him. Slowly but steadily, the Turks marginalised the PKK's military threat. Öcalan's ill-advised decision in August 1995 to also attack Massoud Barzani's Iraqi Kurdistan Democratic Party in northern Iraq, because of its support for Turkey, further sapped his strength. The final blow came when Turkey threatened to go to war against Syria in October 1998 unless Damascus expelled Öcalan from his long-time sanctuary in that country.

After a short surreptitious stay in Russia, Öcalan landed in Italy on 12 November 1998, where for a brief period it looked like he might be able to turn his military defeat into a political victory by having the European Union try him and thus also try Turkey. But in the end US pressure on behalf of its NATO ally pressured Italy and others to reject Öcalan as a terrorist undeserving of political asylum or negotiation. Indeed for years the USA had given Turkey intelligence training and weapons to battle against what it saw as the 'bad' Kurds of Turkey, while ironically supporting the 'good' Kurds of Iraq against Saddam Hussein.

Forced out of Italy on 16 January 1999, Öcalan became not only a man without a country, but one lacking even a place to land. During his final hours of freedom, Russia, the Netherlands and Switzerland all rejected him. Rather pathetically, Öcalan had become like the 'Flying Dutchman' of legend, whose ship was condemned to sail the seas until Judgment Day. Desperate, Öcalan finally allowed the Greeks to take him to their embassy in Nairobi, Kenya, where US intelligence agents had flooded into the country following the US embassy bombing there the previous summer. The USA then provided Turkey with the technical intelligence to pinpoint his whereabouts and capture him.²

During these final hours the USA ironically stood by Turkey in part because the USA needed Turkey as a runway for US planes to bomb Iraq in support of the Iraqi Kurds. The USA had to give its Turkish ally something tangible like Öcalan because at that very moment Iraq's deputy prime minister, Tariq Aziz, was in Turkey in a futile attempt to end Turkey's support for the USA. Given Öcalan's fate, the Iraqi Kurds must now wonder how much longer the USA will continue to support them once Saddam Hussein is eliminated. Öcalan's final hours of freedom illustrate again the old Kurdish maxim: 'the Kurds have no friends'.

Initial violence

Against a backdrop of Turkish national pride, Öcalan's capture initially led to a wide spasm of Kurdish violence in Turkey and Europe. Osman Öcalan, Öcalan's

younger brother and a senior PKK commander in his own right, called upon Kurds throughout the world to 'extract a heavy price from [the] Turkish state for the conspiracy it has engaged in against our leadership. Let no representative of [the] Turkish state have peace at home.'³ The PKK's sixth congress authorised its military arm, the Peoples Liberation Army of Kurdistan (ARGK) 'to wage a fight against this plot in the true spirit of an Apo fedayee ... by attacking all kinds of enemy elements ... to wage a war that will make the enemy tremble ... [and] to proceed incessantly with the *serhildan* [Kurdish *intifadah*] ... by merging it with the guerrillas.'⁴

In Berlin, Germany, Israeli guards killed three Kurds and wounded another 16 when they tried to storm the Israeli consulate. A group calling itself the 'Revenge Hawks of Apo' killed 13 people when it set fire to a crowded department store in Istanbul. Further protests occurred in London, Paris, Marseilles, Brussels, Copenhagen, The Hague, Strasbourg, Stockholm, Cologne, Bonn, Hamburg, Frankfurt, Stuttgart, Hanover, Dusseldorf, Bern, Geneva, Milan, Vienna, Leipzig, Moscow and Yerevan, among other locations.

Despite various reports of a power struggle between 'the PKK's mountain [Middle East] cadres and its European wing',⁵ or a 'leadership struggle ... being waged among [longtime number two] Cemil Bayik, Osman Öcalan, and Mustafa Karasu',⁶ the PKK quickly reconfirmed Abdullah Öcalan as its president or general secretary and named a temporary 10-member presidential council to act for him: Cemil Bayik, Osman Öcalan, Halil Atac, Mustafa Karasu, Riza Altun, Duran Kalkan, Nizamettin Tas, Ali Haydar Kaytan, Murat Karayilan and Nizamettin Ucan.⁷ Although all 10 appeared to be militants based in the Middle East, how long such a relatively large group could hold together remained unclear. Also uncertain was the allegiance of PKK members in Europe to a leadership group based solely in the Middle East. Indeed, further initial reports suggested (erroneously it turned out) that such high-ranking European leaders as Kani Yilmaz might even have been executed by the organisation for having failed to find a sanctuary for Abdullah Öcalan while he was in Europe.⁸ These problems and Abdullah Öcalan's subsequent calls to abandon the armed struggle and seek a democratic republic notwithstanding, the PKK continued to maintain its unity.

Turkish national elections

Apparently benefiting from the nationalist pride Öcalan's capture had elicited among many Turks, ultra-nationalist parties made a strong showing in Turkey's national parliamentary elections held on 18 April 1999. Ecevit's nationalist but leftist Democratic Left Party (DSP) ran first with some 22.6% of the vote, but the real surprise was the showing made by the Devlet Bahçeli's extreme right National Action Party (MHP), which garnered 18.6% and came in second. In the previous elections the MHP had not even won enough votes to enter parliament. Now—in a coalition with Ecevit's party—the MHP formed the core of the new government. On the other hand, the Islamist Virtue Party and the two more moderate parties of the right—Mesut Yilmaz's Motherland Party (ANAP) and Tansu Ciller's True Path Party (DYP)—all saw significant declines in their vote

totals from before. The result was an ultra-nationalist government with a seeming mandate to try Öcalan quickly, execute him and thus successfully end the PKK's struggle. Instead, a completely different scenario was already in progress.

Initial violence ends

When he was first captured, Öcalan, amazingly and not without some consternation among his own followers, declared: 'I really love Turkey and the Turkish people. My mother was Turkish. Sincerely, I will do all I can to be of service.'⁹ As he awaited trial in his prison cell on the island of Imrali near Istanbul, Öcalan next averred: 'A solution based on the unity and independence of Turkey, which would guarantee peace and real democracy ... is also our innermost wish.'¹⁰ He also called upon his followers to refrain from violence in the run-up to the Turkish parliamentary elections that were held on 18 April 1999. Despite the attitude of many, including some Kurds, that Öcalan was merely trying to save his own neck and had shown himself a coward, the initial violence that had broken out upon his capture stopped almost overnight.

Interestingly, while the imprisoned Öcalan had begun calling for a democratic solution to the Kurdish problem, Ahmet Necdet Sezar, the president of the Turkish Constitutional Court, openly criticised the Turkish constitution for the restrictions it placed on basic freedoms. Sezar specifically mentioned the necessity to defend freedom of speech and eliminate the use of what some have called 'thought crimes' to imprison as terrorists those who called for Kurdish cultural rights. He also lashed out at the restrictions still existing against the use of the Kurdish language, insisted on the need to conform to the universal standards of human rights, and asked for the appropriate revision of the Turkish constitution, among other points.¹¹ One year later—and largely on the basis of these comments—Sezer was elected the new president of Turkey.

In September 1999 Sami Selcuk, the chief justice of the Turkish Supreme Court of Appeals, made similar pleas to democratise the Turkish constitution. Indeed, Selcuk went so far as to assert that the present (1982) Turkish constitution was illegitimate because it was dictated by the military, and no serious debate against it had been allowed. Specifically, he argued that the constitution limits personal freedom, rather than limiting the power of the state, and thus makes Turkey a state with a constitution but not a constitutional state.¹² The similarities between Öcalan's recommendations for democracy to solve the Kurdish problem and the proposals of these two eminent Turkish jurists were striking. Indeed, the PKK responded that 'we, as a party and a people, are ready to live with pride in a Turkey, on the essential lines drawn by the chief of the appeals court'.¹³

Öcalan's evolution

When interviewed in March 1998, Öcalan admitted he had used some terrorist methods, but argued that if you looked at the historical record honestly you would see that Turkey was the real terrorist.¹⁴ Indeed, since its creation in the

1920s, Turkey has tried to obliterate the very existence of the Kurds by assimilating them, claiming they were just 'Mountain Turks', and legally banning their language, culture and geographical place names, among numerous other tactics. During the 1960s Turkish president Cemal Gürsel praised a book that claimed that the Kurds were Turkish in origin, and helped to popularise the phrase 'spit in the face of him who calls you a Kurd' as a way to make the very word 'Kurd' an insult.¹⁵ Peaceful democratic attempts to protest against such policies landed one in prison or worse. By pursuing such actions, Turkey itself radicalised its ethnic Kurdish population and sowed the seeds of Öcalan's movement.

Öcalan began his struggle as a violent Marxist committed to establishing an independent pan-Kurdish state for the some 20–25 million Kurds in the Middle East (half of whom live in Turkey) and who constitute the largest nation in the world without their own independent state. Over the years his ideas evolved, so that by the early 1990s, Öcalan was asking only for Kurdish political and cultural rights within the pre-existing Turkish borders. In part he had mellowed in the face of the hard realities imposed by the Turkish military and the outside world, hostile to any independent Kurdish state which might destabilise the volatile but geostrategically important Middle East. The Turkish state, however, saw Öcalan as insincere and felt that, if it relented even slightly in its anti-Kurdish stance, the situation would escalate into the eventual break-up of Turkey itself, as happened to its predecessor the Ottoman Empire.¹⁶

Many who really know him understand how Öcalan has come to believe that both the Turks and the Kurds would be better off living together in a Turkey that has become fully democratic. When he declared a unilateral ceasefire in March 1993, for example, Öcalan stated, 'Turkish-Kurd brotherhood is about 1000 years old, and we do not accept separation from Turkey'.¹⁷ Rather, the Kurds in Turkey 'want peace, dialogue, and free political action within the framework of a democratic Turkish state'. Complete democracy would not only solve the Kurdish problem within Turkey, but also fulfil the ultimate goal of Atatürk—the founder of the Turkish Republic—for a modern democratic Turkey that would be accepted as a member of the West.

The key to Turkey's future is to resolve the Kurdish problem democratically. From a zero-sum game that pitted Turks against Kurds, Öcalan's struggle had developed into a win-win proposition for both. Given Turkey's paucity of able political leaders, Öcalan—who after all was born in Turkey and spoke Turkish better than Kurdish—ironically might be seen as a better Turk than the Turkish leaders themselves.

During his recent trial Öcalan repeated his position. He offered 'to serve the Turkish state' by ending the Kurdish insurgency in return for real and complete democracy which, if Turkey spared his life, he argued he could then accomplish. Here was a clear strategy to achieve a just democratic peace for everyone within the existing Turkish borders. After all the Kurds are not the only ones suffering from the lack of Turkish democracy and justice.

The Susurluk scandal in 1996, for example, demonstrated how Turkish authorities hired right-wing criminals on the run to murder hundreds of perceived civilian enemies of the state in return for turning a blind eye to their drug

trafficking.¹⁸ In 1999 Oral Calislar, a leading Turkish journalist, was sentenced to prison as a terrorist because of a critical interview with Öcalan he had published more than five years ago. Akin Birdal, the president of the Human Rights Association in Turkey who was shot more than 10 times and nearly killed by ultra-Turkish nationalists in 1998, was sentenced to prison in 1999 for calling for a peaceful solution to the Kurdish problem. The state claimed Birdal was guilty of ‘inciting people to hatred on the basis of class, race, or regional differences’. Merve Kavakci, a female member of the Islamist Virtue Party, was expelled from her newly won seat in the Turkish parliament in 1999 for wearing a headscarf into that body. Supposedly, her actions demonstrated a desire to overthrow the secular Turkish Republic and establish a religious dictatorship. She was also stripped of her Turkish citizenship on the grounds that she had illegally obtained US citizenship.

Öcalan’s call for democracy

Instead of issuing a hard-line appeal for renewed struggle during his trial for treason that ended on 29 June 1999 with a sentence of death, Öcalan issued a remarkable statement that calls for the implementation of true democracy to solve the Kurdish problem within the existing borders of a unitary Turkey, and thus fulfils Ataturk’s ultimate hopes for a strong, united and democratic Turkey that can join what is now the European Union. As the centrepiece of his new attempt to reach a peaceful settlement of Turkey’s Kurdish problem, it would be useful to analyse Öcalan’s statement at some length: ‘The historical conclusion I have arrived at is that the solution for this [Kurdish] problem which has grown so big, is democratic union with the democratic, secular Republic.’¹⁹ ‘The democratic option ... is the only alternative in solving the Kurdish question. Separation is neither possible nor necessary’ (p 18).

Throughout what is actually his defence against charges of treason and separatism, Öcalan appeals to a higher, more equitable natural law over what he sees as the narrow positive or man-made law of the Turkish state. ‘I am not concerned with a legalistic defence for myself’ (p 10) because ‘the laws [of the Turkish state] ... have become an obstacle before society’ (p 46). ‘Needless to say ... legally speaking, [my] punishment is called for’ (p 123). However, ‘the real dishonesty and the real treason here is not to see what is right and not to undertake any effort towards such ends’ (p 136). ‘The narrow articles of criminal law ... expose ... the need for a democratic constitutional law’ (p 144). ‘Therefore we can talk about its [the PKK’s] moral and political legitimacy even if it was illegal’ (p 145). ‘It should not be seen as a flaw or a dilemma that I have tried to arrive at moral and political values and see them as a solution rather than delivering a defence in the legal sense of the word’ (p 153). ‘In spite of my conviction ... I have no doubt that I will be acquitted morally and politically by history’ (p 155).

Early in his exposition, Öcalan declares that ‘Leslie Lipson’s *The Democratic Civilisation* [New York; Oxford University Press, 1964] ... contributed to my understanding’ (p 11). Lipson analyses how multi-ethnic states that are truly democratic such as Switzerland can successfully transcend narrow ethno-

nationalism and achieve peace, justice and prosperity for all their citizens. Öcalan cites long passages from Lipson to illustrate why he now believes that 'the right of nations for self-determination ... which in practical terms meant establishing a separate state, was, in fact, a blind alley ... in the case of Kurdistan' (p 11). Independence, federalism and autonomy are 'backward and sometimes even obstructive ... in comparison to the rich mode of solutions democracy offered' (p 11) 'The idea of setting up a nation state ... employed ... mainly armed struggle and national wars of liberation ... The struggle that is currently going on in the Balkans clearly shows what a diseased approach this is' (p 55).

In thus now arguing, Öcalan freely admits that he has been mightily impressed with the cold war victory of the USA and the West over communism. 'Victory belongs to democracy ... This is clear when one looks at the way the US and Great Britain lead and shape the world' (p 56). 'Democracy ... led to the supremacy of the West. Western civilisation can, in this sense, be termed democratic civilisation' (p 59). 'It seems that the democratic system has insured its victory into the 2000s and cannot be stopped spreading in depth to all societies' (p 17).

Öcalan also readily admits to having made costly errors: 'Many mistakes have been made by us, by myself. They have caused great pain' (p 114.) 'I find that my principle [sic] shortcoming was during the ceasefire episode [presumably March–May 1993], in not seeing and evaluating the preparations the state was making and therefore missing an historic opportunity' (p 104). 'In its programme and its practice as well [the PKK] bears the marks of the dogmatic and ideological approach of the radical youth movement of those [cold war] years' (p 127). 'Especially in 1997, under the name of an offensive against village guards, there were attacks on civilians, among them women and children, that should never have been the target of military attacks' (p 130).

Öcalan even praises Ataturk, the founder of modern Turkey and the Turkish leader most often identified with the policy of trying to obliterate the Kurds. 'Some primitive Kurdish intellectuals ... could not share their programme with Mustafa Kemal [Ataturk] and became narrow-minded separatists ... They ended up participating in the [Sheikh Said] uprising of 1925 ... a weak affair, without a programme, disorganised and leaderless' (p 24). Öcalan argues that 'it is well known that the latter [Kurdish feudal lords] were not really acting out of nationalist fervor but were interested in achieving local dominance for their tribe' (p 54). 'One cannot ascribe to Ataturk either a particular opposition to democracy or to Kurds' (p 25). 'The acceptance of Turkish as the official language and its development were only natural' (p 73). However, 'imposing a ban on the Kurdish language until 1992 ... is not consistent with Ataturkism ... If Ataturk were alive today, he would take the most appropriate stand, the one that supports a democratic union with the Republic' (p 82).

Finally, the PKK leader also finds praise for the Turkish army. 'The army is more sensitive than the most seemingly democratic parties ... The army has taken upon itself to be the protector of democratic norms ... Today the army is not a threat to democracy, but on the contrary a force that guarantees that democracy will move on to the next stage in a healthy manner' (p 68).

Originally a child of socialism and Marxism, Öcalan further spends considerable time musing philosophically over their practical failures. ‘Socialists were prey to vapid generalisations and were slipshod in practice’ (p 38). ‘Coupled with a dogmatic outlook, Marxism lessened the chance of a creative approach to the challenges which faced us’ (p 106). He still feels, however, that ‘this of course does not mean that socialism left no positive legacy’ (p 36), since ‘the socialist experiment ... left a great experience behind it ... and will form a synthesis between its achievements and what it has to achieve’ (p 37). Indeed, Marxist thought patterns clearly remain, as Öcalan explains how ‘a new synthesis will be born out of the thesis and antithesis. The State–PKK opposition will lead to the synthesis of a Democratic Republic’ (p 46).

Öcalan still maintains, however, that ‘the PKK’s rebellion using its own methods, and leading the movement as a military force was legitimate’ (p 134). ‘Nowadays everybody talks about the radicalism of the methods of the PKK without actually seeing how the rulers behaved historically and politically’ (p 134). ‘The legitimacy of uprising against any system of repression as extensive as the “language ban” of the 1982 Constitution should be kept in mind when discussing this illegal movement’ (p 123). ‘There was a struggle to legitimately live like human beings and ... many sacrifices were made for a more democratic society and republic’ (pp 132–33). ‘History will demonstrate that this movement [the PKK] did not target the founder of the republic but was a movement aiming at curing a decaying, sick entity ... We oppose[d] ... the oligarchic, undemocratic, feudal values and structures in Turkish society’ (p 114). ‘The existing legal system and Constitution are an impediment to democratic rights’ (p 121). As for blame, ‘everybody from the highest organs of the state to the most backward, stupid, cruel persons, are all of us responsible’ (p 133).

How then does Öcalan now see the Kurdish problem and what does he seek? ‘If the obstacles to the use of the Kurdish language and culture [are removed] ... integration of the Kurdish people with the state will occur. Negative perceptions and distrust of the state will change to positive perceptions and trust. The basis for rebellion and confrontation will be finished’ (p 97). Such a ‘solution will bring wealth, unity and peace’ (p 95). ‘To win the Kurds as a people is to win the Middle East’ (p 148) and ‘a Turkey that has solved its internal problems in this manner will be [a] Turkey that has won the capacity to emerge as an internationally powerful force’ (p 151).

Öcalan himself readily admits that his analysis is ‘repetitious at times’ (p 11). This is especially true of his concept of a democratic solution to the Kurdish problem. Although he complains that in writing his declaration, ‘I have not had much opportunity [to have access to research materials]’ (p 11), others might remark on the liberality of the Turkish state in allowing him to write anything, let alone publish it. Indeed, some have argued that, since Öcalan has been incarcerated by the Turkish authorities, anything he now says is suspect. To alleviate this problem, these critics suggest that the PKK should have declared at the moment Öcalan was captured that he was no longer in a position to speak for the organisation.

Replying to sceptics, Öcalan maintains that his declaration ‘is neither a tactical

attempt to save the day or an unprincipled turn-around' (p 129). 'My effort to end the armed conflict is not an attempt to save my skin' (p 145). Indeed, his arguments are not wholly new. As mentioned above, he discussed most of them in a more embryonic form with the present author when he interviewed Öcalan in March 1998, 11 months before the Turkish authorities captured him. As early as 1991 Öcalan was arguing that independence was an inappropriate solution to the Kurdish problem in Turkey. Öcalan hopes that his declaration 'will leave for future [generations] a very precious legacy of solving the problem' (p 10), and avers that 'if I am given the opportunity, I will direct all my efforts towards attaining, and representing the democratic union of free citizens and peoples with the republic, in peace and fraternity' (p 110).

Surely Turkey is strong and wise enough to take up Öcalan's offer. Yasir Arafat, Nelson Mandela, Yitzhak Shamir and Gerry Adams were all once reviled as terrorists, but now are called statesmen. Thus, not executing him is in Turkey's national interest because, alive, Öcalan might just be able to take the steps that will end the Kurdish insurgency in Turkey. If he is executed, however, it is likely that Turkey will simply buy for itself another generation of embittered Kurds and a struggle that challenges so unnecessarily its very political, social and economic foundations. As analysed below, not executing Öcalan would also probably facilitate Turkey's long-cherished dream of admission into the European Union, as well as helping the long-suffering Turkish economy escape further damage from a never-ending guerrilla struggle.

In addition, Turkey should recall that the Kurds sit on a great deal of the Middle East's water and oil resources and have become increasingly conscious of their nationality. As the Arab-Israeli dispute winds down, the Kurds will increasingly be the ones destabilising the geostrategic Middle East—unless some simple but basic reforms are taken now. It would behoove Turkey's friends such as the USA to advise the Turks discreetly along these lines and encourage it to institute some long-overdue cultural reforms that will appear magnanimous and satisfy the legitimate demands of most of Turkey's Kurds.

Implicit bargaining

Öcalan's death sentence began a process of implicit bargaining between the state and the PKK that in truth had already begun shortly after his capture. It will be recalled that Öcalan told his captors on the flight back to Turkey that he wanted to be of service to the state. A few days later Prime Minister Ecevit declared that the state would consider changing its policies towards the Kurds if the PKK would lay down its arms: 'If and when conditions become more conducive to solving certain problems, then new approaches may prevail. A substantial decrease in terrorism would be conducive to improvements and reforms in the social, economic and political life of the country.'²⁰

This process of implicit bargaining continued once Öcalan's trial actually began and the PKK leader set forward his vision of a 'democratic republic'. The PKK presidential council declared that Öcalan 'has made all-embracing statements concerning ... the solution of the Kurdish Question in a spirit of peace ...

His approach is mature, respectful and responsible. Great warriors also know how to be great peacemakers and how to take realistic initiatives.’²¹ The council also claimed that Öcalan ‘behaves respectfully towards the Turkish people’, but pointedly added that ‘we have suffered the greater devastation’.

Öcalan’s death sentence on 29 June 1999 probably produced a restrained reaction from most Kurds—in contrast to the fury his initial capture in February had elicited—because they realised that the court’s action was just an initial step in what was going to be a continuing process of implicit bargaining. The PKK presidential council noted, however, that ‘this decision will never be acceptable to our people and our party’, warned ‘that this dangerous verdict has potential consequences that could ignite an area far wider than that of Turkey and Kurdistan’, but for the time being at least called for only ‘restrained protests’.²² A week later another statement from the PKK council declared that ‘the death sentence ... is a ... continuation of the conflict between the Turks and Kurds into the dawn of the 21st Century’, claimed that it ‘will not serve the Turkish nation but will only benefit forces who trade in war’, and maintained that ‘Öcalan, despite all the difficulties, is trying to open doors to the resolution of the Kurdish Question’.²³ In a wide-ranging interview, Duran Kalkan, a member of the PKK’s presidential council, concluded that ‘each positive step [from the Turkish side] will be answered with a positive step from our side’.²⁴

Surveying the situation, the prominent Turkish journalist Mehmet Ali Birand wrote that ‘Turkish public opinion is changing dramatically in the wake of the Abdullah Öcalan trial’.²⁵ Birand argued that ‘the most important sign of this change was evidenced when Ertugrul Ozkok, the editor in chief of *Hurriyet*, Turkey’s highest-circulation daily and a champion of pro-government opinions, urged that the death sentence be met with circumspection’. Birand added that ‘another sign of change is that some prominent people known to be close to the state are loudly declaring that the Kurdish identity must be recognised’.

Shortly after his conviction, in a statement announced by his lawyers, Öcalan ordered his guerrillas to evacuate Turkey by the end of the year and declared that this indicated his sincerity towards ending the conflict: ‘I call upon the PKK to end the armed struggle and withdraw their forces outside the borders of Turkey, for the sake of peace, from September 1, 1999’.²⁶ Although responding ‘the Turkish side will never negotiate with anyone or any organization [on the Kurdish problem]’, Turkish Prime Minister Bulent Ecevit implicitly did so anyway when he added: ‘To end separatist terrorism everyone who cares for Turkey must contribute. We do not know how much will be achieved. Time will tell.’²⁷ Analysing the developing process, *Briefing*, which describes itself as a Turkish ‘weekly inside perspective on Turkish political, economic and business affairs’, concluded that ‘whether the state likes it, admits it, or even realizes it, it is now, in an indirect fashion, sitting down to the negotiating table with Abdullah Öcalan’.²⁸

At almost the exact same time, the US Assistant Secretary of State for Democracy, Human Rights, and Labor, Harold Hongju Koh, visited Turkey and met a wide variety of people. Although recognising Turkey’s right to defend itself against the PKK, he upset many Turkish officials with his strong and

eloquent recommendations concerning some of the very themes Öcalan was now broaching.²⁹ Koh argued, for example, that ‘one can oppose terrorism and still support human rights’. He added that ‘most Kurds in Turkey ... want to remain Turkish citizens, while enjoying the basic human rights guaranteed to all people under international law, including freedom to express one’s language and culture, and freedom to organize political parties that represent their interests’. He maintained that ‘far from hurting Turkey’s territorial integrity, an inclusive policy that acknowledged these rights would strengthen the Turkish state by giving the Kurdish community a genuine stake in their country’s future’. In other words, Koh seemed to be saying that, now that Öcalan had been captured and had offered to withdraw his fighters from Turkey, Turkey had no further excuses not to move forward on human rights and democratisation. It was time for Turkey to reconcile with its citizens of Kurdish ethnic heritage by recognising their linguistic, cultural and political identity.

Surveying the scene, one could not help but notice that, where once any quotation printed from Öcalan or another PKK fighter might have left a journalist open to prosecution on the grounds that he was aiding an illegal organisation, now none of the media seemed to fear quoting Öcalan at length. This even included his denials that recent violence in Turkey’s southeast was the PKK’s work. Rather, Öcalan explained it as the work of ‘*provocateurs*’ and declared through his attorneys that this was one reason he had called on his fighters to withdraw from Turkey. Once this was accomplished, it would become clear who were the true *provocateurs*, and they would no longer be able to play the state off against the PKK.³⁰

August 1999 saw yet another event that signalled a new, softer attitude on the state’s part when President Suleyman Demirel received seven People’s Democracy Party (HADEP) mayors in the presidential palace in Ankara and engaged them in broad discussions. HADEP had been founded in 1994 as a legal Kurdish party after its predecessor the Democracy Party (DEP) had been closed and several of its MPs, including Leyla Zana, imprisoned for supposedly supporting the PKK. Although it had not received enough votes in the April 1999 national elections to enter the Turkish parliament, it had had numerous mayors elected in the local elections that had been held at the same time. By receiving some of these mayors in Ankara, Demirel was sending a clear signal that the state was now willing to recognise openly the legitimacy of certain forms of Kurdish political activity.³¹

Ironically creating an even greater impression, especially on the Turkish public that had always held the state and its institutions in reverent respect, was the devastating earthquake that struck the western part of the country on 17 August 1999. As many as 20 000 or more persons perished, mostly because of substandard buildings that corrupt officials had allowed to be constructed and which collapsed like sand castles, killing their inhabitants beneath their rubble. The universal outrage and indescribable grief was then compounded when the state seemed virtually paralysed in its lack of response, while often reviled foreigners such as the Greeks quickly responded with aid that saved thousands. For the first time ever, the average Turk seemed to question the sanctity of the so-called *Devlet Baba* or Daddy State. One unspoken lesson here was that maybe

the Kurds had legitimate grievances against the state if average Turks themselves were now questioning it. From his prison cell on Imrali, Öcalan announced that, to show its sympathy for the victims of the earthquake, the PKK would begin its withdrawal from Turkey immediately.

Kivrikoglu statement

At the beginning of September 1999 General Huseyin Kivrikoglu, the chief of the Turkish general staff, seemingly furthered the process of implicit bargaining with his comments on the PKK's partial withdrawal from Turkey during an interview with a select group of journalists: 'The leader of the terrorists [Öcalan] admitted, the terrorists have realized they will get nowhere with the use of arms. Now they are contemplating a solution through political means'.³² The general continued, 'they [the PKK] do not want federation, either. What they want are cultural rights', and added, 'some of these rights have already been given to them. Kurdish newspapers and cassettes are free. Despite the fact that it is banned, radio and TV stations are operating in Kurdish in eastern and south-eastern Turkey.' Kivrikoglu also noted that 'HADEP controls the municipalities in 37 cities and major townships ... No one challenged their election. As long as they do a decent job and serve the people, no one will raise any objections. Turkey has already given them [the Kurds] many rights.' Kivrikoglu also refrained from calling for Öcalan's execution: 'The army should remain silent. We are a party to the conflict. And when our opinion is sought, we might respond emotionally.'

Öcalan welcomed Kivrikoglu's statement as a 'positive step in developing cultural freedom and democratization',³³ while Cemil Bayik, long seen as the PKK's number two man, declared that 'in recognition of our positive steps, the Turkish General Staff has now made a gesture in this direction too'.³⁴ Bayik added that the general's words 'are in a sense an answer to our party's declaration. We see them as such and follow them very attentively.'

Given the resulting speculation that it was implicitly bargaining with Öcalan and the PKK, however, the general staff quickly backed off: 'It is out of the question that the general staff accept the PKK terror organization as an interlocutor, discuss its suggestions, or make any concessions'.³⁵ The military declared that 'what they [the PKK] really must do is surrender their weapons ... and turn themselves in'. Shortly afterwards, the army further dismissed the PKK's peace offers as 'propaganda spread by the terrorist organization in order to maneuver itself out of the dead end it has reached', and declared that 'for this reason the Turkish armed forces are determined to continue the battle until the last terrorist has been neutralized'.³⁶

In reply, the PKK presidential council stated: 'While we are making great sacrifices for peace and democracy we reject capitulation', and declared: 'We expect positive contributions to peace and democracy from the civil institutions of the state and especially from the Turkish Armed Forces'.³⁷ For his part Ecevit peevishly declared: 'Scarcely we have a day without a statement from Abdullah Öcalan. He has almost become one of our mainstream politicians. This is a little bit too much'.³⁸

Token surrenders

To restart the process of implicit bargaining, Öcalan next called on a small group of his militants to surrender to the Turkish authorities. The move coincided with Ecevit's visit to Washington, DC to meet US President Bill Clinton at the end of September 1999, and was intended to win the PKK publicity as the bearer of peace, democracy and human rights before a full complement of the local and foreign press. The Turkish authorities refused to play the game, however. Only a reduced group of eight militants led by Ali Sapan, the former PKK spokesman in Europe who had since been demoted, ended up obscurely turning themselves in on 1 October after crossing the border into southeastern Turkey from northern Iraq. On 29 October 1999, a second eight-member group flew in from Vienna, Austria and surrendered in Istanbul.

Although Ecevit was quoted as saying: 'If the armed militants in the mountains deliver themselves to justice, we would regard that as a positive development',³⁹ the state largely chose to ignore the token surrenders. Silence after all can be an effective tactic. What is more the state apparently saw itself in a win-win situation. It could simply effect to ignore Öcalan's moves towards dismantling his military struggle, while sitting back and watching the PKK itself possibly fall into internal fighting over the tactics of its imprisoned leader.

The so-called 'Peace and Democratic Solution Group' that turned itself in to the Turkish authorities on 1 October carried letters addressed to Demirel, Ecevit, Kivrikoglu and Yildirim Akbulut, the speaker of parliament. Given the bitterness of its long struggle against the state, the content of these letters demonstrated how far the PKK now claimed its position had changed.⁴⁰ The PKK declared that it wished to contribute to 'the one hundred and fifty years of democratic people's struggle by the people of Turkey', and owned that 'whatever its rights and wrongs, the PKK serves the same purpose as part of the Turkish people's struggle to achieve a contemporary society'. Continuing, the PKK argued that 'our party realised that it could not isolate itself from these developments. Therefore, it decided to change its cold-war inspired political strategy.'

After promising that 'this change of strategy will be officially approved at its extraordinary [seventh] congress which will be held in the near future', the PKK declared that 'our President [Öcalan] has been aware since 1993 that continuing the armed struggle is meaningless and expressed the view of uniting with Turkey within the framework of democracy'. Attempting to put the best possible face on its diminished position, the PKK wrote 'this could not be achieved until our President was brought back to Turkey. We believe that now that our President is closer to the Turkish state and its people something good will come from it. As the Turkish saying goes "There is something good in every incident".'

After praising Demirel for having met the HADEP mayors the past August and for recognising the 'Kurdish reality' in 1992, the PKK suggested that 'a general amnesty as part of the democratisation of Turkey will help remove the protracted tension. Also it is obvious that any legal changes conceding cultural and language freedom will assist.' Returning to its process of implicit bargaining, the PKK asserted that 'we are aware that the armed struggle and sufferings have created a problem of confidence', but claimed that 'our current approach and

steps have brought a positive development to this issue. There are many examples where, after long wars and conflicts, people have managed to live together in peace after the conflict ended.' In closing, the PKK letter averred that 'the Kurdish and Turkish people are like flesh and blood and are inseparable', wished Demirel well, and was signed 'with respect and sincere feelings'.

Europe

Ever since Atatürk himself proclaimed modern Turkey's goal to be the achievement of the level of contemporary civilisation, Turkey has sought to join the West. In recent decades this has ultimately meant membership in what has now become the European Union (EU). For many years this seemed to be the impossible dream. Öcalan's capture and subsequent proposals for a democratic republic in which the Kurdish problem would be solved, however, suddenly made this vision a possibility.

On 18–19 November 1999 Istanbul hosted the final major conference of the twentieth century when the representatives of more than 50 states gathered there for a summit meeting of the Organisation for Security and Cooperation in Europe (OSCE). Although the Kurdish problem was not officially broached, it was certainly on the minds of many. After all, 11 of the 15 members of the EU were currently being ruled by leftist governments which regarded the Kurdish question as a moral cause akin to that of Kosovo, for which NATO had just waged war. Until Turkey successfully implemented the OSCE's Copenhagen Criteria of minority rights for its Kurdish population, and broad human rights reforms as demanded by the EU, Turkey could not hope to break through the membership logjam set by the EU. In short, Turkish EU membership depended on solving its Kurdish problem to the satisfaction of the EU. And if the truth be told, this was largely another way of declaring that Turkey's EU future depended to an ironic degree on Öcalan.

Öcalan and his associates were certainly aware of this situation. Thus the PKK presidential council sent a long letter to the OSCE leaders gathering in Istanbul.⁴¹ 'It is no more than an illusion to expect the democratisation of Turkey without a resolution of the Kurdish problem ... Countries which have not resolved the Kurdish problem have inevitably had to shape their laws and institutions in an anti-democratic manner in order to keep the Kurds under control. This has meant that these countries, and primarily Turkey, have remained authoritarian and oppressive regimes.' If Turkey could solve its Kurdish problem, however, 'there will no longer be a need for such anti-democratic laws and institutions'. From his prison cell, Öcalan concurred: 'Again, I wish to reiterate my conviction that solving the Kurdish question and creating the grounds for democracy in Turkey will be a guarantee for peace in the Middle East and far beyond'.⁴²

On 25 November 1999, however, the Turkish court of appeals rejected Öcalan's appeal against his death sentence. The European Court of Human Rights (ECHR)—to which Turkey belonged—quickly issued interim measures asking Turkey to suspend the execution until it could rule on his appeal, a process that might take as long as two years. At this point, Turkish candidacy

for EU membership entered the picture as the organisation gathered in Helsinki, Finland to considered new members. On 11 December 1999 Turkey was finally accepted as a candidate member. It was clear, however, that Turkey's candidacy hinged on the satisfactory solution of its Kurdish problem and specifically its suspension of Öcalan's death sentence. As the German ambassador to Turkey, Hans Joachim Vergau, had already bluntly declared, 'if you execute Öcalan, you can forget Helsinki'.⁴³

The PKK presidential council was quick to claim some of the credit.⁴⁴ 'The acceptance of Turkey's candidacy is the result of a process initiated by our President, Abdullah Öcalan ... [and] was implemented with the intense efforts of our party.' The PKK argued that 'our push for a democratic solution of Turkey's problems played a key role in creating a climate that was conducive for the recent EU decision ... Kurdish diplomacy was mobilised to make Turkey's candidacy to EU membership a reality and EU countries overcame their doubts concerning Turkey largely as a result of such Kurdish efforts.'

Mesut Yilmaz, a former prime minister and currently the head of one of the three parties forming the Ecevit coalition government, seemed to agree with this assessment of the importance of the Kurds for Turkey's EU future when he declared that, 'the road to the EU passes through Diyarbakir'.⁴⁵ Sounding much like Öcalan himself, Yilmaz asserted, 'first of all we have to strengthen democracy, not only in its form but in its substance as well', and emphasised that 'his party does not see the broadening of rights and freedoms as a danger that threatens the state ... that this would, on the contrary, strengthen the state apparatus'.

Although Ecevit himself was more cautious, his foreign minister, Ismail Cem, seemingly seconded Öcalan by declaring that Kurdish broadcasting should be allowed: 'Everyone should have the right to speak on television in their native language, just as I am sitting here today speaking in my own native tongue.'⁴⁶ When a private citizen petitioned an Ankara state security court to try Cem for breaching article eight of the anti-terror law prohibiting separatist propaganda, the complaint was dismissed on the grounds that in a democracy such topics were open to discussion. At the same time President Demirel continued the confidence-building process by now inviting a group of prominent human rights activists from the southeast to the presidential palace. There some of them made speeches that would have landed them in jail had they been uttered a few years earlier.

On the other hand, someone ordered the police to raid the offices of HADEP in Diyarbakir and four other smaller cities. Police arrested 11 party leaders and seized documents and cassettes. Laws that limited free debate of the Kurdish problem remained in effect. *Ozgur Bakis*, the largest pro-Kurdish daily in Turkey, was still banned in the five provinces under emergency rule, while the distribution of two Kurdish magazines was also recently halted. Kanal 21, a television station in Diyarbakir, remained shut down for broadcasting music deemed to incite Kurdish separatism.

Nevertheless, the process of implicit bargaining now continued with a new sense of importance. Murat Karayilan, a member of the PKK presidential council, declared that 'this is a big chance for Turkey', but warned that Öcalan's

'execution means the execution of the Kurdish people ... a revival of the armed conflict ... and it would mean to prevent Turkey from entering the European Union'.⁴⁷ He further argued 'it would be a fatal error to think that the PKK has been defeated ... We also have the power to escalate the war'. Ertugrul Ozkok, a leading Turkish journalist with a hotline to official thinking, also spoke out against executing Öcalan: 'The three hanging incidents in our history have brought no happiness to our country ... Would it be too much if we just once tried to attain this [happiness and tranquillity] by not hanging?'.⁴⁸ General Kivrikoglu owned that fighting in the Kurdish region had declined 'by 90%'⁴⁹ since Öcalan had ordered his guerrillas to begin withdrawing the previous summer.

Ismet Berkan, an important leftist journalist, elaborated on the subject of domestic peace when he asserted that 'this problem has nothing to do with Europe. It is mostly to do with internal politics'.⁵⁰ He claimed that 'the agencies providing reports to the government on this issue do not quote European reaction at the top of their concerns'. Instead, 'it is felt strongly that Öcalan's execution would undermine the domestic peace ... [and] rekindle terrorism'. President Demirel also urged postponement of the execution in deference to 'Turkey's higher interests'.⁵¹

Others argued that executing Öcalan would hurt the Turkish economy by refuelling galloping inflation and calling into question the government's very stability, seen as necessary to maintain the economy's fragile recovery. The allusion to the government's stability referred to the open disagreement between Ecevit, who was against execution, and his deputy prime minister Devlet Bahçeli, the leader of the ultra-nationalist MHP, who favoured it. Finally, in a seven-hour coalition summit meeting of the two on 12 January 2000, the government agreed to comply with the request of the ECHR for a stay of execution until it had ruled on the case. Ecevit warned, however, that 'we have agreed that if the terrorist organization and its supporters attempt to use this decision against the high interests of Turkey, the suspension will end and the execution process will immediately begin'.⁵² Although this warning partially appeased Bahçeli, he had clearly compromised a great deal, given his original hard-line position that had initially carried him to such political prominence during the April 1999 national elections. The process of implicit bargaining had reached a new level.

Öcalan described the conditional stay of his execution as 'important' and 'historic'.⁵³ Boldly, he asserted that 'if they execute me, the EU candidacy, the economy and peace will all do down ... These all depend on my staying alive. I am a synthesis of values, not just a person. I represent democracy.' Then, however, he adopted a more modest position. 'Let us be humble. Let us display a change of heart and mentality', and promised that 'if the government and state officials adopt a correct attitude, we shall not take any wrong steps.' He declared: 'Now that this summit is over, the most important task awaiting Turkey and needed is carrying out the reforms that will also fulfill the requirements of EU membership.' He explained that 'there is a need for general amnesty' and 'because everyone has suffered ... the healing must be done all together'.

The PKK central committee termed the government's action a 'decision of the century' that 'comforted and created more hope for peace among the two peoples of Turkey'.⁵⁴ Responding to the government's warning that it would restart the execution process if the PKK 'use[d] the decision against the highest interests of Turkey', the central committee affirmed: 'Turkish leaders with common sense, democratic forces and nationalists can be sure that our party will not tolerate any force to weaken Turkey ... or harm its interests.' The central committee also moved quickly to further the implicit bargaining process towards Öcalan's eventual release, however, by declaring that 'free and healthy environments need to be created for Öcalan so he can work for a Democratic Turkey and solving the Kurdish issue in a peaceful way'.

Obviously irritated and not yet willing to grant Öcalan any legitimacy, Ecevit responded: 'Öcalan and his supporters are trying to dictate to the Turkish government, and they are making statements with this aim. This is unacceptable. It would be to his advantage to keep quiet ... We cannot allow Öcalan to use Imrali as a political pulpit.'⁵⁵ Nevertheless, this is, of course, exactly what Öcalan was doing, while Ecevit's warnings were largely his responses in the evolving process of implicit bargaining.

Although the ultra-nationalists and Islamists still called for Öcalan's execution, most observers, such as Sedat Ergin, a prominent journalist writing in *Hürriyet*, concluded that 'thus Öcalan has been turned into a strategic card with which ... to discourage the PKK from action'.⁵⁶ Other analysts asserted that the conditional stay of execution would safeguard the government's stability as it began to implement a crucial three-year anti-inflationary package backed by \$4 billion in loans from the International Monetary Fund. Indeed, the Istanbul stock market jumped 5% upon hearing about the government's Öcalan decision.

Conclusion

Öcalan's sudden and dramatic capture by Turkish commandos in February 1999 has led to a process of continuing implicit bargaining between the Turkish government and the PKK that holds out the hope of a win-win result for all the parties involved. If handled skillfully and sincerely, it could not only result in an end to the long and bloody PKK insurgency, but also lead to a more healthy economy and much needed democratisation of Turkish politics that would satisfy the requirements for admission into the EU. Once this was effected, Turkey's Kurdish problem would also become the EU's problem and responsibility. In addition, EU admission would help guarantee Turkey's territorial integrity, the very point that has always prevented the government from initiating the steps that would solve its Kurdish problem.

Much, of course, remains to be accomplished, and it is uncertain what paths the continuing process of implicit bargaining will take. Ahmet Turan Demir, the general chairman of HADEP, has suggested that 'first of all, general amnesty should be declared'.⁵⁷ Then, 'a new constitution with a consensus in accordance with today's universal standards [and] the democratization of all laws, primarily criminal law, will be the issues that we will pursue'. Specifics 'include the recognition of the Kurdish identity, practicing cultural rights, and the right to

have education in Kurdish'. Other goals involve the right of Kurds to return to their villages, the lifting of Emergency Rule (OHAL) and the village guard system, and changes in the electoral system that will permit every political party to be represented in the parliament according to the vote it has received. This latter provision meant rescinding the 10% rule that eliminated parties such as HADEP from receiving any representation at all. At its extraordinary 7th party congress held 2–23 January 2000, the PKK adopted a 'Peace Project' which incorporated several of these points.⁵⁸ Other main points announced by the PKK included securing the life and freedom of Öcalan, increased investment in the southeast, and preservation of historic and environmental treasures threatened by the Ilisu Dam in the southeast.

The Turkish government, of course, will pursue its own agenda. Unfortunately, there are still powerful forces in Turkey which do not seek further democratisation, nor even an end to what for them continues to be a profitable war. On 19 February 2000, for example, three main HADEP majors were suddenly arrested and accused of supporting the PKK: Feridun Celik of Diyarbakir, Selim Ozalp of Siirt and Bingol mayor Feyzullah Karasslan. Although they were quickly released and allowed to return to their jobs, their trial began two months later. Daniel Cohn-Bendit, the co-chairman of the Turkey–EU Parliamentary Commission, was initially denied permission to visit the imprisoned Leyla Zana, a decision then reversed. The CNN TV affiliate in Turkey was ordered off the air for 24 hours because it asked whether history might one day regard Öcalan as a Turkish version of Nelson Mandela. Öcalan himself was no longer permitted to make statements to the press, and access to his lawyers was reduced. Ecevit continued to argue that Kurdish was not a language, only a dialect, and that there was no Kurdish ethnic problem in Turkey, only a question of economic development in the southeast. Despite the PKK's abandonment of the guerrilla struggle, emergency rule in several southeastern provinces continued and the village guards have not been disbanded. Indeed, in April 2000 the Turkish military attacked PKK units in northern Iraq. In addition, it appeared that there would be no peace dividend, as the Turkish military planned to increase spending on modernisation and the purchase of tanks and helicopters.

Furthermore, the March celebration of the Kurdish holiday Newroz in Istanbul was banned by the governor Erol Cakir because the application for permission used the non-Turkish letter 'w' in the word 'Newroz', instead of the preferred Turkish spelling 'Nevroz', Ludicrously, of course, the letter 'w' appeared on the door of virtually every public toilet in Turkey. Crude threats led to prominent Turkish sociologist Serif Mardin deciding not to participate in an international conference on the Kurds sponsored by the American University in Washington, DC on 17 April 2000. And in May 2000 state minister Mehmet Ali Irtemcelik, who had been instrumental in obtaining Turkey's EU candidacy the previous December, resigned, citing deep differences in the understanding of democracy between himself and Ecevit.

On the other hand, the unexpected decision by the Turkish parliament in April 2000 not to extend President Demirel's term for another five years, despite the Turkish military's clear preference for him, might be seen as implementing one of the most critical of the Copenhagen criteria required for EU

membership—civilian control of the military. It also demonstrated a willingness to move on from Demirel's tired old platitudes in search of new, bolder approaches. That this indeed was the case became clear when the Turkish parliament elected Ahmet Necdet Sezar, the president of the Turkish Constitutional Court, as the new president of Turkey in May 2000. As detailed above, Sezar had first come to the attention of the Turkish public a year earlier by criticising the Turkish constitution for the restrictions it placed on basic freedoms, including usage of the Kurdish language, and advocating greater constitutionally protected freedom of thought and expression.

It remains to be seen, of course, whether Sezar will be able to implement any of these principles, especially since he has expressly declared that he did not believe in a strong presidency that would challenge parliamentary democracy. Nevertheless, the symbolism of this reformer's election must for now at least be seen as a positive sign for Turkey's future EU prospects and solution of its continuing Kurdish problem. Another positive sign occurred in March 2000 when the General Board of the Civil Panels of the Supreme Court of Appeals for the first time permitted the use of names of Kurdish origin after a long legal battle. And, despite the problem in Istanbul noted above, March 2000 also saw a general willingness throughout Turkey to tolerate Newroz celebrations previously banned because of their association with the Kurdish national cause. This 'bizarre bazaar'⁵⁹ of implicit bargaining and uncertain policy responses within the Turkish political system over how to proceed with its continuing Kurdish problem and now closely related EU candidacy will probably continue for the foreseeable future.

Notes

¹ For background, see Henri J Barkey & Graham E Fuller, *Turkey's Kurdish Question*, New York: Rowman & Littlefield, 1998; Michael M Gunter, *The Kurds and the Future of Turkey*, New York: St Martin's Press, 1997; and Kemal Kirisci & Gareth M Winrow, *The Kurdish Question and Turkey: An Example of a Trans-state Ethnic Conflict*, London: Frank Cass, 1997. See also Ismet G Imset, *The PKK: A Report on Separatist Violence in Turkey (1973-1992)*, Istanbul: Turkish Daily News Publications, 1992; and Imset, 'The PKK: terrorists or freedom fighters?', *International Journal of Kurdish Studies*, 10 (1 & 2), 1996, pp 45-100.

² For details, see the statement by Dylan Semsi Kilic—a close associate of Öcalan's and an eyewitness to his capture—broadcast over the PKK's MED-TV and accessed over the Internet, 21 February 1999; Tim Weiner, 'US helped Turkey find and capture Kurd rebel', *New York Times*, 20 February 1999; Marcus Gee, 'The odyssey of a Kurdish hot potato', *Globe and Mail* (Toronto), 24 February, 1999; Helena Smith, Chris Morris & Ed Vulliamy, 'Global plot that lured Kurds' hero into trap', *Observer* (London), 21 February 1999; and Ismet Berkan, 'The story of Apo's capture', *Radikal* (Istanbul), 17 February 1999. Turkish Prime Minister Bulent Ecevit declined to elaborate on any of the details, and merely cited a Turkish proverb: 'Let us eat the grape and not ask where it came from.'

³ 'Osman Öcalan's statement about the arrest', 18 February 1999, accessed over the Internet.

⁴ 'MED TV reports more on PKK statement on congress results', London MED TV Television in Turkish, 1900 GMT, 4 March 1999, as cited in *Foreign Broadcast Information Service—Near East/South Asia* (FBIS-WEU-1999-0304), hereafter cited as *FBIS-WEU*.

⁵ 'PKK members on mountains pitted against those in Europe', *Hurriyet* (Istanbul), 14 March 1999, as cited in *FBIS-WEU*.

⁶ 'Experts: execution possible in PKK member's disappearance', Ankara Anatolia in Turkish, 0826 GMT, 18 March, 1999, as cited in *FBIS-WEU*. Yet another report claimed that Cemil Bayik had been named the 'highest authority in the organization'. 'Öcalan removed, Bayik Tasked', *Hurriyet*, 3 March, 1999, p 14, as cited in *FBIS-WEU*.

- ⁷ 'Presidency council replaces Apo', *Milliyet* (Istanbul), 27 February 1999, as cited in *FBIS-WEU*.
- ⁸ *FBIS-WEU*. See note 6 for the full citation.
- ⁹ 'Turks vs Kurds: turning point?', *New York Times*, 21 February, 1999, p 8.
- ¹⁰ 'Statement from PKK leader Abdullah Öcalan', released via his lawyers, 18 March 1999, accessed over the Internet.
- ¹¹ 'Sezer: "thought crimes" have no place in a democracy', *Briefing* (Ankara), 3 May 1999, pp 10–12. For further comments on these problems in Turkey, see 'Human rights in the Republic of Turkey: testimony of the Honorable Harold Hongju Koh Assistant Secretary for Democracy, Human Rights and Labor Before the Commission on Security and Cooperation in Europe', mimeo 18 March 1999.
- ¹² 'They called it another earthquake', *Briefing*, 13 September 1999, pp 9–12.
- ¹³ Pelin Turgut, 'Kurd rebels see Turkish change of tack', Reuters, 7 September 1999, accessed over the Internet.
- ¹⁴ Michael M Gunter, 'Interview: Abdullah Öcalan, head of the PKK', *Middle East Quarterly*, 5, 1988, pp 79–85. In this interview, Öcalan broached in embryonic form many of the ideas he more fully developed during his trial in June 1999 and analysed below.
- ¹⁵ Derk Kinnane, *The Kurds and Kurdistan*, London: Oxford University Press, 1964, pp 32–33; and Ismail Besikci, *Kurdistan & Turkish Colonialism: Selected Writings*, London: Kurdistan Solidarity Committee and Kurdistan Information Centre, 1991, p 34.
- ¹⁶ For background, see Bernard Lewis, *The Emergence of Modern Turkey*, London: Oxford University Press, 1968, and Stanford Shaw & Ezel Shaw, *History of the Ottoman Empire and Modern Turkey*, Vol II: *Reform, Revolution, and Republic: The Rise of Modern Turkey, 1805–1917*, Cambridge: Cambridge University Press.
- ¹⁷ This and the following citation were taken from Kamran Qurrah Daghi, 'Öcalan explains peace overtures', *Al-Hayah*, 17 March 1993, pp 1, 4, as cited in *FBIS-WEU*, 22 March 1993, p 42.
- ¹⁸ Michael M Gunter, 'Susurluk: the connection between Turkey's intelligence community and organized crime', *International Journal of Intelligence and Counterintelligence*, 11, 1998, pp 119–141.
- ¹⁹ Abdullah Öcalan, *Declaration on the Democratic Solution of the Kurdish Question*, trans from the Turkish original by the Kurdistan Information Centre, London: Mesopotamian Publishers, 1999, p 85. The following citations are also taken from this source. Their page references are listed in the text above.
- ²⁰ Stephen Kinzer, 'Turkish premier hints at new approach if rebel Kurds end violence', *New York Times*, 22 February 1999, accessed over the Internet.
- ²¹ Kurdistan Information Centre (London), 'Press Statement issued by the PKK Presidential Council on 2 June 1999 on the Trial of Kurdish National Leader Abdullah Öcalan'.
- ²² PKK Executive [Presidential] Council, 'Statement to the Press and General Public, 29 June 1999', accessed over the Internet.
- ²³ 'PKK Presidential Council Statement', 6 July 1999, accessed over the Internet.
- ²⁴ 'Interview with PKK Commander Duran Kalkan', *Kurdish Media*, 19 July 1999, accessed over the Internet.
- ²⁵ This and the following citations were taken from Mehmet Ali Birand, 'Turkish public opinion is softening toward the Kurds', *International Herald Tribune*, 8 July 1999.
- ²⁶ 'Öcalan urges Kurd rebel peace as clashes rage', Reuters, 4 August 1999, accessed over the Internet. 1 September is observed as World Peace Day in many places around the world.
- ²⁷ Elif Unal, 'Turk PM says "Time will tell" on Öcalan call', Reuters, 4 August 1999, accessed over the Internet.
- ²⁸ 'PKK: defeat and retreat or master stroke?', *Briefing*, 9 August 1999, p 11.
- ²⁹ The following citations were taken from 'Opening Statement of Harold Hongju Koh', Press conference at US Embassy, Ankara, Turkey, 5 August 1999, accessed over the Internet.
- ³⁰ 'PKK: defeat and retreat or master stroke?', p 12.
- ³¹ For background on the trials and tribulations of recent legal Kurdish parties in Turkey, see Nicole F Watts, 'Allies and enemies: pro-Kurdish parties in Turkish politics, 1990–94', *International Journal of Middle East Studies*, 31, 1999, pp 631–656.
- ³² The following citations were taken from İlnur Cevik, 'Military not mellowing on Kurdish rights', *Turkish Daily News*, 10 September 1999, accessed over the Internet.
- ³³ Turgut, 'Kurd rebels see Turkish change of tack'.
- ³⁴ This and the following citation were taken from 'Kurdish rebels hail Turkish general's words as goodwill gesture', Agence France-Presse 6 September 1999.
- ³⁵ This and the following citation were taken from 'Top general's remarks misinterpreted, General Staff says', Agence France-Presse, 11 September 1999, accessed over the Internet.
- ³⁶ 'PKK rejects Turkish call for surrender, rules out further concessions', Agence France-Presse, 29 September 1999, accessed over the Internet.
- ³⁷ PKK Presidential Council, 'Press Release', 26 September 1999, accessed over the Internet.
- ³⁸ 'Rights—Turkey: media is latest venue for talks on the Kurds', Inter-Press Service, 13 September 1999, accessed over the Internet.
- ³⁹ 'Army launches cross border operation and rejects PKK peace call', *Turkey Update*, 1 October 1999, accessed over the Internet.

- ⁴⁰ The following citations were taken from the 'Letter from the PKK Central Committee to the President of the Republic of Turkey, Suleyman Demirel on 1 October 1999', accessed over the Internet. The letter was dated '20 September 1999',
- ⁴¹ The following citations were taken from PKK Presidential Council, 'Letter to the OSCE and the International Public', 15 November 1999, accessed over the Internet.
- ⁴² Abdullah Öcalan, 'Letter to the Presidency of the OSCE', 18 November 1999, accessed over the Internet.
- ⁴³ 'No plans to execute Öcalan, but still trying to come out on top in the situation', *Briefing*, 6 December 1999, p 8.
- ⁴⁴ This and the following citation were taken from '11 December 1999 PKK Presidential Council Statement', accessed over the Internet.
- ⁴⁵ This and the following citations were taken from 'Yılmaz: road to EU passes through Diyarbakir', *Turkish Daily News*, 17 December 1999, accessed over the Internet. Diyarbakir is the largest city in Turkey's southeast and has long been considered the unofficial capital of the Kurdish provinces in Turkey.
- ⁴⁶ 'The road to the EU', *Briefing*, 20 December 1999, p 11.
- ⁴⁷ This and the following citation were taken from 'Interview with PKK's Murat Karayılan', *Kurdish Observer/Ozgur Politika*, 11 January 2000, accessed over the Internet.
- ⁴⁸ Ertugrul Ozkok, 'Let us try not hanging', *Hurriyet*, 11 January 2000, accessed over the Internet.
- ⁴⁹ Amberin Zaman, 'Turks find it in nation's interest to befriend foe', *Los Angeles Times*, 14 January 2000, accessed over the Internet.
- ⁵⁰ This and the following citations were taken from Ismet Berkan, 'Peace would be threatened', *Radikal*, 11 January 2000, accessed over the Internet.
- ⁵¹ Stephen Kinzer, 'Turkey delays the execution of rebel Kurd', *New York Times*, 13 January 2000, accessed over the Internet.
- ⁵² 'Kurdish rebel leader Öcalan at the mercy of the PKK', Agence France-Presse, 13 January 2000, accessed over the Internet.
- ⁵³ This and the following citations were taken from 'Abdullah Öcalan's public statement: Press Release 16 January 2000', accessed over the Internet.
- ⁵⁴ This and the following citations were taken from 'PKK Central Committee pledges support', 14 January 2000, accessed over the Internet.
- ⁵⁵ Stephen Kinzer, 'Government refuses to deal with Öcalan on Kurdish issue', *New York Times*, 18 January 2000, accessed over the Internet.
- ⁵⁶ Cited in Steve Bryant, 'Turkey's Demirel hails Ocalan decision', Reuters, 13 January 2000, accessed over the Internet.
- ⁵⁷ This and the following citations were taken from 'Do not create chaos', *Kurdish Observer/Ozgur Politika*, 11 January 2000, accessed over the Internet.
- ⁵⁸ 'Brief statement on PKK "Peace Project"', released by the Kurdish Information Centre, London, 4 April 2000, accessed over the Internet.
- ⁵⁹ The phrase is Jannin Sakellariou's, a Greek-German deputy of the European Parliament Socialist Group which monitors the developing situation in Turkey. 'Dialogue limps along with EU visitors', *Briefing*, 10 April 2000, p 12.