École des Hautes Études en Sciences Sociales

Histoire et Civilizations

ÖZGÜR SEVGI GÖRAL BIRINCI

Enforced Disappearance and Forced Migration in the Context of Kurdish Conflict: Loss, Mourning and Politics at the Margin

Thèse dirigée par: Nora Seni

Date de soutenance : le 11 Septembre, 2017

Jury: Nora Seni, Université Paris 8
Hamit Bozarslan, EHESS
Alexandre Toumarkine, INALCO
François Georgeon, CNRS
Hans Lukas Kieser, New Castle University
Barbara Loyer, Paris 8

Dedication

To my father, Mehmet Cengiz Göral

Acknowledgments

First, I would like to express my sincere gratitude to all the interviewees in Şırnak and İstanbul, who shared their stories with me. They shared something very powerful, political, personal and difficult to tell; their narratives made this dissertation possible. Their commitment, resilience and courage were very inspiring.

I am greatly indebted to Nora Seni, my advisor, who supported me all the way through the drafting of this dissertation. Not only her academically inspiring comments and contributions but also her understanding and encouragement always strengthened me. Everything would have been much more difficult without her. François Georgeon, who always supported me academically and personally, was a key person for protecting me from being lost in the challenging academic milieu. I would like to thank the reporters, Hans Lukas Kieser and Alexandre Toumarkine for accepting this important role. Also, I am grateful to other comittee members, Hamit Bozarslan and Barbara Loyer, who were kind enough to accept to participate to the doctoral committee.

So many friends and colleagues contributed significantly to the dissertation in many different ways. Çağdaş Üngör, Ceren Lordoğlu, Deniz Öztürk, Ceren Öztürk and Ebru Ağaoğlu were always encouraging and supporting during very difficult times. Ceren Öztürk, Noemi Levy and Zeynep Arıkanlı not only supported me constantly but also were extremely helpful while drafting the French resume. Zeynep Dadak kindly helped with my endless queries concerning the complexities of the dissertation drafting process. Our discussions with Nazan Üstündağ shaped my initial thoughts and concepts and were very helpful while constituting the main pillars of the dissertation. All my colleagues from *Hafıza Merkezi* were amazingly supportive however I should pay special credit to Meltem Aslan and Murat Çelikkan for their endless support and for our constant discussions that also contributed to the content of the dissertation. Moreover, Melis Gebeş, Burcu Ballıktaş Bingöllü, Duru Yavan and Emel Ataktürk Sevimli were always helpful to update my legal knowledge, Zeynep Ekmekci, Yiğit Ekmekci and Deniz İnal helped tremendously with different logistical issues. I am forever indebted to my three colleagues from *Hafıza Merkezi*, Enis Köstepen, Gamze Hızlı and Özlem Kaya; they read, commented on and contributed to the chapters enormously and their constant support was crucial for handling technical details of the drafting process. I was extremely lucky to have Fatma Anğ for the redaction of the dissertation; her comments were very important intellectually as well. Umut Tümay Arslan read and always contributed to the dissertation with her intellectual brilliance; she was one of the key persons. Özgür Aksoy, my

dear friend and lawyer, supported me when struggling with endless legal proceedings. Also, his reassuring friendship and open-ended perspective was impeccable.

There are two persons without whom this dissertation would have been impossible. My mother, Ayhal Göral, was always there for me and believed in me when I was in doubt; her endless love, compassion and support was invaluable. Oğuz Birinci, my partner, my friend and my comrade, I feel blessed to have him by my side. I cannot thank enough for his intellectual inspiration, love, support and solidarity. And finally, Hayal, my precious, I hope that one day you will read it and at least, will like it a bit.

Résumé et mots clés

L'objet de cette recherche est d'examiner deux formes de violence d'Etat : la disparition forcée et la migration forcée, dans le contexte du conflit Kurde. Cette étude se fonde sur un travail de terrain conduit dans deux villes, représentatives du contexte des disparitions forcées, de la migration forcée et des projets de transformation urbaine, à savoir à İstanbul et à Şırnak. Ces formes de violence d'Etat sont examinées dans le contexte politico-historique des années 1990 en se centrant sur l'appareil d'Etat, l'espace juridique, la vie quotidienne et la mémoire. En outre, l'une des conséquences les plus importantes de la migration forcée, à savoir les projets de transformations urbaines, sont également étudiées afin d'approfondir l'analyse concernant les migrants Kurdes dans le milieu urbaine. La thèse principale de cette recherche est la suivante: les formes de violence d'Etat mise en œuvre pendant les années 1990 dans les marges spatiales et politiques de la Turquie offrent des informations cruciales permettant de procéder à une analyse approfondie de l'appareil d'Etat, de l'espace juridique et du débat sur la mémoire du centre-même de la Turquie. L'analyse de ces formes de violence d'Etat révèle également leurs dimensions holistiques, structurées et spatialisées qui façonnent les subjectivités et les performances de différentes parties prenantes, y compris des parents proches des disparus, des déplacés et des résidents des zones urbaines informelles. Les relations complexes, transformatrices et à multiples facettes entre la région kurde et le centre de la Turquie met en lumières l'interconnectivitée de ces entités géographiques, politiques et historiques qui sont beaucoup plus liées qu'elles n'y paraissent.

Disparition forcée

Migration forcée

Conflit Kurde

Violence

Impunité

Mémoire

Abstract and Keywords

This study aims to examine two forms of state violence, namely, enforced disappearance and forced migration, in the context of Turkey's Kurdish conflict. The analysis will be mainly based on a field research on two cities representative in the context of the enforced disappearance, forced migration and urban transformation projects, İstanbul and Şırnak. These forms of violence are investigated in the broader historico-political momentum of the 1990s focusing on state apparatus, juridical field, quotidian life and memory. Moreover, one of the crucial effects of the forced migration on the urgan space, urban transformation projects will also be evaluated for a deepened analysis of Kurdish migrants in the urban milieu. The main argument of the dissertation is the forms of state violence implemented at the spatial and political margin of Turkey during the 1990s offer crucial insights for a deepened analysis of the state apparatus, juridical field and memory debate of the very center of Turkey. An analysis of these forms of state violence also reveals their holistic, structured and spatialized dimensions that shaped subjectivities and performances of different stakeholders, including relatives of the forcibly disappeared, internally displaced persons and inhabitants of the informal urban areas. Complicated, transformatory and multi-faceted relations between the Kurdish region and the center of Turkey highlight the interconnectedness of these geographical, political and historical entities that are far related than it appears.

Enforced disappearance

Forced migration

Kurdish conflict

Violence

Impunity

Memory

Table of Contents

Dedication ii
Acknowledgments iii
Résumé et mots clés v
Abstract and Keywords vi
List of Figures x
List of Abbreviations xi

1. Introduction 1
1.1 Living and dying at the margin 3
1.2. Aims of the study 6
1.3. Methodology 8
1.4. Outline of the chapters 15

2. Theoretical framework: state, violence and sovereignty 20
2.1. State 21
2.2. State violence 22
2.3. The Body 25
2.4. Sovereignty 27
2.5. The Space 29

3. Historical background and the specific political conjuncture of the 1990s 32
3.1. End of the Empire: permeating Kurdistan 33
3.2. Genocide, massacres and rebellions: obsession with homogeneity 40
3.3. War, armed struggle, and *serhildan*: challenging the Turkish state 49

4. Enforced disappearance and forced migration: terminology, patterns and effects 62
4.1. Defining forms of state violence: definition, terminology and rhetoric 63
4.2. Patterns, structures and experiences in the global context 70
4.3. Enforced disappearance and forced migration in the local context: acts, effects and spatiality 78

5. Setting the Scene: Istanbul and Şırnak 89
5.1. Urban anxieties and ethno-political encounters: Istanbul 91
5.1.1. Peculiarity of forced migration for Istanbul's urban space 91
5.1.2. *Gecekondu* as a self-produced solution 94
5.1.3. Global city and urban transformation 97
5.1.4. Scene of competing memories 101
5.2. Traces of war and collective resistance: Şırnak 103
5.2.1. Forms of state violence to reconquer the space 104
5.2.2. Spatialization of the JITEM team 108
5.2.3. Claiming the body in Cizre and Silopi 110

6. *Modus operandi* of the violent strategies: the state, sovereignty, and the pact of public secrets 115
6.1. Cizre JITEM team as the deadly representative of the state 119
6.1.1. Talking to the state: reticence, words and allusions 119
6.1.2. The history, origins and structure of JITEM 124
6.1.3. The interrogation and its aftermath 128
6.2. Traces of sovereignty: Cizre and Silopi 131
6.2.1. Surreptitiousness and blatant show 131
6.2.2. Local bearers of sovereignty: the village guard and the repentant 133
6.2.3. The political economy of death 137

6.2.4. The moral economy of death: sacred and solemn....140
6.3. Displacement and dispossession in continuum: forced migration and urban displacement 143
6.3.1. Forced migration as an *ultra vires* strategy 143
6.3.2. Conquering territory through ruination: material and discursive strategies....148
6.3.3. Encountering the state in the urban context....152
6.4. Forms of governmentality: Istanbul's *gecekondu* neighborhoods 154
6.4.1. Spaces of urban margin, spaces of intervention: Ayazma and Bezirganbahçe....155
6.4.2. Who is the right owner and who is not? 158
6.4.3. Governmental state and ethnopolitical tensions in the urban milieu 160
6.5. The dialectics of secrecy and visibility: the pact of public secrets 166
6.5.1. Fetishistic and rational aspects: secrecy and visibility 167
6.5.2. The pact of public secrets 169
6.5.3. Marking Kurdistan with the colonial effect....171
6.5.4. Interconnectedness of the governmental and the sovereign 175

7. Production of subjects in the legal space: law, notions of legality and impossible justice....180
7.1. The limits of the legal framework, the trials and the current situation 183
7.1.1. From legal void to tacit acceptance: the Ergenekon and Balyoz cases....184
7.1.2. Being a part of the notion of *humanity* 188
7.1.3. Forced migration: legal procedures of selective regulation 191
7.1.4. Assessing the damage: national and international context 194
7.1.5. Framing urban transformation projects 197
7.2. Different demands, different notions of legality 201
7.2.1. After the disappearance: actors and demands....201
7.2.2. *Real* Kurdistan and *Legal* Kurdistan 204
7.2.3. Internally displaced persons as a heterogeneous community 208
7.2.4. Space for bargaining: shifting demands, different temporalities 210
7.2.5. Urban negotiations, urban melancholia: destruction and regularization....214
7.3. Impossible justice, impossible redemption: Temizöz and Others....218
7.3.1. Bill of indictment: inclusions, exclusions and misspellings 218
7.3.2. Perpetrators, witnesses and victims: the court as a scene of encounter 221
7.3.3. Failed reckoning, impossible justice 225

8. Rhythm of the quotidian and struggle over memory: performing the political in the everyday life....229
8.1. The rhythm of the quotidian: different temporalities, different acts....232
8.1.1. Searching for the disappeared: hope, despair and messianic justice....232
8.1.2. Radical changes of the quotidian: melancholia, nostalgia and political belonging 238
8.1.3. Local organizations, local initiatives: men, women and who holds the authority? 242
8.2. Contentious memories of violence: witnessing, remembering and encountering 247
8.2.1. Act of witnessing, act of remembering....248
8.2.2. Lost paradise and absent belongings 254
8.2.3. The right of being urbanite: mud, sweat, labor and tears....258
8.3. "Until my last breath, after the end of this world": Saturday Mothers/Persons 265
8.3.1. Mothers of Cizre and *noeuds de mémoire* 270

9. Conclusion 277
9.1. Defining the colonial effect: sovereign and governmental state....280
9.2. Orchestrating justice: immediacy of *now* and specters of *past* 285
9.3. Restless, haunted and decisive: memory as experience 289
9.4. The pact of public secrets and production of asymmetrical memories....296

9.5. Compartmentalized knowledge, connected histories 304
10. Epilogue 309
Bibliography 311
Printed Publications 311
Chapter in a Printed Publication 317
Printed Reports and NGO Publications 322
Chapter in a Printed Report and NGO Publication 324
Electronic Reports and NGO Publications 326
Article in a Printed Journal 327
Article in an Electronic Journal 332
Academic Work 333
Conference Papers 334
Other Online Articles and Sources 335
Newspaper Pieces 336
Parliamentary Reports 337
Visited Websites 338
Annex 1. Current situation of the criminal cases regarding enforced disappearances in Turkey 341

List of Figures

Figure 1. Rebellions of the Ottoman Empire and Republic of Turkey 44

Figure 2. Distribution of Voluntary Village Guards by OHAL Province 55

Figure 3. Distribution of Temporary Village Guards by Province 55

Figure 4. The number of IDPs by conflict 75

Figure 5. Enforced Disappearances by Year 80

Figure 6. Distribution of Enforced Disappearances by Year and Province 81

Figure 7. Forced migration and the spatial dispersion of IDPs 92

Figure 8. Districts of Istanbul 96

Figure 9. Cities of southeastern Turkey 104

Figure 10. Districts of Şırnak 107

Figure 11. Distribution of Enforced Disappearances in Şırnak by Year and District .....
.....113

List of Abbreviations

AKP	Adalet ve Kalkınma Partisi – Justice and Devleopment Party
BDP	Barış ve Demokrasi Partisi – Peace and Democracy Party
CHP	Cumhuriyet Halk Partisi – Republican People's Party
CUP	İttihat ve Terakki Cemiyeti – Committee of Union of Progress
Compensation Law	Terör ve Terörle Mücadeleden Doğan Zararların Karşılanması Hakkında Kanun – Law on Compensation for Losses Resulting from Terrorism and the Fight against Terrorism
DEHAP	Demokratik Halkların Partisi – Democratic People's Party
ECtHR	European Court of Human Rights
HDP	Halkların Demokratik Partisi – People's Democratic Party
HEP	Halkın Emek Partisi – People's Labor Party
Göç-Der	Göç Edenler Sosyal Yardımlaşma ve Kültür Derneği – The Migrants' Association for Social Cooperation and Culture
Hafıza Merkezi	Hakikat Adalet Hafıza Merkezi – Center for Truth Justice Memory
IHD	İnsan Hakları Derneği – Human Rights Association
JITEM	Jandarma İstihbarat ve Terörle Mücadele – Gendarmerie Intelligence and Anti-Terror Unit
JÖH	Jandarma Özel Harekat - Gendarmerie Special Operation
Mazlum-Der	İnsan Hakları ve Mazlumlar İçin Dayanışma Derneği – Association for Human Rights and Solidarity for the Oppressed
Meya-Der	Mezopotamya Yakınlarını Kaybedenlerle Dayanışma Derneği – Mesopotamia Solidarity with the Relatives of the Disappeared Association
MHA	Toplu Konut İdaresi Başkanlığı – Mass Housing Administration
OHAL	Olağanüstü Hal – State of Emergency
PKK	Partiya Karkerên Kurdistan –Kurdistan Workers' Party
PÖH	Polis Özel Harekat – Police Special Operation
TESEV	Türkiye Ekonomik ve Sosyal Etüdler Vakfı – Turkish Economic and Social Studies Foundation
TIHV	Türkiye İnsan Hakları Vakfı – Human Rights Foundation of Turkey
TUIK	Türkiye İstatistik Kurumu – Turkish Statistical Institute

Yakay-Der	Yakınlarını Kaybedenlerle Yardımlaşma ve Dayanışma Derneği – Association of Solidarity and Assistance for the Families of Missing Persons

1. Introduction

One would be astonished by the high frequency of use of the term *Kurdish question* in politics at the national level in Turkey. Strategists from all perspectives, journalists, politicians, scholars and opinion leaders from different political tendencies use repeatedly the term *Kurdish question* to refer to one of the most important and fundamental issues of Turkey. Once, using this term was a matter of political courage. During the 1990s, the ones who used the term *Kurdish question* -instead of the *terror question*, *separatists* or *terrorist acts*, for instance- were assumed to be supporters of the Kurdish political movement. Nowadays, the term *Kurdish question* has become a part of the vocabulary of the mainstream Turkish politics. The heat of the discussion around the *Kurdish question* has not subsided though; on the contrary, with the recommencement of the guerilla warfare by the Kurdistan Workers' Party (Partiya Karkerên Kurdistan – PKK) against the Turkish army in 2015 after the failure of the peace process commenced in 2013, today, the debate is more heated than ever. Also, it should be emphasized that the armed conflict between the PKK and Turkish army did not produce solely military results but altered the political, social and cultural spheres of Turkey permanently and holistically. What was aimed to be repressed and forgotten by the foundation of the Republic of Turkey, that is, *Kurdishness*, returned surprisingly and powerfully in the immediate aftermath of the 1980 coup d'état, shaping and ever-reshaping Turkey's national political landscape.

The term *Kurdish question*, although used by various actors, is not an explanatory term per se. It carries a sort of ambiguity in itself. Does it refer to the specific political demands of the Kurdish people organized and mobilized around the ideological and political hinterland of the PKK? Or does it mean more generally the contentions and struggles over the rights and liberties of the Kurdish population? Is it essentially related with the concepts of sovereignty and autonomy or human rights and democratization? What is the crucial component of the *Kurdish* question: the disarmament, demobilization and reintegration processes or the drafting of a new constitution including the demands of the Kurdish political movement and broader Kurdish society? Moreover, different forms and historical appearances of the *Kurdish question* throughout the 19th and 20th centuries also complicate the picture. Despite this political and historical complexity, one can argue that the nucleus of the conflict is located in some common tendencies of and themes prevailing over the Kurdish society: refusal of the assimilation of Kurdishness under the rubric of Turkishness; call for democratization,

dissemination of political will and power; and the demand for decentralization and self-governance.

This thesis is an attempt to explore the Kurdish issue by scrutinizing two concrete violent strategies from a historical perspective and through a lens focusing on political and spatial margins. Instead of using the term *Kurdish question*, which is overloaded and overused, I will use the terms *Kurdish issue* and *Kurdish conflict* interchangeably. These terms, I argue, are less normative and define more aptly the content of the existing ethno-political conflict. Enforced disappearance and forced migration are not the most fashionable or salient components of the Kurdish issue; they are, instead, labeled as *extreme practices* that occurred during the 1990s, when the conflict was intensified. In a way, they are considered to be at the margin of the Kurdish conflict. Far from being acknowledged properly, even if they may be recognized partially, these practices are labeled as contingent and temporal atrocities of the past. One should accept that there is today more information, studies and expertise on forced migration; however most of these works define it as an extraordinary catastrophe that happened in the violent milieu of the 1990s.[1] As for the enforced disappearances, a significant lacuna exists in the academic milieu in Turkey. Apart from the pioneering works of Gökçen Alpkaya and consecutively reflections of Meltem Ahıska,[2] few scientific studies have analyzed the phenomenon of enforced disappearance.

The main argument of this dissertation is that these deadly and violent practices alongside their broader political, cultural and spatial consequences and effects have constituted both the Kurdish issue and the very center of national politics in Turkey. In other words, these violent practices are not contingent and extreme acts of the Turkish military body but rather deliberate, patterned and inherent political and military choices of the Turkish state apparatus, designed as a specific answer from the official perspective to the sovereignty crisis of the 1990s. These two violent strategies provide the opportunity to analyze the Kurdish issue as a dynamic, complex and spatial conflict instead of a static, reified and predefined question. Their occurrence at the margin reveals crucial insights about the center concerning the functioning of the state apparatus, implementation of the counter-insurgency strategies, content of the Kurdish issue and necro and biopolitical forms implemented in the Kurdish conflict.

[1] Needless to say, there are important exceptions to this mainstream perception, which establishes a critical body of work and I used most of these studies in the relevant chapters of my dissertation.
[2] Gökçen Alpkaya, "Kayıplar Sorunu ve Türkiye," *Ankara Üniversitesi Siyasal Bilgiler Fakültesi Dergisi* 50, no. 3-4 (1995): 31-65; Meltem Ahıska, "Kayıp Annelerinin Şiddete Tanıklığı," *Amargi*, no.2 (2006): 22-24.

When I use the term *margin*, I do not refer solely to a political margin; the spatial margin is also inherently related with these violent strategies, since they were mostly employed at the spatial margin of Turkey. In the distant cities of Kurdistan, persons who had allegedly supported the PKK were disappeared, and hamlets and villages where PKK guerillas had allegedly been supported and sheltered were evacuated, burned and destroyed. One may argue that the spatial distance of these practices to the center of national politics also contributed to their political distance. In tandem with many other historians and anthropologists, I claim that margins, as produced political, cultural and spatial entities, uncover crucial knowledge about the position, construction and functioning of the very center. They could even provide significant hints about the unspoken, distorted or manipulated practices and representations of the center.

1.1 Living and dying at the margin

Veena Das and Deborah Poole, in their brilliant work about the state and its margins, question the conceptualization of the state as a centralized control over a determined territory and instead they suggest: "[…] that we explore the state's 'margins' –that is, the places where state law and order continually have to be reestablished. For state power, they insist, is always unstable, something best seen when one moves away from the 'center'."[3] Das and Poole, in other words, claim that *margins* are the most adequate milieus to analyze the *center* in a more accurate manner. Accordingly, the margins may be scrutinized by three different but interconnected approaches: first, as peripheries seen to form natural containers for people considered insufficiently socialized into the law; second, as areas hinged around issues of legibility and illegibility of the state through its written practices; and third as spaces of bodies, law, discipline and various forms of bio/necropolitics.[4] Margins, as dynamic and constantly produced entities, instead of inert, predetermined and static entities, reveal crucial knowledge on law, norms and exceptions, management of population, biopolitics, and necropolitics. Not only bureaucratic, legalistic and mundane practices and documentation over the margins but also experiences and practices embedded in the everyday life highlight significantly mentalities and functioning of different state actors and institutions.

In line with this approach, this dissertation focuses on two violent practices of the state: enforced disappearance and forced migration, which constituted both the political and spatial margin of the mainstream national polity. Also, I claim that these margins are the spaces

[3] Talal Asad, "Where Are the Margins of the State?," in *Anthropology in the Margins of the State,* ed. Veena Das and Deborah Poole, (Santa Fe: School of American Research Press, 2004), 279.
[4] Veena Das and Deborah Poole, "State and Its Margins," in *Anthropology in the Margins of the State*, ed. Veena Das and Deborah Poole, (Santa Fe: School of American Research Press, 2004), 9-12.

where you can see the state apparatus, with its different actors and institutions as well as its contradictory forms and manifestations, in a more opaque manner. Moreover, the responses and acts of the individuals and societal groups situated in these margins also contribute to this opacity. I chose Cizre and Silopi, two districts of Şırnak, for a deepened analysis of enforced disappearance and four neighborhoods -Hürriyet, Yakacık, Ayazma and Bezirganbahçe; two in the Anatolian and two in the European part of Istanbul- for a better understanding of forced migration, its urban consequences and other forms of urban interventions. I will dwell on these spaces in the upcoming chapters and more specifically below, in the chapter *Setting the Scene: Istanbul and Şırnak*. Here suffice it to say that Cizre and Silopi, stemming both from their geographical location -at the border of Syria and Iraq- and their political inclination -strongly committed to the Kurdish political movement-, represent the spatial and political margin par excellence. The two neighborhoods at the European side of Istanbul, Ayazma and Bezirganbahçe, situated at the peripheral areas of their districts and inhabited respectively by the politically motivated Kurdish community and low-income, both Kurdish and Turkish, urbanites, form the urban margin in different manners. Hürriyet and Yakacık, on the other hand, although situated in better equipped and established districts of Istanbul's Anatolian side, also may be situated in the urban margin due to their peripheral situation as well as their relatively vulnerable position vis-à-vis various urban interventions.

Margin, is not solely related with the geographical or situational proximity to the center. More important than their existing geographical situation, both of these spaces are constantly produced and constituted as political, spatial or urban margins in different manners. Being marked by the state violence in the context of the Kurdish conflict along with political mobilization and resistance supporting the Kurdish political movement; being inhabited by the newly arrived poor Kurdish population or being subjected to urban interventions as Kurdish newcomers to Istanbul, these spaces all represent different types of margins, constructed through a set of complicated political, military, cultural and spatial politics. Thus, the margins are generated in one way or another through macro political networks along with quotidian and capillary relationships with the Kurdish conflict generally and with the Kurdish political movement more specifically.

While different forms of state intervention produced and constructed these spaces continuously as margins, these interventions also simultaneously put into practice politics of life and death. In other words, biopolitics and necropolitics coexisted at these margins when the Kurdish population was at stake. The management of life and death of the Kurdish

population, in and outside of Kurdistan, was one of the key issues for the state apparatus during the 1990s' political crisis in the climate of intensified Kurdish conflict. I will describe the political crisis of the 1990s in further detail from a broader historical perspective below, in the chapter *Historical background and the specific political conjuncture of the 1990s*. Here I would like to solely emphasize the significance of enforced disappearance and forced migration in terms of the management of the Kurdish population. Enforced disappearance and forced migration were two instruments of management of life and death during the specific historical momentum of the 1990s. On the one hand, the Kurdish population was territorialized, re-territorialized, and resettled in different milieus of Kurdistan and western metropolitan areas of Turkey through forced migration; and on the other hand, bodies of certain individuals chosen among the population were tortured, burned, executed and destroyed through the strategy of enforced disappearance. According to the definition of Michel Foucault, biopolitics, refer to a set of politics that takes the administration of life and populations as its subject; these politics aims to "ensure, sustain, and multiply life, to put this life in order".[5] Administering the Kurdish population through governmental technics with different types of classifications, settlement and resettlement politics, including various official agents from municipalities, housing institutions and local authorities are examples of the use of biopolitics as a strategy of population management. These methods of settlement and resettlement along with urban interventions invoke notions of governmentality[6] concerning forced migration and urban interventions. Enforced disappearance, on the other hand, as a deadly strategy of the counter-insurgency methods, invokes notions of sovereignty and necropolitics. Abduction, torture and destruction of the bodies supposedly close to the PKK during the intensified war of the 1990s with the strategy of enforced disappearance constituted a crucial component of the state's military and political response to the Kurdish conflict. Managing death became crucial from the official perspective in this novel momentum of the Kurdish conflict. Naming this process as necropolitics, I refer to Achille Mbembe's conceptualization of necropolitics. Mbembe refers to necropolitics "[…] to account for the various ways in which, in our contemporary world, weapons are deployed in the interest of maximum destruction of persons and the creation of *death-worlds*, new and unique forms of social existence in which vast populations are subjected to conditions of life

[5] Michel Foucault, *La Volonté de Savoir. Histoire de la Sexualité (Tome 1)* (Paris: Editions Gallimard, [1976] 1994), 138. Also see Thomas Lemke, *Biopolitics: An Advanced Introduction* (New York & London: New York University Press, 2011).
[6] Michel Foucault, "Governmentality," in *The Foucault Effect. Studies in Governmentality*, ed. Graham Burchell, Colin Gordon and Peter Miller (Chicago: The University of Chicago Press, 1991), 87-104.

conferring upon them the status of *living dead*".[7] Mbembe contextualizes necropolitics as a set of complicated configurations of life and death, which constitutes the basis of slavery plantations and classical colonial formations. Necropolitics is not limited to these formations though; according to Mbembe, it is the basis of different colonial matrices and responses of the states to sovereignty crises. Enforced disappearance, as a patterned strategy of counter-insurgency politics, I claim, should be situated in this broader context of sovereignty and necropolitics.

Living and dying at the margin meant being inside this complex network of life and death dialectics for the Kurdish population, inside and outside Kurdistan. As I will try to demonstrate in the upcoming chapters, biopolitics and necropolitics, respectively, are not two separate and unrelated sets of politics. Quite the contrary, they are very much interconnected through the manifestations of the Kurdish conflict. There are several continuities and resemblances between the sovereign state and governmental state for Kurdish citizens, which both used tools of bio and necropolitics simultaneously, despite their appearances as two completely separate entities. This dissertation is an attempt to analyze these different forms of state in the specific historico-political momentum of the 1990s by focusing on enforced disappearance and forced migration. I claim that these two forms of the politico-spatial margin produced in the context of the Kurdish conflict reveal crucial insights into the nature of the state apparatus, polity and practices.

1.2. Aims of the study

Analyzing the Kurdish conflict and various responses of different official institutions and actors vis-à-vis this conflict from a broader historical perspective is the fundamental aim of this dissertation. Instead of a reified approach that conceptualizes the "Kurdish question" as if it were a thing per se with intentions, will and spirit, I consider the Kurdish issue to be a dynamic, and shifting issue which was materialized under different forms and manifestations throughout a long period of 30 years of armed conflict. The 1990s represent a peculiar politico-historical momentum in the course of the broader period of the Kurdish issue. My aim is to situate the 1990s in a broader historical context with its continuity and peculiarity. 1990s, instead of being a contingently extreme era of violence, is a period when specific and concrete violent strategies were implemented by following a peculiar logic of counter-insurgency. In other words, instead of being byproducts of the war, enforced disappearance

[7] Achille Mbembe, "Necropolitics," *Public Culture* 15, no. 1 (2003): 40.

and forced migration comprised the core of this peculiar logic of counter-insurgency as the response of the Turkish state to the sovereignty crisis of the 1990s.

Moreover, I intend to emphasize the intersectionality among different outcomes and consequences of the Kurdish issue, which may appear completely un-relational in the first instance. In other words, *Kurdishness* of the inhabitants of irregular neighborhoods used as an ideological discourse by the municipality staff in the context of different urban interventions and *Kurdishness* of the victims of violent strategies of the 1990s in the context of the counter-insurgency strategies used as a tool of the legitimacy of such strategies may seem to be un-relational *prima facie*. However, as I will try to illustrate in the upcoming chapters, they are inherently interrelated. Thus, to discuss the urban debates of Istanbul's metropolitan areas without referring to the Kurdish issue or to frame enforced disappearance and forced migration within a standard discourse of democratization and human rights, in one way or another, are ways of non-recognition of the Kurdish issue with its broader political, social, cultural and urban outcomes. The chapters of this dissertation should also be read as an attempt to elucidate this intersectionality.

Another important goal of the dissertation is to analyze the *thing that we call the state* as a set of practices, comprised of structured and patterned yet also contradictory and multifaceted acts. Coexistence of competing actors and different discourses of war, militarism, necro and biopolitics as well as different methods of classification, forming alliances and enemies are essential components of the state. I put a specific emphasis on the spatial factor for analyzing the massive official war machine of the 1990s. In Cizre, the state mobilized several actors to continue its struggle against the armed Kurdish movement. Hostilities stemming from the Kurdish conflict, however, were mobilized and operated in a whole different manner in the context of Istanbul's urban space. Still, I argue, some crucial commonalities can be seen between these different forms and manifestations. As I claimed above, these commonalities may be observed more lucidly and in an adequate manner while looking from the margins.

Biopolitics and necropolitics as a result of the sovereignty crisis of the state vis-à-vis the Kurdish conflict did not, on the other hand, occur on a tabula rasa. All these violent strategies were thought and implemented in relation to the acts and politics of the Kurdish political and armed movement specifically and responses of the Kurdish society more generally. The classification of the Kurdish society as *traitors* and *loyal citizens* depended on their political inclinations and mobilization. Moreover, broader societal, gender and intra-communitarian relationships, alliances, affinities and hostilities of the Kurdish society were also taken into

account and mobilized for the novel classification of the Kurdish citizens in terms of their position vis-à-vis the Kurdish conflict. This classification produced results about the functioning of the destruction machine of the Turkish state constructed as a tool of counter-insurgency and determined the content of the implementation of two violent strategies: enforced disappearance and forced migration. It was not limited to this, however; the new momentum of the Kurdish conflict also shaped and reshaped the legal sphere. Instead of analyzing the legal sphere as a separate entity of the state functioning according to its own *sui generis* rules, I conceptualized the legal sphere as a field influenced and produced by the peculiar politico-historical momentum of the 1990s. The legal sphere, which was constructed through this politico-historical momentum, represented different notions of legality from the perspective of the Kurdish citizens who experienced disappearance and migration. My purpose is to elaborate analytically the legal sphere in a way that includes both official legal practices, and responses and acts of the Kurdish citizens.

Finally, all these controversial acts, processes and experiences, including both actors and institutions of the state apparatus and performances of the Kurdish individuals and societal groups in and outside of Kurdistan, occurred in the course of everyday life. In other words, for a better understanding of these violent strategies, a top-down perspective focusing solely on macro-political actors would be inadequate. A focus on the micro-level, which acknowledges relational networks of everyday life, would disclose the nature of the politics as that which is performed in the quotidian life. This perspective, therefore, would situate enforced disappearances, forced migration and urban interventions within the concrete experiences, encounters and confrontations in the course of quotidian life and spatial configurations. It would also situate these violent practices within the course of everyday life and would enable observation of the *ordinariness of the extraordinary*.[8] Quotidian life, therefore, is crucial since memory-making processes primarily occur at the quotidian level. Moreover, gender regimes, local hostilities, moral hierarchies, local political mobility, counter-memory attempts and struggles over memory become much more visible when seen from an angle focusing on the micro-level.

1.3. Methodology

My methodological concerns are related with two crucial points. In what follows, I first explore my methodological choices and note their relevance for the dissertation. And second, I discuss my academic responsibility and political position as the author because it also

[8] Coronil, Fernando and Julie Skurski, "Introduction: States of Violence and the Violence of States," in *States of Violence*, ed. Fernando Coronil and Julie Skurski (Ann Arbor: The University of Michigan Press, 2006), 3.

shaped my methodological preferences as well as the content of the dissertation. Being organically interrelated, these two issues shaped the content, problematic and approach of my work. Moreover, my academic, political and professional trajectory also influenced methodological issues; therefore, I try to explain the methodology of the dissertation in line with such trajectory.

Right from the beginning, when I was solely concentrating on forced migration and its urban consequences during the initial phase of the dissertation, I decided that I would essentially use oral sources. Despite criticisms from conventional historiographical approaches about the reliability, objectivity and inclusiveness of oral sources, it has been mainly accepted during the last three decades that oral sources and the use of oral history provide detailed, complex and multifaceted narratives of the past.[9] Moreover, oral historians acknowledge the subjectivity of oral accounts not as the weakness but the strength of the method in the sense that it offers the narration of personal experiences undocumented previously and it enables to understand the social production of the past. In addition, they recognize the plurality of the pasts in the sense that the *past* is a social production of different similar and competing narratives/memories instead of empirical narratives telling what really happened. In line with the main argument of the post-positivist turn that written documents are also socially produced, subjective and biased artifacts drafted by different stakeholders, oral sources have gained more authority and recognition. [10] Therefore, my insistence on oral sources as the basis of the dissertation was in line with this tendency, especially for a detailed analysis of the forms of state violence, which remained undocumented previously. Oral sources would provide multifaceted narratives of the past including not only empirical evidence but also interpretations, perceptions and representations of the 1990s and different forms of violence.

Initially the subject of the dissertation was forced migration and its urban consequences along with urban transformation projects as a peculiar form of urban intervention. I began to conduct semi-structured interviews in Ayazma and Bezirganbahçe first. The description and analysis of the places of my fieldwork are elaborated on in the upcoming chapter *Setting the Scene: Istanbul and Şirnak*; here I refer to these places solely for depicting the trajectory of my dissertation and my methodological preferences. I chose the neighborhoods of Ayazma

[9] For an excellent periodization and account of oral history see Alistair Thomson, "Four Paradigm Transformations in Oral History," *The Oral History Review* 34, no. 1 (2007): 49-70.
[10] Linda Shopes, "Oral History and the Study of Communities: Problems, Paradoxes, and Possibilities," *The Journal of American History* 89, no. 2 (2002): 591. 588-598. For a debate on witnessing, history and past, that also includes the use of oral sources in a broader perspective, see Annette Wieviorka, "Justice, histoire et mémoire. De Nuremberg à Jérusalem," *Droit et Société* 38, no. 1, (1998): 59-67; Nora Şeni, "Geçmiş ve Tarih," *Radikal 2*, December 12, 2013, accessed February 21, 2017, http://www.radikal.com.tr/radikal2/gecmis-ve-tarih-1164886/; Pierre Nora, "Présentation," *Le Débat, Histoire Politique Société. La Culture du Passé,* no. 177, (2013): 3-5.

and Bezirganbahçe due to their dense Kurdish population, who came to Istanbul during the 1990s, mostly with forced migration. Also, these two neighborhoods were places where urban transformation projects and their consequences may be thoroughly observed. After three pilot interviews, I conducted 15 semi-structured interviews with the residents of Ayazma and Bezirganbahçe, focusing on their experiences of forced migration, experiences in the urban milieu of Istanbul and their perception/interpretation of the urban transformation project in 2011 and 2012.[11]

In the meantime, I started to work as researcher of Istanbul in an international project about urban transformation processes in the MENA region, entitled *Public Mediations in the Metropolitan Cities of Maghreb and the Middle East: Competition of Property and Access to Housing*. The project was conducted in Amman, Bayreuth, Casablanca, Damascus, Istanbul, Cairo and Teheran simultaneously, with the financial and academic support of Institut Français du Proche-Orient (IFPO) Damascus. The aim of the project was to explore similarities and differences of the urban transformation projects in different cities of the MENA region with a specific focus on gentrification, regeneration, land ownership and land tenure patterns. In the context of this project, I worked under the supervision of Professor Yves Cabannes, the Chair of the Development Planning Department of University College London. We chose together four neighborhoods: two were the localities of my dissertation, Ayazma and Bezirganbahçe, and the other two were Hürriyet and Yakacık quarters, in the Asian part of Istanbul, where regularization of irregular residential areas had taken place. I conducted 45 semi-structured interviews in Turkish with residents or ex-residents of these four neighborhoods, which mainly concentrated on land ownership, land tenure patterns along with responses to the urban projects. Moreover, I conducted 10 more interviews with local representatives of the People's Republican Party (Cumhuriyet Halk Partisi - CHP), the Peace and Democracy Party (Barış ve Demokrasi Partisi - BDP), architects, municipal employees, and local employees of the Mass Housing Administration (Toplu Konut İdaresi – MHA).

While conducting additional interviews for the fieldwork of the project, however, the Kurdish issue was always at stake, in unacknowledged, implicitly referred to or explicitly stated manners. Many residents were newcomers to Istanbul, who had abruptly arrived as a result of forced migration in the additional two neighborhoods. I observed that the Kurdish issue marked the experiences of these Kurdish and non-Kurdish residents of the neighborhoods in several ways and several themes, with experiences of the Kurdish conflict being embedded in

[11] First I contacted the local leaders of anti-demolition movement and then I reached other interviewees through the snowball technique.

their narratives on urbanity, quotidian life and encounters. Therefore, I continued to go to these neighborhoods after the termination of the project. This time my goal was to conduct for my dissertation new interviews focusing on forced migration, different appearances of the Kurdish issue in Istanbul's metropolitan space, and ethno-political anxieties. I continued to go to these neighborhoods in 2012 to conduct new interviews as well as observe more closely mechanisms of mobilization, political participation and quotidian experiences through participant observation. I attended the meetings of local initiatives, neighborhood associations and other forms of gatherings in the neighborhoods throughout 2012. I conducted 15 more semi-structured interviews in the meantime -all in Turkish- and began to think about forms of state violence that occurred in Kurdistan along with the specific momentum of the 1990s since most of my interviewees were referring to the peculiar political atmosphere of the 1990s with a constant insistence.

Meanwhile, with a couple of journalists, activists and lawyers, we established an association entitled Hafıza Merkezi (Truth Justice Memory Center - Hakikat Adalet Hafıza Merkezi) in Istanbul. We aimed this association to be a non-governmental organization producing knowledge and expertise with a focus on gross human rights violations and state crimes that were held unaccountable. We decided to document enforced disappearances as a specific form of state violence. As the coordinator of the Memory Studies Department, I was managing the field researches that included interviews with the relatives of the disappeared, activists, lawyers and representatives of political groups and NGOs. After some pilot interviews in Istanbul, we decided to go to Cizre, a place marked by state violence generally and enforced disappearance more specifically. Again, I will describe these places in a more adequate manner below, in the chapter *Setting the Scene: Istanbul and Şırnak*; however, I should emphasize that Cizre, as a place marked by several layers of violence and contention, altered my whole perspective about state violence and the Kurdish issue. After conducting fieldwork in Cizre, I decided to tackle all together forced migration and enforced disappearance along with urban consequences of the Kurdish issue, which seemed to me, ultimately relational and intersectional.

For enforced disappearances I used interviews of Hafıza Merkezi, which were consented by the interviewees for academic use. We visited Şırnak, Cizre and Silopi within the scope of fieldwork three times: first, September 1-7, 2012; second, October 12-18, 2012; and third, November 30 - December 6, 2012. Seven researchers participated in these visits and during the field research we conducted semi-structured interviews focusing on enforced

disappearance with an emphasis on before and after of the disappearance. In the meantime, we tried to collect through the interviews information about the search of the disappeared, relations with official authorities, networks of societal solidarity, support networks or hostilities, and political affiliations. Interviews were conducted with the relatives of the disappeared, lawyers, representatives of the human rights organizations and local political leaders/influential figures. Also, two focus group meetings, one with youngsters of the 1990s and one with influential figures affiliated with different Kurdish political organizations, were held in Cizre. In total, 80 interviews, 51 in Kurdish and 29 in Turkish were conducted in Cizre, Silopi and Şırnak. Moreover, we continued our field research between September 18 and 25, 2013 in Cizre, Silopi and Şırnak and conducted 41 more interviews, 33 in Kurdish and 8 in Turkish.

I participated in these field researches as a part of the Memory Studies Program of Hafıza Merkezi. I conducted most of the interviews in Turkish. Although I do not speak Kurdish properly, I was also present during the interviews in Kurdish conducted by Kurdish speaking researchers. In other words, I had the opportunity to listen to the majority of the interviews. Also, I had the chance to deepen my knowledge concerning spatial, social and political context of Cizre thanks to prolonged and systematic relationship with the relatives of the disappeared and representatives of human rights organizations. During our field trips, the help and support of two associations, Association of Solidarity and Assistance for the Families of Missing Persons (Yakınlarını Kaybedenlerle Yardımlaşma ve Dayanışma Derneği – Yakay-Der) and Mesopotamia Solidarity with the Relatives of the Disappeared Association (Mezopotamya Yakınlarını Kaybedenlerle Dayanışma Derneği – Meya-Der), was crucial. They convinced the relatives of the disappeared to talk to us and their staff was extremely helpful and cooperative during the field research. With their support we were able to talk to several different families of the disappeared in Cizre and Silopi.

My knowledge of Kurdish was at beginner level during the initial phase then it became beginner-intermediate level at the final stage of my dissertation. I was not able, however, to conduct any interview in Kurdish. Therefore, I either talked in Turkish with my interviewees or used the Turkish translation of originally Kurdish interviews of Hafıza Merkezi. Here, I should acknowledge the conceptual lacuna created due to my lack of the Kurdish language in terms of interpreting Kurdish interviews. Translation is not only a technical issue but also an

ethical and political one, which raises issues of incommensurability and untranslatability.[12] I tried to fill this lacuna through close observation, intense discussion with and the support of Kurdish speaking researchers of Hafıza Merkezi, and a specific language-sensitive focus.

I analyzed the content of the interviews under three different sets of concepts, which comprised the main chapters of my dissertation. First, I scrutinized them with a focus on the state, its different actors and institutions, discourses and acts. Not only empirical evidence about the state apparatus but also how it was perceived, interpreted and represented by the interviewees was my main concern. Then I examined the interviews through a legal lens; I tried to understand various concrete practices of the interviewees in the legal sphere as well as their own assessments and interpretations of the legal space. And finally, I analyzed the interviews from the perspective of quotidian life and memory; I specifically concentrated on memory-making processes, competing memories and political performances in the course of quotidian life.

Not only oral sources but also written documents constituted one of the main pillars of the dissertation. First, I tried to include and discuss the relevant academic literature on the interpretations of the Kurdish issue from a historical perspective. Also, I reviewed the relevant literature on urban studies, especially works focusing on the transformation of Istanbul's urban space. Then, I reviewed secondary sources for a deepened understanding of the peculiar political momentum of the 1990s including journalistic works, repentant testimonies and perpetrators' published books. I also used parliamentary reports, which reflect political positions of several actors within the state apparatus as well as different official narratives regarding the 1990s. Furthermore, I scrutinized indictments and case files of the important criminal proceedings concerning the perpetrators of the enforced disappearances. And finally, I attended some hearings of the criminal cases concerning the perpetrators of the enforced disappearances. I also benefited from my own observations from the hearings.

Moreover, I should emphasize that my personal and political involvement with the Kurdish issue and Kurdish political struggles affected and influenced deeply the field research, content, and methodological choices of this dissertation. I was in Kurdistan as the representative of a non-governmental organization, which is active in the human rights area and documents enforced disappearances. This specific presence certainly influenced the interviewees and their narratives. Moreover, at that period of time, I was also the legal adviser

[12] Elisabeth A. Povinelli, "Radical Worlds: The Anthropology of Incommensurability and Inconceivability," *Annual Review of Anthropology* 30, (2001): 322.

of the BDP in the Constitution Reconciliation Commission established in the Turkish Parliament. This position, also, impacted on and shaped my relations with the interviewees. Members of the BDP helped me, both in Istanbul and Şırnak, to find and contact my interviewees. This, on the one hand, facilitated discussions with some of the interviewees, especially the ones who were closer to the Kurdish political movement, but on the other, imposed several limitations to interviews. I acknowledge these opportunities and limitations. Moreover, although my experience in the Constitution Reconciliation Commission taught me extensively regarding different facets of both the Kurdish conflict and the state apparatus, I did not include such knowledge in my dissertation since it would totally change my focus and approach. I tried to anchor my focus at the margin instead of Ankara. This focus has much more to say, I claim, on the nature, functioning and acts of the different actors and institutions of the state apparatus. Cizre, Silopi as well as the peripheral neighborhoods of Istanbul are better locations compared to Ankara for a multi-faceted understanding of state violence.

Needless to say, not only the state but also the PKK also had been one of the main producers of violence both inside and outside of Kurdistan for the last thirty years in the context of the Kurdish conflict. This violence, however, is outside of the scope of this work unless it is necessary for depicting the broader political atmosphere of the 1990s or analyzing forms of state violence. This, however, should not be interpreted as an unwillingness or political blindness vis-à-vis PKK's violence. On the contrary, this choice is very much related with the main objective of my work. My main purpose is to understand different forms of state violence, their intersectionality and various responses of ordinary people vis-à-vis these peculiar forms of violence. Thus, I do not ignore or underestimate PKK violence in any way. My sole intention is to draw attention to the violence of *the thing that we call the state*, which affects our practices, political affiliations and perceptions. This work, in other words, may be read as a modest attempt at analyzing the Turkish state during the 1990s crisis along with several responses and subjectivities of ordinary people from a historical perspective. Such analysis, I believe, will reveal some crucial continuities and ruptures concerning the state apparatus, discourses and politics, which still shape and reshape our lives today.

And finally, at the initial phase of the dissertation, the Kurdish conflict was ongoing but there was a strong expectation concerning the commencement of a peace process. The political climate, despite all the difficult conditions, was relatively expectant both in Şırnak and in Istanbul from the perspective of the relatives of the disappeared and internally displaced. Although criminalization, mass incarceration and political pressure with relation to the

Kurdish conflict were taking place, there were political rumors and anticipations for the commencement of a negotiation process between the Turkish state and Abdullah Öcalan, incarcerated leader of the Kurdish movement. The interviews in 2012 were conducted against the backdrop of this political atmosphere. Then, in 2013, with the letter drafted by Abdullah Öcalan and read at the Diyarbakır Newroz celebration on March 21, 2013, the commencement of a new era of peace and negotiation between Öcalan and the Turkish state, which aimed to end historically the era of armed struggle, was openly declared.[13] The interviews conducted during 2013 were realized in this more peaceful political climate. They would have been different in many aspects if conducted now, at time of the writing of this dissertation. However, I argue that the main approaches and statements of the interviewees are still relevant and meaningful regarding their perception of state, justice and memory since these perspectives are formed through much deeper experiences, encounters and relations that occurred in the longer term.

1.4. Outline of the chapters

The first four chapters circumscribe my core arguments in the sense that they put state violence in a theoretical and historical background, situate the forms of state violence that I investigate within the international and local context and analyze the spatial aspect of such forms of violence. In these chapters, I mainly define the content and scope of my dissertation, lay out the theoretical approaches that I used for a better understanding of the forms of state violence, the historical background of the Kurdish conflict, present the terminology with an analysis of the international and local context and the spatial setting of my research.

The first chapter is the part where I discuss the theoretical background of my work through the main concepts of the dissertation. I situate the subject of the dissertation within a theoretical framework by means of some key concepts. Peculiar forms of state violence of the 1990s, namely enforced disappearance and forced migration, invoke certain key theoretical concepts. These concepts are, consecutively, *state*, *state violence*, *body*, *sovereignty* and *space*. Not only the key concepts of my dissertation but also how I elaborate these concepts will be exposed through the selected works I cite. These bodies of works are the ones that establish the theoretical basis of the dissertation.

While situating the analytical framework of my dissertation, a need for putting the Kurdish issue as well as different violent experiences occurred in the Kurdish region into historical

[13] For the full text of the letter (in Turkish) see. Al Jazeera Turk, "Öcalan'ın Mektubunun Tam Metni," March 21, 2015, accessed December 11, 2016, http://www.aljazeera.com.tr/haber/ocalanin-mektubunun-tam-metni.

perspective occurs. The second chapter is an attempt to situate the Kurdish conflict in a broader historical perspective. Instead of narrating chronologically the Kurdish issue and its different facets, I tried to make a periodization of the layers of state violence in Kurdistan. Accordingly, the end of the Ottomon Empire is crucial in the sense that it initiated the politics and debates of how to permeate Kurdistan for the first time in the modern sense. Then, the era of obsession with homogeneity marked Kurdistan through genocide, massacres and rebellions beginning with the Armenian Genocideuntil the end of the Kemalist era. Finally, the long thirty years of the armed struggle, the conflict between the PKK and Turkish armed forces, years of war and *serhildan*, shaped the political, social and cultural sphere of the Kurdish region dramatically. Peculiar forms of state violence of the 1990s, including enforced disappearance and forced migration, would be understandable from this broader historical perspective of violence, contention and challenge.

After setting the theoretical and historical background, the terminological issues arise about how to define these violent experiences. The third chapter is a descriptive but necessary part of the dissertation. Basically, it establishes what I refer to when I use the terms *enforced disappearance* and *forced migration*. Commencing with the terminology, since the semantic debate is simultaneously a political and ideological one, the global processes of naming these violent strategies are scrutinized. Also, my terminological choices are explained in this chapter. Moreover, both global and local patterns of these strategies are depicted. An overview of enforced disappearance and forced migration to situate these forms of state violence in a broader global context is also part of the chapter.

The spatiality aspect is one of the crucial components of the introductory chapters since I claim that these violent forms of state violence are essentially spatialized. Finally, in the fourth chapter, I aim to situate enforced disappearance and forced migration spatially. I depict thoroughly the places of my research from a broader historical and social perspective and the peculiar characteristics that make them appropriate for an analysis of state violence and urban intervention. Moreover, I aim to analyze forms of state violence through their occurrences and manifestations in the spatial context, which is crucial since I claim that these practices are also embedded in space. In other words, space should not be perceived as a static entity where forms of state violence and urban interventions occurred; on the contrary, it should be understood that spatial configurations and relationalities have shaped the content of these violent forms. Space has essentially influenced the structures of para-military forces, patterns of disappearance and migration and forms of urban interventions. In this chapter, I aim to

elaborate these spatio-political relationships where hostilities, alliances and contentions are deeply affected. Two districts of Şırnak, Cizre and Silopi, and four neighborhoods of Istanbul, Ayazma, Bezirganbahçe, Hürriyet and Yakacık, are scrutinized from this perspective.

With the fifth chapter, the main chapters of the dissertation commence. The fifth chapter focuses on state, sovereignty and different institutions of the state apparatus engaged in state violence since it is the founding issue of the dissertation. I aim to map *modus operandi* of state violence through a close observation of the counter-insurgency teams focusing on parliamentary reports and other secondary sources as well as narratives of the relatives of the disappeared. To reveal the patterns and the structure of the counter-insurgency team that operated in Cizre and Silopi is the essential objective of the chapter. Moreover, I scrutinize continuous displacement of the Kurdish citizens commencing with forced migration and continuing with urban transformation projects, again, through the parliamentary reports and the narratives of the internally displaced persons. Then, with a closer look at urban transformation projects, I follow the traces of the urban interventions and the ways of their legitimization. I argue that ethno-political anxieties of Istanbul's urban space may be more significant than they appear at first glance. Finally, through the concept of *pact of public secrets,* I discuss the peculiar dialectics of secrecy and blatancy of these forms of state violence. Although I argue that two different analytical concepts could be used for a better understanding of the functioning of the state in Şırnak and Istanbul, that is, *sovereign state* and *governmental state* respectively, I conclude that ethno-political anxieties shape and reshape these two different yet interconnected forms of state. Ethno-political anxieties that link apparently different manifestations of the state apparatus and discourses are at the core of the *pact of public secrets*.

In order to follow the traces of the shield of impunity protecting the perpetrators and to track various legal notions and mechanisms surrounding these forms of state violence observed while mapping the *modus operandi* of the state violence, an analysis of the legal field is necessary. The sixth chapter dwells on justice, notions of legality and forms of juridical struggle. In order to avoid romanticizing the legal struggles of the relatives of the disappeared, internally displaced persons and dwellers of the transformed neighborhoods, I aim to situate the limits of the legal sphere in this chapter. First, I depict the existing legal situation in relation to enforced disappearances, forced migration and urban transformation projects in the national and international context. Then I explore the legal demands of the relatives of the disappeared, internally displaced persons and dwellers of the transformed neighborhoods

throughout different periods of their experiences. In other words, I aim to reveal the dynamic and shifting character of the notions of legality and their production through periodization of the demands and concrete experiences of the stakeholders. I use an analytical distinction, *Kurdistan reel* and *Kurdistan legal*, inspired from the work of an anthropologist studying the Peruvian case, for a better understanding of the endless zigzags of legal struggle and plural demands of legality, changed throughout time. Finally, I scrutinize one specific legal case, the "Temizöz and Others" case, in which important perpetrators of Cizre and Silopi's enforced disappearances were tried. As an example that discloses the limits of the juridical field for the relatives of the disappeared, the "Temizöz and Others" case also highlights a crucial knowledge about the content of the Kurdish conflict, representations of the 1990s and competing narratives of justice and redemption.

Memory-making processes and traces of quotidian lives are at the core of the implementation of the enforced disappearance and forced migration. Moreover, the debate on quotidian life and competing memories also opens up a space to focus on various responses of ordinary individuals to these forms of state violence. The seventh chapter is about memory-making, ways of remembrances and experiences of quotidian lives. In this chapter, first, I aim to establish a periodization of the political acts performed within the course of quotidian life. Instead of being pre-determined, memory-making is a process operating through different temporalities, spatial configurations, and also gender regimes. Gender regimes are crucial in the division of labor for the search of the disappeared and organization of everyday life after the disappearance. Gendered division of labor is also essential during the immediate aftermath of forced migration and concerning the struggle vis-à-vis urban interventions. Then, through the life stories of three women I scrutinize memory-making processes of the relatives of the disappeared, internally displaced persons and dwellers of the transformed neighborhoods using the notions of remembering, witnessing and encountering. And finally, as one of the most important civil initiatives of social memory in Turkey and iconic symbol of the relatives of the disappeared, Saturday Mothers/Persons will be explored. Narratives of truth disseminated by the sittings of Saturday Mothers/Persons as well as subjectivities of the relatives of the disappeared manifested in these performances, both in Istanbul and in Cizre, reveal a crucial knowledge about memory-making acts and processes.

Lastly, in the conclusion chapter, I aim to present a historiographical discussion about the representations of the 1990s as an attempt to situate the 1990s in a broader historiographic debate on responsibility, witnessing and interconnectedness. This historiographical discussion

is crucial to a periodization of the Kurdish conflict, which should be sensitive to spatiality and plurality of actors and also which should link the *present* with the echoes of the *past*. The ruptures and discontinuities between the 1990s and 2010s as well as the similarities and continuities in the context of the Kurdish conflict reveal insights about the regimes of living and dying in Kurdistan and in Istanbul's metropolitan space. In other words, apart from being an atypical period of time and representing the spatio-political margin, Cizre, Silopi and peripheral irregular neighborhoods of Istanbul, are organically related with the contemporary spatio-political center. As I claimed before, they may even be the most adequate spaces to focus on for an elaborate analysis of the Turkish state, legal sphere and competing memories.

2. Theoretical framework: state, violence and sovereignty

One of the underlying themes of the political philosophy of the 20th century is 'state violence'. This did not happen accidentally though; on the contrary, the broader historical context of the 20th century has obliged social scientists to think about violence and particularly state violence. As Bourdieu points out, thoughts and ideas disseminate without carrying their own context including the conditions of their own production.[14] While thinking about the political philosophy on state violence one should always consider the historical background of the 20th century in which this discussion arose.

The twentieth century was deeply marked by world wars, genocides, colonial exploitation/extermination methods, war crimes and crimes against humanity, sexual violence, forced migrations, and other methods of mass destruction committed in the conceptual and material background of modernity. The 'excess' of violence and brutal nature of the extermination methods used throughout the world, especially during the state of exceptions, wars and ethnic conflicts as well as other 'extraordinary' periods, were outrageous. Moreover, excess of violence, which may appear as contingent, transitional or atypical, seems to be profoundly rooted in the nature of the modern society and state apparatus and in the essential notions of the modern thought.[15] State officers were one of the main actors, if not the sole perpetrators, of these excessive methods of destruction and annihilation. States, which were not traditionally conceptualized within the context of such excessive violence in the conventional mainstream political science scholarship, seem to have been more involved in the use of deadly strategies than was apparent at first glance with their different (and sometimes competing) institutions, actors, organizations and fractions.[16]

This historical trajectory opened up a space for a very vivid philosophical and political discussion: How can this 'excess' of violence be understood? What historical and anthropological tools may be used for understanding the cruel methods of extermination and annihilation? How can the state and the violence stemming from the state apparatus be conceptualized through an analytical, multi-layered and dialogical perspective without reification? With the guidance of these essential questions, I will point out the theoretical traditions that I use in my dissertation for a deepened understanding of the state violence in the context of an ethno-political conflict, namely the 'Kurdish issue'. I will briefly introduce the interdisciplinary political, anthropological and socio-historical scholarship on state, state

[14] Pierre Bourdieu, "Les conditions sociales de la circulation internationale des idees," *Actes de la recherche en sciences sociales* 5, (2002): 5. 3-8.
[15] Zygmunt Baumann, *Modernity and the Holocaust* (Ithaca New York: Cornell University Press, 1989), 29-30.
[16] Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Penguin Books, 1963), 81.

violence, the body, sovereignty and the space upon which I base my dissertation. My purpose in this chapter is to highlight the theoretical basis and analytical cornerstones of the dissertation revealing the conceptual framework that I aim to build.

2.1. State

This work is an attempt to understand the functioning of the state apparatus, its various actors and institutions, its deadly representatives and its governmental practices through two concrete strategies: enforced disappearance and forced migration. Conceptualizing and understanding the state apparatus in its complex, fragmented, contradictory and patterned forms, therefore, is crucial. My main claim is that a thorough analysis of the state apparatus and its different acts, focusing on enforced disappearance and forced migration, will reveal an essential knowledge about the nature and functioning of the Turkish state, both materially and symbolically. To this effect, a subtle evaluation of the state theory is required.

Philip Abrams, in his pioneering article drafted in 1978 entitled *Notes on the Difficulty of Studying the State,* defines the state as 'a spurious object of sociological concern' and reveals different types of theoretical traps that one may fall into without an essential questioning of the reification of the concept of the state.[17] Quoting from Ralph Miliband, he insists that the state as a *thing* does not exist per se but should rather be analyzed as an ideological power on different specific levels. He, therefore, suggests studying the idea of the state as a historically constructed idea. Also, he claims to evaluate the functioning of the state apparatus on different levels, showing the actual disunity of political power. Only this sort of a demystifying approach, focusing on the modes, effects and variations of the state idea, which varies in different societies at different times, may provide an adequate analysis.

In this dissertation, I will use a theoretical approach, which is sensitive to historical and political variations and specificities of the state apparatus and the idea of the state to understand the Turkish state's different responses to the Kurdish issue. *The thing we call the state* is not a monolithic structure; its actions and practices do not display absolute consistency, and all its institutions and units do not act in the same manner. On the contrary, as mentioned by Abrams, the structure we call the state is a series of practices - in which different actors move by different processes- that may resemble or contradict, or articulate with each other. The disunity of the political power and in the meantime some essential common tendencies of the same power coexist simultaneously at the core of the state apparatus, in contrast to the general ideological illusion that shows the state as an absolutely

[17] Philip Abrams, "Notes on the Difficulty of Studying the State," *Journal of Historical Sociology* 1, no. 1, ([1977] 1988): 63.

coherent entity. This series of practices, stemming from both the disunity and common tendencies of the state apparatus, contains material practices, representations and values. Thus, I will also emphasize the tension among different levels of the state apparatus, the central structure of the state and its local units or different political teams within the state apparatus on how to respond to the Kurdish issue. I will basically discuss the state's intervention in the light of two important strategies of the state implemented during the 1990s: enforced disappearance and forced migration.

To this effect, I will firstly use the perspectives, which are sensitive to the historical and political peculiarities of the existent states and interrogate the boundary between states and societies as such. This approach also conceptualizes the contradictions within the state apparatus as inherent features of the state apparatus and not as accidental and atypical deviations. In addition, the authors of this approach are engaged not only with the oppressive side of the state apparatus but also with the 'productive' side of the state apparatus that produces consent, citizens and knowledge. To underline the productive side of the state, I will use the literature of Foucauldian governmentality. The Foucauldian perspective conceptualizes the state within a wider network of power that is not concerned solely with control over territory but also aims to establish a form of power and rule for the management of the population.[18] This paradigm is very useful to understand several facets of the state's intervention in the Kurdish region of Turkey, the one that constructs and destructs simultaneously, instead of a one-dimensional and linear approach. In addition, I will also rely on the comparative-historical research, which discusses the state in relation to social structures, social change and politics with a perspective that points out the intertwining of national-level developments with changing-world historical contexts.[19] I will use different levels of analysis, using macro and micro analysis together, since I claim that such a heterogeneous approach is obligatory for a full-fledged understanding of the interventions of the state.

2.2. State violence

Enforced disappearance and forced migration are not only two acts of the state apparatus but also two forms of state violence. Different official actors tied differently with the official state

[18] Graham Burchell, Colin Gordon and Peter Miller, ed., *The Foucault Effect: Studies in Governmentality* (Chicago: University of Chicago Press, 1991); Mitchell Dean *Governmentality: Power and Rule in Modern Society* (London: Sage, 1999); Jonathan Xavier Inda, ed., *Anthropologies of Modernity: Foucault, Governmentality, and Life Politics* (Wiley: Blackwell, 2005); Timothy Mitchell, "Society, Economy and the State Effect," in *State/Culture. State-Formation after the Cultural Turn*, ed. George Steinmetz (Ithaca New York: Cornell University Press, 1999), 76–97.

[19] Peter B. Evans, Dietrich Rueschemeyer and Theda Skocpol, ed., *Bringing the State Back in* (Cambridge: Cambridge University Press 1985); Charles Tilly, *The Politics of Collective Violence* (New York: Cambridge University Press, 2003).

apparatus have essentially implemented these deadly strategies. An analytical evaluation of these strategies, thus, is also an evaluation of the concrete forms of state violence implemented in Kurdistan throughout the 1990s. Since different forms of state violence marked the 20th century on a global scale a nuanced analysis of state violence exists. I will use these theories selectively for a multi-faceted understanding of the state violence in Kurdistan.

Walter Benjamin, in his groundbreaking article entitled *On the Critique of Violence*, argues that making law is only possible with an exercise of violence.[20] In this article, Benjamin underlines the inherent relationship between violence and law-making processes. In contrast to the mainstream political theory, which situates violence outside of the state apparatus as an abnormal practice, Benjamin situates the 'law-positing violence' at the core of the existing political power, the state apparatus and law-making processes. Besides, by examining violence in relation to the legality of war, labor strikes and capital punishment, Benjamin defines another kind of violence as 'law-preserving violence'. Apart from diplomacy and negotiations, which are manners that do not contain violence, only a general strike can break this pendulum of law-making and law-preserving violence of the existing militarist and capitalist order.

Benjamin's approach, which reveals the deterioration and militarization of the parliament and of all the political institutions of the Weimar regime, also emphasizes that in our current societies violence can only be contextualized in relation to law. He insists on the constructive role of the juridical framework both for law-making and law-preserving violence. Violence is, therefore, both the source of the law and the origin of the daily production of the law.[21] This perspective paved the way for the formulation of 'lawlessness within a system of law', a state of exception, which was later on elaborated by Agamben. Agamben mainly follows the theoretical tradition of Benjamin for the concept of 'state of exception', which is the suspension of the juridical order within the framework of such juridical order itself.[22] Suspension of rules and conventions in order to create a conceptual and political zero-point 'where the law, the norms, and the political order can be constituted' is only possible through the authority of the sovereign power.[23] State of exception is, therefore, a constitutional category, having its legal roots in the Roman law as the concept of *iustitium*, when every legal record of the juridical framework, including the constitution itself, is suspended.

[20] Walter Benjamin, "On the Critique of Violence," in *Reflections, Essays, Aphorisms, Autobiographical Writings*, ed. Peter Demetz (New York: Shocken Books, [1920] 1995), 277-300.
[21] Aykut Çelebi, "Şiddete Karşı Siyaset Hakkı," in *Şiddetin Eleştirisi Üzerine*, ed. Aykut Çelebi (Istanbul: Metis, 2010), 270.
[22] Giorgio Agamben, *State of Exception* (Chicago: The University of Chicago Press, 2005), 28.
[23] Thomas Blom Hansen and Finn Stepputat, "Sovereignty Revisited," *Annual Review of Anthropology* 35, (2006): 301.

Current studies on state violence have followed this theoretical path, which conceptualized violence not as an anomaly outside of the state apparatus but as an inherent part of the existing political and legal order. Historical outcomes of the state of exceptions, which provide a total 'lawlessness' within the legal order and total impunity for the state officers, prove that state violence is mostly implemented within the legal framework of a constitutional regime. Despite the enormous difficulty of defining state violence, classifying its several forms and making ethical and political statements about it, different studies aim to reframe the notion of state violence for a better understanding of the deadly strategies implemented by state officers in a wide-ranging repertoire.[24] I will use this interdisciplinary literature in order to understand different interventions of the Turkish state during the 1990s vis-à-vis the Kurdish population. In the 1990s, which were also the years of state of emergency (Olağanüstü Hal - OHAL), several manifestations of state violence, including enforced disappearance and forced migration, occurred. The theoretical approach that evaluates state violence in relation to the existing political and juridical order as a dynamic process with different manifestations will offer important insights for understanding the capillary patterns of the state violence in Kurdistan. The conception of systemic state violence, not as a phenomenon outside of or alien to the state apparatus but as an inherent part of the state structure, and its manifestations in the everyday life is at the core of this dissertation. My goal is to highlight "the ordinariness of seemingly extraordinary violence and recognize the exceptional in everyday practices of force and coercion"[25] exercised against the Kurdish community during the 1990s.

Finally, I will also use the literature on colonialism and post-colonial studies for a better understanding of the state violence in Kurdistan. Post-colonial studies and the literature on colonialism offer an important ground to grasp the 'excess' of violence in the colonies, which often renders it unspeakable for its immediate victims, in the context of ethnic/national conflicts.[26] Besides, post-colonial studies provide crucial insights about how to conceptualize the patterns of state violence outside of Europe, avoiding Euro-centrism, orientalism and different essentialisms. Devastating national conflicts and internal repression in the name of

[24] Fernando Coronil and Julie Skurski, ed., *States of Violence* (Ann Arbor: The University of Michigan Press, 2006); Veena Das and Deborah Poole, ed., *Anthropology in the Margins of the State* (Santa Fe: School of American Research Press, 2004); Valentine E. Daniels, *Charred Lullabies* (Princeton: Princeton University Press, 1996); Avery F. Gordon, *Ghostly Matters. Haunting and the Sociological Imagination* (Minneapolis and London: University of Minneapolis Press, 2008).
[25] Fernando Coronil and Julie Skurski, Ibid., 3.
[26] "The colony constituted a zone of exception in a double sense: both as not being directly under the sovereign power of the Crown or the republic and as being 'beyond the pale', an alien world whose populations were not accorded full humanity or membership of a community of civilized men entitled to *habeas corpus* and other rights of the subjects of European powers. As a result, colonial sovereignty was generally marked by an excess of violence and much harsher forms of punishment than were administered in the European world at the time." Hansen, Thomas Blom and Finn Stepputat, Ibid., 303.

the state reflect exclusions and power relations that are constitutive of the nation-state, nationalist discourse and colonial relationships.[27] My aim is not to discuss whether Kurdistan is a colony or not but rather to adopt a more sophisticated approach to the patterns and implementations of the state violence used vis-à-vis an ethnic minority by using selectively some of the tools and concepts developed by the literature on colonialism and postcolonial studies. The cruelty of deadly strategies, the law system of OHAL that is different from the ordinary legal framework, various forms of repression, physical attacks as well as attacks against human dignity and the politics of targeting the whole Kurdish population during the 1990s make possible the use of post-colonial literature for an elaborate analysis. I will use the notion of *colonial effect* for defining the sum of the violent strategies implemented by different state institutions to explain the excess of violence implemented in Kurdistan along with the legal framework of the 1990s based on state of exception. The notion of *colonial effect* would be solely understandable by exploiting the literature on colonialism and post-colonial studies.

2.3. The Body

Enforced disappearance and forced migration are first and foremost bodily strategies. In other words, these two violent strategies primarily affect the body in several ways: inflicting pain and agony, leaving traces of torture, beating, causing bodily harm and even mutilation. These are the immediate manifestations of the violent strategies on the bodies; however, there are other implications, which may be analyzed in a broader context. For a deepened and sophisticated understanding of the effects and outcomes of these two violent strategies, a review of the scholarship conceptualizing the body in a wider historico-political context that is sensitive to both its destruction and production, is necessary.

Michel Foucault situated the body as the site, instrument and effect of power relations; and this paved the way for critical analyses of the body, power and violence. The 'technologies of the self' include rules, duties and prohibitions over the body as well as questions of productivity and effectiveness over the populations. The body, therefore, is centered on a wider network of political power, state apparatus, violent strategies and productive methods. Regulations, legal documents, official decisions, different signs and marks on the bodies

[27] Thomas Blom Hansen and Finn Stepputat, ed., *States of Imagination. Ethnographic Explorations of the Post-Colonial State* (Durham and London: Duke University Press, 2001); Gurminder K. Bhambra, *Rethinking Modernity. Postcolonialism and the Sociological Imagination* (London: Palgrave Macmillan, 2007); Thomas Blom Hansen and Finn Stepputat, ed., *Citizens, Migrants, and States in the Postcolonial World* (Princeton and Oxford: Princeton University Press, 2005); Frederick C. Cooper, *Colonialism in Question. Theory, Knowledge, History* (Berkeley Los Angeles London: University of California Press, 2005); Frederick Cooper, and Ann-Laura Stoler, ed. *Tensions of Empire. Colonial Culture in a Bourgeois World* (Berkeley: University of California Press, 1997).

reveal hierarchies, power relations and classifications of the existing societal and political order. This approach has raised important issues both about biopolitics and the issue of sovereignty as management of life and death.[28] In addition, the paradigm of biopolitics underlines not only rationalities aiming at re-producing lives and communities but also using 'an ever-present possibility of losing one's citizenship and rights and becoming reduced to a purely biological form'.[29] I will use this scholarship while evaluating the political and symbolic meanings of the enforced disappearance and forced migration. Bodies, which have been tortured, burned, executed, mutilated, beaten up, displaced and replaced, incarcerated and silenced, thus bodies that have lost their citizenship rights and been reduced to a purely biological form, construct an important part of the two violent strategies at the core of this dissertation, namely enforced disappearance and forced migration. I will scrutinize the political and symbolic meanings of what has been done to these bodies within the framework of this theoretical approach.

The representation of and narratives about violence are also very closely linked to the discussions over the body. Idelbar Avelar states that torture has always a 'surplus of cruelty', which includes an excessive, obscene and absurd feature to be exercised over the body.[30] Narratives on torture underline this excessive feature and therefore argue the difficulty –if not the impossibility- of expressing the experience of torture in a narrative. This inherent feature of torture creates the fundamental dilemma of the tortured subject: How can one speak of the unspeakable? Nichanian, on the other hand, while speaking about *Metz Aghert*[31] claims that the catastrophe is not only the extermination of the people but also the extermination of the language and the capacity of witnessing. The catastrophe, as a result of mass destructions and genocides, is, in one word, event-without-a-witness.[32] Substantial debate about the limitations of witnessing, the ontological insufficiency of language, the possibility of ethical thought and the incommensurability of experience -therefore the impossibility of proper representation- composed also one of the main themes of the literature on Holocaust.[33] This debate on the potentials, limits and contentious meanings of the testimony and narrative is crucial considering that the interviews collected through my fieldwork constitute the essential source

[28] Luther H. Martin, Huck Gutman and Patrick H. Hutton, *The Technologies of the Self. A Seminar with Michel Foucault* (Amherst: The University of Massachusetts Press, 1988); Martha Kaplan, "Panopticon in Poona: An Essay on Foucault and Colonialism," *Cultural Anthropology* 10, no. 1 (1995): 85-98.
[29] Thomas Blom Hansen and Finn Stepputat, "Sovereignty Revisited," *Annual Review of Anthropology* 35, (2006): 304.
[30] Idelbar Avelar, *Letter of Violence. Essays on Narrative, Ethics and Politics* (New York: Palgrave Macmillan, 2004).
[31] Metz Aghert: Great Catastrophe. The term in West-Armenian, which Armenians used to refer to the Armenian Genocide essentially during the first half of the 20th century.
[32] Marc Nichanian, *Edebiyat ve Felaket* (Istanbul: İletişim, 2011).
[33] Annette Wieviorka, *L'ère du témoin* (Paris: Plon, 1998); Jean Amery, *Suç ve Kefaretin Ötesinde. Alt Edilmişliğin Üstesinden Gelme Denemeleri* (Istanbul: Metis, 2015).

of my dissertation. I will interpret the narratives of my interviewees in light of this literature, so the narratives will not be evaluated as mere reflections of the facts objectively mirroring what happened during the 1990s but rather as layers of interpretation on the patterns of state violence, quotidian experience and subjectivities. In addition to the interpretative layer, I will also consider the theoretical discussion on the 'impossibility' of witnessing of such excessive violence while construing the narratives. My interpretation will take into account the silences, erasures and the contradictions of the narratives as well as the statements, words and utterances.

The gendered aspect of bodily experiences, both concerning the repertoire of the violent practices and division of labor happening afterwards, is also crucial. The positions, experiences, words and responses of men and women vis-à-vis deadly strategies change tremendously in the context of gendered roles. Besides, a gendered analysis also helps to understand what happened in a more holistic way: the horror and violence concealed in the routine of everyday life as well as mundane and quotidian features of the 'extraordinary' violence become apparent solely by using a gendered perspective.[34] I will rely on this theoretical framework while interpreting the narratives of my interviewees and depicting everyday life where the violent acts happened, both for Şırnak and Istanbul. State violence has multiple facets in two different layers: everyday life and the official level. Thus a gender-focused approach will reveal how these facets are intertwined with gender norms, roles and privileges.

2.4. Sovereignty

A close look at enforced disappearance, forced migration and different urban interventions reveals the interconnectedness of different components of the state apparatus. In other words, the state's capacity for the management of populations and its authority to decide over life and death are relational. Deadly strategies of disappearing and forcibly migrating are results of this interconnectedness. Enforced disappearance along with forced migration are realized on this interconnected basis. In order to understand the basis, which enabled the implementation of these forms of state violence during the peculiar political conjuncture of the 1990s, a closer look at the notion of sovereignty is inevitable.

The juridical right to kill is at the heart of the concept of sovereignty. The management of life and the decision over death, which include the legal right to kill and the use of state of

[34] Veena Das, *Life and Words. Violence and the Descent into the Ordinary* (Berkeley, Los Angeles and London: University of California Press, 2007); Nira Yuval-Davies, *Gender and Nation* (London: Sage Publications, 1997); Judith Butler, *Precarious Life. The Powers of Mourning and Violence* (London New York: Verso, 2004).

exception, are the key components of defining sovereignty. In other words, the sovereign is the one who decides who has the right to live and who does not. As noted by Veena Das and Deborah Poole both Agamben and Foucault have argued in very different ways "[…] the state is constituted in modernity through the inclusion of man's natural life into the mechanisms and calculation of power."[35] The state, as the sovereign body, governs the population groups on a daily basis and chooses the ones who will be 'managed' through deadly strategies. Thus the concept of sovereignty is deeply related with the concepts of state, state violence and governmentality.

Following the theoretical path of Foucault and Agamben will facilitate to comprehend the logic of deadly strategies. These strategies reveal several aspects about the content and manifestations of the state apparatus itself. Deadly strategies, which represent an appeal of lawlessness, brutality and ruthlessness, do not lie outside the jurisdiction of the state as atypical practices, but rather they are implemented from within.[36] Politics of life and politics of death (thanatopolitics) are two facets of the same political power.[37] This conceptualization of sovereignty may be defined as "exploring *de facto sovereignty*, i.e. the ability to kill, punish, and discipline with impunity wherever it is found and practiced rather than sovereignty grounded in formal ideologies of rule and legality. This does not preclude studies of legal practices but may help to reorient such studies away from the law as text, or the courtroom spectacle, toward exploring more quotidian notions of justice, of 'legal consciousness', and of punishment as they occur in everyday life".[38]

My dissertation relies on such a theoretical framework of sovereignty; therefore, I argue that deadly practices implemented under the state of exception reveal an important knowledge about the daily functioning of the state apparatus instead of being contingent anomalies. In place of searching for a 'proper' analysis of sovereignty based on solely legal texts, rhetoric of the state officers and official discourses, I claim that focusing on practices of *de facto sovereignty*, which are the practices, strategies and political decisions over the life and death of Kurdish citizens, is much more important for a more developed analysis of sovereignty. I

[35] Veena Das and Deborah Poole, "State and its Margins: Comparative Ethnographies," in *Anthropology in the Margins of the State*, ed. Veena Das and Deborah Poole (Santa Fe: School of American Research Press, 2004), 25.
[36] Ibid., 7.
[37] Giorgio Agamben, *Homo Sacer. Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998); Jacques Derrida, "Force of Law: The Mystical Foundation of Authority," in *Deconstruction and the Possibility of Justice*, ed. Drucilla Cornell, Michel Rosenfeld, and David Grey Carlson (New York: Routledge, 1992) 3-67. Achille Mbembe, "Necropolitics," *Public Culture* 15, no. 1 (2003): 11–40; Begona Aretxaga, "Maddening States," *Annual Review of Anthropology* 32, (2003): 393-410.
[38] Hansen Thomas Blom and Finn Stepputat, "Sovereignty Revisited," *Annual Review of Anthropology* 35 (2006): 297.

argue that enforced disappearance and forced migration occurring at the margin expose the structure of the Turkish state and nationalism at the very center.

2.5. The Space

As I will try to demonstrate in the upcoming chapters, enforced disappearance and forced migration along with various urban interventions were primarily spatialized strategies. In other words, these strategies were implemented in the Kurdish region through spatialized patterns, considering local relations, alliances and hostilities. Moreover, the responses vis-à-vis these strategies were also deeply influenced by spatial factors. Enforced disappearance and forced migration in the 1990s along with various urban interventions not only marked the space in a tremendous manner but also they were part of the spatial hostilities and confrontations in several ways. Put differently, state actors acted in line with the spatial conditions and peculiarities and different societal actors responded also in the spatial context. Space, hence, was not the static scene of these violent strategies but a dynamic component of the occurrence and implementation of such strategies.

In the field of conventional social theory and history, the space was mostly conceptualized to be identical with immobility and stability until more critical studies were conducted. The space, as the static terrain of things, events and persons, was mostly depicted as a neutral, powerless and immobile territorial place. Henri Lefebvre, as the pioneering radical scholar of urban studies, re-conceptualized the space as something dynamic, transformative and political. Accordingly, the definition, appropriation, use and alteration of the space are performative and political acts. Urban space is radically open and socially produced according to Lefebvre and he differentiates between different layers of the space: the perceived, the conceived and the used. He emphasizes that the city is created and marked by the everyday life of its inhabitants; an examination of the way they as 'users' create their city through practices, images and symbols is essential.[39]

Other scholars of the space who studied it in line with Lefebvre's approach also underlined the production of social spatiality. Doreen Massey, who analyzed the spatial configurations through the lens of gender, defined this dynamic relationship as the relationship between the social construction of the space and the spatial construction of the social.[40] The space, as the dynamic and transformative site of the social and political life not only shapes the forms and the content of state violence but also is shaped by the same. The demographic structure, the

[39] Henri Lefebvre, *La Revolution Urbaine* (Paris: Gallimard, 1970) ; Henri Lefebvre, *La Production de l'Espace* (Paris: Anthropos, 1974).
[40] Doreen Massey, *Space, Place and Gender* (Minneapolis: University of Minnesota Press, 1994) 4-5.

power networks, gender roles and gendered division of labor, societal and familial relations and animosities framed the content of deadly strategies. In addition, the 'localization of deadly strategies' included more than this; these deadly strategies shaped and reshaped the state apparatus by embedding their practices and rendering themselves an inherent part of it. Therefore, critical literature on the space[41] will be elaborated on for a multifaceted analysis of enforced disappearances, forced migration and urban interventions both for Şırnak and Istanbul. I will analyze how urban landscapes and social relations, disruption of the organization of spatial divisions, which are constantly marking the space, shaped and reshaped these violent strategies in these two cities.

I will conceptualize the space as the dynamic site of the struggle over memory. Pierre Nora and Maurice Halbwachs, two most influential scholars on collective memory, emphasize the centrality of the space and of concrete topographical features for collective memory. Collective memory is produced and reproduced by objects, images, monuments, and representations, thus intrinsically linked with the space and social geography.[42] So, the production of space is, in the meantime, the production of competing memories. Different contentious memories written on the bodies, languages and rituals that are excluded, and thrown outside the legality, reproduce a specific spatiality on a daily basis. This production becomes more visible during the times of turmoil and violence, as was the case for the space of my fieldwork, both in Istanbul and in Şırnak. The analysis of forced migration, being a polity of dispossession and de-population, is essentially based on the analysis of the space, regarding both the place of origin and the place of arrival. Enforced disappearance is also organically linked with spatiality since the social geography of the event determines also the content of it. Urban interventions, also, are primarily spatial politics that aim to reconfigure some specific neighborhoods, materially and symbolically. I will rely on the studies, which establish the link between memory and the space for a nuanced analysis of the violent practices in Istanbul and Şırnak.[43]

---

[41] Stephen Graham, *Cities under Siege. The New Military Urbanism* (London New York: Verso, 2011); Lesley Gill, *Teetering on the Rim. Global Restructuring, Daily Life, and the Armed Retreat of the Bolivian State* (New York: Columbia University Press, 2000); Neil Brenner, "Urban Governance and the Production of New State Spaces in Western Europe, 1960–2000," *Review of International Political Economy* 11, no.3 (2004): 447–488; Pamela Moss, and Karen Falconer Al-Hindi, ed., *Feminisms in Geography. Rethinking Space, Place, and Knowledges* (New York: Rowman and Littlefield Publishers, 2008); Doreen Massey, *For Space* (Los Angeles: Sage, 2005).

[42] Maurice Halbwachs, *On Collective Memory* (Chicago and London: The University of Chicago Press, 1992); Pierre Nora, ed., *Les Lieux de Mémoire* (Paris: Gallimard, 1984); Pierre Nora, "Between Memory and History: Les Lieux de Mémoire," *Representations. Special Issue: Memory and Counter-Memory* 26*,* (1989): 7-24.

[43] Cynthia E. Milton, "Defacing memory: (Un)tying Peru's memory knots," *Memory Studies* 4, no. 2 (2011): 190-205; Avery Gordon, *Ghostly Matters. Haunting and the Sociological Imagination* (Minneapolis: University of Minnesota Press, 2008); David L. Eng and David Kazanjian, ed., *Loss. The Politics of Mourning* (Berkeley: University of California Press, 2003).

My dissertation focuses on enforced disappearance and forced migration during the 1990s, which happened at the 'margin', both territorially and politically. Enforced disappearance and forced migration may also be conceptualized as atypical practices of the state followed at the margin of the polity -a perspective that I will try to prove to be the contrary. The places where I conducted my fieldwork seem to be the places at the margin, geographically and politically. Şırnak, the city where I made most of my interviews on enforced disappearances, is situated at the border of Syria and Iraq. In Istanbul, I conducted my fieldwork in neighborhoods where Kurdish migrants live *en masse*, thus at the 'peripheral' neighborhoods of Istanbul. In parallel with Talal Asad and Veena Das, however, I claim that the margins reveal essential features not only about themselves but also about the center of the politics and state. I argue that the state apparatus is much more visible in the places at the margin, because they are "the places where state law and order continually have to be reestablished".[44] Since there will always be a part of the population which will need to be educated or repressed or taught to become the proper subjects of the state, as a part of the logic of the modern state,[45] there are and will always be blurred boundaries between what we call the margin and what we call the center. In other words, neither Şırnak and its districts nor Istanbul's peripheral Kurdish neighborhoods are too far away to understand the strategies, practices and bodily politics of the Turkish state apparatus during the 1990s. On the contrary, they may prove to be the only right and accurate places to study for a rigorous historical analysis.

[44] Talal Asad, Ibid., 279.
[45] Veena Das, "The Signature of the State," in *Anthropology at the Margins of the State*, ed. Veena Das and Deborah Poole, (Santa Fe: School of American Research Press, 2004) 249.

3. Historical background and the specific political conjuncture of the 1990s

This dissertation dwells on two specific forms of state violence: namely, enforced disappearance and forced migration, for a better understanding of Turkey's Kurdish conflict. With the help of a thorough analysis of these two forms of state violence, I argue that the *surplus of cruelty*[46] exercised over the Kurdish population throughout the republican era, which has been systematically increased specifically during the 1990s, reveals the characteristics of the Turkish state apparatus. This approach will also try to demonstrate that the structural violence and coercive/authoritarian relations shaped and reshaped the politico-social relations of the Kurdish region. These two forms of state violence, thus, far from representing an abnormality in the historical trajectory of Turkey, disclose the continuity of forms of violence, coercion, and power. Enforced disappearance and forced migration destroyed several people's lives, households and resources, but in the meantime, these deadly and displacer strategies produced several other networks of people, resources and relations. The violence occurring in the context of the Kurdish issue, therefore, not only annihilated people and things, but also produced and constructed them as political and historical actors. The Kurdish issue, being the ethno-political issue that influenced at least the last thirty years, if not the whole 20th century of the country, is at the core of such forms of violence. These forms of violence, therefore, do not represent some extra-juridical forms of power occurring at the margin but reveal important insights about the functioning of the state apparatus and societal actors.

Different societal and political actors have responded to these forms of state violence in several manners. Although there is always an inequality between state and societal actors and although the state's capacity of violence is immensely higher than that of other actors, several political organizations and armed movements have challenged this structural violence.[47] In addition, not only organizations but also different categories of the Kurdish society have historically produced a variety of complicated responses. In this chapter, I also aim to analyze these responses and depict their political and social meanings.

Having said that, I should note that I do not favor a teleological approach, which fails to heed all the complexities and specific contingencies of the historical trajectory and conceptualizes everything in relation to a reified category of violence. The Kurdish issue, as is the case with other ethno-political issues and conflicts, cannot be understood solely with the paradigm of

[46] Idelbar Avelar, *Letter of Violence. Essays on Narrative, Ethics and Politics* (New York: Palgrave Macmillan, 2004) 28.
[47] Johan Galtung, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6, no. 3 (1969): 175-183.

violence but in a much broader context of alliances, networks, relations, actors and resources existing in social, economic and political fields. The forms of state violence should also be conceptualized within this broader context, and the historical specificity of different periods should be emphasized. The dynamics of contention, therefore, is much more complex than it appears at first glance and can only be revealed through a meticulous observation of the structural and contingent elements.

I will try to depict the trajectory of the Kurdish issue in the broader context of the modern state formation, through a historical analysis focusing on the transformation of the state apparatus and demographic concerns at the end of the 19th century. Then, I will analyze the early republican period, focusing specifically on the politics of political and military control of the Kurdish population and ascertain the magnitude of this control by studying some specific rebellions and military interventions. Not only the politics and acts but also the narrative, rhetoric and vocabulary of the early republican period will be scrutinized in order to see the continuities and ruptures with the Ottoman period. My aim is not to give a detailed chronological account of the late Ottoman and republican periods but rather to reveal the layers of contention and violence in their broader historical contexts, which will facilitate understanding the political climate of the 1990s. Then finally, I will describe the specific political conjuncture of the 1990s, when the Kurdish conflict was intensified, and which made possible the existence of both enforced disappearance and forced migration.

3.1. End of the Empire: permeating Kurdistan

The late Ottoman era is deeply marked by efforts of transformation as a response to the political conditions of fin-de-siècle. Several different separatist and nationalist movements were strengthening within the Empire; the difficult competition with the European powers was pressuring both economically and politically; the diffusion of the imperial authority under new circumstances became a major issue; and the need for reforms in several areas including finance, administration, education, public works and security was being vividly debated within the ruling circles.[48] The periphery or the margins of the Empire became crucial in this novel context.

The first important response of the Empire to this new process was the abolition of the *ayan* (landed proprietor in the Ottoman Empire) and janissary forces (traditional armed forces of the Ottoman Empire) for the sake of a centralization process. With the abolition of *ayan* system, the birth of a property-owning oligarchy was repressed and the bureaucracy became

[48] Şükrü Hanioğlu, *A Brief History of the Late Ottoman Empire* (Princeton Oxford: Princeton University Press, 2008), 42-72.

more powerful in terms of building its authority compared to the previous period.[49] Since the efforts of transformation in the Ottoman state included several different techniques and strategies regarding its relationship with its own population/subjects, some scholars define the late 19th century as the period of *Ottoman modernity* and underline "… the birth of an official nationalism that sought to assert much stricter political and administrative control over the periphery of the empire by promoting a unifying notion of *Osmanlıcılık,* or *Ottomanism*. In Istanbul, intellectual, architectural and political and social westernization created what Fatma Müge Göçek has called a 'new vision of Ottoman society'."[50]

This *new vision of Ottoman society* also included important efforts for becoming a more effective and centralized modern state. Kurdistan[51] and other peripheral areas of the Empire became much more important under these new circumstances. The state tried to penetrate and permeate more, both its central and even more eagerly its peripheral areas, with the help of a reform process regarding education, bureaucracy, public work, charity, urbanization, security and settlement issues.[52] Therefore, as was the case with other territories of the Empire, Kurdistan, which had lived in a state of autonomy for the last three centuries, became the target of more diffusive policies of the state. According to Martin van Bruinessen, the coexistence of centralization efforts and de-centralization effects marked the Kurdistan region during the 19th century. On the one hand, the traditional social entities of Kurds, which were semi-autonomous Kurdish seigniorial entities entitled *mirs* (Kurdish emirates), had been destroyed by several military campaigns of the Ottoman state; and on the other hand, since the importance of the borderland areas had significantly increased, Ottoman bureaucrats searched for alliances. These twofold processes increased the bargaining power of the Kurdish notables.[53]

---

[49] Çağlar Keyder, *Türkiye'de Devlet ve Sınıflar* (Istanbul: İletişim, 1993) 25.
[50] Ussama Makdisi, "Ottoman Orientalism," *The American Historical Review* 107, no. 3 (2002): 779.
[51] The term Kurdistan is a very loaded word both historically and politically. With, especially, the most current Kurdish conflict that has lasted for more than 30 years now, the word Kurdistan has become over-politicized. I still prefer to use this word despite its intense heaviness since it has been widely used both at the official and societal level at least for the last two centuries. Also, the term defines a specific geographical area which is historically called as Kurdistan, and therefore, provides a geographical reference.
[52] A revisionist historiographical body of work exists on the late Ottoman era emphasizing the efforts of the state for being more effective and productive instead of a traditional interpretation of this area emphasizing solely the loss and disintegration. Some of its examples are Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire, Transjordan, 1850-1921* (Cambridge: Cambridge University Press, 1999); Selim Deringil, *The Well-Protected Domains. Ideology and Legitimation of Power in the Ottoman Empire, 1876-1909* (London New York: I.B. Tauris, 1998); Nadir Özbek, *Osmanlı İmparatorluğu'nda Sosyal Devlet. Siyaset, İktidar ve Meşruiyet, 1876-1914* (Istanbul: İletişim, 2002); Ferdan Ergut, *Modern Devlet ve Polis. Osmanlı'dan Cumhuriyet'e Denetimin Toplumsal Diyalektiği,* (Istanbul: İletişim, 2004); Jens Hanssen, *Fin de Siècle Beirut. The Making of an Ottoman Provincial Capital* (Oxford: Oxford University Press, Oxford, 2005); Noémi Lévy-Aksu, *Osmanlı İstanbulu'nda Asayiş 1879 – 1909* (Istanbul: İletişim, 2017).
[53] Martin Van Bruinessen, *Agha, Sheikh and the State. The Social and Political Structures of Kurdistan* (London: Zed Books, 1992), 269.

The new Kurdistan county (eyalet) established in 1847, under direct authority of the Ottoman state, was comprised of cities and towns such as Diyarbakır, Musul, Mardin, Siirt, Harput, Malatya, Besni, Arapgir, Van, Hakkari, Cezire, Bitlis, Muş, Dersim, and Erzurum, although its frontiers changed regularly.[54] After the abolishment of *mirs*, the importance of both *sheikhs* -religious leaders belonging to one of the Sufi or dervish orders, or *tariqas* where the most powerful ones also accumulate an important amount of political and economic resources- and *aghas* -head of the important tribes controlling a considerable amount of the land and traditionally collecting some of the taxes from landless peasantry- had significantly increased. The abolishment of the *mir* system, military campaigns for the punishment of the rebellious tribes and *mirs* refusing to recognize new and deepened state authority, compulsory settlement policies and new compulsory taxes represent a new official campaign for the re-conquering of the Kurdistan region.[55] These (re-)conquest policies, therefore, contributed to the increase of the political authority of other Kurdish notables such as *aghas* and *sheikhs* (although they were also in constant competition with each other) and in a way, the intervention of the state led to the re-institutionalization and strengthening of the tribal system in Kurdistan.[56]

Throughout the 19th century, there were several rebellions led by powerful Kurdish leaders, both *sheikhs,* and *mirs*, such as Mir Muhammed in Rewanduz in 1835, Mir Bedirxan Beg in Botan between 1839-1847, and Sheikh Ubeydullah Nehri in Botan in 1880 against the loss of the existing autonomy and the new penetration techniques of the Ottoman State. The last rebellion led by Sheikh Ubdeydullah Nehri is differentiated from the others in the historiography of the Kurdish studies because Sheikh Ubeydullah explicitly declared that his goal was to establish a separate Kurdish state. Apart from the last one led by Sheikh Ubeydullah,[57] the other large rebellions are interpreted as a response to the loss of the existing political autonomy and complicated novel methods of the state for permeating and controlling more efficiently the economic, social and political realm.

The new forms of state intervention led not only to rebellions but also new forms of alliances. During the period of Sultan Abdulhamid II (1876-1909), characterized both by the

[54] Cuma Çiçek, "Devlet, Egemenlik, Kolektif Kimlikler ve Şiddet Rejimleri: Türkiye'nin Kürt Coğrafyasında Şiddet Rejiminin İnşası," in *Kıyam ve Kıtâl. Osmanlı'dan Cumhuriyet'e Devletin İnşası ve Kolektif Şiddet*, ed. Ümit Kurt and Güney Çeğin (Istanbul: Tarih Vakfı, 2015) 307.
[55] Cuma Çiçek, Ibid., 306-307.
[56] Martin Van Bruinessen, Ibid., 200.
[57] See. Bruinessen, Ibid., 285-286; David McDowall, *A Modern History of the Kurds, Third Edition* (London New York, I.B. Tauris, 2007), 56-59; Wadie Jwaideh, *The Kurdish National Movement. Its Origins and Development* (Syracuse New York: Syracuse University Press, 2006). Hişyar Özsoy, on the other hand, nuances this interpretation: "Sheikh Ubeydullah is often regarded as a Kurdish nationalist, but it should be noted that although he aimed to create a separate state, what he had in his mind was more a kingship than a state based on a modern/national notion of territoriality". H. Özsoy, "Between Gift and Taboo: Death and The Negotiation of National Identity and Sovereignty in the Kurdish Conflict in Turkey" (PhD diss., University of Texas, 2010), 111.

predominance of an eclectic Islamism including elements of an Ottomanist nationalism and by an ambitious zeal of 'modernization' of the state apparatus through centralization and bureaucratization, a new irregular militia was composed through the participation of selected Kurdish tribes.

> "The Hamidiye Light Cavalry (*Hamidiye Hafif Süvari Alayları*) was created in 1890 by Sultan Abdülhamid II, and his trusted confidantes, Şakir Pasha and the marshal (Mehmed) Zeki Pasha, the latter of whom was commander of the 4th Army, based in the town of Erzincan, and who was also related to the Sultan through marriage. The 4th Army was also known as the Russian front, a vast and very important stretch of land that extended approximately from the north of Mount Ararat all the way to the present 'corner' where Iran, Iraq, and Turkey meet today, to Cizre in the southwest, to the town of Erzincan in the west."[58]

This area, including both the Russian frontier and an important population of the Ottoman Armenians, was under constant attention of Abdülhamid II; and therefore, the design of the Hamidiye Light Cavalry was a response to several contentious issues. First, the dispossession of Armenians, who were increasingly viewed with suspicion, was a necessity according to the Ottoman elite. To do so, usurpation of their land and their political control as a population would be necessary. Second, as the new alliance of the Ottoman state, the Hamidiye Light Cavalry, which then became active for more than thirty years, would have a crucial role in bringing the region under direct Ottoman authority and ensuring that it remained there. The Cavalry would also enlarge and diffuse both materially and symbolically the legitimacy of the Ottoman sultanate. And finally, as part of a broader 'civilizing mission', the Hamidiye regiments were envisaged as one of the means for the transformation of the barbaric tribes into docile/productive agriculturalists and loyal Ottoman citizens.[59] Klein accentuates multifaceted and dynamic consequences of the acts of the Hamidiye regiments, which altered and reshaped the intra-Kurdish societal relationship as well. The occurrence of new forms of loyalties through the material gains and advantages of the cavalry membership transformed essentially the relations between different tribes and revealed new forms of rivalry among the Kurdish notables. Klein also emphasizes the importance of struggle over agricultural resources, specifically land distribution and usurpation as a factor often underestimated while analyzing the relations between Kurdish and Armenian communities, along with the political conflicts.

[58] J. Klein, "Power in the Periphery. The Hamidiye Light Cavalry and the Struggle Over Ottoman Kurdistan, 1890-1914" (PhD diss., Princeton University, 2002), 4.
[59] J. Klein, Ibid., 91.

The Hamidiye Light Cavalry was not the only tool for the re-establishment of the relationships between the tribes and the Ottoman state. A new boarding school was opened in Istanbul in October 1892: The Aşiret Mekteb-i Hümayun, for educating the boys coming from important tribes as a consequence of the broader context of integrating the Arab provinces and Kurdistan region more closely to the imperial center. The school was active between 1892 and 1907 and it seems that the tribal education system more or less succeeded in advancing graduates to middle-level positions in the civil and military services.[60] According to Rogan, "The Aşiret Mektebi was a distinctly modern answer to the state's tribal dilemma: the indoctrination of tribesmen in state values through formal education."[61] Although the number of the students should not be greatly exaggerated (300 may be an accurate estimation), the endeavor of turning the *barbaric* elements into *productive* citizens came to be perceived as an inherent function of an effective modern state.

The discourse of transforming *savages* and *barbaric* populations into *civilized* and *productive* citizens invokes the *civilizing mission* of the colonial perspective. The civilizing mission, which is widely and repetitively used by the late Ottoman bureaucrats, was not solely used for the Kurdistan region but for other peripheral areas, specifically for the Arab provinces, as well. According to Selim Deringil, the bureaucrats of the late Ottoman period were very aware of the European political trends, specifically the colonial and civilizing mission, which accentuated the importance of the establishment of a sophisticated urban culture vis-à-vis the *barbaric* nomad populations as the basis of the state's legitimacy. "The Ottoman state was *in tune* with world trends where, one after the other, empires borrowed the weapons of the enemy, the nationalists. What held true for Paris in the 1870s, also held true for Istanbul: the transformation of 'peasants into Frenchmen' paralleled the 'civilizing' or 'Ottomanizing' of the nomad."[62] The Ottoman elites, who were obsessed with their image abroad, were of the opinion that the civilizing mission is of crucial importance for their legitimacy both within and outside the frontiers of the Ottoman state. The civilizing mission was comprised of a complicated set of methods and strategies including both disciplinary and military methods as well as educational and assimilationist ones.

Deringil, in one of his later articles, defines the colonial stance and rhetoric of the Ottoman elite toward the peoples of the periphery as *borrowed colonialism*.

---

[60] Eugene L. Rogan, "Aşiret Mektebi: Abdulhamid II's School for Tribes (1892-1907)," *International Journal of Middle East Studies* 28, no. 1 (1996): 103.
[61] Eugene L. Rogan, Ibid., 104.
[62] Selim Deringil, *The Well-Protected Domains. Ideology and Legitimation of Power in the Ottoman Empire, 1876-1909* (London New York: I.B. Tauris, 1998), 77.

> "Colonialism came to be seen as a modern way of being. For the Ottomans, colonialism was a survival tactic, and in this sense the Ottoman Empire can hardly be compared to the aggressive industrial empires of the West. In a sense theirs was much closer to the 'borrowed imperialism' of the Russian Empire, another 'also ran' compared to the British and the French. It was a survival tactic because the Ottomans were fully aware that if they were not to become a colony themselves they had to at least qualify for such 'also ran' status."[63]

Deringil demonstrates how the Ottoman elite borrowed and re-articulated the vocabulary, rhetoric and perspective of the Western colonizers in the peripheral areas such as Hicaz and Yemen. The relationship between the population of such peripheral spaces and the Ottoman rulers gained a new sort of *moral distance and moral superiority* during the course of the 19th century, which emphasized the need for reform concerning these populations. According to the Ottoman elite, the reforms need not be solely violent, though. Through an analysis of the paternalist affection of some of the elite members and the repetitive themes of education, public works and some discursive strategies such as "winning the hearts and minds of the population", Deringil depicts how this borrowed colonialism not only produced violent and disciplinary mechanisms but also taming and inclusivity mechanisms. He distinguishes between the negotiating power of the subject population of the Ottoman Empire and that of the colonized population of the Western powers. He argues that the former is higher.[64]

Deringil argues that the late Ottoman Empire period could be understood with the perspective of post-colonial studies and terminology. Actually, there is a new body of work, which analyzes the late Ottoman period era with the theoretical and conceptual tools of post-colonial studies. Ussama Makdisi, for instance, analyzes the double movement of the late Ottoman Empire: that is, he analyzes "moving an Islamic state independently *toward* a Eurocentric modernity and *away* from a representation of a stagnant Orient"[65] as the essential problematic of the modern state building process. Makdisi focuses on the representations of Mount Lebanon and its population in the imagination of the Ottoman bureaucrats and named these representations as *Ottoman Orientalism*. He also underlines the temporal and spatial hierarchies with increasingly explicit ethnic and racial elements in which the word Ottoman became synonymous with Turk. Accordingly, an Ottoman orientalism, which is neither a simple mimicry of the Eurocentric orientalism nor a reversed Occidentalism, but a deliberate policy of uniting Turks and Arabs within a renovated and reformed East, emerged at the end of

[63] Deringil also underlines the difference of the religion factor compared to European colonialism. The people of Kurdistan as well as the Arab provinces were broadly sharing the same religion with the center of the empire. Selim Deringil, "'They Live in a State of Nomadism and Savagery': The Late Ottoman Empire and the Post-Colonial Debate," *Comparative Studies in Society and History* 45, no. 2 (2003): 307.
[64] Selim Deringil, Ibid., 340.
[65] Ussama Makdisi, Ibid., 795.

the 19th century. Barış Ünlü, on the other hand, discusses if Kurdistan may be analyzed in the context of colonization through a comparative perspective with Algeria.[66] He eloquently analyzes the excess of structural violence exercised over Kurdistan from the 19th century up until now and reveals the colonial nature of such violence through a detailed comparison with Algeria. Ünlü also concentrates on the attitudes and discourses of the intellectuals both in the contexts of Kurdistan and Algeria.

This historiographical discussion about the late Ottoman Empire has important implications for a better understanding of the Kurdish issue. A body of work on historical sociology illustrated that the modern statecraft is essentially a project of internal or domestic colonization, in the sense that the modern state classified, named, mapped, settled, shaped and produced its citizens as well as the national territory. Eugen Weber, for instance, in his pioneering work, elaborates on the methods of the *internal colonization processes* including the nuances of the linguistic and cultural polities for producing the French citizen, which meant the linguistic subjugation and cultural incorporation of the provinces.[67] So, if the making of a nation-state includes a domestic colonization and patterns of violence throughout the whole national territory, then what makes the Ottoman periphery different from the central of the Empire or other provinces such as Central Anatolia, which is principally populated by Turks? Why may peripheral areas such as Yemen, Hicaz, Beirut or Kurdistan be understood in the theoretical framework of a colonial perspective while Kayseri, Yozgat and Istanbul are not included in this perspective? Edip Gölbaşı asks these legitimate questions in his brilliant article and shows inattentive and mechanic uses of some theoretical concepts of imperialism and colonialism theories in this body of work.[68] Although I find the critique of Gölbaşı very valuable, I will argue that the colonial debate is relevant for the conceptualization of the peripheral areas of the Ottoman Empire for two reasons. Firstly, the *moral distance* and *superiority* of the ruling elite, which is represented with the use of such words as *primitive* and *savage*, is very much decisive in the context of the peripheral areas, vis-à-vis non-Muslim communities and, at the turn of the 20th century, vis-à-vis non-Turkish communities. As I will try to outline in the upcoming subchapters, the ruling elite of the Republic of Turkey kept and developed this moral distance and ethnic superiority vis-à-vis Kurdistan during the early

[66] Barış Ünlü, "Kürdistan/Türkiye ve Cezayir/Fransa: Sömürge Yöntemleri, Şiddet ve Entelektüeller," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin, 403-435 (Istanbul: İletişim, 2014).
[67] Eugen Weber, *Peasants into Frenchmen. The Modernization of Rural France, 1870-1914* (Stanford: Stanford University Press, 1976), 67-94; Charles Tilly, on the other hand, depicted the same process for the European nation-states as the transformation of the previous indirect rule into a direct rule. Charles Tilly, *Coercion, Capital and European States, AD 990-1990* (Cambridge: Basil Blackwell, 1990), 103-126.
[68] Edip Gölbaşı, "19. Yüzyıl Osmanlı Emperyal Siyaseti ve Osmanlı Tarih Yazımında Kolonyal Perspektifler," *Tarih ve Toplum Yeni Yaklaşımlar*, no. 13 (2011): 199-222.

republican era. Secondly, the proportion of the state violence and coercion in these areas is significantly higher than that in other parts of the Empire, both quantitatively and qualitatively, during the whole republican era as well. Therefore, I will argue that the theoretical framework of the colonial perspectives and post-colonial studies may be productive with a selective and critical use while analyzing the Kurdistan area, especially throughout the 20th century, when the making of the nation-state was ultimately determined by an obsession with homogeneity.

3.2. Genocide, massacres and rebellions: obsession with homogeneity

The political power of the Committee of Union of Progress (İttihat ve Terakki Cemiyeti - CUP)[69] had a tremendous effect not only on the eastern provinces but also on the whole territory of the Ottoman Empire. This time, with a more scientific notion of modernity, demographic concerns and projects, social engineering methods, ethnic anxieties and the genesis of Turkish nationalism, a new notion of political power emerged. The modernizationist-nationalist political line of the CUP, using modern scientific methods of statistics, demography and social anthropology with a strong positivist emphasis, resulted with migration, settlement, displacement, violence and even genocidal polities for some of the Ottoman citizens. The political context of the late 19th and early 20th centuries, including the existence of wars, separatist, nationalist movements, and security concerns, also facilitated the implementation of the politics of assimilation, social engineering and violence.

> "Turkish-nationalist social engineering consisted of a broad scope of policies ranging from marginalization, isolation, incarceration, border alteration, deportation, forced assimilation, population exchange, to outright indiscriminate massacre, and in the most extreme case, fully fledged genocidal destruction. The fate of the victims depended on their perceived ethnic and political distance to the newly proclaimed Turkish national identity, as well as on the contingency of war or international politics. The nationalist mindset of Young Turk social engineers allowed them to disregard feedback from the population so that ethnicity was equated with loyalty. Thus, for example, loyal Christian Armenian government employees were doomed to be excluded whereas tax-evading Muslim Turkish peasants were categorized into this new identity. Others such as Muslim Kurds or Sephardic Jews were considered slightly more 'Turkifiable' than others, albeit ambiguously. Much of this was carried out with little regard for proclaimed and real loyalties."[70]

[69] Committee of Union and Progress was established as the opponents of Abdulhamid II named as Young Turks during the Hamidian regime. This group of intellectuals emphasized the importance of a constitutional monarchy with an ambitious program of modernization, nationalization and civilization. Some of the scholars working on Ottoman history and Turkey's history interpret the Kemalists as their descendants and make a periodization of CUP between 1913 and1950. See. Eric Jan Zürcher, "The Ottoman Legacy of the Turkish Republic: An Attempt at a New Periodization," *Die Welt des Islams,* no. 32 (1992): 237-253; Eric Jan Zürcher, *Milli Mücadelede İttihatçılık* (Istanbul: İletişim, 2005); Uğur Ümit Üngör, "Geographies of Nationalism and Violence: Rethinking Young Turk 'Social Engineering'," *European Journal of Turkish Studies. Demographic Engineering Part 1,* no. 7 (2008). https://ejts.revues.org/2583. I will also follow the same path.

[70] Uğur Ümit Üngör, Ibid., paragraph 14.

My aim, in this subchapter, is not to give a full-fledged empirical or analytical account of what happened during the CUP period. Rather, I will point out some crucial layers of violence, which materially, demographically, politically and/or symbolically built up the Kurdish region. From this perspective, the most significant event for the Kurdistan region is, definitively, the Armenian Genocide. Although there were several pogroms and massacres previously, such as the Sason Massacre in 1894, several pogroms in 1895, the Adana massacres in 1909,[71] the Armenian Genocide may be differentiated from these pogroms by being one of the biggest catastrophic events of the 20th century. An abundant literature can be found on the patterns, policies, internal decisions and human losses of the Armenian Genocide.[72] Although there are several different interpretations of the impact of the revolutionary Armenian organizations, the timing about the decision reflecting the genocidal will, the effect of the Balkan losses of 1913, and the number of human losses of the Armenian population, this body of work articulately contextualizes the Armenian Genocide within a series of violent demographic politics of the eastern provinces of the Empire along with the scientific ambitions of the CUP cadres for homogeneity of the population. Accordingly, in April 1915, some Armenians had been deported from their homelands, including 262 well-known Armenian intellectuals, but this was not a campaign valid for the whole territory of the Empire. Then, there were the orders of Talat Pasha for the integral deportation of the Armenians to the Der ez-Zor region in the Syrian Desert, and to court-martial any Muslim collaborating with Christians. The deportation had already begun and on May 30, 1915, the Parliament enacted a bill "… authorizing the army to proceed with this *fait accompli* and delegating its daily implementation to the 'Directorate for the Settlement of Tribes and Immigrants' (*İskân'ı Aşâir ve Muhacirîn Müdüriyeti*). The Armenian Genocide had officially begun."[73]

Some scholars argue that 600,000-800,000 Armenians lost their lives during the catastrophe, but Taner Akçam, like other historians of the Armenian Genocide, insists that at least one

[71] Hans Lukas Kieser, *Iskalanmış Barış, Doğu Vilayetlerinde Misyonerlik, Etnik Kimlik ve Devlet 1839-1938* (Istanbul: İletişim, 2013), 184-199.
[72] Some selected works from this abundant literature may be listed as: Ara Sarafian, *Talaat Pasha's Report on the Armenian Genocide* (London: Gomidas Institute Studies Series, 2011); Donald Bloxham, *The Great Game of Genocide. Imperialism, Nationalism and the Destruction of the Ottoman Armenians* (New York: Oxford University Press, 2015); Raymond Kevorkian, *The Armenian Genocide, A Complete History* (London New York: I.B. Tauris, 2011); Ronald Grigor Suny, *"They Can Live in the Desert but Nowhere Else": A History of the Armenian Genocide* (Princeton and Oxford: Princeton University Press, 2015); Taner Akçam, *Ermeni Meselesi Hallolunmuştur. Osmanlı Belgelerine Göre Savaş Yıllarında Ermenilere Yönelik Politikalar* (Istanbul: İletişim, 2010); Fuat Dündar, *Modern Türkiye'nin Şifresi. İttihat ve Terakki'nin Etnisite Mühendisliği, 1913-1918* (Istanbul: İletişim, 2010); Raymond H. Kevorkian and Paul B. Papoudjian, *1915 Öncesinde Osmanlı İmparatorluğu'nda Ermeniler* (Aras Yayınları, İstanbul, 2012); Uğur Ümit Üngör, *The Making of Modern Turkey. Nation and State in Eastern Anatolia, 1913-1950* (Oxford: Oxford University Press, 2011).
[73] Uğur Ümit Öngör, Ibid., paragraph 23.

million Ottoman Armenians lost their lives during the deportation, massacres and persecutions.[74] As a result of a cumulative radicalization in the process of deportation,[75] persecutions and massacres became widespread throughout the provinces densely populated by Armenians. Places like Van, Muş, Harput, Bitlis, Elazığ, Sivas, Urfa, Mardin, Diyarbakır, Erzurum and Adıyaman were demographically, politically, economically and socially transformed. The property remaining from the Armenian population was partially confiscated by the state and also seized by the native population of the regions. The Ottoman State, which had initially promised its Armenian citizens that after the termination of the deportation, the property equal to their own property that remained in their homeland would be transferred to the new settlement areas, never kept this promise and through a complicated legal operation confiscated the property of the Armenians.[76] The demographic and economic structures of the eastern provinces were completely changed and Muslim Kurds became the overwhelmingly majoritarian group of the population in the region after 1915. Martin van Bruinessen claims thatit is only after the deportation and massacres of the Armenians and other Christian and heretic population groups that eastern provinces –specifically the valley in the north of the Lake of Van - begin to be imagined as Kurdistan.[77]

The new Kurdish nationalism, based on such an imagination of Kurdistan, had to face, however, a very aggressive Turkish nationalism of the Kemalist regime. The Kemalist intelligentsia shared the notion of a civilized modernity of the CUP, which meant the taming of non-Turkish segments of society through disciplinary and violent means when necessary along with the concept of 'struggle between the races',[78] after the establishment of the Republic. The notion of civilized modernity, including the annihilation of some bodies and subjectivities as well as the production of some others as a form of demographic social engineering, is very frequently echoed in several genocides and mass killings of the 20th

[74] Taner Akçam argues that as a result of the 5-10% policy of the CUP, the number regarding the human loss, should be approximately 1 million Armenians: "The decision stating that deported Armenians should be settled in the settlement areas by no means above 5-10 % ratio of the local the population, reveals that the intent of the politics vis-à-vis the Armenian population was ultimately the total destruction of them. Looking closer at the settlement areas and the Muslim population in these areas will be enough to understand it. (…) As a result, whatever numbers you are considering as truth, according to the decision of the Ottoman government, the total population of the Armenians in their new settlement areas should be between 145,000 and 200,000, approximately 168,000, so that it would not pass the threshold of 10 % of the Muslim population in the region." After this calculation, Akçam argues that nearly at least 1 million Ottoman Armenians must have lost their lives during the genocide. Taner Akçam, Ibid., 62- 65.

[75] Donald Bloxham, Ibid., 96.

[76] The property left behind by the Armenian deportees was also seized by the local population of these areas. For a detailed analysis of this process see. Taner Akçam and Ümit Kurt, *Kanunların Ruhu. Emval-i Metruke Kanunlarında Soykırımın İzini Sürmek* (Istanbul: İletişim, 2012); Ümit Kurt, "Varlık ve Yokluk Kıskacında Ermeniler: 1915 Ermeni Kırımı'nın Ekonomik Şiddet Boyutu," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin and İbrahim Şirin (Istanbul: İletişim, 2014), 79-128; Uğur Ümit Üngör and Mehmet Polatel, *Confiscation and Destruction. The Young Turk Seizure of Armenian Property* (New York: Continuum, 2011).

[77] Martin van Bruinessen, Ibid., 26.

[78] François Georgeon, *Türk Milliyetçiliğinin Kökenleri. Yusuf Akçura (1876-1935)* Istanbul: Tarih Vakfı, 2005), 95.

century. Uğur Ümit Üngör emphasizes the modernist ethos lying at the heart of Nazi social engineering and Holocaust while describing the search of the German elite for perfection, utopia and obsession of designing the perfect society.[79] The CUP seems to have adopted, more or less, this notion of social/demographic and ethnic engineering for the design of the perfect society, especially during the times of war and crisis.[80] The *ethnic engineering* of the CUP cadres, based on security concerns, were also shared by the Kemalists.

After the establishment of the new Republic in 1923, and throughout the 1930s, this perspective was reiterated and sophisticated by the Kemalist regime, although Kemalists had promised otherwise to Kurds previously. During an interview made in Izmit by the prominent journalists of the period, right before the announcement of the Republic (i.e. before 1923), Mustafa Kemal declared that the Kurdish community would not only be equipped by their cultural rights but also by their self-government rights. He said:

> "In accordance with our constitution, a kind of local autonomy is to be granted. Hence, provinces inhabited by Kurds will rule themselves autonomously. [. . .] The Grand National Assembly of Turkey is composed of the deputies of both Kurds and Turks and these two peoples have unified their interests and fates."[81]

Accordingly, Turks and Kurds, as two principal components of the new Republic, were to have equal rights and the Kurdish community was to be incorporated into the new Republic through an autonomous self-governed regime. This did not happen though. Instead of a political and cultural recognition of the plurality and acknowledgment of the equal rights of different non-Turkish groups, the new regime chose a contentious path including violence, assimilation, oppression and Turkification. "During the first few decades following the establishment of the Republic, its founders reframed the (Kurdish) question as a social clash between *past* and *present*."[82] According to this perspective, the Kurdish community, with its feudal ties, traditional society, religious everyday life and nomad character, represented the *past* as a population that needed to be tamed and brought into the present through the civilizing mission.

[79] Uğur Ümit Üngör, Ibid., paragraph 10.
[80] Fuat Dündar uses the term ethnic engineering while depicting the motivation and the mindset of the CUP high-level cadres. He specifically gives reference to the content and wording of Talat Pasha's coded telegrams during the First World War and especially Armenian massacres as well secret reports and census graphs based on ethnic classifications. Dündar, Ibid., 34 and 441.
[81] Cited in Mesut Yeğen, "The Kurdish Question in Turkey: Denial to Recognition," in *Nationalisms and Politics in Turkey. Political Islam, Kemalism and the Kurdish Issue*, ed. Marlies Casier and Joost Jongerden (London and New York: Routledge, 2011), 68.
[82] Mesut Yeğen, Ibid., 69.

The Turkish nationalism of the 1920s, therefore, created a double discourse about Kurds based on the one hand the denial of their existence, and "while on the other hand, the state insisted that they certainly existed, but only as an oppressive and feudal ethno-class, whose main aim was to destroy the Turks as an ethnic group and as an oppressed class."[83] The *moral distance* and *superiority* posited by such perspective is striking and it also meant the end of the fragile alliance between Kurds and Kemalists (and previous CUP cadres) during the First World War and its immediate aftermath. The most important outcome of the termination of this alliance was a series of rebellions and popular unrest. Below is a table of such rebellions and popular unrest:

Figure 1. Rebellions of the Ottoman Empire and Republic of Turkey[84]

Rebellions during the Ottoman Empire	**Rebellions during the Republic of Turkey**
Babanzade Abdurrahman Pasha rebellion (1806- Mosul)	Nasturi rebellion (1924- Hakkari)
Babanzade Ahmet Paşa rebellion (1812 – Mosul)	Jilyan rebellion (1926- Siirt)
Zaza rebellion (1820)	Sheikh Sait rebellion (1925- Bingöl-Muş-Diyarbakır)
Ezidi rebellion (1830- Hakkari)	Seit Taha ve Seit Abdullah (1925-Şemdinli)
Şerefhan rebellion (1831- Bitlis)	Reşkotan and Reman rebellion (1925-Diyarbakır)
Bedirxan Beg rebellion (1835- Botan)	Yakup Agha and sons (1926 – Pervani)
Garzan rebellion (1839- Diyarbakır)	Güyan rebellion (1926 – Siirt)
Ubeydullah rebellion (1881- Hakkari)	Haco rebellion (1926 – Nusaybin)
Bedirhan Osman Pasha and Hussein Pasha rebellion (1872-Mardin-Cizre)	I. Ağrı rebellion (1926 – Ağrı)
Bedirhan Emin Ali rebellion (1889- Erzincan)	Koçuşağı rebellion (1926- Silvan)
Bedirxanis and Halil Rema rebellion (1912-Mardin)	Hakkari- Beytüşşebab (1926)
Seikh Selim Şehabettin and Ali rebellion	Mutki rebellion (1927 – Bitlis)

[83] Hamit Bozarslan, "Kurds and the Turkish State," in *The Cambridge History of Turkey, Volume 4, Turkey in the Modern World,* ed. Reşat Kasaba (Cambridge: Cambridge University Press, 2008), 342.
[84] Mehmet Seyman Önder, *Devlet ve PKK İkileminde Korucular* (Istanbul: İletişim, 2015), 26.

(1912- Bitlis)	
Koşgari rebellion (1920- Koşgiri)	II. Ağrı rebellion (13 September 1927)
	Biçar operation (1927 – Silvan)
	Resul Agha rebellion (1929 – Eruh)
	Zeylan rebellion (1930 – Van)
	Tutak's Ali Can rebellion (1930 – Tutak – Bulanak – Hınıs)
	Oramar rebellion (1930 – Van)
	III. Ağrı operation (1930)
	Buban tribe rebellion (1934 – Bitlis)
	Abdurrahman rebellion (1935 – Siirt)
	Abdulkuddüs rebellion (1935 – Siirt)
	Sason rebellion (1935 – Siirt)
	Dersim rebellion (1937 – Tunceli)
	PKK (1984 -)

The non-Muslim communities of the region perceived Kurds as an extension of the central authority beginning with the period of Abdülhamid II for a long time due to the anti-Armenian alliance of the Kurdish community and the state.[85] The table of the rebellions above, however, shows, in a strikingly explicit manner, the end of such an alliance after the declaration of the Republic. Instead of the granting of an autonomy that had been promised by the high-level Kemalist cadres several times, the Kurdish community experienced reform (*inkılap*), repression and assimilation.[86] The immediate response of Kurds to such policies was either popular unrest or sporadic rebellions. Hamit Bozarslan defines the years between 1923 and1938 as "the period of radicalization and revolts" and he underlines the importance of three rebellions among others: The Sheikh Sait rebellion in 1925, the Ararat (Ağrı) rebellion of 1930

[85] Hamit Bozarslan, "'Neden Silahlı Mücadele?': Türkiye Kürdistanı'nda Şiddeti Anlamak," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin (Istanbul: İletişim, 2014), 155.
[86] Mesut Yeğen, Ibid., 72-74.

and the Dersim rebellion of 1936-1937, as three essential events that profoundly marked both the Kurdish community and the Turkish state.[87]

These rebellions, as the symbols of the political unrest vis-à-vis the newly established republican regime, were repressed through massive military campaigns including the destruction of many villages along with their populations. Instead of a loose federation based on the moral authority of the caliphate that they were waiting for, the Kurdish community was faced with an authoritarian, positivist, monolithic republican state apparatus based on the Turkish supremacy. Their refusal of such state apparatus was repressed through real bloodshed where thousands of civilians were killed. During all of these rebellions -including the rebellion of a Naqshbandi Sheikh Said of Piran supported by the Azadi (Liberty) movement that mobilized Zaza speaking Kurds with both religious and national motifs; the Ararat (Ağrı) rebellion organized by a well-structured committee, Khoybun (Being One Self); and the Dersim rebellion that was led by Seyit Rıza and that initially began as the political unrest of the Kurdish Alevite population because of the state's insistence on the relinquishment of their arms and termination of their autonomy- deadly strategies such as persecutions of the civilians, use of chemical weapons, hanging of the leaders without letting know their burial places and brutal methods of violence were used against the Kurdish community, sometimes with the collaboration of some of the Kurdish tribes themselves.[88]

According to Hamit Bozarslan, some common patterns characterize these rebellions. First, they prove the state's capacity to simultaneously suppress and make use of tribal dynamics, as some of them became paramilitary militia forces. Not only were rebels successfully repressed through violent methods, but also, through the use of tribal dynamics by the state, new and competing Kurdish subjectivities, which were flourishing through close alliance with the state apparatus, emerged as a result of the rebellions. Second, mainly rural segments of the Kurdish society participated in these rebellions and the urban population remained essentially quiescent. Third, these rebellions produced much stronger echo outside Turkey, influencing Kurds in Iran, Iraq and Syria and leading to trans-border mobilization, which was constantly transgressing the national borders. Fourth, the revolts played a crucial role in the codification

[87] Hamit Bozarslan, "Kurds and the Turkish State," in *The Cambridge History of Turkey, Volume 4, Turkey in the Modern World,* ed. Reşat Kasaba (Cambridge: Cambridge University Press, 2008) 339.
[88] For an analysis of these rebellions see. Martin Van Burinessen, *Agha, Sheikh and the State. The Social and Political Structures of Kurdistan* (London: Zed Books, 1992), 387-445; Martin Van Bruinessen, *Kürdistan Üzerine Yazılar* (Istanbul: İletişim, 1992), 107-151; Şükrü Aslan, ed., *Herkesin Bildiği Sır Dersim* (Istanbul: İletişim, 2011); Hamit Bozarslan, "Kurdish Nationalism in Turkey: From Tacit Contract to Rebellion (1919- 1925)," in *Essays on the Origins of Kurdish Nationalism*, ed. Abbas Vali (Costa Mesa: Mazda, 2003), 163-190; Robert W. Olson, *The Emergence of Kurdish Naitionalism and the Sheikh Said Rebellion,* (Austion: University of Texas, 1989).

of the symbols of modern Kurdish nationalism.[89] Another important common feature of these rebellions is the lack of leniency and will of negotiation on the part of the state towards their leadership and participants due to their being identified as having an immobile past and backward situation[90]. An exemplary text to this effect can be found in the speech of the chairman of the Court of Independence, which sentenced the leaders of the 1925 (Sheikh Sait) rebellion to death:

> "[S]ome of you used people for your personal interests, and some of you followed foreign incitement and political ambitions, but all of you marched to a certain point: the establishment of an independent Kurdistan. [. . .] Your political reaction and rebellion were destroyed immediately by the decisive acts of the government of the Republic and by the fatal strokes of the Republican army. [. . .] Everybody must know that as the young Republican government will definitely not condone any cursed action like incitement and political re-action, it will prevent this sort of banditry by means of its precise precautions. The poor people of this region who have been exploited and oppressed under the domination of sheikhs and feudal landlords will be freed from your incitements and evil, and they will follow the efficient paths of our Republic which promises progress and prosperity."[91]

The paths of the Republic included several violent and disciplinary mechanisms for Kurds. The simultaneous denial of Kurds and the acceptance of their existence as backward created a pendulum for the Turkish nationalism of the early republican period, which swung in pendulum fashion between these two opposites. This pendulum also reflects both assimilationist and more radical ethnic homogenization methods of the Turkish nationalism used against the Kurdish population.[92] The emphasis on *backwardness* invokes several aspects of the civilizing mission. In a confidential report he drafted on Dersim, the Chief Commander of the Turkish Armed Forces, Fevzi Çakmak, argues that the *primitive communities of Dersim* cannot be gained through caressing, in 1930. Instead, according to his opinion, "Dersim should be considered firstly as a *colony* and their Kurdishness should be melted into the community of the Turks. Then, they should be *gradually* included in the Turkish law."[93] Throughout the 1930s, especially with the influence of eugenic politics, racist physical anthropology and pro-fascist linguistic theories of the European context, redefining Kurdishness within the paradigm of the civilizing mission became much easier.[94]

---

[89] Hamit Bozarslan, Ibid., 341.
[90] Özsoy, Ibid., 102.
[91] Cited in Quoted from Mesut Yeğen, Ibid., 69.
[92] Mesut Yeğen, *Müstakbel Türk'ten Sözde Vatandaşa. Cumhuriyet ve Kürtler* (Istanbul: İletişim, 2009), 10.
[93] Cited in İzzettin Çalışlar, ed., *Dersim Raporu* (Istanbul: İletişim, 2010), 251. Emphasis mine.
[94] Soner Çağaptay, "Otuzlarda Türk Milliyetçiliğinde Irk, Dil ve Etnisite," in *Türkiye'de Modern Siyasi Düşünce, Milliyetçilik,* ed. Murat Gültekingil and Tanıl Bora (İstanbul: İletişim, 2003) 245-261.

In the context of the civilizing mission, not only the politics of violently repressing some segments of the Kurdish society but also the politics of (re-)settlement were applied. The Kurdish population was subjected to three major waves of deportation/forced migration. The first wave of the deportees, in 1916, had experienced the harsh conditions of war and the seasons. The second wave was right after the establishment of the Republic and one of the most important rebellions, the Sheikh Sait Rebellion, from 1925 to1927, whereupon many deportees returned within two years. The third wave, the most sophisticated one, occurred in 1934, during the consolidated one-party regime and the deportees could not return until the 1950s.[95] In the meantime, the parliament enacted several bills on the settlement of different groups in the population and issues of settlement and re-settlement lied at the core of the new regime's concerns. The security reasons as well assimilationist concerns were cited for the enactment of such laws. The most important of these laws, is, however, the Settlement Law of 1934, during the discussions of which several aspects of the geographical and demographical nationalization project were debated in the parliament. During the parliamentary sessions, Sadri Maksudi argued, "Turkification of the language is among the greatest devices for assuring the future of the Turkish race and the living Turk as Turk. This is our aim"[96] while Şükrü Kaya, the then minister of interior, expressed the obsession with homogeneity explicitly: "This law will create a country speaking with one language, thinking in the same way, and sharing the same sentiment."[97] Relevant data regarding the scope of the deportees show that 25,381 citizens from 5,074 households in predominantly-Kurdish provinces were displaced and resettled in the western parts of Turkey.[98] The issue of settlement, along with more violent strategies, was at the core of the demographic concerns and ethnic engineering of the early republican period. The aim was to produce Turkified citizens through a successful assimilation process as well as satisfy the regime's constant security anxieties.[99] The ethno-racial anxieties and security concerns, again, produced a politics of settlement based on the

[95] Uğur Ümit Üngör, *The Making of Modern Turkey. Nation and State in Eastern Anatolia, 1913-1950* (Oxford: Oxford University Press, 2011), 166.
[96] Erol Ülker, "Assimilation, Security, and Geographical Nationalization in Interwar Turkey: The Settlement Law of 1934," *European Journal of Turkish Studies - Demographic Engineering – Part 1,* no. 7, (2008) paragraph 6, https://ejts.revues.org/2123
[97] Ibid., paragraph 8.
[98] Mesut Yeğen, Ibid, p. 73.
[99] For an analytical and meticulous work on the settlement and forced migration politics see. Joost Jongerden, *The Settlement Issue in Turkey and the Kurds. An Analysis of Spatial Policies, Modernity and War* (Leiden Boston: Brill, 2007). See also İsmail Beşikçi, *Bilim Yöntemi. Türkiye'deki Uygulama 1: Kürtlerin Mecburi İskanı* (Istanbul: Komal, 1977). Concerning the results of the deportation of the early republican period, Uğur Ümit Üngör argues: "Did the deportation 'Turkify' the Kurdish deportees? Although little systematic longitudinal research has been conducted on the fate of the Kurdish deportees, the available evidence suggests that for most Kurds the deportation project produced limited results. Well into the 1990s, Kurdish communities living in Central Anatolia preserved their tribal and ethnic identities and languages, with the exception of those who moved to the metropolises. Moreover, in the end, neither combined nor in isolation did the three phases of deportation 'solve' any Kurdish 'question'." Uğur Ümit Üngör, Ibid.,169.

deportation of Kurds. "As in Germany, Croatia, Hungary and Romania, the racialization of national identity in Turkey was used to assert unity over diversity, and increase the efficiency of administration."[100] At first glance, both missions seem to have been successfully achieved by the end of the 1930s.

3.3. War, armed struggle, and *serhildan*: challenging the Turkish state

There is a long period of stagnation after the repression of the last rebellion, namely the Dersim massacres of 1937-1938. This period continued until the beginning of the 1960s, defined by Hamit Bozarslan as the period of silence.[101] At the beginning of the 1960s, with the commencement of a relatively liberal era after the new constitution of 1960, new political movements flourished. These political movements, using the terminology of the Marxist literature and politicizing ordinary problems of the working classes utilizing the concepts of class conflict, became popular throughout Turkey. In particular, the Workers' Party of Turkey (Türkiye İşçi Partisi - TİP), which also politically recognized the repression of the Kurdish community, aroused interest among several Kurds. Throughout the 1960s and 1970s, several different socialist and/or nationalist Kurdish movements, defending a wide range of politics from autonomy to the independence of Kurdistan, thrived especially among the urban Kurdish strata.[102]

One of these organizations, Partiya Karkerên Kurdistan (Kurdistan Workers' Party - PKK), which had been incubated by the 1970s, followed a very different path compared to other Kurdish organizations. First, PKK was very determined about the use of guerilla warfare for reaching its goals: the simultaneous destruction of colonialism in the four parts of the divided Kurdistan (i.e. Syria, Turkey, Iran and Iraq) and the creation of an 'independent, united, and democratic' Kurdistan. Second, unlike many other political organization based on tribal relations and networks, the PKK situated itself, both rhetorically and practically, against the tribal nexus of relationships[103] and was initially organized among the rural poor of Kurdistan, although the founders of the group were essentially university students. Third, PKK's

[100] Daniel Woodley, *Fascism and Political Theory, Critical Perspectives on Fascist Ideology* (London New York: Routledge, 2010), 209

[101] Hamit Bozarslan, Ibid., 343.

[102] For a detailed analysis of this period and also the discourses of several different political Kurdish organizations see. Cengiz Güneş, *Türkiye'de Kürt Ulusal Hareketi, Direnişin Söylemi* (Ankara: Dipnot, 2013), 95-153. See also Azat Zana Gündoğan*, "The Kurdish Political Mobilization in the 1960s: The Case of 'the Eastern Meetings'*" (Msc Thesis, Middle East Technical University, 2015); Martin Van Bruinessen, "Türkiye Kürtleri", in *Kürdistan Üzerine Yazılar,* İstanbul: İletişim, 2015 (9th edition), pp. 302-312; Hamit Bozarslan, "Türkiye'de Kürt Sol Hareketi," in *Modern Türkiye'de Siyasi Düşünce*, *Vol. 8 Sol*, ed. Murat Gültekingil (Istanbul: İletişim, 2008), 1169–1207.

[103] Initial armed struggles of PKK were against the influential aghas and their tribes, so-called collaborators, in Hilvan in 1978 and in Siverek in 1979. The assassination of Mehmet Celal Bucak, the prominent leader of the Bucak tribe in Silvan, influenced profoundly the perception of PKK in Kurdistan. Martin van Bruinessen, "Gerilla Savaşı ve Siyasi Cinayet Arasında: Kürdistan İşçi Partisi", in *Kürdistan Üzerine Yazılar,* İstanbul: İletişim, 2015, 318-319.

intellectual, political and organizational origins were stemming from the Turkish left, unlike other Kurdish political parties that adopted a rather conservative position. Although the movement was criticizing the Turkish left for being part of colonialism with its failure to recognize the Kurdish people's colonial situation, the vocabulary, paradigm and acts of PKK were deeply influenced by the Turkish revolutionary movements. In other words, PKK was both the product and the critic of the Turkish socialist/revolutionary movements of the 1960s and 1970s. Fourth, with their insistence on the crucial impact of guerilla strategy they differentiated themselves from the previous romantic or constitutionalist Kurdish oppositional movements. And finally, their vision of resistance and violence against colonialism also included the need for violent strategies pursued against some segments of the Kurdish society itself, the ones who have interiorized colonialism. Thus, according to this perspective, the violence against colonialism should also have an internal aspect and target the Kurds who had interiorized the colonial system as well.[104]

The flourishing and struggling of these Kurdish organizations, however, were dramatically interrupted by the coup d'état of September 12, 1980. The violence spread by the coup d'état of 1980 had tremendous effect both on the fate of the PKK and on the state violence of the 1990s, and therefore, was one of the most important layers of violence for Kurdistan -and for Turkey as a whole-. Some significant events and figures may help to understand the decisive impact of this military intervention: The Grand National Assembly of Turkey was closed down; the constitution was abolished; political parties, trade unions and several other democratic institutions were closed down and their properties were confiscated; 650,000 people were detained; secret intelligence files were kept by the police on 1,683,000 people; 230,000 people were tried; death penalty was demanded for 7,000 people; 517 people were sentenced to death penalty; 50 of these sentences were executed; 14,000 people were deprived of citizenship rights; 171 people were documented to have been killed by torture; a total of 299 people died in prisons and the activities of 23,677 associations were brought to a halt.[105] Nevertheless, these numbers and facts are far from aptly revealing the impact of the coup. The coup triggered a wave of violence towards all the oppositional movements from both right and left, with a specific *excess of cruelty* both for leftist and Kurdish movements and also institutionalized a militarist, monolithic, ethno-racial interpretation of the Turkish state and of

[104] Joost Jongerden and Ahmet Hamdi Akkaya, "Born from the Left: The making of the PKK," in *Nationalisms and Politics in Turkey. Political Islam, Kemalism and the Kurdish issues*, ed. Marlies Casier and Joost Jongerden (London New York: Routledge, 2011), 124; Hamit Bozarslan, "'Neden Silahlı Mücadele?': Türkiye Kürdistanı'nda Şiddeti Anlamak," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin (Istanbul: İletişim, 2014), 158.
[105] NTV, "Rakamlarla 12 Eylül Darbesi," September 11, 2009, accessed May, 12, 2017, http://www.ntv.com.tr/turkiye/rakamlarla-12-eylul-darbesi,ZMq1kGJuR02pAYJn18vjaQ

Turkish citizenship with the new constitution of 1982. The consolidation of a political approach based on the permanent control of society, the establishment of a monist political structure based on Turkish nationalism, and as an outcome of the motto "The Turk has no friend but the Turk", and a provincialized political atmosphere were other political consequences of the coup.[106] Kurds, including their physical existence and their political demands, were totally denied by this militarist-monist perspective.

PKK responded to the coup by organizing itself among the Kurdish citizens of Syria and Turkey (especially in the borderline areas), preparing for the guerilla warfare and also by the political resistance of its pioneer high-level cadres during their trials in the courtrooms and in Diyarbakır Military Prison. Since the leader Abdullah Öcalan and several members of PKK were in Lebanon for guerilla training beginning with the early 1980s, the group was able to continue its military and political arrangements after the coup d'état. On the one hand, on August 15, 1984, the PKK organized an armed attack on Eruh (town of Siirt) and Şemdinli (town of Hakkari); some soldiers and other state officers lost their lives and guerrillas made their political speeches to the public while shouting their slogans. On the other hand, high-level PKK cadres were giving political speeches in the courtrooms of the coup, where unlawfulness was overwhelming. One of the pioneer cadres of PKK, Kemal Pir's testimony, is very striking with its openness:

> "The PKK has a military wing. [...] This is not an organization appropriate for the strategic objectives of the PKK. This is for the protection of the movement, of the people, for protecting itself. [. . .] But when it organizes itself for a people's war it will be different. [. . .] That is aiming at a professional army, an armed organization. [. . .] The PKK could not do this yet. [. . .] If it had done it, we would have been with less people here [in court] and we would have heard stronger voices. [. . .] It could not do it because either it did not found the right conditions, or it could not do it because it did not have the means. [. . .] But our aim is to do it. We will do it. After 10 years, after 20 years."[107]

The resistance of the PKK cadres in Diyarbakır Military Prison strengthened the making of such statements in the courtrooms. Diyarbakır Military Prison, being the emblematic space of torture, violence and cruelty for Kurdistan, represented par excellence the extreme violence

[106] Murat Belge, *Türkiye Dünyanın Neresinde?* (Istanbul: Birikim, 1997), 113. For an analysis situating the coup of 1980 in the broader political and economic relations of global capitalism, see. Oğuz Dilek, "Türkiye Kapitalizminde Zorun Rolü: Rızasız bir Toplum Sözleşmesi Olarak 12 Eylül Askeri Darbesi," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin and İbrahim Şirin (Istanbul: İletişim, 2014), 347-369.
[107] Cited in Joost Jongerden and Ahmet Hamdi Akkaya, Ibid,, p. 131.

exercised over Kurds for their Turkification by the coup d'état.[108] Against excessive torture, ill treatment and several terrifying ways of physical and psychological torture for the Turkification of the inmates, several acts of resistance were planned and organized by PKK cadres. Mazlum Doğan, a member of the PKK, hanged himself on March 21, 1982 – on the day of the traditional Kurdish New Year, Newroz- in his prison cell for a protest of the prison conditions. Then, on May 18, four other PKK members, Mahmut Zengin, Eşref Anyık, Ferhat Kurtay and Necmi Öner, burned themselves alive and lost their lives for protesting the conditions of Diyarbakır Military Prison. A hunger strike commenced on July 18 of the same year and important cadres of the PKK, including Kemal Pir, Hayri Durmuş, Akif Yılmaz and Ali Çiçek, lost their lives during September 1982.[109] These political figures both contributed to the organizational prestige of the PKK and showed 'the determined attitude' of the organization in the eyes of a larger Kurdish society. On the one hand, the beginning of the guerilla struggle, and on the other hand, the profile of its high-level cadres, dedicated and courageous, increased the organization's reputation despite its use of violence towards other Kurdish organizations and leftist groups. The first period of the PKK, therefore, was framed by the larger context of the oppressive and militarist political climate after the coup d'état of 1980.

During this first period, the state apparatus and its various institutions were not quite aware of the PKK phenomenon and its complex political and social manifestations. The official discourse was essentially based on demeaning the PKK, and decreasing its military and political impact: the PKK was often described as 'a few thugs' or 'a small group of bandits' and statements claimed that 'its head would be crushed very soon'. Hasan Cemal, a prominent journalist, remembers that a high-ranking military officer complained to him that this deceptive perception of the PKK as 'a small group of bandits' throughout the 1980s and until the beginning of the 1990s was prevalent in the army.[110] A sort of *moral superiority* and *distance* towards these barbaric terrorists were echoed in this perspective.

It was very difficult, though, to ignore or demean the PKK at the beginning of the 1990s due to several reasons. First, the popular support of the guerilla forces had constantly increased right from the commencement of the armed struggle. Apparently, the coup, extensive Turkification politics and the total denial of the Kurdish community along with their political demands and

[108] Welat Zeydanlıoğlu, "Torture and Turkification in the Diyarbakır Military Prison," in *Rights, Citizenship & Torture. Perspectives on Evil, Law and the State*, ed. Welat Zeydanlıoğlu and John T. Parry, (Oxford: Inter-Disciplinary Press, 2009), 73-92.
[109] Cengiz Güneş, Ibid., 183-184.
[110] Hasan Cemal, *Kürtler* (Istanbul: Doğan Kitap, 2003), 77.

basic rights, triggered a huge amount of anger among the Kurdish society, and the PKK seems to have incorporated this anger both by its armed struggle and by its political discourse. Initially among the rural poor but throughout time also among the urban poor and middle strata, the PKK began to increase its support among the Kurdish society. Second, new collective challengers emerged as a result of the voicing of the politico-legal demands that were closely related with PKK's political line. People's Labor Party (Halkın Emek Partisi - HEP) was founded in 1990 under the leadership of Fehmi Işıklar and by ten members of the parliament that left the Social Democrat Populist Party (Sosyal Demokrat Halkçı Parti - SHP). The entry of HEP into the political arena -with its demands for the recognition of the Kurdish society's individual and collective rights such as the rights for education and publishing in Kurdish and a full-fledged democratization thanks to which the Kurdish issue could be discussed with alternative approaches- had a tremendous political impact.[111] Kurdish politicians acted as new collective challengers and they contested the practices of the state officers in Kurdistan, opened up new spaces of politics and resources through their achievement specifically in the local elections in the politico-legal field and produced competing narratives of truth against the dominant official narrative in the mainstream media.[112] Third, the armed struggle of the PKK could not be defeated immediately; on the contrary, the PKK was fiercely fighting with its mobile guerilla forces and giving much more harm to the Turkish military forces than previously expected.[113]

As a result, several significant implementations and transformations occurred at this very precise political conjuncture of the early 1990s. First, a regime of State of Emergency (Olağanüstü Hal – OHAL) was implemented. After the coup d'état of 1980, most parts of the Kurdistan region were already being governed under the martial law. Based on the decision of the Cabinet's decree dated March 1, 1984 and numbered 84/7781, OHAL was declared for

[111] For the concept of the new collective challengers, see. Nicole F. Watts, *Sandıkla Meydan Okumak, Türkiye'de Kürtlerin Siyasi Yolculuğu* (Istanbul: İletişim, 2014), 85-113. For a detailed analysis of Democracy Party (Demokrasi Partisi – DEP), which was established after the ban of HEP by the Constitutional Court, see. A. Osman Ölmez, *Türkiye Siyasetinde DEP Depremi. Legal Kürt Mücadelesi* (Ankara: Doruk, 1995).

[112] Nicole F. Watts, Ibid., 113-189.

[113] Mesut Yeğen argues that the general popular unrest of the Kurdish society at the end of the 1980s is not solely related with the emergence of the PKK as a political and military actor but more with the international context. He argues that due to critical changes in the global context such as the disintegration of socialism and the strategic position of the myths of democracy and human rights, the Kurdish dissent has been possible. He also adds to this the political impact of the First Gulf War and the possibility of autonomy in Iraq. The Kurdish issue is not a national ethno-political issue but has always been influenced and shaped by the experiences of the Kurds both in Iran, Syria, Turkey and Iraq. The political influence of some historical events, such as the Mahabad Republic and the myth and the struggle of Barzani, proves the validity of the approach. Keeping this in mind, I argue that the PKK factor was much more determining for the popular unrest of the late 1980s than Yeğen claims. Needless to say, the impact of the global context and the political possibilities that emerged after the First Gulf War for the Kurds in Iraq intensified the general unrest of Turkey's Kurds, but still, I will insist on the determining role of the PKK factor. See. Mesut Yeğen, *Müstakbel Türk'ten Sözde Vatandaşa. Cumhuriyet ve Kürtler* (Istanbul: İletişim, 2009), 34-39.

eight cities. On July 19, 1987, the martial law was lifted in the Diyarbakır, Hakkari, Siirt and Van provinces, and the OHAL regional governorship was established.[114] OHAL and the martial law regime became the permanent regime for Kurdistan during the 23 years after the coup. Provinces like Diyarbakır, Hakkari, Siirt, Van, Bingöl, Elazığ, Mardin, Bitlis, Batman and Şırnak, which more or less constitute the whole Kurdistan region, were mostly governed by the OHAL regime. OHAL regional governorship was equipped with extremely broad powers; also with the help of a series of decree laws specifically issued for the OHAL Regional Governorship, the acts and practices of the governorship were taken completely outside the sphere of law and therefore protected legally with a total impunity.[115]

The second important implementation was the re-structuring of the military apparatus. By the 1990s, the impossibility for regular army forces to prevail over guerrilla forces using conventional methods of warfare was generally accepted within military circles, and accordingly, it was necessary to implement an integrated restructuring strategy in accordance with the principles of 'irregular warfare'. In line with this new approach, instead of the First Army Command in Istanbul, the Second Army Command based in Malatya was reinforced, from 1993 onwards. Due to the restructuring, the Special Warfare Department was renamed as Special Forces Command in 1993. Again, in line with the low intensity warfare strategy, in order to increase speed and mobility in the war against the guerrilla forces, the structure based on military divisions was transformed, and a new structure based around corps-brigade-battalion was introduced.[116]

Third, there was a huge increase in the number of the recruitments to the institution of village guards founded in 1985, and the areas of action of the village guards were constantly increased throughout the 1990s. The village guard system is a historical institution established with the Village Law (no. 442) and it is argued that the early republican government tried to build up a militia of village guards after the rebellion of Sheikh Sait against the followers of the Sheikh as well as the members of the Azadî movement. After the Ağrı rebellion, especially, there was evidence proving that the state officers made several attempts to increase the number of the

[114] In chronological order, Hayri Kozakçıoğlu (1987-1991), Mehmet Necati Çetinkaya (1991-1992), Ünal Erkan (1992-1996), Necati Bilican (1996-1998), Aydın Arslan (1998- 1999) and Gökhan Aydıner (1999-2002) served as State of Emergency Regional Governors.

[115] These powers included the evacuation of certain settlements, the prohibition of settlement, the restriction of entry to and exit from certain settlements, the suspension of education at all levels, the restriction or suspension of entry and exit of all foodstuff and animal fodder in the region, the right to use all means and tools of communication within the borders of the region, and to confiscate them if deemed necessary. See. Sezgin Tanrıkulu and Serdar Yavuz, "İnsan Hakları Açısından Olağanüstü Hal'in Bilançosu," *Sosyal Bilimler Araştırma Dergisi,* no. 6 (2005): 493-521; Human Rights Watch, *Destroying Ethnic Identity. The Kurds of Turkey, An Update* (1990), 13-16.

[116] Evren Balta Paker, "Dış Tehditten İç Tehdide: Türkiye'de Doksanlarda Ulusal Güvenliğin Yeniden İnşası," in *Türkiye'de Ordu, Devlet ve Güvenlik Siyaseti*, ed. Evren Balta Paker and İsmet Akça, (Istanbul: Bilgi University Press, 2013) 413-415.

village guards.[117] The current temporary village guard system, on the other hand, was established by a legal regulation (no. 3175/1) made on the 74th article of the Village Law in 1985, as another security response to PKK's armed struggle. Accordingly, the village guards were situated under the umbrella of public officers and due to several reasons such as coordination issues and possible collaboration of the mukhtar with the PKK, the recruitment of the temporary village guards has been centralized. As per the amendment to an article of the Village Law, the village guards may be recruited with the proposal of the governor and the approval of the minister of interior.[118] Voluntary village guards, on the other hand, were recruited by the decision of regional administrative officers, and therefore, they were exempt from the supervision of the central government. An application to the district governor notifying concerns over security, and a 'clean' personal criminal record were necessary to become a voluntary village guard. In a nutshell, the district governor could appoint a person as a voluntary village guard with the approval of the gendarmerie.[119] The distribution of the voluntary and temporary village guards by province as of June 20, 2003 is given below:

Figure 2. Distribution of Voluntary Village Guards by OHAL Province (as of June 20, 2003)[120]

Diyarbakır	1,141	Şırnak	2,330	Batman	1,019
Bingöl	69	Bitlis	2,984	Mardin	1,226
Muş	2,375	Siirt	460	Van	189
Hakkari	5	Tunceli	89	Elazığ	392
Total					**12,279**

Figure 3. Distribution of Temporary Village Guards by Province (as of June 20, 2003)[121]

Diyarbakır	5,274	Şırnak	6,835	Batman	2,943
Bingöl	2,533	Bitlis	3,796	Mardin	3,360
Muş	1,918	Siirt	4,680	Van	7,365

[117] Janet Klein, *Hamidiye Alayları, İmparatorluğun Sınır Boyları ve Kürt Aşiretleri* (Istanbul: İletişim, 2013), 309.
[118] Evren Balta, Murat Yüksel, and Yasemin Acar, *Geçici Köy Koruculuğu Sistemi ve* "*Çözüm Süreci*" (Istanbul: Süreç Araştırma Merkezi, 2015), 23. There is a growing literature on the village guard system and its effects, which conceptualizes this system in a comparative perspective. See. Şemsa Özar, Nesrin Uçarlar and Osman Aytar, *Köy Koruculuğu Sistemi, Geçmişten Günümüze Türkiye'de Paramiliter Bir Yapılanma* (Istanbul: DİSA, 2013); Mehmet Seyman Önder, *Devlet ve PKK İkileminde Korucular* (Istanbul: İletişim, 2015).
[119] Evren Balta Paker, and İsmet Akça, "Askerler, Köylüler ve Paramiliter Güçler: Türkiye'de Köy Koruculuğu Sistemi," *Toplum ve Bilim,* no. 126 (2013), 16.
[120] This table is from Dilek Kurban's article. See Dilek Kurban, "Bir 'Güvenlik Politikası' olarak Koruculuk Sistemi," in *Almanak Türkiye 2006-2008: Güvenlik Sektörü ve Demokratik Gözetim,* ed. Ahmet İnsel and Ali Bayramoğlu (Istanbul: TESEV, 2009), 255.
[121] This table is from Dilek Kurban's article. See. Ibid., 256.

Hakkari	7,643	Tunceli	386	Adıyaman	1,510
Ağrı	1,881	Ardahan	96	Elazığ	2,115
Gaziantep	565	Iğdır	374	Kahramanmaraş	2,267
Kars	578	Kilis	34	Malatya	1,392
Şanlıurfa	966				
Total					**58,511**

Some historians, such as Janet Klein and Osman Aytar, emphasize the continuity between the Hamidiye regiments and the village guard system.[122] It is true that there are strong similarities. First, the state apparatus used some of the tribal and societal relations for strengthening its own security concerns at the end of the 19th century and during the 1990s, and ultimately, this led to the intensification of the violence. Both organizations altered tremendously the Kurdish society and deeply marked its internal relations. Both organizations produced new subjectivities among the Kurdish society, which were intensely in line with the state's political discourse and interests. In other words, both organizations helped to establish new alliances for the state, especially with the help of the tribal network.

However, there are also strong elements of discontinuity. First, the political belonging of the temporary and voluntary village guards may turn out to be more heterogeneous than it appears at first glance. Current studies depict a more nuanced picture of the village guards. These studies show that, unlike the caricaturized narrative about the village guards as dedicated supporters of the state's most violent methods, there are different political tendencies and positioning among the village guards, and some, for instance, support the Kurdish movement politically.[123] There exist then different categories among the village guards. Besides, the current struggle is 'against another Kurdish group'; unlike the non-Kurdish and Christian communities of the late 19th century; and therefore, according to the general perception among Kurds, the village guards are using their guns towards Kurdish youngsters struggling in the PKK. This has deeply marked the self-perception of the village guards and the perception of them by the broader Kurdish society.

Instead of drawing historical continuities, I argue that a closer analysis of the village guard system is needed. In the relevant chapters of the dissertation, I will depict the experiences of

[122] Janet Klein, *Hamidiye Alayları, İmparatorluğun Sınır Boyları ve Kürt Aşiretleri* (Istanbul: İletişim, 2013); Osman Aytar, *Hamidiye Alaylarından Köy Koruculuğu'na* (Istanbul: Medya Güneş, 1992).
[123] According to Seyman's research, an important portion of the temporary village guards (20.4 %) sees the PKK as 'an organization that fights for the rights of the Kurdish people'. See. Mehmet Seyman Önder, Ibid., 154.

the village guards with its many complicated dimensions regarding enforced disappearance and forced migration. I would like to point out here, however, the gradual change in the village guard system. In line with the conflict with the PKK forces, different functions have been highlighted during different periods. Until the intensification of the conflict at the beginning of the 1990s, the village guards were used mostly for local security in general, providing general intelligence information and minor instant interventions. By the beginning of the 1990s, however, in addition to the existing functions, "(…) it also has been used as an identification mechanism to determine the *loyal citizens* of the state and the ones *who are not loyal* to the state. In other words, to refuse the (village guard) system was perceived by the local authorities as sign of supporting the guerilla forces, explicitly or implicitly. This sign, most of the times, resulted in by pressure, burning and evacuation of the villages."[124] In other words, the village guard system was used by the state to differentiate the *loyal citizen* from the *traitor* with the concept of "the new enemy" that had emerged following the armed struggle with the PKK. And finally, the village guards were under constant threat of the PKK at the end of the 1980s and at the beginning of the 1990s. The PKK considered the village guards as the enemy, and especially during the period of 1986-1988, 'punished' them through several attacks and killings.[125] So instead of linking the village guards to the end of the 19th century, I argue that a closer and meticulous analysis which will show the capillary relations, functioning and dynamic positions of the village guards in a concrete spatiality and temporality will be more useful. I will contextualize the village guard system in the context of sovereignty and focus on the roles of village guards as the agents representing *localized forms of sovereignty*[126] during the implementation of the enforced disappearance and forced migration. Analysis of the specific role of the village guards as the agents representing localized forms of sovereignty in a concrete spatiality and temporality, including forms of contradictories yet some generalities too, will reveal several important aspects of the patterns of enforced disappearance and forced migration.

Another important actor of the violence throughout the 1990s is The Gendarmerie Intelligence and Counterterrorism Unit (Jandarma İstihbarat ve Terörle Mücadele Birimi – JİTEM), the existence of which has almost never been officially accepted by the state. Although established probably much earlier, the structure of JİTEM in Kurdistan became more active after the end of the ceasefire of 1993 and a possible peace process, followed by the sudden death of the

[124] Evren Balta, Murat Yüksel, Yasemin Acar, Ibid., 25, emphasis mine.
[125] Mehmet Seyman Önder, Ibid., 132.
[126] Thomas Blom Hansen and Finn Stepputat, Ibid., 306.

Turkish President of the period, Turgut Özal, who was willing to begin the negotiations with Abdullah Öcalan for the solution of the Kurdish issue. From 1993 onwards, the team of the then President Süleyman Demirel, Prime Minister Tansu Çiller and Chief of General Staff Doğan Güreş introduced a special security strategy entitled as 'Territorial Dominance and the Expulsion of the PKK from the Region'. This security strategy meant cutting the strategic link between the civilian population and the guerilla forces. As a result of this specific counter-guerilla strategy, the number of enforced disappearances, extra-judicial and arbitrary killings, overall gross human rights violations towards the civilian population significantly increased.[127] Comprised of army officers, civilian participants including some individuals collaborating with the JİTEM team, members of the special forces of the police forces, some of the village guards, and some repentant PKK guerillas, the JİTEM team was the *ultimate sovereign* in Kurdistan during the 1990s in the sense that they were the ones who decided over life and death.[128] In other words, they were the ones who decided that a person was to lose their citizenship rights and to be 'reduced to a purely biological form'.[129] I will analyze both the structure and the division of labor within JİTEM; in specific, spatiality and temporality relations, and I will argue that JİTEM's acts and methods reveal the politics of the 1990s. In addition, I will also claim that *de facto* and *local* traces of sovereignty[130] will reveal different *local signatures* of the JİTEM teams throughout Kurdistan, which will hopefully contribute to a nuanced analysis regarding the violence of the 1990s in the chapter below *titled Modus operandi of the violent strategies: the state, sovereignty, and the pact of public secrets*.

The final actor that can also be conceptualized within the concept of sovereignty while defining the violence of the 1990s is Hizbullah. The Kurdish movement, both by its military and political components, has argued that Hizbullah is a part of the counter-insurgency apparatus of the state and thus, they have named Hizbullah as Hizbul-contra to stress their organic links with the state. It is a well-known fact that the militants of Hizbullah are famous for having never been caught by the security forces after the crimes they committed (mostly executions and abductions) in the city centers in broad daylight, specifically in the Batman, Diyarbakır and Nusaybin provinces.[131] Hizbullah, on the other hand, resolutely refuses the

[127] Güneş Murat Tezcür, "When Democratization Radicalizes: The Kurdish Nationalist Movement in Turkey," *Journal of Peace Research* 47, no. 6 (2010): 780. Also see. Özgür Sevgi Göral, Ayhan Işık, and Özlem Kaya, *Unspoken Truth: Enforced Disappearances* (Istanbul: Hakikat Adalet Hafıza Merkezi, 2013), 18-21.
[128] For such conception of sovereignty, see Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998); Giorgio Agamben, *State of Exception* (Chicago: University of Chicago Press, 2005); Walter Benjamin, Ibid., 277–300.
[129] Thomas Blom Hansen and Finn Stepputat, Ibid., 304.
[130] Ibid., 309.
[131] Z. Aslı Elitsoy, ''Silahlı Terör Örgütünden Legal Siyasi Partiye: Hizbullah'ın Hüda Par'a Dönüşüm Süreci," *Birikim*, no. 301 (2014): 51.

claims of collaboration with the state in their book *Hizbullah from Its Own Language and Important Sections of the Struggle,* written under the pseudonym İ. Bagasi. Besides, when a researcher asks this question directly through their website, their answer is definitive: "We do not know any concrete claim regarding our relations with the state apparatus based on any sort of interest. Please let us know if you have any information."[132] However, the fact that the militants of Hizbullah have always remained immune from prosecutions and that there were no operations against the organization during the 1990s, has always kept alive the discussion of their cooperation with the state. As argued by Henri J. Barkey and Graham Fuller:

> "Given the nature of the conflict, it is inconceivable that the Turkish state would not at least privately welcome Hizbollah activities, which have been so damaging to the PKK cause; indeed, until recently there have been almost no arrests or prosecutions stemming from the actions of the Hizbollah, further suggesting state disregard of, if not complicity in, the work of the hit squads."[133]

In addition, there are some official documents and testimonies of state officers, where the relationship between different state institutions and Hizbullah has been openly discussed. The April 3, 1997 report, publicly known as the Susurluk Report, prepared by the Grand National Assembly of Turkey's Parliamentary Inquiry Commission, states that the Hizbullah received political and military training from official military units in Batman.[134] Furthermore, in his statement on January 17, 2011, Colonel Arif Doğan, who claims to have founded JİTEM, notes that he founded the Hizbullah under the title Hizbul-Contra (The Party of the Contras) to fight the PKK. Hizbullah seems to be an example of *outsourced sovereignty,*[135] where the state at least disregards its deadly activities, especially towards the sympathizers of the PKK in Kurdistan who are by definition traitors of the republic.

The response of the Kurds who were mobilized around the 'Kurdish case' voiced by the struggle of the PKK to these thanatopolitics was the strategy of *serhildan* (intifada - uprising in Kurdish), especially from 1990 until 1993. The first uprising began in relation to a funeral/dead body, the funeral of a guerilla, Kamuran Dündar, who was shot during an armed conflict near Nusaybin on March 15, 1990. The people claimed the body from the gendarmerie for several days took their funeral, buried him properly and then, after the burial, marched to

[132] Mehmet Kurt, *Türkiye'de Hizbullah. Din, Şiddet ve Aidiyet* (Istanbul: 2015), 68. This is a brilliant work on the structure as well as the experiences of the cadres of Hizbullah. Moreover, Mehmet Kurt emphasizes an important point based on an analysis of the written documents of Hizbullah: the word *mürtet*, which symbolizes the PKK, is much more frequently mentioned compared to the word *tağut*, which symbolizes the Turkish state, in the publications of Hizbullah. Ibid., 191.
[133] Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question* (Lanham: Rowman & Littlefield, 1998), 73.
[134] Parliamentary Report of the Investigation Commission for the Purpose of Revealing the Links of Illegal Organizations with the State and the Background Relations of the Susurluk Incident [Yasadışı Örgütlerin Devletle Olan Bağlantıları ile Susurluk'ta Meydana Gelen Kaza Olayının ve Arkasındaki İlişkilerin Aydınlığa Kavuşturulması Amacıyla Meclis Araştırması Komisyonu Raporu,] (Susurluk Report) (1997) accessed December 23, 2015, https://www.tbmm.gov.tr/sirasayi/donem20/yil01/ss301.pdf, 358.
[135] Thomas Blom Hensen and FinnStepputat, Ibid., 308.

the city center shouting slogans supporting the PKK. Security forces that stopped the crowd and opened fire on the protestors, however, blocked the march. Twenty people were wounded and around 500 were arrested. The PKK, on the other hand, made a call to claim the bodies or remains of the guerillas, by taking any risk if necessary. Then, they asked the people to participate in *serhildan* and in the protests during the 'National Heroism Week', of March 21-28, which also coincides with the death of pioneer high-level cadres of the PKK.[136]

Another example of *serhildan* is the funeral of Vedat Aydın, the head of HEP Diyarbakır branch, who was forcibly disappeared and then executed. On July 5, 1991, men carrying handheld radio transceivers claiming to be from the police department detained Vedat Aydın, and on July 7, his tortured dead body was found in the vicinity of Maden, on the Diyarbakır-Elazığ motorway roadside. Fire was opened during his funeral which was attended by tens of thousands of people; seven people died and hundreds were injured; HEP directors and members of parliament including Ahmet Türk and Fehmi Işıklar were severely beaten.[137] *Serhildan,* and other calls of the PKK representing a wide range spectrum of political mobilization, including claiming the bodies of the guerillas, participating in the guerilla forces, organizing civil disobedience protests and supporting the guerilla logistically; in a nutshell, calls for *challenging the state*, have also shaped the state violence in several aspects as I will try to depict in detail in the upcoming chapters on the patterns of enforced displacement and forced migration.

The specific political conjuncture of the 1990s, along with other layers of violence stemming from the 19th and 20th centuries of Kurdistan's history, reveals several issues simultaneously. First, apart from a relatively stable period in the middle of the 20th century, the Kurdistan region was deeply marked by several different layers of contention, displacement and violence. These layers of violence facilitated, in a way, the excess of cruelty implemented during the 1990s, including enforced disappearance and forced migration. In other words, there was a permanent *state of exception* for Kurdistan throughout the 20th century. Second, the excess of violence and cruelty implemented during the 1990s was the result of the 'ordinariness of the extraordinary measures',[138] which brought with it a different perception of violence. Accordingly, the constant implementation of the extraordinary measures should be conceptualized within a crisis of sovereignty in line with the existing security crisis. Therefore,

[136] Gengiz Güneş, Ibid., 207.
[137] Özgür Sevgi Göral, Ayhan Işık, and Özlem Kaya, Ibid., 21. For the disappearance and execution of Vedat Aydın, see. Zorla Kaybedilenler Veri Tabanı, "Vedat Aydın'ın Zorla Kaybedilmesi," accessed March 15, 2016, http://www.zorlakaybetmeler.org/victim.php?id=HAH/person/1403
[138] Fernando Coronil and Julie Skurski, "Introduction," in *States of Violence*, ed. Fernando Coronil and Julie Skurski, (Santa Fe: SAR Press, 2004), 3.

enforced disappearance and forced migration, which might be implemented solely in such crisis milieus, represent the spatio-temporal specific outcomes of an existing sovereignty crisis. These outcomes, on the other hand, were shaped in line with the capacity, resources, power and activities of the PKK in specific places. During the 1990s, a complicated network of politics of taming, killing, making alliances, torturing, dislocating, attacking, supporting was implemented on different societal and political groups of the Kurdish society by different state actors. In other words, a 'combination of disciplinary, biopolitical and necropolitical politics' was at stage in Kurdistan throughout the 1990s. In the upcoming chapters, I will argue that this combination was only possible with the colonial effect implemented in Kurdistan. But before doing that, the terms *enforced disappearance* and *forced migration* should be analyzed both in the global and local contexts. The next chapter aims to serve this purpose.

4. Enforced disappearance and forced migration: terminology, patterns and effects

Enforced disappearance and forced migration, I have argued above, instead of being some extreme and contingent forms of state violence, were rather specific and concrete answers of the state apparatus to a sovereignty crisis during a specific period in the context of the Kurdish war. With the beginning of the 1990s, when the Kurdish conflict had escalated due to constant attacks of the PKK forces in the Kurdish region, especially the military apparatus, extremely influential at the time, decided on the use of new methods of counter-insurgency against the PKK forces. These new methods of counter-insurgency, therefore, produced a whole new repertoire of state violence including novel forms such as enforced disappearance and forced migration. They were not totally novel, though; as discussed above in the chapter *Historical background and the specific political conjuncture of the 1990s*, different forms of forced settlement had already been implemented during the course of the 19th and 20th centuries and important Armenian intellectuals had been 'disappeared' at the beginning of the Armenian Genocide. However, a new articulation of these forms of state violence was implemented systemically and regularly during the 1990s in the context of the Kurdish conflict.

Since the PKK forces, as small guerilla groups, had gained excellent control of the spatiality, specifically in the rural areas of the Kurdish region, where dispersed settlements such as small hamlets and villages were the dominant settlement units, with the beginning of the 1990s, the Turkish army changed its strategy of regular warfare and moved towards the methods of counter-insurgency and irregular warfare. This new approach based on the strategy of 'Territorial Dominance and the Expulsion of the PKK from the Region' altered tremendously the conditions and consequences of the Kurdish conflict.

The new doctrine of the army based on dominating and controlling the spatiality and cutting the links of the logistical support of the PKK forces, was announced at the beginning of 1991 and systematically implemented from 1993 onwards. Accordingly, "[…] the object of the new doctrine was the destruction of the PKK environment, both by *contraction* (resettlement of the population) and *penetration* (deployment of special forces, applying the principles of a war of movement, and penetrating the spaces of the PKK, as well as drafting the populations in PKK areas into the village guard system)."[139] The new doctrine, therefore, appeared as a concrete and specific answer to the existing sovereignty crisis in the context of the Kurdish conflict.

[139] Joost Jongerden, *The Settlement Issue in Turkey and the Kurds. An Analysis of Spatial Policies, Moderntiy and War,* (Leiden Boston: Brill, 2007), 91. Emphasis mine.

The result of the new doctrine was, on the one hand, displacement and forced migration, dispossession, destruction, disappearance and eradication of the Kurdish population supposedly supporting the PKK; and on the other hand, development, strengthening, economic and political amelioration of some other segments of Kurdish communities accepted to be loyal to the state. Enforce disappearance and forced migration were two concrete results of the doctrine, based on a political classification and assessment of the Kurdish population.

In this chapter, I will depict these two forms of state violence, enforced disappearance and forced migration, through an analysis of the local and global contexts. First, I will illustrate the discussions about the definitions and terminology around these concepts. Instead of showing the right way of defining these forms of state violence, I will rather try to illustrate the theoretical and political meanings of the terminological discussion. I will also explicate my terminological choices in this dissertation. Second, I will focus on the global context for a better understanding of these forms of state violence. Through the analysis of the global context I aim to demonstrate the patterns of both enforced disappearance and forced migration from a global perspective. Finally, I will assess the situation in the context of Turkey in relation to these forms of state violence. Terminology, overall situation and temporal and spatial patterns of enforced disappearance and forced migration will be briefly introduced in this subchapter. The Turkish state has adopted both coherent and shifting attitudes concerning these forms of state violence, and I aim to highlight these attitudes in a concise manner.

4.1. Defining forms of state violence: definition, terminology and rhetoric

Defining the forms of state violence is not a neutral, technical and depoliticized process because "violence itself participates in the definition of violence."[140] Discursive formations, in resonance with social formations, create the *rhetoric of violence*, which defines and renders visible some forms of violence obscuring and eradicating yet others. The legitimacy of some forms of violence over others is a result of such discursive strategy, which stems from material conditions and power relations. Therefore, the hegemonic rhetoric of violence renders some forms of violence visible while concealing and declaring illegitimate some others. Benjamin analyzes the inherent and organic relationship between violence and law/law-making through a discussion of the place of violence in natural and positive law as a radical questioning of the hegemonic rhetoric of violence.[141] Apparently, the discussions on the definition, terminology and rhetoric of the forms of state violence have been deeply

[140] Fernando Coronil and Julie Skurski, Ibid., 6.
[141] Fernando Coronil and Skurski, Ibid., 7; W. Benjamin, Ibid., 287-289.

influenced by the dominant narratives of the hegemonic political approach rather than being mere neutral, formal and technical discussions.

The definition of enforced disappearance reflects these hegemonic rhetorical and discursive formations *par excellence*. The phenomenon of disappearing, meaning the arrest of a person - with or without an arrest warrant- by agents of the state or persons acting with the explicit or implicit support of the state then subsequently denying any knowledge about this person and concealing his or her whereabouts, is quite an old phenomenon. This phenomenon is widely known from the context of World War II with one of the best-known examples observed during the Third Reich Regime. On December 7, 1941, the German Führer Adolf Hitler issued the *Nacht und Nebel* (*Night and Fog*) *Decree*. Accordingly, a 'fundamental innovation' was implemented to prevent civilians in the occupied territories form committing offences against the Reich regime or against the occupation forces. This novelty was that in cases where prisoners were not sentenced to death they were to be secretly transported to Germany to decide about their punishment.[142]

Although this phenomenon may be traced back to earlier times, for instance, to April 24, 1915, when 262 Armenian intellectuals were taken under custody from their homes and most of them could never return, or for that matter, to World War I more generally, when 7,750,919 persons were either political prisoners, deemed missing, or both,[143] in the relevant academic literature , the Night and Fog Decree has been defined as the origin of enforced disappearance. The policy of Night and Fog Decree, as communicated by the Chief of the Security Police and the Security Service (SD) in a letter dated June 24, 1942, reveals a different rationale; it is stated in the letter that the purpose of the new policy based on this rationale was:

> "[…] to create, for deterrent purposes, uncertainty over the fate of the prisoners among their relatives and acquaintances, through the deportation into Reich territory of persons arrested in occupied areas on account of activity inimical to Germany. This goal would be jeopardized if the relatives were to be notified in cases of death. Release of the body for burial at home is inadvisable for the same reason and beyond that also because the place of burial could be misused for demonstrations."[144]

[142] Marthe Lot Vermeulen, *Enforced Disappearances. Determining State Responsibility Under the International Convention for the Protection of All Persons from Enforced Disappearance* (Cambridge: Intersentia, 2011), 4-5.
[143] Kevin M. DeJesus, Fernando Bosco and Iman Humaydan, "Enforced Disappearance: Spaces, Selves, Societies, Suffering," *ACME: An International E-Journal for Critical Geographies* 13, no. 1 (2014), 74. https://acme-journal.org/index.php/acme/article/viewFile/997/851
[144] Marthe Lot Vermeulen, Ibid., 4.

The feelings of *liminality*, *insecurity* and *uncertainty*, aimed to be created both for the arrested person and for his or her close relations, are the essential components of enforced disappearance. In addition, it is an act including both continuity and complexity, which needs to be understood and tackled in a holistic approach. As a continuous crime, it begins at the time of the abduction and extends into the whole time that the crime remains incomplete, that is, until the relevant state acknowledges the detention or releases information concerning the fate or whereabouts of the victim. Therefore, continuity means the lack of the body and the remains of the disappeared for most of the cases along with the impunity of the perpetrators, which represents a systematic hindrance to achieving justice at the global level. Complexity means that there are layers and components of different crimes in the act of disappearing. Enforced disappearance is categorized as multiple human rights violations in international law, which simultaneously contains the violation of several human rights such as "the right to security and personal dignity; the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment; the right to humane conditions of detention; the right to legal representation; the right to a fair trial; the right to a family life; and even the right to life, when the abducted person is killed."[145]

Despite this solid background for the definition of enforced disappearance in international law, the classification of the crime itself did not involve an easy process. During the International Military Tribunal (Nuremberg), the judgment of Hitler's Field Marshal Keitel, who was convicted of carrying out enforced disappearances back in 1945, did not explicitly mention whether enforced disappearance was a war crime, or a crime against humanity or both. There was reluctance for defining this crime in an open and accurate manner, despite the fact that "lawyers involved in drafting the decrees and regulations implementing and carrying out the Night and Fog Decree were convicted of crimes against humanity and war crimes."[146] Although enforced disappearances comprised one of the integral parts of Hitler's policy, the crime was not defined properly; and reference to this practice is found neither in the Universal Declaration of Human Rights nor, until recently, in subsequent binding human rights

[145] Dalia Vitkauskaite-Meurice, and Justinas Zilinkas, "The Concept of Enforced Disappearance in International Law," *Jurisprudence* 2, no. 120 (2010): 198.

[146] Dalia Vitkauskaite-Meurice, and Justinas Zilinkas, Ibid., 204. "However, it should not be forgotten that the crime of enforced disappearance and crimes against humanity, in the form of enforced disappearance, are not the same things. While dealing with enforced disappearance as a crime against humanity, we have to apply all the general elements that are necessary to qualify the criminal offence as a crime against humanity. These general elements are: being part of state policy, attacks being directed against a civilian population, being of a widespread or systematic nature. Even a single case of enforced disappearance is a crime against humanity (when committed as part of a widespread or systematic attack on a civilian population). However, enforced disappearances do not themselves have to be carried out on a widespread or systematic basis." Ibid., 205.

treaties.[147] Despite the fact that the crime of enforced disappearance was constantly and systematically committed by several states both in South America, Asia and the Middle East and several international court decisions emphasizing the crucial damage of the crime both in local and global contexts, a binding legal instrument which addressed straightforwardly this complicated crime had not been drafted for a very long time. The lack of the creation of an international protection system may be one of the factors that facilitated the perpetration of this crime so widely both during the 1970s and 1990s throughout the world, which will be described below in the subchapter of the global context.

After endless calls from human rights defenders and grassroots organizations of the families of the disappeared throughout the world, in 1980, the United Nations took its first substantial concrete step for protection against enforced disappearance with the creation of the United Nations Working Group on Enforced and Involuntary Disappearances (WGEID). First established for a period of one year to examine questions relevant to enforced or involuntary disappearances of persons, the mandate of the group has been constantly and periodically extended and it still exists and continues to operate today. "Its basic mandate is 'to assist the relatives of disappeared persons to ascertain the fate and whereabouts of their disappeared family members' and 'acts essentially as a channel of communication between the families of disappeared persons and Governments'."[148]

Again, it was only after intense lobbying by different human rights defenders and NGOs that the United Nations General Assembly adopted the first non-binding Declaration on the Protection of All Persons from Enforced Disappearances in 1992. Fourteen years later, the United Nations adopted the first universal, legally binding instrument, the *International Convention for the Protection of all Persons from Enforced Disappearance* (Convention), during its first session in the Human Rights Council in June 2006 and by the General Assembly in December 2006.[149] There are other legal documents where enforced disappearance has been referred to or defined such as the Inter American-Convention on Forced Disappearance of Persons (1994) or the Rome Statute of the International Criminal Court (1998); however, in my dissertation, I will use the definition and the approach of the

[147] Marthe Lot Vermeulen, Ibid., 26.
[148] Ibid., 27.
[149] Dalia Vitkauskaite-Meurice, and Justinas Zilinkas, Ibid., 207. The Convention entered into force in December 2010 and has been ratified by only 14 Council of Europe member states as of 2015. A number of countries with a long history of enforced disappearances, including Cyprus, Georgia, Russia and Turkey, have not ratified it yet, while the latter three countries have not even signed it. For a list of the countries, which signed and ratified the Convention, please see. United Nations Treaty Collection, "16. International Convention for the Protection of All Persons from Enforced Disappearance, Participants," accessed April 12, 2016, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&lang=en

Convention concerning enforced disappearance. Not only because it is the first universal, legally binding instrument, but also because of its broad definition of *victim*, the importance of the positive obligations attributed to the state parties, the emphasis on an affective remedy and the sophisticated suggestions for monitoring mechanisms,[150] the definition of the Convention will serve the basis of my dissertation.

According to Article 2 of the Convention, 'enforced disappearance' is considered to be:

> "[…] the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."[151]

According to this definition, not only the acts of 'agents of the State' but also those of 'persons or groups of persons acting with the authorization, support or acquiescence of the State' are referred to as enforced disappearance. Keeping in mind that such acts are often committed by counter-insurgency teams or special paramilitary forces, I find this broader definition useful. Another component of the definition which is crucial, considering the hegemonic patterns of enforced disappearance throughout the world, is the refusal of the perpetrators to acknowledge their deed, or their concealment of the fate or whereabouts of the disappeared person. This denial is typically an essential component of the crime itself. In addition, the term enforced disappearance is also very suitable for the act in the sense that it reveals the use of force; "it makes it clear that the enforced disappearance does not only happen by being taken officially into custody'; and because it differentiates this phenomenon from other forms of disappearance."[152] For all these reasons, in my dissertation, I will use the term enforced disappearance and rely on the definition drafted in the Convention.[153]

Forced migration, on the other hand, has also a very complex and politicized history of

---

[150] Dalia Vitkauskaite-Meurice, and Justinas Zilinkas, Ibid., 207. Also see. International Coalition Against Enforced Disappearances, *A guide to the International Convention for the Protection of All Persons from Enforced Disappearances* (Utrecht: Aim for Human Rights, 2009), 17-25.

[151] United Nations Human Rights Office of the High Commissioner, "International Convention for the Protection of All Persons from Enforced Disappearance," accessed November 25, 2015, http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx.

[152] Özgür Sevgi Göral, Ayhan Işık, and Özlem Kaya, Ibid., 11.

[153] According to the definition of enforced disappearance embedded in the Rome Statute, an act of disappearance may occur "with the authorization, support or acquiescence of, a State or political organization". The Rome Statute, therefore, recognizes the acts of political organizations to be very close to *de facto* statehood according to the case law of the essential international courts, and hence as enforced disappearances. Although this raises an important and relevant debate, keeping in mind especially the growing destructive power of non-state political actors, it is not a very significant component of the definition in the context of Turkey. The PKK did not use enforced disappearance systematically and in a widespread manner although it committed other kinds of breaches of humanitarian law or human rights violations. In the context of Turkey, enforced disappearance is essentially a state crime; therefore I did not rely my definition on the Rome Statute. For a detailed discussion on this, please see. Dalia Vitkauskaite-Meurice, and Justinas Zilinkas, Ibid., 203-207.

definition, terminology and recognition. It is already argued that contrary to the refugee regime being discussed globally from the 1950s onwards, the legal and political status of the internally displaced persons has been consistently underestimated.[154] Internally displaced persons (IDPs) are left solely to the mercy of their own government without any strong protection of the legal structure or the international institutions and community. In addition, the government is usually part of the conflict that has led to the internal displacement; and the internally displaced persons are often not seen as victims by the government but as partisans of the conflict.[155] Their existence in the new urban space is often marked by ethnic tensions, apathy at best and a vivid hostility at worst.[156] Several nation-states have used this strategy for political reasons during times of conflict or military regimes, or as a result of development projects in different backgrounds; therefore, they have been mostly reluctant to reach a consensus concerning a definition and an international mechanism which may provide an international protection system. An international protection system is of crucial importance since in warfare and conflict zones "[…] neighbors and friends can become your most feared enemy (as in former Yugoslavia or Rwanda), the government that is supposed to protect you can become your perpetrator (as in Chile), and the places of rituals in which you have sought comfort can become your death bed (as in Guatemala where indigenous communities were locked up in churches which would then be set fire to)."[157] However, the recognition of the act of forced migration through an internationally accepted definition took a long time although the practice itself was widespread, especially throughout the 20th century. Needless to say, the contentions regarding the definition of forced migration significantly reduced possible institutional support.

In addition, despite the fact that forced migration and internally displaced persons had become a crucial issue, especially in relation to war and conflict zones, there was no body or institution which was directly involved with the forced migration issue, as was the case with refugees with the establishment of the United Nations High Commissioner for Refugees (UNHCR). Therefore, international efforts for the protection of internally displaced persons were provisional, and short-term; limited successful support was made solely in the form of humanitarian help; and a solid protection of human rights of the internally displaced persons

[154] Louis Kriesberg, "Changing Forms of Coexistence," in *Reconciliation, Justice and Coexistence. Theory and Practice*, ed. M. Abu-Nimer (Lanham: Lexington, 2001), 49.
[155] Bilgin Ayata, and Deniz Yükseker "A Belated Awakening: National and International Responses to the Internal Displacement of Kurds in Turkey," *New Perspectives on Turkey*, no. 32 (2005): 6.
[156] James Holston, and Arjun Appadurai, "Introduction: Cities and Citizenship," in *Cities and Citizenship*, ed. J. Holston (Durham: Duke University Press, 1999), 3.
[157] Tania Ghanem, *When Forced Migrants Return 'Home': The Psychosocial Difficulties Returnees Encounter In The Reintegration Process - RSC Working Papers, 16* (Oxford: Refugee Studies Centre, 2003), 22.

was non-existent. In 1992, as per the request of the UN Commission on Human Rights, the UN Secretary-General appointed Francis Deng as the Representative of the UN Secretary-General on internally displaced persons: "On the Commissioner's request that emphasis be given to the protection of human rights of IDPs, as well as the provision of humanitarian aid to IDPs, Deng initiated a six-year-long study of international human rights law, humanitarian law, and refugee law. The end result of this collaborative effort was the Guiding Principles, which were acknowledged by the UN Commission on Human Rights in 1998."[158]

The first legal document that defines and regulates the situation of internally displaced persons is the *Guiding Principles on Internal Displacement* (Principles). The Commission on Human Rights in 1998 accepted the Principles drafted by the prior Representative of the Secretary-General on internally displaced persons, Francis M. Deng, with the help of a team of international legal scholars. [159] Although it is a *soft law* document, meaning that it is not legally binding, the drafting of the Principles still marked an important momentum regarding the rights of the internally displaced persons. According to Article 2 of the Principles, internally displaced persons are:

> "[…] persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border."[160]

This definition underlines two important components; the first one is 'being forced' and the second one is 'not crossing an internationally recognized State border'; in other words, the person should be remaining within the national borders. The first component implies that voluntary or economic or seasonal migrants do not fall under the category of internally displaced persons. This definition, however, includes not only persons who forcibly migrated as a result of a conflict but also persons who were internally displaced due to some natural disasters as earthquakes, floods, hurricanes or human-made disasters as starvation, power plant explosions, nuclear trials, and extensive development projects: "Therefore conflict-induced displacement constitutes a sub-category within the international definition of internal

[158] Dilek Kurban, "Internal Displacement: Developments in International Law and Practices in Other Countries," in *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban et al., (Istanbul: TESEV, 2007), 62. (pp. 60-70)
[159] For further details, please see. United Nations Human Rights Office of the High Commissioner, "International Standars," accessed November 11, 2016, http://www.ohchr.org/EN/Issues/IDPersons/Pages/Standards.aspx.
[160] United Nations Commission on Human Rights, "Guiding Principles on Internal Displacement," accessed November 18, 2016, https://documents-dds-ny.un.org/doc/UNDOC/GEN/G98/104/93/PDF/G9810493.pdf?OpenElement.

displacement."[161]

While the Principles mark an important momentum for the protection of the internally displaced persons since it augmented an international awareness and a strengthened will for cooperation, this *soft law* document contains several contentious issues as well. One of the most important criticisms of the Principles is that they focus on cases of emergency precautions instead of investigating the possibilities of permanent solutions.[162] Considering forced migration as a provisional situation; de-politicization and reductionism of the issue to mere technicalities; objectifying internally displaced persons; generalizing their problems, and taking these problems out of context may be cited as other important shortcomings of the Principles.[163]

In this dissertation, I will use the term *forced migration* instead of *internal displacement* for several reasons. First, this term represents more aptly the component of coercion embedded in the act of migration that occurred in the context of the Kurdish conflict. It is also a more suitable term against the de-politicization of the process since it describes the process in a more appropriate manner. In addition, it also emphasizes the notion of *migration* via using it directly in the term. I will, on the other hand, use the term of internally displaced persons (IDPs) for referring to the citizens who were subjected to forced migration in Turkey. This terminological choice has also broader meanings in relation to the local context; however, I will elaborate the terminological debate in Turkey in the subchapter below, *Enforced disappearance and forced migration in the local context: acts, effects and spatiality*.

4.2. Patterns, structures and experiences in the global context

As discussed above, the debate on terminology, vocabulary and legal documentation reveals power relations and different sorts of political positioning with respect to state violence. The belated date of the Convention, the reluctance of even state parties to fulfill their requirements and to end impunity concerning perpetrators, which leaves them intact and immune from any legal procedure or punishment, uncover again the unwillingness of the political/official actors for definitively ending enforced disappearances. Victims of the forcibly disappeared are surrounded by a *wall of silence* maintained not only by their national authorities but also their

[161] Turgay Ünalan, "Internal Displacement: Current Global Conditions and Trends," in *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban, et al., (Istanbul: TESEV, 2007), 34.
[162] Deniz Yükseker, "Internal Displacement: A Critical Analysis of International Policies and Practices," in *Coming to terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban, et al., (Istanbul: TESEV, 2007), 49.
[163] Deniz Yükseker, Ibid., 50.

international allies as well.[164] One of the forcibly disappeared in Macedonia, the El-Masri case, which was brought before the European Court of Human Rights (ECtHR), explicitly displays the participation of international bodies such as the North Atlantic Treaty Organization (NATO), and the United States' Central Intelligence Agency (CIA). According to a notarized statement of a letter of Mr. H.K., who had been the Minister of the Interior of Macedonia at the time, submitted to the ECtHR:

> "[…] Mr El-Masri had been detained by Macedonian agents and handed over to the CIA, and that official records of these events existed. However, Mr. H.K. went on to add that his statement was 'expressly and solely for the purposes of [the Strasbourg] Court's deliberations on the application of Mr. El-Masri, and may not be used in the pursuit of any investigations against individuals'."[165]

This alliance is deeply related with the global use of enforced disappearance as a form of state violence by several states, especially during the second half of the 20th century. It was a very *useful* strategy in the sense that it did not leave any evidence or trace, specifically when the remains of the disappeared were not delivered to the family; this prevented the tracing of the perpetrator because of the inherent uncertainty of the crime; and it helped to strengthen the impunity for the perpetrators since the crime created different sorts of fact-finding difficulties. Therefore enforced disappearance, as a *useful* strategy, had been used globally during military coup d'état regimes, ethnic conflicts, counter-insurgency activities towards anti-colonization movements for pacifying several sorts of 'dissidents', annihilating rebellions through the invisibility of the perpetrators and disseminating horrifying, uncanny feelings in society.

The strategy of disappearing was widely used, specifically in the post-1960 military coup d'état context of the South American continent, after its extensive use during the Nazi regime. Brazil, Uruguay, Chile and Argentina, all experiencing military dictatorship regimes in the post-1960 period, witnessed enforced disappearances to an important extent. Several segments of society actively participating in armed or political organizations or only active politically against these oppressive military regimes -which was sufficient for being labeled as 'dissidents' or 'internal enemies/traitors' by the governments- such as students, intellectuals, trade-unionists, activists, peasants, politicians were disappeared. In Argentina, especially, the phenomenon of enforced disappearance, known as *desaparecidos* -approximately 30,000 persons according to Argentinian NGOs-, became widely visible with the struggle and actions of *Madres de Plaza de Mayo* (Mothers of the De Mayo Place), walking in circles with white headscarves in De Mayo Place, Buenos Aires. These 30,000 persons, of whom only 8,960

[164] Helen Keller and Corina Heri, "Enforced Disappearance and the European Court of Human Rights, A'Wall of Silence', Fact-Finding Difficulties and States as 'Subversive Objectors' ," *Journal of International Criminal Justice*, 12 (2014): 741.
[165] Ibid., 742-743.

have been identified through the work of the National Commission on the Disappearance of Persons (CONADEP), had mainly been thrown out of airplanes to the ocean following the injection of sedative drugs.[166] *Madres de Plaza de Mayo* fought tremendously on several different official and societal levels; and their demands for justice, truth and reappearance of the disappeared had a huge global echo:

> "The demand for the reappearance of the disappeared is not just a demand for the tracing of the missing or for a determination of their fate. Rather it is a protest against the injustice of the disappearances and a demand that the disappeared be restored to their existence as fully political beings – beings who lived lives, fought political battles, had children and families."[167]

Again, in other countries of South America such as Guatemala, El Salvador, Mexico, Colombia and Honduras, which have a long record of military dictatorship and armed conflict, the phenomenon of enforced disappearance was systematically practiced. This common pattern of using enforced disappearance as a state violence strategy against 'internal enemies' throughout the Southern Cone had an international dimension as well. With the crucial influence of the United States of America permeating several South American societies and specifically its military, economic and political support enabling close collaboration among several dictatorships, a joint concept of counter-insurgency was being implemented by the repressive regimes. The name of this new concept of intelligence, security and counter-insurgency is taken from its founding act, *Operation Condor*, which was signed on November 28, 1975 and entered into effect on January 30, 1976 with the participation of initially Argentina, Chile, Uruguay, Paraguay, Brazil and Bolivia to be later joined by Peru and Ecuador.[168] According to this sophisticated system of intelligence, security and counter-insurgency, the target group was broadly defined: "[…] As Jorge Rafael Videla stated in a comment made in 1976, '[a] terrorist is not just someone with a gun or a bomb, but also someone who spreads ideas that are contrary to Western and Christian civilization.'"[169] Thus, with the logistic and political support of the USA, a cooperation and collaboration had been established among the military dictatorships of the Southern Cone, which exported the methods of annihilation used against the targeted groups, including the enforced disappearances. The strategy, therefore, was implemented at the global level with the collaboration of global actors.

However, the strategy of enforced disappearance should not be described as a phenomenon of

[166] CONADEP, *Nunca Más. The Report of the Argentine National Commission of the Disappeared* (New York: Farrar, Straus and Giroux, 1986).
[167] Jenny Edkins, *Missing, Persons and Politics* (Ithaca: Cornell University Press, 2011), 174.
[168] Cited in Marthe Lot Vermeulen, Ibid., 6-7.
[169] Ibid., 7.

the past, essentially implemented against political dissidents in South America during the 1970s. This practice, unfortunately, was and still is widespread globally, in several spaces and during different temporalities. It has been widely used both by the Organisation de l'Armée Secrète (OAS – French Special Teams of Counter-Insurgency) against anti-colonial movements during the Algerian Independence War –specifically during 1961 and 1962– and by the government during the civil war between 1991 and 2001 in Algeria; by the states and paramilitary organizations in the ex-Yugoslavian countries during the war between 1991 and 2001, when ethnic cleansing, genocide and several other crimes against humanity were committed; and during the Second Chechen War between 1999 and 2009 in Russia.[170] Currently, according to the International Coalition against Enforced Disappearances (ICAED), which is a network of organizations of the families of the disappeared and NGOs, in countries such as Bangladesh, India, Mali, Pakistan, Mexico, Colombia, Sri Lanka, Iran, Sudan, Lebanon, Iraq, and Syria, enforced disappearances are taking place.[171] Moreover, the practices in the context of 'anti-terror war' such as those of legal and illegal circuits, illegal detentions mostly crystallized in the case of Guantanamo Prison, and extraordinary rendition, which is considered as a form of enforced disappearance, prove that, currently, enforced disappearance -with other forms of state violence- has been occurring not only in the Southern Cone but also 'at the heart of democracies' such as the United States, United Kingdom, and Germany after 2001.[172] Hence, enforced disappearance is neither a phenomenon *passé* nor a phenomenon strictly used in eastern and southern dictatorships; it rather seems to be a specific and concrete use of sovereignty by several modern states in a global context during different kinds of state of exception, if deemed necessary.

However, the debate on the terminology and global patterns of enforced disappearance should not blur the catastrophe, which occurs with the act of disappearing. The act of disappearing that contains the act of torturing and the act of killing in itself, includes a 'surplus of cruelty'[173] that exceeds the sum of the conglomerated crimes of disappearance. It is a thing-in-

[170] Jeremy Sarkin et al., *Bosnia and Herzegovina, Missing Persons from the Armed Conflicts of the 1990s: A Stocktaking* (Sarajevo: International Commission on Missing Persons, 2014); Human Rights Watch, *Algeria, Time for Reckoning: Enforced Disappearances in Algeria* (New York: Human Rights Watch Publications, 2003); Juliet Chevalier-Watts, "The Phenomena of Enforced Disappearances in Turkey and Chechenya: Strasbourg's Noble Cause?," *Human Rights Review*, no 11, (2010): 469–489.
[171] International Coalition Against Enforced Disappearances, "International Coalition Against Enforced Disappearances Statement on the International Day of the Disappeared," August 30, 2012, accessed October 20, 2015, http://www.icaed.org/home/news-archive-2012/.
[172] Pilar Calveiro, "Torture in the heart of 'democracies'," (paper presented at the On Torture Symposium sponsored by the Heinrich Böll Foundation and the George Washington University, November 18, 2008), accessed October 25, 2015, https://us.boell.org/sites/default/files/downloads/Calveiro_torture_democracy.pdf.
[173] Avelar, Idelbar, Ibid., 38-39.

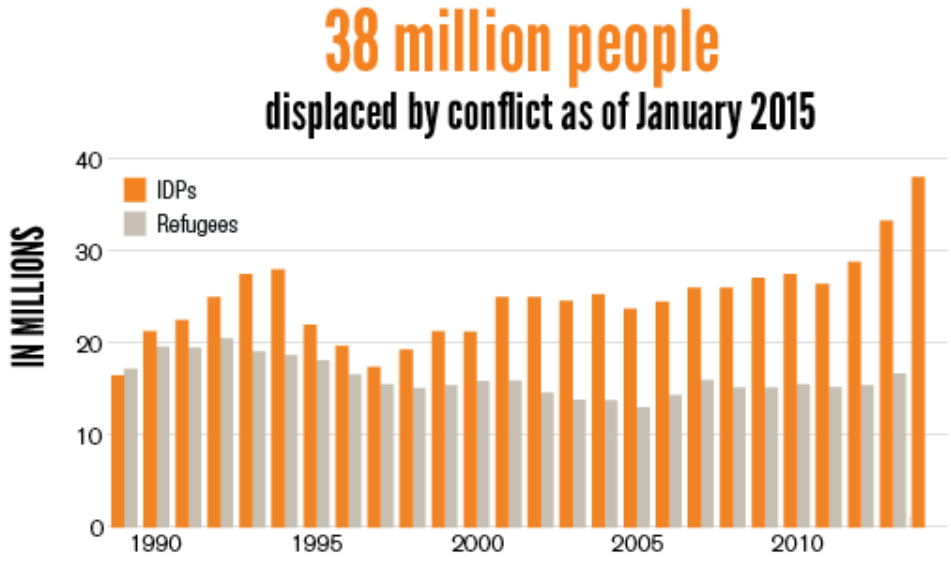
itself.[174] The distinctive feature of disappearance, which marks its difference compared to other sorts of killing and annihilating is its uncertain, liminal and uncanny status. The disappeared is ultimately different from the one who is killed; the disappeared is the one who lost all political and social identity with the crucial lack of his/her own traces, remains and records: "As such, enforced disappearance involves an *erasing* violence."[175] The disappeared is most probably the deceased, especially after a considerable amount of time, but on the other hand, since the death of the disappeared is always a probability but not a certainty, he/she may always still be alive. In this sense, as Gabriel Gatti notes, the disappeared "[…] is someone abandoned, a 'living-dead', a 'corpse robbed of death', someone 'always present by their absence'."[176] Gatti emphasizes the fragmentation effect of the act of enforced disappearance. Accordingly, disappearing creates three types of shattering on different levels: "Firstly, there is the shattering of what is seen as the *ontological unity* of the human being; that which unites a *body*, and one only, with a *name* and one name only."[177] Secondly, there is the shattering of the family narrative and the common memory of the family, in a way, which is a fracturing of memory. Thirdly, the act also has a shattering effect on the relationship of the individual with an administrative and political unit, namely the state. Therefore the shattering effect of the act of disappearance operates simultaneously on these three levels creating its own peculiar catastrophe on the basis of erasure, liminality and uncertainty. The act of disappearing is, above all, the strategy of the state, which tests its own enemy with the peculiarity of this catastrophe.

Globally, as of January 2015, 38 million persons are considered to have been internally displaced by conflict.[178] This definitely is the biggest number after the World War II context, which reveals by itself the importance of the displacement issue. In addition, another striking factor also displayed in Figure 1 is that this number exceeds the number of refugees significantly. The warfare of the post-2000 period seems to produce huge number of IDPs displaced by conflict that are far away from a strong protection by the international community due to the *soft law* character of the legal documents in this field. In other words, these 38 million people, living in an environment of conflict, and representing the 'internal

[174] Avery F. Gordon, Ibid., 80-112.
[175] Banu Bargu, "Sovereignty as Erasure: Rethinking Enforced Disappearances," *Qui Parle: Critical Humanities and Social Sciences* 23, no. 1 (2014): 44.
[176] Gabriel Gatti, "The Detained-Disappeared: Civilizational Catastrophe, The Collapse of Identity and Language," *RCCS Annual Review Online* 3, (2011): paragraph 32. http://rccsar.revues.org/270.
[177] Gabriel Gatti, Ibid., paragraph 42.
[178] See. Internal Displacement Monitoring Center's (IDMC) webpage, which is part of the Norwegian Refugee Council (NRC), as an independent, non-governmental humanitarian organization, accessed December 15, 2015: http://www.internal-displacement.org.

enemy' in most of the cases, struggle to survive within national borders of a state, which often considers them as 'internal threat'.

Figure 4. The number of IDPs by conflict[179]



As is the case with enforced disappearance, forced migration is a coercive method used internationally, primarily during internal conflicts, ethnic cleansings and warfare periods. This coercive strategy is mostly used to obtain political concessions from a segment of society, often a minoritarian group ethnically or religiously;[180] to punish a segment of society, which allegedly supports guerilla movements; and to gain military, political and spatial control over a conflictual territory. So, exactly like enforced disappearance, forced migration and internally displaced persons are current issues instead of being mere remnants of an old past.

In the global context, current conflict zones such as Yemen, Syria, Somalia, South Sudan, Iraq and Ukraine with their remarkably high numbers reveal the massive scope of forced migration.[181] Furthermore, as was the case with the Principles, several criticisms have been raised against the humanitarian work of international NGOs with respect to these IDPs that are, as a highly vulnerable group, constantly growing in number. According to these criticisms, the humanitarian work of the NGOs active in the field of IDPs creates new hierarchies and fields of power; depoliticizes the demands and fails to recognize the heterogeneity of their 'target groups'; reifies the multifaceted aspects of forced migration to

[179] See. Internal Displacement Monitoring Center's webpage, accessed December 15, 2015: http://www.internal-displacement.org/global-figures

[180] Kelly M. Greenhill, *Weapons of Mass Migration, Forced Displacement, Coercion, and Foreign Policy* (Ithaca London: Cornell University Press, 2010), 13.

[181] According to the numbers of Internal Displacement Monitoring Center, the numbers of IDPs in each country are as follows: Yemen: 1,439,100; Syria: 7,600,000 (at least); Somalia: 1,107,000; South Sudan: 1,631,800 (at least); Iraq: 4,000,000 (at least); and Ukraine: 1,431,800 (at least). For further details, see. Internal Displacement Monitoring Center, "Global Figures," accessed November 15, 2016, http://www.internal-displacement.org/global-figures.

homogenous and imaginary categories; and through their depoliticized and technical approach mitigates the embedded state violence and coerciveness in the act of forcibly migrating.[182]

Apart from recent and more immediate conflicts, forced migration has been massively implemented in South America, especially in conflict-ridden countries such as Guatemala, Mexico, Peru and Colombia. A closer look at Colombia, which is an apt example to analyze the patterns, structures and actors of the forced migration strategy, would reveal global similarities in the strategy as well as its multifaceted consequences. An armed conflict for more than 40 years was ongoing in Colombia between the Revolutionary Armed Forces of Columbia (FARC) and the Colombian official army, with several coercive techniques implemented on the civilian population mainly by the state's Special Units but also by FARC members as well. Several coercive and deadly techniques such as extra-judicial and arbitrary killings, enforced disappearances, mass killings, ill treatment and torture and also forced migration were used massively during the period of conflict.[183] Forced migration was one of the constituent elements of the warfare strategy. In this context, for Colombia, we could consider "[…] the practice of displacement to be a key military strategy of war, rather than a byproduct."[184] In the areas where FARC guerillas had been continuously strong, the Colombian army struggled to gain the territorial control through forced migration as well as through establishing checkpoints, strengthening special forces units and using paramilitary groups for controlling the smuggling of guns, money, and cocaine. In order to gain control and to empty the zone of 'guerilla support', a massive forced migration strategy was implemented several times in Colombia. According to the estimation of IDMC, the cumulative number of IDPs, which covers the period from 1985 to 2014 and includes all the persons forcibly migrated due to the armed conflict in Colombia, is 6,044,200.[185] Forced migration was presented as a success by the official authorities despite the abruptness of the process and extremely poor conditions of the IDPs. "In the words of one international functionary, 'It took the paramilitaries less than four years to conquer the territory it had taken the FARC two decades to occupy' (author's interview October 200)."[186] However, the use of paramilitary forces together with formal army units, the evacuation of the zones of *guerilla*

[182] Jennifer Hyndman, *Managing Displacement: Refugees and the Politics of Humanitarianism* (Minneapolis: University of Minnesota Press, 2000), 91.
[183] Otty Patiño and Vera Grabe, *Considerations Regarding Peace Negotiations in Colombia: 1990-2014* (Berlin: Berghof Foundation, 2014), 6.
[184] Victoria Sanford, "Contesting Displacement in Colombia, Citizenship and State Sovereignty at the Margins," in *Anthropology in the Margins of the State,* ed. Veena Das and Deborah Poole (Santa Fe: School of American Research Press, 2004), 257.
[185] See. Internal Displacement Monitoring Center, "Columbia IDP Figures Analysis," accessed November 20, 2016, http://www.internal-displacement.org/americas/colombia/figures-analysis.
[186] Ibid., 259.

support and the evaluation of the consequences of such strategy with military success parameters instead of the well being of the displaced citizens are striking common features of forced migration. The case of Colombia uncovers in a sophisticated manner these common global patterns with a striking similarity with Turkey's Kurdish case.

Unfortunately, particularly in the case of armed-conflict-induced displacements, several forms of violence often accompany forced migration. Forced migration, in most of the cases, is within a repertoire of violence including other serious cruel and deadly methods including killings and extra judicial executions, sexual harassment and rape, torture and ill treatment and enforced disappearance. Forced migration either happens simultaneously with these other forms of violence or is implemented consecutively in a long period of ongoing violence. However, instead of these forms of violence, mostly and essentially another right has been discussed globally in the context of forced migration: the right to property. In 2005, the United Nations Sub-Commission on the Protection and Promotion of Human Rights adopted a new *soft law* document entitled *Principles on Housing and Property Restitution for Refugees and Displaced Persons*, also known as the "Pinheiro Principles", named after Paulo Sergio Pinheiro , the special rapporteur appointed by the sub-commission,.[187] The Pinheiro Principles focus exclusively on property issues and aspire to "assist all relevant actors . . . in addressing the legal and technical issues surrounding . . . restitution in [displacement] situations." Accordingly;

> "The Principles state that the restitution of the property rights of IDPs is an important element of restorative justice (Preamble); that all refugees and IDPs have the right to have any land or property, of which they were arbitrarily or unlawfully deprived, restored to them or to be compensated in cases where this is impossible (Principle 2.1.); that this right is not prejudiced by the return of refugees or IDPs (Principle 2.2.); that refugees and IDPs have a right to pursue durable solutions to displacement other than return; and that this does not prejudice their right to restitution of their property rights (Principle 10.3.)."[188]

The Pinheiro Principles and the concern for the restitution of the property rights, needless to say, are deeply related with the political momentum of the post-Cold War period. The Bosnian example lies at the core of the Pinheiro Principles and these principles reflect the key conclusions drawn from the Bosnian restitution, anchored in the discourses of both

[187] United Nations Economic and Social Council, "Economic, Social and Cultural Rights. Housing and Property Restitution in the Context of the Return of Refugees and Internally Displaced Persons. Final Report of the Special Rapporteur, Paulo Sérgio Pinheiro. Principles on Housing and Property Restitution for Refugees and Displaced Persons," accessed January 15, 2016, http://www.unhcr.org/50f94d849.html.

[188] Dilek Kurban, "Internal Displacement: Developments in International Law and Practices in Other Countries," in *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban et al., (Istanbul: TESEV, 2004), 66.

displacement and reparations: "Most obviously, they support voluntary durable solutions, affirming restitution as a distinct right, 'prejudiced neither by the actual return nor non-return of refugees and displaced persons'."[189] However, even the *success* of the Bosnian example should be carefully reviewed because "not all IDPs who are entitled to the restitution of their property have made a permanent return, and (that) many people have later either sold or rented out the property that had been restored to them."[190] One also should keep in mind the huge financial and administrative support of EU bodies and institutions to guarantee European security and to enable the return of the IDPs/refugees in the Bosnian context, which is not true for most of the forced migration cases. Therefore, the property rights, which are crucial in many respects, do not constitute the sole human rights violation accompanying forced migration. Instead, there are always much more cruel forms of violence, including enforced disappearance, that require careful identification and accountability of the perpetrators, in the global context as well as in Turkey.

4.3. Enforced disappearance and forced migration in the local context: acts, effects and spatiality

Thirty years of armed conflict between the PKK and Turkish Armed Forces has had devastating effects which have shaped the political, social and cultural life in Turkey. The effects of the conflict on the Kurdish region, specifically, have been more complicated, multifaceted and significant. So far, we have no indisputable, accurate and exact data showing the consequences of the conflict on a quantitative basis. The main reason for this is the continuous character of the conflict and the numbers of human loss as well as the fact that the criteria, classification and statistics on the human losses have political outcomes. None of the parties, neither the state nor the PKK are ready to disclose accurately their losses in numbers with the fear that such disclosure may show them weak or defeated. This is the case on a global scale as well: a closer look at conflicts reveals that although parties and independent NGOs along with researchers begin to collect data and make estimations on the human loss during a conflict, the exact and accurate numbers are declared after the end of the conflict, during post-conflict processes. Even at that stage, the numbers may prove to be important issues of contention.

For the Kurdish conflict we do have some estimates concerning the human loss and the number of persons affected by the conflict but in the event of lack of a post-conflict

[189] Rhodri C. Williams, "Protection in the Past Tense: Restitution at the Juncture of Humanitarian Response to Displacement and Transitional Justice," in *Transitional Justice and Displacement*, ed. Roger Duthie (New York: Social Science Research Council, 2012), 93.
[190] Dilek Kurban, Ibid., 68.

reconciliation process, these numbers are tentative and will remain as such. Still, some of these estimates may be useful after a critical evaluation. The Turkish Parliament's Human Rights Commission published a report in 2013 entitled "Investigation Report for the Violations of the Right to Life within the Context of Terror and Violence Acts". Accordingly, human losses stemming from the Kurdish conflict between 1984 and 2012 are classified as follows:

- 7,918 dead members of the regular armed forces, village guards, public servants, and law enforcement personnel of Turkey (referred to as "Martyrs");
- 22,101 dead PKK Fighters (referred to as "Terrorists");
- 5,557 dead civilians (though not stated by which side they were killed); and
- Added to these figures were 2,872 people killed by "unknown assailants" and 1,945 extra-judicial killings.[191]

The report also states "[…] although the number is not accurately determined, it is expressed that there are some murders by unknown assailants (*faili meçhul cinayet*), and the number has been declared as some thousands up to 17,000 but these numbers will not be included in the report since they are not statistically recorded."[192] These numbers are obviously biased and reflect the official approach to the conflict, but still they may be used critically since these are almost the first numbers officially mentioned by a state institution.

Some academicians and NGOs also work with data sets and have some estimates on the human losses of the conflict. According to Güneş Murat Tezcür's data, between 2002 and 2012, 1,406 PKK members, 1,096 members of the security forces and 427 civilians lost their lives.[193] Arzu Kıbrıs, a scholar who essentially based her data on the official publications and data of the National Defense Ministry, has estimates the total figure of the soldiers who lost their lives during the conflicts between 1984 and 2010 to be 6,802.[194] There are numerous reports of the Human Rights Association (İnsan Hakları Derneği – IHD) and the Human Rights Foundation of Turkey (Türkiye İnsan Hakları Vakfı – TIHV) on the yearly human losses of the Kurdish conflict; however, it is very difficult to extract from them a total number

[191] TBMM İnsan Hakları Komisyonu, "Investigation Report for the Violations of the Right to Life within the Context of Terror and Violence Acts [Terör ve Şiddet Olayları Kapsamında Yaşam Hakkı İhlallerini İnceleme Raporu]," 2013, accessed November 20, 2015, https://www.tbmm.gov.tr/komisyon/insanhaklari/belge/TERÖR%20VE%20ŞİDDET%20OLAYLARI%20KAPSAMINDA%20YAŞAM%20HAKKI%20İHLALLERİNİ%20İNCELEME%20RAPORU.pdf.
[192] Ibid., 311.
[193] Güneş Murat Tezcür, "Prospects for Resolution of the Kurdish Question: A Realist Perspective," *Insight Turkey* 15, no. 2 (2013): 70. For further detail, please see also the data set of Tezcür: http://www.tezcur.org/data
[194] Arzu Kıbrıs, "The Polarization Trap," *Studies in Conflict & Terrorism* 37, no.6, (2014): 499.

since they include different classification criteria for different years and, therefore, some inconsistencies and redundancies.

As a result of this overall situation, there is no exact and accurate list of enforced disappearances in Turkey. The work of several important NGOs has established an important and solid background on enforced disappearances but an accurate, exact and agreed list of the forcibly disappeared does not exist yet; each organization has its own numbers and lists according to different criteria and classification. Therefore, Hafıza Merkezi has examined the lists drawn up by all the institutions that have worked in this field, and formed a non-conclusive list of the forcibly disappeared.[195] According to this non-conclusive/tentative list, the number of people forcibly disappeared in Turkey since the coup d'état of September 12, 1980 stands at 1,353.

Figure 5. Enforced Disappearances by Year[196]

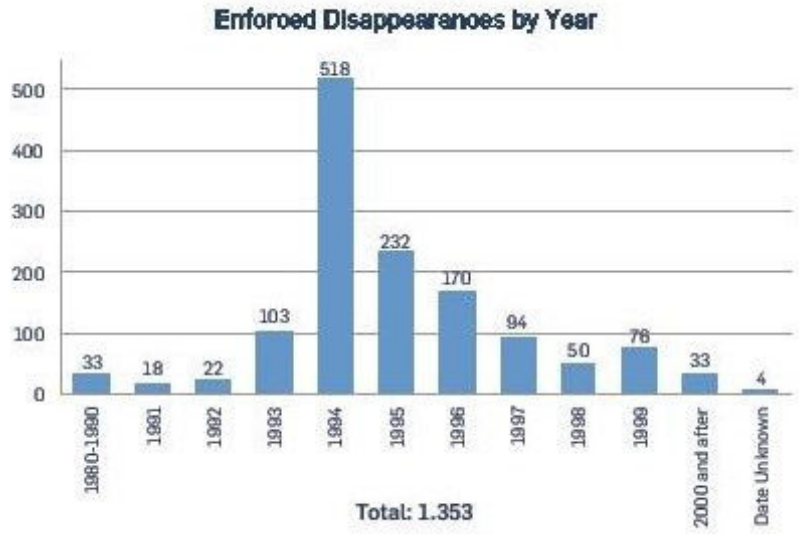
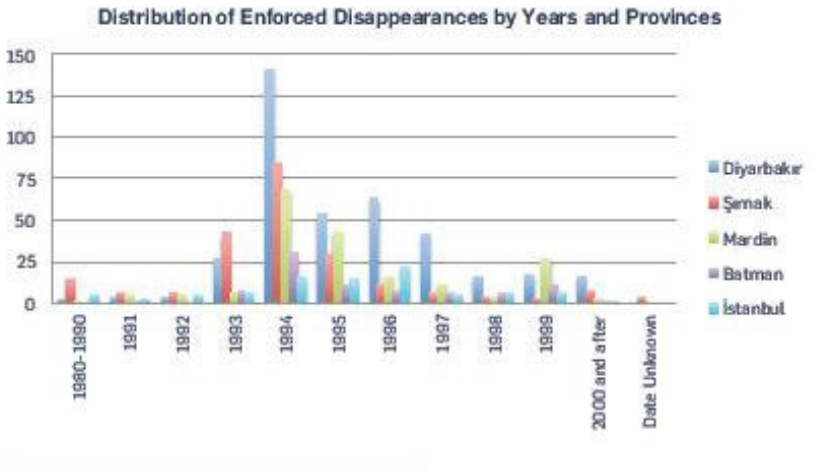


Figure 6. Distribution of Enforced Disappearances by Year and Province[197]

[195] This list has been prepared using the reports of the Human Rights Association (IHD) and the Human Rights Foundation of Turkey (TIHV), the book titled Sımsıcaktı Elleri [His Hands Were So Warm] published by Yakay-Der, Mazlum-Der (Association for Human Rights and Solidarity for the Oppressed) data, the list published on the internet by Helmut Oberdiek, the list published in 2008 in the Radikal newspaper as the IHD list of the disappeared, and ECHR applications. Needless to say, extrajudicial and arbitrary killings are not included in this number; this number is the tentative number of enforced disappearances solely.

[196] Özgür Sevgi Göral, Ayhan Işık, and Özlem Kaya, *Executive Summary. Unspoken Truth: Enforced Disappearances* (Istanbul: Hafıza Merkezi, 2015), 6.

[197] Ibid., 6.



This tentative list reveals patterns of temporality and spatiality of the enforced disappearances simultaneously. As can be seen in Figure 2 above, enforced disappearance was systematically implemented during the 1990s; however, its implementation was concentrated after 1993 in line with the new concepts of counter-insurgency described in the previous chapter, *Historical background and the specific political conjuncture of the 1990s*. Again, according to the tentative list, after 1998, except for a rise in 1999, its use has systematically declined. As for spatiality, the tentative list reveals in a striking manner that this strategy has been mostly, specifically and selectively implemented in Kurdistan. The distribution per province discloses the top cities as the Kurdish metropolitan areas, where the Kurdish political movement was and still is very influential.

In Turkey, the relatives of the disappeared, and several NGOs use the term *missing* (*kayıp*) or *missing under custody* (*gözaltında kayıp*) instead of the term *enforced disappearance*. There are several reasons for this. Firstly, in Turkey, the act of disappearing has been conducted through formal custody procedure most of the times. In other words, disappeared persons were taken from their homes, workplaces or public areas by officials stating that they were taking them under custody in the presence of eye witnesses. In other cases, when persons dressed in civilian clothes took the disappeared persons, it was frequently stated that 'these persons are being taken to the Military/Gendarmerie/Police station to have their statement taken'. Even in the absence of such statements, eyewitnesses often recognized these people dressed in civilian clothes as JITEM (Jandarma İstihbarat ve Terörle Mücadele – Gendarmerie Intelligence and Anti-Terror Unit) members. For most of the cases, there are some official documents proving that these persons had officially been taken under custody.[198] Still, I will

[198] Gökçen Alpkaya, Ibid., 40-41.

rather use the term *enforced disappearance* for the reasons stated above in the subchapter, *Defining forms of state violence: definition, terminology and rhetoric*.

According to Gökçen Alpkaya, who wrote one of the pioneering articles on enforced disappearance in 1995, forcibly disappeared persons may be classified under three categories: the ones who were disappeared right after the coup d'état of 1980 in the western part of Turkey; the prominent Kurdish local leaders who were disappeared during the 1990s; and 'ordinary' Kurdish citizens living under the state of emergency during the 1990s.[199] The first category includes students, trade unionists, workers and activists who were taken under custody claiming that 'they were members of armed terrorist organizations' –leftist movements. This group comprised relatively a smaller group quantitatively. The second group, on the other hand, both in Kurdistan and western cities of Turkey, includes journalists, human rights defenders, lawyers, activists; in a nutshell, persons who may be considered as local political leaders of the Kurdish community and who are close to the Kurdish political movement. Even if this latter group is bigger than the former, their number is still relatively low. The third group, however, includes persons from all strata of the Kurdish society: peasants, workers, artisans, students, and unemployed persons. Every Kurdish citizen living under the OHAL regime in the Kurdish region was under the threat of being taken under custody for security reasons. In other words, refusing to be part of the village guards; being denounced as someone who helps the PKK; giving the impression of helping the PKK guerillas in any manner; being accused of working as 'PKK militia'; being on bad terms with a member of the JITEM team for any reason -all these reasons may have been sufficient for someone to be taken under custody. The majority of the forcibly disappeared belonged to this third group.[200]

Another very striking feature of enforced disappearance, which adds and complicates the inherent catastrophe of disappearance is the lack of the bodies/remains of the disappeared. Based on the data of Hafıza Merkezi, comprised of 486 forcibly disappeared verified by the same organization, the bodies of 277 of them are still missing as of July 2017.[201] This ratio may be, more or less, relevant for all the enforced disappearances on the tentative list. If this is the case, then it means that the bodies of more than half of the forcibly disappeared are still missing. There is a small ratio of the disappeared whose bodies have been found. These

[199] Ibid., 43.
[200] This analysis is based on Hafıza Merkezi's tentative list. This list is the internal document of the organization and not shared with the wider public yet since it contains unverified information as an incomplete/tentative list.
[201] Zorla Kaybedilenler Veri Tabanı, "Zorla Kaybedilenler," accessed July 4, 2017, http://www.zorlakaybetmeler.org/victims.php.

bodies were found mostly by the roadsides, unused lands outside of the villages, wastelands near to the military zones, wells, cesspools, and construction sites.[202]

Enforced disappearance was deeply and inherently related with the notion of spatiality. Put differently, the implementation of enforced disappearance -including the targeting of the disappeared, the methods and style of the JITEM team, the places where the disappeared persons were questioned and several other patterns of this practice- was shaped by the spatial conditions, relations and concerns. According to one of the most important figures of JITEM, Lieutenant Cem Ersever, who has disclosed several aspects of the JITEM structure, Kurdistan was divided into three regions for better effectiveness: the first region was the Diyarbakır, Bitlis, Bingöl, Elazığ and Tunceli axis; the second region was the Şırnak, Cizre, Uludere and Şenoba axis; and the third region was the Nusaybin, Midyat, Mardin and Kızıltepe axis.[203] Different methods and actors were mobilized in different spatialities although there were some common methods and patterns. In this dissertation, I will focus on the second region, mainly the Şırnak area and its districts such as Cizre, Silopi, Uludere and İdil, which constitutes one of the most ancient and significant political and cultural centers of the Kurdish region entitled the Botan region. I will examine the activities of the JITEM team as *localized forms of sovereignty*[204] and thus I will contextualize and re-map such activities from a spatial perspective.

The local debate on how to name and define forced migration has been much heated, though. The Kurdish political movement along with several NGOs, academicians, and independent researchers have defined this abrupt act of evacuating settlement areas as *forced migration* on the grounds that this term reflects more adequately the features of the forced migration that occurred in the Kurdish region during the 1990s: abrupt, coercive and without any sort of protection/support for the displaced. However, some academicians and several NGOs have preferred to use the term *internal displacement* too; a term which also depicts a forcible migration occurring within the national territories of a nation-state. Official authorities and academicians and NGOs in line with the official perspective have used a whole different term: *dislocated* (*yerinden olmak/yerinden olmuş kişi*). The semantics of the Turkish expression "*yerinden olmak*" lacks the idea of passivity implying the agency of the forcibly migrated one.

[202] In an interview, head of the Mardin Branch of IHD, Erdal Kuzu, confirms that the bodies of the disappeared have been found mostly in the nearest official vacant lot/vacancy either under authority of an official institution or controlled by the same such as evacuated villages, areas near the highways and water wells. Erdal Kuzu, "Arazinin Altı ve Şeyler. Mardin ve Çevresi Faili Meçhul Araştırma Süreci," (Interview with Erdal Kuzu by Pelin Tan) *Jiyan*, April 13, 2015. https://medium.com/jiyaninsesi/arazinin-altı-ve-şeyler-mardin-ve-çevresi-faili-meçhul-araştırma-süreci-41db6ef09bf6

[203] Soner Yalçın, *Binbaşı Cem Ersever'in İtirafları* (Istanbul: Kaynak, 1994), 136.

[204] Thomas Blom Hansen and Finn Stepputat, Ibid., 306.

This terminological differentiation is not merely a technicality which refers to a depoliticized discussion, but rather reflects different political and hence terminological positions vis-à-vis the experience of forced migration: the preference of the Kurdish political movement along with some NGOs and scholars, that is, the term "forced migration" makes reference to the perpetrator of the act as well as the coercive nature of the migration. The use of the term "internal displacement", though more in line with the international literature, features a more depoliticized reference to a forcible internal migration. The preference of the state, on the other hand, reflects a whole different perspective: first, it blurs the perpetrator of the act; it suggests people are dislocated without the involvement of any perpetrator failing to recognize the crucial role of the official authorities. In addition, the rhetoric of the official authorities on forced migration systematically emphasizes the need for looking to the future instead of the past and deliberately avoids the recognition of the act. One speech of the governor of Van, a city in the southeastern Turkey significantly affected by forced migration, is an epitome of this approach: regarding forced migration, the governor uses the term *internal dislocation* (*yerinden olma*) saying that one needs to abstain from further complicating this issue by making it a conglomerate of other problems. He adds that regardless of the source of the problem, all the relevant institutions should work in coordination and look to the future.[205] This speech reveals the basic dimensions of the official perspective: denial of the fact, unwillingness to call it by its own name, avoiding any kind of responsibility, and refusal of dealing with the past. I believe the term *forced migration* is the term which adequately reflects the experience of forcibly migrating, and, therefore, I will use this term in my dissertation. For persons who are subjected to forced migration, I will also use the term internally displaced persons (IDPs).

Forced migration occurred during the 1990s, as was the case with enforced disappearance. Thus, forced migration should also be conceptualized within the specific political conjuncture of the 1990s, based on the strategy of 'Territorial Dominance and the Expulsion of the PKK from the Region', and the links with the two other practices of the same period (e.g. enforced disappearances and extrajudicial and arbitrary killings) should be analyzed with a holistic approach.[206] The evacuation of small and dispersed rural settlement units such as villages and

[205] Cited in Dilek Kurban, "Kürt Sorununun Çözümünde Bir Engel veya Fırsat Olarak Van Eylem Planı," in *Türkiye'de Zorunlu Göç: Hükümet Politikaları. Uluslararası Konferans Tebliğleri 27 Haziran 2009,* Istanbul: TESEV, 2010), 58.
[206] According to the data of Güneş Murat Tezcür, not only did enforced disappearances and extrajudicial and arbitrary killings increase tremendously during especially the second half of the 1990s, but also the number of raided NGOs, political entities, publishers or cultural centers, banned NGOs, political entities and publishers, banned or confiscated publications augmented dramatically. Güneş Murat Tezcür "When Democratization Radicalizes? The Kurdish Nationalist Movement in Turkey", *Journal of Peace Research* 47, no. 6 (2010): 780.

hamlets was a constituent part of the state's counter-insurgency strategy as part of the spatial restructuring based on the 'environmental deprivation for the guerrilla groups'.[207] Therefore, forced migration may be interpreted as the official spatial response to the sovereignty crisis of the state in the Kurdish region during the 1990s. Although PKK also used this strategy to evacuate some rural settlements, the main perpetrators were state actors, mostly military authorities and forced migration was used by the state as the new method of destruction of the PKK environment, both by *contraction* and *penetration*. It should also be added that, although the rural dimension of forced migration is emphasized with the widespread use of such terms as 'evacuation of the villages' or 'burning down of the villages', forced migration did not occur solely in the rural areas. Sometimes a whole village was evacuated; while in other cases, specifically targeted families living in the city centers were obliged to leave their settlements due to constant official threats. In some cases, being a village guard was imposed; while in others, only one or some specifically targeted houses were evacuated, and in yet other cases, the collapse of agriculture or animal husbandry due to pasture prohibition damaged all the means of livelihood with people being forced to migrate. Sometimes whole villages and/or hamlets were destroyed on the pretext of the conflict, and in some cases, people fled their settlements due to lack of security of life.[208] Forced migration of the 1990s, hence, is not a one-dimensional event limited to 'evacuation of the villages', but a multifaceted and multidimensional act that includes different forms, affecting various spatial areas such as city centers, districts and neighborhoods. In the initial years of the 1990s, forced migration commenced and it reached a peak after 1993, and continued gradually until the beginning of the 2000s, in a very similar manner to the temporal pattern of enforced disappearance.

Even so, the actual scope of such forced migration remains controversial. At the beginning of the 1990s the state refused to recognize forced migration totally denying the fact or reducing it to some compulsory resettlement acts due to the 'PKK terror'. Some international and national NGOs, on the other hand, argued that conflict-induced forced migration displaced a cumulative number of persons between 1 and 4 million.[209] The Parliament established in 1997 an investigatory commission due to severe national and international political and legal

[207] Joost Jongerden, Ibid., 48, 91.
[208] Göç-Der, *Göç Hikayeleri* (Istanbul: Göç-Der, 2008), 36.
[209] Human Rights Watch puts the figure at two million, see. Human Rights Watch *Displaced And Disregarded: Turkey's Failing Village Return Program*, Vol. 14, No. 7 (D) – October 2002, accessed October 19, 2015, http://hrw.org/reports/2002/turkey/Turkey1002.pdf. TIHV, IHD and Göç-Der have estimated a figure of three to four million, see. Hüsnü Öndül, "Zorla Yerinden Etme Uygulaması," in *İsmail Beşikçi*, ed. Barış Ünlü and Ozan Değer (Istanbul: İletişim, 2011).

pressure and this commission published a report entitled *Parliamentary Investigation Commission for Evaluating Necessary Precautions after an Investigation of the Problems of the Citizens Who Migrated due to the Evacuated Settlement Units in Eastern and South-eastern Turkey*. According to this report, based on the data of the State of Emergency Regional Governorship, as of 1997, 905 villages and 2,523 hamlets were evacuated and 378,335 people were migrated from the provinces under the state of emergency, their adjacent areas and the surrounding provinces.[210] These numbers are extremely problematic since they neither included partially evacuated villages and hamlets nor accounted for those who "[…] as forced migrants were forced or compelled to leave their homes because of feelings of insecurity, armed clashes, military-imposed food embargoes, as well as threats by security forces, the PKK, and government employed village guards".[211] Secondly, the numbers of the report are based on the rural areas solely and omit totally the displacement from the provincial and district/city centers. Thus, these numbers ignore the forced migration that occurred in urban areas and in provincial city centers such as Kulp and Lice in Diyarbakır; Diyadin and Doğubeyazıt in Ağrı; Yüksekova in Hakkari; Cizre in Şırnak and Şırnak city center itself.[212] Last but not least, ethnic dimension of the forced migration, the fact that it targeted mainly Kurdish citizens in the Kurdish region is totally ignored in the report.[213]

Given the fact that this report was far away from even adequately defining forced migration, international pressure continued on Turkey for both recognition of what happened as well as establishment of compensatory mechanisms, especially after 1999 with the beginning of the candidacy status for the European Union (EU). EU's prioritization of developmental concerns and expectation for at least formal democratization steps pressured the governments of Turkey into both recognition and regulation of some of the contentious political issues. The "Kurdish question" was at the intersection of both democratization and developmental concerns; therefore the need for action was obvious during the 2000s. Although forced migration was not mentioned in the first Accession Partnership Document between the EU and Turkey in 2001, the revised version of the document in 2003 referred to the return of internally displaced persons to their original settlements in its list of priorities as part of the

[210] Parliamentary Report of the Investigation Commission for Evaluating the Necessary Precautions after an Investigation of the Problems of the Citizens Who Migrated due to Evacuated Settlement Units in Eastern and Southeastern Turkey [Doğu ve Güneydoğu Anadolu'da Boşaltılan Yerleşim Birimleri Nedeniyle Göç Eden Yurttaşlarımızın Sorunlarının Araştırılarak Alınması Gereken Tedbirlerin Tespit Edilmesi Amacıyla Meclis Araştırması Komisyonu Raporu] (Migration Report) (1998), 13, accessed December 16, 2015, https://www.tbmm.gov.tr/sirasayi/donem20/yil01/ss532.pdf.
[211] Bilgin Ayata and Deniz Yükseker, Ibid., 15.
[212] Vedat Çetin, 1999, *Yakılan/Boşaltılan Köyler ve Göç,* Ankara: Öteki.
[213] Apart from Kurdish citizens there were some Assyrians and other ethnic and religious groups as well. For a detailed account of their narratives, see. Göç-Der, *90'larda Yerinden Edilen Gayrimüslimlerin Göç Hikâyeleri* (Istanbul: Göç-Der, 2015).

efforts to reduce regional disparities.[214]In the meantime Francis Deng, Representative of the UN Secretary-General on internally displaced persons, who had repeatedly expressed his wish to visit Turkey, undertook his mission in May 2002. After his visit, he declared that the Turkish government no longer denied the existence of the internal displacement.[215] As a result of the international and national political and legal pressures, the state relinquished its total denial approach and shifted its position towards the selective regulation of the consequences of forced migration. As a consequence of the constant international pressure for the recognition and collection of reliable data on forced migration, semi-official[216] research was conducted by Hacettepe University Demographic Studies Institute and according to their report cumulatively throughout the 1990s, 1,200,000 persons were subjected to forced migration due to security reasons.[217] This number is significantly higher than that of the previous parliamentary report. Moreover, this research reveals massive human flow from Kurdistan to other parts of Turkey in a very limited period of time. IDPs migrated to metropolitan cities like Diyarbakır and Van in Kurdistan, and metropolitan cities like Izmir and Istanbul; and also other cities in the western part of Turkey such as Mersin, Adana, Izmir, Kocaeli and Bursa.

Finally, the government prepared some regulatory legal documents for the rights, return and situation of the IDPs. Basic legal documents establishing the national legal framework are: Return to Villages and Rehabilitation Project (1994), Law on Compensation for Losses Resulting from Terrorism and the Fight against Terrorism - "Law no. 5233" (2004), a framework document issued by the Council of Ministers entitled "Measures on the Issue of Internally Displaced Persons and the Return to Village and Rehabilitation Project in Turkey" (2005) and the Van Action Plan (2006). These legal documents will be evaluated in the upcoming chapters. Suffice it to say that they reflect the shifting attitude of the state from total denial to selective regulatory position, but it should be emphasized that these documents have been severely criticized by different scholars and NGOs. According to these critics, basic shortcomings are as follows: "The legal framework misses the political dimension of the problem which is essential; it also misses that after 15 years it is not only the problem of the ones who want to return to their villages but also the ones who want to stay in cities; therefore the problem became an 'urban question'; and finally this legal framework misses the fact that

[214] Bilgin Ayata and Deniz Yükseker, Ibid., 27.
[215] Ibid., 28.
[216] Dilek Kurban and Mesut Yeğen define this research as "semi-official" since it was ordered and financed by the state: Dilek Kurban and Mesut Yeğen, *Adaletin Kıyısında* (Istanbul: TESEV, 2012), 54.
[217] Hacettepe Üniversitesi Nüfus Etütleri Enstitüsü, *Türkiye Göç ve Yerinden Olmuş Nüfus Araştırması* (Ankara: Hacettepe Üniversitesi, 2006), 106.

people who have forcibly migrated are comprised of different social groups with differentiated needs and demands and, therefore, not a homogeneous group."[218]

Both strategies of the state, (i.e. enforced disappearance and forced migration) are deeply related with spatiality. The strategy of enforced disappearance was implemented through the capillary networks of social, political and economic relations embedded in the spatiality in different places of Kurdistan and forced migration is a strategy of claiming the space by transforming the existent territorial area into a space of exception through dislocation, displacement and uprooting of some specific groups. Both strategies, hence, are essentially embedded in some specific zones and implemented through mobilization of several actors, groups and relations. These strategies permeate a specific geography and population with different techniques; devalue bodies, beliefs, values, languages and rituals, and finally operate through a different legal system where the suspension of the law is possible.[219] The implementation and effects of these strategies are also deeply related with the spatial relations and dispersion of the subjects. I will, therefore, delve into enforced disappearance and forced migration from a spatial perspective. For a better understanding of these two strategies with a spatial focus we need to look closer at two places: Istanbul and Şırnak. I will do this in the next chapter.

[218] Derya Demirler and Veysel Eşsiz, "Zorunlu Göç Deneyimini Kadınlardan Dinlemek: Bir İmkan ve İmkansızlık Olarak Dil," in *Cinsiyet Halleri*, ed. Nil Mutluer (Istanbul: Varlık, 2008), 168.
[219] Achille Mbembe, "The Banality of Power and the Aesthetics of Vulgarity in the Postcolony," in *Anthropology of the State. A Reader*, ed. Aradhana Sharma and Akhil Gupta (Malden MA: Blackwell, 2006), 387.

5. Setting the Scene: Istanbul and Şırnak

Instead of being immobile and stable, space is dynamic, transformative and political. As Henri Lefebvre argues, appropriations, uses and alterations of space are performative and political acts. Lefebvre emphasizes that the urban space is created and marked by the marks of its inhabitants in the course of everyday life; the way they, as "users", create their city through practices, images and symbols is essential.[220] Therefore, in his view, the social spatiality is produced both by macro structures and everyday experiences. Doreen Massey defines the dynamic relationship between social configurations and spatial dynamics as the relationship "between the social construction of the space and the spatial construction of the social".[221] Thus, according to Massey, not only is the space produced by the social but also the social is formed by the space. Also, an imminent and organic link can be observed between the manifestations of state violence and spatial configurations. The space, as the dynamic and transformative site of the social and political life not only shapes the forms and the content of state violence but also simultaneously is shaped by the same. Demographic structures, economic inequalities, power networks, societal strata, gender roles and patriarchal division of labor, kinship relations and animosities have framed thanatopolitics and violent strategies.

Enforced disappearance and forced migration occurred in a specific historical conjuncture and also in a specifically determined spatiality in the context of the Kurdish conflict. Forced migration was essentially a spatial practice to eradicate the spaces defined as "PKK zones" from the official perspective and to re-claim the authority of the state over this territory. In this respect, it is not a byproduct of the war but rather one of the key strategies of the Kurdish warfare from the official perspective, especially after the military decision of area control in 1993. This, however, is not a novel strategy; the military control of the insurrectionary spaces is an old phenomenon which, for instance, can be traced back to the modernist architectural planning of Haussmann of the 19th century.[222] Moreover, as I outlined in the chapter *Historical background and the specific political conjuncture of the 1990s,* it was also implemented several times in the Kurdish region until the 1990s. Forced migration is one of the forms of military control over the insurrectionary spaces based on uprooting, displacement and re-marking of the space as official territory. The implementation of enforced disappearance, on the other hand, also required knowledge of the capillary and micro

[220] Henri Lefebvre, *La Revolution Urbaine* (Paris: Gallimard, 1970) ; Henri Lefebvre, *La Production de l'Espace* (Paris: Anthropos, 1974).
[221] Doreen Massey, *Space, Place and Gender* (Minneapolis: University of Minnesota Press, 1994)
[222] James C. Scott, *Seeing Like a State. How Certain Schemes to Improve the Human Condition Have Failed* (New Haven London: Yale University Press, 1998), 61.

relational networks of the space. The JITEM teams appropriated and used knowledge of the space, including relational networks, hostilities, distribution of economic resources, and familial and tribal relations during the implementation of its deadly strategy. Therefore both strategies created zones of exception where the suspension of law and norms through the creation of a "conceptual and ethical zero point"[223] was possible. For a better understanding of this zero point and, therefore, the political and ethical vacuum, an eloquent scrutiny of the spatiality and spatial relations is needed.

As I discussed above in the chapter *Enforced disappearance and forced migration: terminology, patterns and effects,* the implementation of both strategies shows important similarities with that in other countries. However, both strategies have also several specific features and peculiarities, inherently related with the local context. Spatiality is one of the most important components of the local context. Not only the space where the strategy had been implemented but also new spaces where the victims and relatives of the victims of these strategies have been resettled shape their experiences. Therefore, the resettlement places, especially for the IDPs, are very significant in the sense that they affect their subjectivities, quotidian lives and experiences. Change of location was the case for some of the relatives of the forcibly disappeared as well.

In this chapter, I will analyze two specific locations, namely Istanbul and Şırnak basing my evaluation of forced migration and enforced disappearance on these two spaces respectively. I will examine Istanbul, as one of the main receivers of internally displaced persons, through a historical perspective. First, I will scrutinize Istanbul as the main city of internal migrants along with a deeper look at the specificity of IDPs' flow in the 1990s. Then will follow the evaluation of another important metropolitan transformation of Istanbul which coincided with the resettlement of the IDPs: urban transformation projects. Finally there is the analysis of Istanbul as the site of the struggle of several different memories with ethno-political and gendered hierarchies. The struggle of Saturday Mothers, which established the political and urban visibility of the enforced disappearances in a national context, will be discussed to describe Istanbul as a site of contested memories. Şırnak, on the other hand, as the site of violence, war and enforced disappearances, will also be analyzed through a historical perspective. Incidentally, Şırnak is one of the cultural and political centers of Kurdistan, specifically of the Botan region. I will analyze Şırnak, as a spatial unit of both

[223] Thomas Blom Hansen, "On Legality and Authority in India," in *Sovereign Bodies, Citizens, Migrants and States in the Postcolonial World,* ed. Thomas Blom Hansen and Finn Stepputat (Princeton: Princeton University Press, 2005), 170. (169-191)

catastrophe/destruction and struggle/resistance, and therefore, the space of different contested narratives and memories. The structure, functioning and division of labor in the JITEM teams will be also scrutinized based on an analysis of the Cizre JITEM team. And finally, the implementation and peculiarities of the strategy of enforced disappearance in the local context of Şırnak will be examined in depth.

5.1. Urban anxieties and ethno-political encounters: Istanbul

Istanbul had always been a center of attraction for internal migration through the flow of massive migrants from all parts of Anatolia motivated mainly by economic concerns throughout the 20th century, but especially after World War II. The Keynesian consensus based on a fragile and provisional consensus among the state apparatus, capital, working classes and middle classes, which created a strong capacity for consumption and the implementation of the developmentalist model entitled *import-substituting industrialization,* marked Turkey in line with other 'peripheral' countries in the aftermath of World War II. In the meantime, beginning with the 1950s, and primarily Istanbul, but other metropolitan areas as well, had a massive increase in population. For the half century that followed 1945 the rate of this increase was around 4 to 5% with the main reason being migration from rural areas to urban spaces:

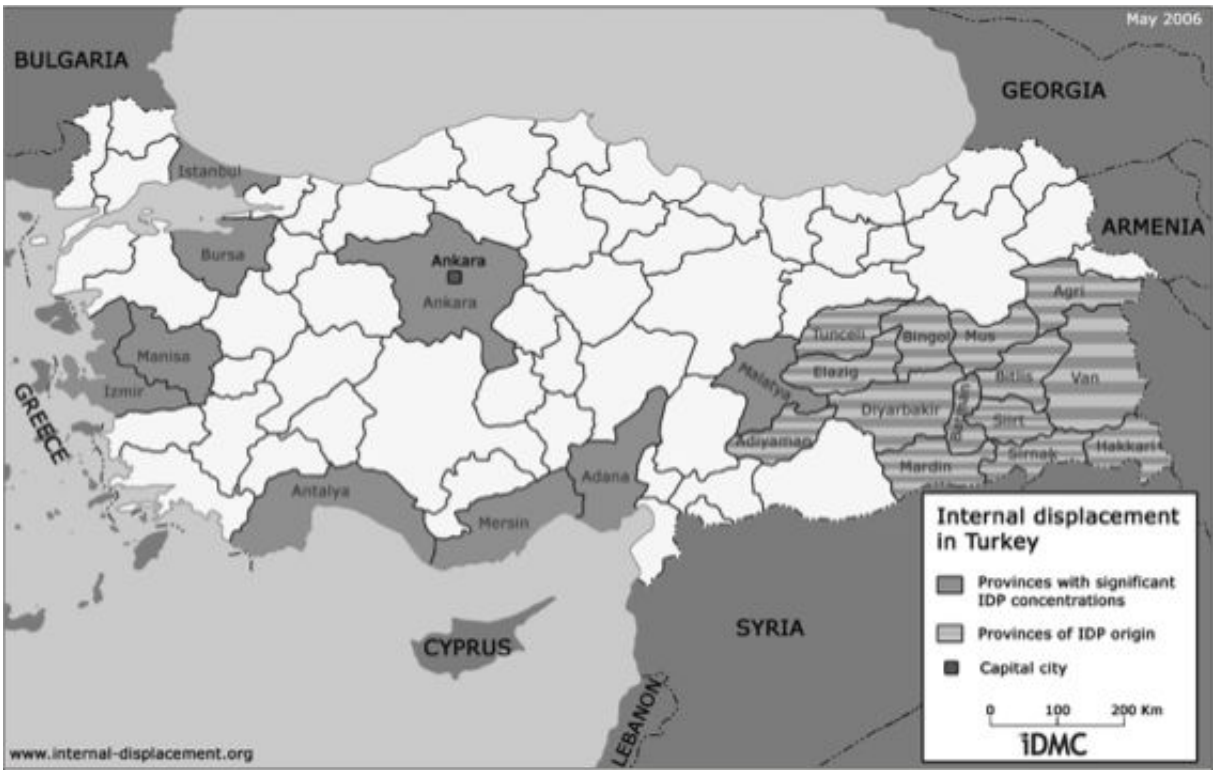
> "Now, [in Istanbul] in the heyday of national development, both producers and consumers accumulated within its gravitation and issued an invitation to the migrants seeking to participate in the quest, causing a seemingly unstoppable aggrandisement – from a population of 1.1 million in 1950 to 2.8 million in 1970, and 6.5 million in 1990. While about 5 per cent of Turkey's total population lived in Istanbul in 1950, this proportion rose to 14 per cent in 2000."[224]

5.1.1. Peculiarity of forced migration for Istanbul's urban space

Forced migration of the 1990s, when an important number of the IDPs came to Istanbul, was totally different from the regular economic internal migration. Firstly, IDPs' initial relations with their city of origin were very weak. Second, since they had been forcibly *thrown* to the city, as newcomers they were more fragile in using the already existing patronage and clientelistic networks. In addition, the abrupt nature of their migration aggravated the already existing difficult conditions and contributed to the sentiment of urgency. And finally the over-politicized narrative of their migration deeply marked the conditions and experiences of IDPs and differentiated their experiences from those of the early or contemporary economically motivated regular internal migration flow.

[224] Çağlar Keyder, "A Brief History of Modern Istanbul," in *The Cambridge History of Turkey, Volume 4, Turkey in the Modern World*, ed. Reşat Kasaba (New York: Cambridge University Press, 2008), 510.

Figure 7. Forced migration and the spatial dispersion of IDPs[225]



Forced migration created a multifaceted set of inequalities, hierarchies and problems for the IDPs in urban spaces of resettlement. Systematic and structural state violence that forewent and accompanied forced migration included severe ill treatment, torture and other kinds of brutal strategies. In addition, in most cases, IDPs had only been given several hours or even minutes before the destruction of their settlement units. Therefore, they could only take their small personal belongings with them in most of the cases. In the immediate aftermath of the forced migration, there were also several instances of custody, arrest and ill treatment.[226] In the urban space, IDPs suffered from numerous interrelated problems and inequalities: inability to access traditional means of livelihood as a result of the forced migration; the violation of social rights along with livelihood problems, poverty and joblessness; housing and sheltering problems; use of child labor as a result of extreme poverty; inadequate access to education for school-age children; inadequate access to health and social services; housing

[225] Taken from Dilek Kurban, Ayşe Betül Çelik, and Deniz Yükseker, *"Overcoming a Legacy of Mistrust: Towards Reconciliation Between the State and the Displaced". Update on the Implementation of the Recommendations Made by the UN Secretary-General's Representative on Internally Displaced Persons Following His Visit to Turkey* (Istanbul: TESEV and Norwegian Refugee Council, 2006).

[226] For several instances see. Mehmet Barut, *Zorunlu Göçe Maruz Kalan Kürt Kökenli T.C. Vatandaşlarının Göç Öncesi ve Göç Sonrası Sosyo Ekonomik, Sosyo Kültürel Durumları, Askeri Çatışma ve Gerginlik Politikaları Sonucu Meydana Gelen Göçün Ortaya Çıkardığı Sorunlar ve Göç Mağduru Ailelerin Geriye Dönüş Eğilimlerinin Araştırılması ve Çözüm Önerileri* (Istanbul: Göç-Der, 2001), 30-48.

and sheltering problems and encounters with different sorts of discrimination.[227] Not only poverty, isolation and exclusion from social/municipal services but also ethnic discrimination, marginalization, banal racism and systematic stigmatization were their daily experiences. Hence, their experience cannot be framed under the neutral and depoliticized title of internal migration but should rather be interpreted in the broader context of the politics of displacement and dispossession. Forced migration may be contextualized as "[…] polities of dislocation, processes of dispersion, appropriation, and displacement. They are dependent on both moving categories, and populations."[228] These polities had unexpectedly and brusquely thrown Kurdish inhabitants to uncertain, indifferent and sometimes hostile environments where Kurdish IDPs and old inhabitants experienced a compulsory encounter. All in all, forced migration and the conditions of IDPs became essentially an urban issue and this urbanization brought the urbanization of the Kurdish issue as well. The Kurdish issue, which was once perceived as "a rural issue of terror and violence happening in faraway south-eastern places" by most citizens of western Turkey, had become actual, urban and very close to themselves for the first time.

Housing problem was one of the major issues of IDPs, especially in metropolitan areas like Istanbul, characterized by expensive housing and significantly high rents. Finding an affordable and livable house; providing drinking water for the house; inner equipment including basic furniture items and fulfillment of the nourishment are serious challenges for the IDPs living in Istanbul. According to the report of the research conducted by The Migrants' Association for Social Cooperation and Culture (Göç Edenler Sosyal Yardımlaşma ve Kültür Derneği – Göç-Der) and drafted by Mehmet Barut, among the 4,342 IDPs interviewed in Istanbul, an average of 9 persons were living in the same house.[229] As a result of general and specific challenges regarding the housing issue, most IDPs had to choose either peripheral areas of Istanbul, where the rents were most affordable such as Tuzla, Sultanbeyli and Ümraniye districts or they resettled in dilapidated neighborhoods in the center of Istanbul such as Tarlabaşı in Beyoğlu or Balat and Fener in Fatih. Other options were also preferred by IDPs; some of them resettled in neighborhoods such as Yenibosna, Soğanlı, Esenler, Güneşli, and Bahçelievler, which also provided job opportunities since they were located in industrial

[227] See. Deniz Yükseker, "Internal Displacement and Social Exclusion: Problems Encountered by Internally Displaced Persons in the Provinces of Istanbul and Diyarbakır," in *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban et al., (Istanbul: TESEV, 2007), 256-277; Dilek Kurban, Ayşe Betül Çelik, Deniz Yükseker, Ibid., 26-27; Mehmet Barut, Ibid., 55-146.
[228] Ann Laura Stoler and Carole McGranahan, (2007), "Introduction: Refiguring Imperial Terrains," in *Imperial Formations,* ed. Ann Laura Stoler, Carole McGranahan and Peter C. Perdue (Santa Fe: School for Advanced Research Press, 2007), 8.
[229] Mehmet Barut, Ibid., 11.

districts. Also, some families who were able to sell their livestock or property just before forced migration, managed to buy houses, again mostly in dilapidated neighborhoods.[230] This, however, "was 'an exception to the rule,' since few families would have the resources to do the same."[231] This pattern of resettlement led to another relevant simultaneous transformation in Istanbul at the end of the 1990s and throughout the 2000s: urban transformation projects, including the transformation of "dilapidated, degraded and unhealthy" *gecekondu* areas.

Gecekondu literally means a dwelling self-built overnight. It refers to informal/irregular houses built without authorization, mostly on state-owned lands, which may have complicated and diverse land tenure structures. Keeping in mind that migratory waves to urban spaces had been constantly increasing and land demand had also been regularly augmenting; *gecekondu* settlement may be interpreted as the response of migrants to solve their housing problem.

5.1.2. *Gecekondu* as a self-produced solution

Gecekondu buildings were initially built in the vacant lots of inhabited areas of the urban space during the 1950s and 1960s. However, the potential provided by the vacant lots in the urban area was limited compared to the needs of the massive migratory waves. Also, being in the city center with an extended visibility was not suitable from the perspective of *gecekondu* builders. Hence, the land used for *gecekondu* buildings had been the periphery of inhabited areas, where the land was *de facto* ownerless or state-owned, and in that case mostly owned by the Treasury.[232] The first generation *gecekondu* buildings were often built around factories and industrial zones and first generation of inhabitants were mainly families that had migrated from the Black Sea region or Balkans, who were members of the working class. During this period, "[…] the builder and user of the house are not differentiated yet. The builders of the houses, unlike the common belief, mostly bought the land of their houses. The selling of the state-owned land to the builders of *gecekondu* had been realized through the informal commerce backed up implicitly by the formal powers."[233] During this early period, official policies not openly and explicitly, but implicitly and silently supported *gecekondu* buildings. *Gecekondu* buildings played a relieving role for several reasons from the official perspective: first, they represented a sort of self-produced solution to the housing problem of the new

[230] Deniz Yükseker, Ibid., 265.
[231] Ibid., 265.
[232] Çağlar Keyder, "Enformel Konut Piyasasından Küresel Konut Piyasasına," in *Istanbul. Küresel ile Yerel Arasında*, ed. Çağlar Keyder (Istanbul: Metis, 2006), 175. For a detailed discussion and analysis on the birth and evolution of *gecekondu* neighborhoods, two very important monographies should be cited: Sema Erder, *Istanbul'a Bir Kent Kondu. Ümraniye* (Istanbul: İletişim, 2013); Şükrü Aslan, *1 Mayıs Mahallesi. 1980 Öncesi Toplumsal Mücadeleler ve Kent* (Istanbul: İletişim, 2013).
[233] Şükrü Aslan, "Istanbul Büyükşehir Belediyesi Yayınlarında Kentsel Dönüşüm Vurgusu ve Gecekonduya Yönelik Dışlayıcı Dilin İnşası: Istanbul Bülteni Örneği", *İktisat Dergisi,* no: 499, (2008): 79.

migrants. It mitigated the lack of official initiatives, and therefore, the state's responsibilities towards the newcomers of Istanbul. In addition, *gecekondu* buildings essentially provided residential space for the cheap labor of the newly migrated working classes of Istanbul needed by the industrial production. It was no coincidence that the first *gecekondu* constructions were built in Zeytinburnu, one of the industrial centers of Istanbul at the time.

During the 1960s and 1970s, these 'illegal houses' went through a relative commercialization process. Official authorities, especially the municipalities, softened their relations with these neighborhoods compared to the uncertainty of the initial period. Once a *gecekondu* neighborhood was constructed, often shortly before an election, municipal services also arrived in these neighborhoods after a while. *Gecekondu* dwellers were mostly regular taxpayers of the municipalities; they often paid some amount for the land as well and once they were settled, they also paid their electricity and water bills after they had access to these services. These buildings, which were the main shelters of the newcomers to Istanbul, became an essential part of the urban life, with their complicated land tenures. On the one hand, as a self-produced response to the huge housing problem of Istanbul and on the other hand with their inclusion in the political life via patronage linkages and nepotistic networks, inhabitants of these 'illegal houses' were becoming integrated into city life.[234] So, life in the *gecekondu* neighborhoods, despite some existing tensions, became relatively normalized.

> "There were very few cases of ongoing official vigilance against illegal construction: all sides were aware that once a neighborhood or even a single house was inhabited, the likelihood that the authorities would tear it down decreased drastically. In the periphery of the city, shantytowns of such apartment buildings have evolved as quasi-autonomous settlements where they provide employment and supply most of the middle-range functions and services expected of second- or third-order nodes in an urban hierarchy."[235]

By the 1980s the commodification of the urban land augmented and the diversification of the housing areas through the sharp segregation of lower, middle and upper classes increased. This trend also created a strong tendency of differentiation and diversification among the *gecekondu* neighborhoods themselves. Several *amnesty laws* had been enacted during the 1980s for the regularization of the *gecekondu* neighborhoods; therefore, *gecekondu* owners, who then might become owners of the regularized apartment buildings, had been differentiated among themselves as the ones benefiting from the commodification and the ones becoming

[234] Tarık Şengül, *Kentsel Çelişki ve Siyaset. Kapitalist Kentleşme Süreçleri Üzerine Yazılar* (Istanbul: WALD Demokrasi Kitaplığı, 2001), 151.
[235] Çağlar Keyder, "A Brief History of Modern Istanbul," in *The Cambridge History of Turkey, Volume 4, Turkey in the Modern World*, ed. Reşat Kasaba (New York: Cambridge University Press, 2008), 512-513.

poorer and more marginalized. The rhetoric and tone used for the *gecekondu* neighborhoods had also drastically changed beginning with the late 1980s and throughout the 1990s. The perception of the *gecekondu* owners as "persons who built up their houses in a city where they came for work as a result of necessity" began to shift to "vigilantes who made unfair profit through the houses they built on Treasury land, occupants".[236]

Figure 8. Districts of Istanbul[237]

The transformation of the perception of *gecekondu* owner represented a broader ideological and political transformation of the concepts of being urban, metropolitan and Istanbulite. From this new perspective, these migrants, who had come to Istanbul and had a land they acquired without deserving it, brought also their cultural codes and corrupted the authenticity of Istanbul's urban life. This representation included anger and resentment of the middle classes of Istanbul who were constantly provoked by the new rhetoric of the mainstream media vis-à-vis *gecekondu* owners. It also meant an economic, political and cultural rejection of the newcomers of the city. As Erman notes, "The 1980s and 1990s were the years when

[236] For a detailed analysis of this transformation, see. Tahire Erman and Aslıhan Eken "The "Other of the Other" and "Unregulated Territories," *Cities* 21, no. 1, (2004): 57–68; Çağlar Keyder "Globalization and Social Exclusion in Istanbul," *International Journal of Urban and Regional Research* 29, no. 1 (2005): 124-34; Deniz Yonucu, "A Story of a Squatter Neighborhood: From the Place of the "Dangerous Classes" to the "Place of Danger"," Berkeley Journal of Sociology 52, (2008): 50-72; Serpil Bozkulak, "'Gecekondu'dan 'Varoş'a: Gülsuyu Mahallesi," in *Istanbul'da Kentsel Ayrışma*, ed. Hatice Kurtuluş, Istanbul: Bağlam, 2005), 239-266; Cihan Tuğal, "The Greening of Istanbul," *New Left Review* 51, (2008): 65-80; Zeliha Etöz, "Varoş: bir istila, bir tehdit," *Birikim* 132 (2000): 49–53.

[237] Türkçe Bilgi, accessed December 20, 2015, http://www.turkcebilgi.org/images/haberler/Istanbul-yeni-harita.jpg

society realized beyond doubt that not only could rural migrants/*gecekondu* people rapidly jump up to a higher economic stratum, but also they could shape the city by creating their own ways of life and sets of values, which were surely different from those of the modernizing urban élites."[238] A new term, *varoş*, which was pejorative and categorically different from *gecekondu* neighborhood, emerged and widely diffused during the 1990s. The term *varoş* was used to denote a person who lived in an environment quite opposite to the urban space; who was against urban life and all the values, life styles, political, social and cultural institutions and structures representing urban life; and finally, who had lost all material and psychological conditions and hopes of integration into the city.[239] Despite the fact that *gecekondu* neighborhoods represented a significant amount of the population[240] this new rhetoric became widespread and continued to be employed through its constant diffusion by the mainstream media.

5.1.3. Global city and urban transformation

In the meantime, another trend in line with the change of perception towards *gecekondu* owners, which may be defined as the integration of Istanbul into global markets and transnational networks, took place. Urban policies initiated and backed up by major business groups and state authorities undertook the initiative for transforming Istanbul into a *global city*, as one of the global centers for financial, touristic and cultural industries. These policies required the relocation of manufacturing industries to outlying urban areas, and massive commodification of the urban land.[241] This trend, despite its visible acceleration, did not commence during the 1990s or 2000s, though; its origins may be traced back to the post-1980 coup d'état period's popular mayor of Istanbul, Bedrettin Dalan. Dalan's Istanbul, as an urban space of the upper-middle class dream, was based on de-industrialization, loyalty to the new neo-liberal policies including building new centers of services, finance and tourism for the creation of an urban *nouveau riche* stratum. The destruction of the old streets in the historical Golden Horn region along with its de-industrialization; construction of concrete buildings on the shores of the Bosporus and the Marmara Sea; building of new highways and apartment blocks for the middle classes represented the main framework of Dalan's "dream". Consecutive mayors as well shared this perspective. The policies implemented during

[238] Tahire Erman, "The Politics of Squatter (Gecekondu) Studies in Turkey: The Changing Representations of Rural Migrants in the Academic Discourse," *Urban Studies* 38, no. 7, (2001): 987.
[239] Tahire Erman and Aslıhan Eken, Ibid., 59.
[240] According to the report of the Undersecretariat of Housing entitled *Research of Turkey's Housing Need 2000-2010*, 40% of the houses are illegal or unauthorized in Turkey: İnşaat Mühendisleri Odası, *TOKİ Değerlendirme Raporu* (Istanbul: IMO, 2008), 26.
[241] Ozan Karaman, "Urban Pulse. (Re)Making Space for Globalization in Istanbul," *Urban Geography* 29, no. 6, (2008): 521.

Nurettin Sözen's period, a so-called social democrat mayor, were not categorically different from those during Dalan's period from the perspective of patronage relations and nepotism as well as the transformation of the urban space in favor of upper (and upper-middle) classes.[242] Thus, the impact of the rapid integration of Istanbul into global markets and transnational networks had been continuous. The result was "the emergence of globalized spaces of commerce and leisure along with secluded residential areas and the emergence of the urban areas of isolation and poverty marked by different types of social exclusion and ethnic conflict".[243]

It should be remembered at this point that this is a global process occurring in different metropolitan spaces with similar patterns for the establishment of a *global city*. The privatization, commercialization and commodification of the land, the rapid integration of the cities with the global markets, the emergence of "gated communities" along with the emergence of isolated and poor neighborhoods and the spatial segregation are the main features of the "global city".[244] This global trend displays some common features in addition to certain crucial differences. The process of gentrification, for instance, is much faster and rigid in the European and North American metropolitan spaces as London, Paris and New York than it is in Istanbul.[245] However, a striking similarity has emerged in the urban spaces globally: the deepening and sharpening of the spatial segregation through the building of new "ghettos".[246] The new ghettos of the cities are deeply marked by national and/or transnational migration patterns and the new outsiders of cities are often recent migrants.

Finally, all these trends, forced migration of the 1990s and the flow of Kurdish IDPs to Istanbul's metropolitan areas, the transformation of the attitudes, representations and rhetoric towards *gecekondu* neighborhoods and rapid integration of Istanbul with global markets and transnational networks coincided with a significant urban change: urban transformation projects (UTPs). UTPs, which may be interpreted as a political and urban consequence of the commodification, commercialization and privatization of land, began to be implemented in

---

[242] Binnur Öktem, "Küresel Kent Söyleminin Kentsel Mekanı Dönüştürmedeki Rolü," in *Istanbul'da Kentsel Ayrışma*, ed. Hatice Kurtuluş (Istanbul: Bağlam, 2005), 62.
[243] Çağlar Keyder, Ibid.,128.
[244] Neil Brenner defines this process as 'deepening neo-liberalism': Neil Brenner, "Urban Governance and the Production of New State Spaces in Western Europe, 1960–2000," *Review of International Political Economy* 11, no. 3 (2004): 447–488. Also see. David Harvey, *Spaces of Hope* (Berkeley Los Angeles: University of California Press, 2000); Saskia Sassen,"Ucsuz Bucaksız bir Hareketliliğin Değişmez Kavşağı," in *Istanbul Kesişimler Şehri*, ed. Richard Burdett (Istanbul: Bilgi Üniversitesi, 2009), 6.
[245] Tolga İslam, "Outside the Core," in *Gentrification in a Global Context*, ed. Rowland Atkinson and Gary Bridge (London: Routledge, 2005), 128. (121-136.
[246] For a detailed discussion, see. Mike Davis, *Planet of Slums* (London: Verso, 2006); Loic Wacquant, "Urban Outcasts: Stigma and Division in the Black American Ghetto and the French Urban Periphery," *International Journal of Urban and Regional Research* 17, no. 3 (1993): 366–383.

the *gecekondu* neighborhoods of Istanbul. These projects were designed and implemented by a state institution which became a crucial actor during the 2000s: Mass Housing Administration (MHA). MHA was established in 1984 as a governmental agency responsible for the provisioning of public housing. MHA was a relatively low profile real-estate actor until the government of Justice and Development Party, which renovated and structurally reorganized it by a series of different laws between 2002 and 2008.[247] Accordingly, MHA became the most powerful actor in the real estate sector and acquired the right to:

> "(i) regulate the zoning and sale of almost all state-owned urban land; (ii) form subsidiary construction firms and/or engage in partnerships with existing private firms; (iii) construct 'for-profit' housing on state land either through its own subsidiary firms or through public private partnerships in order to raise revenues for public-housing construction; (iv) sell its mortgaged claims to private mortgage-brokerage firms; (v) execute 'urban renewal' and '*gecekondu* transformation' projects through private or public partnerships; and (vi) prepare plans of all scales for and expropriate property in renewal/transformation zones."[248]

The significance of MHA increased drastically during the 2000s: according to the report of the Undersecretariat of Housing entitled *Research of Turkey's Housing Need 2000-2010*, the share of MHA in housing production was solely 1.1% in 2003, risen to 13% in 2004, and increased to 18.6% for the first six months of 2007.[249] Between 2002 and 2008, 66 million square meters of state land had been transferred to the MHA at no cost.[250] The UTPs were envisioned and implemented by this official real estate actor, which became much more powerful after 2003.

The legal base of the UTPs stems from the 73rd Article of the Law of Municipalities (Law No. 5393), which authorized the municipalities to declare the "obsolescent parts of the city" as "urban transformation areas" in order to build housing areas, industrial zones, commercial areas, technology parks and recreational facilities. Also, the law implicitly accepted that UTPs could only be realized via discharges, demolitions and expropriations by stating only these options. Therefore, these projects included the demolition of the gecekondu neighborhoods and the dis-/re-placement of the "right owner" residents into the public housing projects. The norms and regulations for the implementation of the UTPs were based upon a trilateral

[247] These laws are: Law no. 4966 enacted in 2003, Law no. 5162 enacted in 2004, Law no. 5393 enacted in 2005, Law no. 5609 enacted in 2007, Law no. 5582 enacted in 2007, Law no. 5793 enacted in 2008. The legal framework and the political meanings of these new laws, which augmented the authorities of both MHA and metropolitan municipalities, will be analyzed in depth in the upcoming chapters.
[248] Tuna Kuyucu, "Poverty, Property and Power: Making Markets in Istanbul's Informal Low-Income Settlements" (PhD diss., University of Washington, 2010), 178.
[249] Cited in İnşaat Mühendisleri Odası, Ibid., 26.
[250] Advisory Group on Forced Evictions - AGFE, *Report to the Executive Director of the UN Habitat Program* (Istanbul, 2009), 7.

agreement between the Istanbul Greater Metropolitan Municipality (İBB), the District Municipality and MHA in order to "rehabilitate and reshape the blighted, obsolescent and degraded urban spaces".[251] The "rehabilitation of blighted, obsolescent and degraded urban areas" wording of the law operated as a strategy of granting legitimacy for the displacement of *gecekondu* neighborhoods' residents. This technocratic language, which depicts the UTPs as a necessity rather than a political and urban choice, obscures the non-participatory character of the process. The UTPs are criticized mainly for three reasons: first, legal ambiguity in defining "blighted", "obsolescent" and "degraded" urban areas; second, almost complete exclusion of residents from the decision-making processes; and third, total lack of social projects and economic programs for the inhabitants, creating a serious risk of displacement, dispossession and geographical relocation of poverty.[252]

UTPs have been implemented and are still ongoing processes in several different *gecekondu* neighborhoods. In the European part of Istanbul, in districts and neighborhoods such as Ayazma in Küçükçekmece, Sulukule in Fatih, Fener-Balat in Fatih, Tozkoparan in Göngören, Tarlabaşı in Beyoğlu; and in the Anatolian part of Istanbul, in districts and neighborhoods such as Başıbüyük in Maltepe, Gülsüyü/Gülensu in Maltepe, Hürriyet and Yakacık in Kartal and Kurtköy in Pendik contentious UTPs have been implemented. Some of these neighborhoods have been totally destroyed, some of them partially destroyed, and in some of them the process has been stopped through court decisions after successful struggles. However, the UTPs have touched the lives and urban experiences of several thousands of people in Istanbul, among whom there is an important number of IDPs as well. Needless to say, I do not argue that this process has solely influenced the IDPs or all the IDPs living in the Istanbul metropolitan area have been affected by the implementation of UTPs. My aim is rather to focus on the experiences of IDPs living in the neighborhoods touched by the UTPs and to explore their experiences of double displacement, dislocation and dispossession. I believe that UTPs open up a space to analyze the urban anxieties of Istanbul's inhabitants which are intertwined with the experiences affected by ethno-political issues. I chose three *gecekondu* neighborhoods in Istanbul, where the UTPs were being implemented: the Ayazma neighborhood in the Küçükçekmece district, the Hürriyet and Yakacık neighhborhoods in the Kartal district. Ayazma had been totally destroyed and "right owners" of this neighborhood were transferred to Bezirganbahçe Mass Housing Blocks. The neighborhoods of Hürriyet and

[251] Hatice Kurtuluş and Asuman Türkün, "Giriş," in *Istanbul'da Kentsel Ayrışma*, ed. Hatice Kurtuluş (Istanbul: Bağlam, 2005), 12.
[252] Tuna Kuyucu and Özlem Ünsal, "Urban Transformation as State-led Property Transfer: An Analysis of Two Cases of Urban Renewal in Istanbul," *Urban Studies* 47, no. 7 (2010): 1490.

Yakacık, on the other hand, were not destroyed, although the initial plan had entailed their destruction. Regularization took place instead of destruction through the selling of the houses to inhabitants, which happens rarely in the current political context. For a deeper understanding of the Kurdish issue as an urban issue, I will concentrate on the experiences of IDPs in these three neighborhoods, depicted both by them and by other inhabitants of these *gecekondu* neighborhoods. In addition, I will also scrutinize how IDPs link their previous experiences of state violence (e.g. forced migration) with their current displacement or urban situation. One of my main interests is to follow the continuity and the ruptures of the perception and experiences of IDPs with official authorities. Moreover, one of my main questions is whether the term *ethnicization* of the urban space and urban discussions is relevant for the case of Istanbul, specifically for the UTP neighborhoods. I use the term *ethnicization* in two senses. First, the term points out the augmentation of multifarious urban inequalities and novel forms of exclusion or marginalization, some of which appear to have a distinctly ethnic component. Second, the term also refers to the spread of ethno-national or xenophobic ideologies and tensions related to a specific ethno-spatial segregation and the settlement of migrant populations.[253] And finally, IDPs living in Istanbul are mostly depicted by their *powerless* positions, in a way through the erasure of their political mobilization and subjectivities. According to this perspective, Kurdish migrants in the city, especially in Istanbul are "really subaltern, alone, without any sort of protection, dispersed, fighting for their survival; and for all these reasons they do not have the power and energy to mark the urban area".[254] Although this description of the conditions of the IDPs is accurate and realistic, I argue quite the contrary. I claim that Kurdish IDPs *mark* the urban space in several different ways and produce urban *excess* despite the difficult conditions. The urban space of Istanbul is affected by this excess and new reconfigurations, hostilities and alliances simultaneously created by their constant marks and traces.

5.1.4. Scene of competing memories

Istanbul's urban space is also marked by several competing, contesting, and contradictory memories and narratives regarding both the Kurdish issue and urban inequalities. One of the most important, continuous and radical attempts of establishing alternative memory space is, undisputedly, Saturday Mothers/Persons gatherings. In 1995, when enforced disappearance

[253] For a detailed discussion, see. Arjun Appadurai, "Spectral Housing and Urban Cleansing: Notes on Millennial Mumbai," *Public Culture* 12, no. 3 (2000): 627-651; Frank Eckardt and John Eade, ed., *Ethnically Diverse City* (Berlin: BWV, 2011); Erez Tzfadia and Haim Yacobi, *Rethinking Israeli Space. Periphery and Identity* (New York: Routledge, 2011); Loic Wacquant, *Parias Urbains. Ghetto, Banlieues, Etat* (Paris: La Découverte, 2005).
[254] Nuran Yavuz, "Gentrification Kavramını Türkçeleştirmekte Neden Zorlanıyoruz?," in *Istanbul'da Soylulaştırma. Eski Kentin Yeni Sakinleri*, ed. Cem Behar and Tolga İslam (Istanbul: Bilgi Üniversitesi, 2006), 64.

was an urgent and actual issue, some relatives of the disappeared gathered with human rights activists and commenced one of the most continuous civil political initiatives of Turkey, in the Taksim district, in front of Galatasaray High School, which is a well-known and popular place in Beyoğlu. The tortured body of Hasan Ocak, who was taken under custody on March 21, 1995 in Istanbul, was found in a common grave 58 days after he had been disappeared. In the meantime, during their search, the family of Hasan Ocak had discovered information of forensic anthropology about Rıdvan Karakoç, who also had been disappeared after February 20, 1995, so they informed the Karakoç family. The body of Rıdvan Karakoç had also been buried in a common grave and his family had been notified on May 28, 1995. Again, the disappearance of Ayşenur Şimşek during the same period triggered among the relatives of the disappeared and human rights activists the debate of starting a civil initiative on enforced disappearances. "Following the example of the Mothers of the Plaza de Mayo in Argentina, they made a call for a regular, silent action, demanding that "those missing under custody be found, and those responsible be tried", and gathered on May 27, 1995 in Galatasaray Square for the first time. This action was repeated every week until the 200th week."[255] However, in a political conjuncture where enforced disappearances were still ongoing in the context of the intensified Kurdish war, they were constantly targeted by police forces. And finally due to constant pressure, the implementation of custody and torture, they suspended the Galatasaray gatherings on March 13, 1999. After the commencement of the Ergenekon case in 2008, when most of the perpetrators of the disappeared began to be tried not because of their crimes against humanity but because of their attempts of a coup d'état,[256] the gatherings recommenced both to challenge and influence the trial if possible and to struggle for the reappearance of their disappeared ones as persons who had a story, personality, political commitment and family.

Saturday Mothers/Persons is a very strong political initiative to claim the space for challenging the official and mainstream memory and its symptomatic omission. According to Pierre Nora, "memory and history, far from being synonymous, appear now to be in fundamental opposition."[257] He adds:

> "Memory is blind to all but the group it binds – which is to say, as Maurice Halbwachs has said, that there are as many memories as there are groups, that memory is by nature multiple and yet specific; collective, plural, and yet individual. History, on the other hand, belongs to everyone and to no one,

[255] Özgür Sevgi Göral, Ayhan Işık, and Özlem Kaya, Ibid., 55.
[256] I will analyze the Ergenekon case in a detailed manner below, in the chapter *Production of subjects in the legal space: law, notions of legality and impossible justice*.
[257] Pierre Nora, "Between Memory and History: Les Lieux de Mémoire," *Representations*, *Special Issue: Memory and Counter-Memory*, no. 26, (1989): 8. (7-24)

> whence its claim to universal authority. Memory takes root in the concrete, in spaces, gestures, images, and objects; history binds itself to temporal continuities, to progressions and to relations between things."[258]

If this is the case, then Saturday Mothers/Persons, with their constant, silent, and persistent effort are the ones who struggle for memory in a concrete temporality and spatiality. Sitting silently every Saturday, in one of the most crowded squares of Istanbul, Galatasary Square, with the photographs of their loved ones for the sake of their reappearance and asking for justice is a concrete act of claiming an alternative memory through the use of a specific relation of temporality and spatiality. "The Saturday Mothers create a time-space for relocating the 'missing' through their social and political stories/histories, names and images; as well as a space for relocating and condemning the so-called unknown perpetrators with their specific names and images."[259]

Meltem Ahıska adds another feature of Saturday Mothers, stating "most Saturday Mothers were women from the families of forced migration that had come to Istanbul in the early 1990s."[260] Not only are the experiences of disappearance and forcible displacement of the Kurdish population intertwined but also the concrete spatial struggles over memory are also interlinked. This connection should be born in mind, in the following pages of this dissertation, as an essential component of the discussion on the other part of the scene, Şırnak.

5.2. Traces of war and collective resistance: Şırnak

Botan is a river, which is a section of the Tigris River crossing across Şırnak (Şirnex in Kurdish), Siirt, eastern Mardin and Batman. Botan is also one of the ancient names of Cizre, a district of Şırnak. Most importantly, it is a region in Kurdistan which comprises the eastern districts of Siirt, Cizre, eastern Hakkari and the southern part of Hizan, a district of Bitlis. The Botan region is one of the most important centers of the Kurdish region politically and culturally, and it is well known because of its significant cultural heritage, mountainous and marvelous geography and a peculiar dialect of the Kurdish language.

Figure 9. Cities of southeastern Turkey[261]

[258] Pierre Nora, Ibid., 9.
[259] Meltem Ahıska, "Counter-Movement, Space and Politics: How the Saturday Mothers of Turkey Make Enforced Disappearances Visible," in *Space and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, ed. Estela Schindel and Pamelo Colombo, (New York: Palgrave Macmillan, 2014): 171.
[260] Meltem Ahıska, Ibid., 171.
[261] Resimle, accessed December 17, 2015, http://www.resimle.net/data/media/226/Gneydou_Anadolu_Blgesi_Haritas.png.

Şırnak, which is situated at the border of Iraq and Syria, had been split up from Siirt and made a city in 1990; from 1913 to 1990, Şırnak was a district of the Siirt province. Its total population is 488,966 according to the census of 2014.[262] The district of Cizîr (Cizre in Turkish) and its hinterland have an ancient history and it is commonly believed that Noah's Ark had rested atop the Cudi Mountain near Cizre. Again several historical and cultural narratives originate from the cultural and material heritage of Şırnak and specifically of Cizre like the famous folk tale *Mem û Zîn*, including the grave of these two famous lovers Mem and Zîn, Castle of Cizre, and several mausoleums and ruins from different periods of time.[263]

5.2.1. Forms of state violence to reconquer the space

Şırnak and its districts, including the most influential one Cizre, are not remembered in the collective memory with these historical narratives or material artifacts or as touristic places. Şırnak is essentially remembered as the contentious space of war and violence. It is a place of bodies that are tortured, hurled out from helicopters, and killed; people being executed in daylight in the middle of the streets; houses which are burnt or riddled with countless bullet marks; empty streets after four o'clock in the afternoons; street fights between the gendarmerie and JITEM members and civilians, militias or guerillas of the PKK; military

[262] Turkish Statistical Institute – TUIK, Adrese Dayalı Nüfus Kayıt Sistemi, accessed December 25, 2015, http://www.webcitation.org/6WFDnM1HY
[263] Abdullah Yaşın, *Tarih, Kültür ve Cizre* (Istanbul: Kent Işıkları, 2011).

tanks, panzers and scorpions touring around the streets of the city. Şırnak's city center and all its districts was marked, shaped and affected by this massive wave of violence, especially during the 1990s, when the Kurdish war was intensified:

> "Events that have been deeply etched in the town's memory from the late 1980s to the early 2000s include the Yeşilyurt Feces Case, when in 1989 gendarmeries forced villagers to eat feces; the 1992 Cizre Newroz demonstrations, when according to official accounts, 57 people died when military forces opened fire on the people; however the figure is in the hundreds according to the people we interviewed in Cizre; the blockade of the town for weeks starting with August 19, 1992 on the pretext that 'the PKK had ambushed Şırnak'; the Güçlükonak Massacre on January 15, 1996, with the discovery of the murdered and burned bodies of 11 village guards; the enforced disappearance on January 25, 2001 of Serdar Tanış and Ebubekir Deniz, the director and administrator respectively of the Silopi District Directorate of the newly opened People's Democracy Party [HADEP]."[264]

As one of the last two provinces where the state of emergency was lifted, Şırnak is an example of the normalization, regularization, and structuralization of the regime of exception par excellence. On the one hand, all the segments of the society perceived as supporters of the PKK had been humiliated, tortured, executed, disappeared, and wounded; and on the other hand, persons or groups making an alliance with the official authorities, especially with the military apparatus of the state of emergency regime, had been rewarded, encouraged, supported and nourished. Novel networks of power and wealth as well as destruction and death had been simultaneously established through the use of the local and micro relational networks. Local power networks, societal differentiations, kinship relations and animosities, and tribal configurations had been specifically evaluated and used by the military apparatus dominating Şırnak and the JITEM team of the 1990s. In a way, the JITEM team, through its composition, division of labor and functioning had embedded itself in the space. Therefore, the thanatopolitics implemented during the state of emergency period of the 1990s in the Kurdistan region, including enforced disappearances, made a specific use of spatiality. In other words, the killing and executing machine had *localized* and *embedded* itself in the space through several means.

A closer look at the counter-insurgency apparatus of the Turkish state, which is also referred to as *the deep state*,[265] will reveal signs of three different institutions: the Special Forces Command (Özel Kuvvetler Komutanlığı - initially named as the Special Warfare

[264] Özgür Sevgi Göral, Ayhan Işık and Özlem Kaya, Ibid., 30.
[265] The term *deep state* is widely used to refer to the counter-insurgency apparatus of the state that exists and operates, but is structured and governed covertly. However, I find this term misleading since several activities of this *deep state* are well-known facts for most of the citizens of Turkey even if not in a detailed or accurate manner. For an eloquent analysis of this term as well as the period of state of emergency, see. Mehtap Söyler, "Informal Institutions, Forms of State and Democracy: the Turkish Deep State," *Democratization* 20, no. 2 (2013): 310-334.

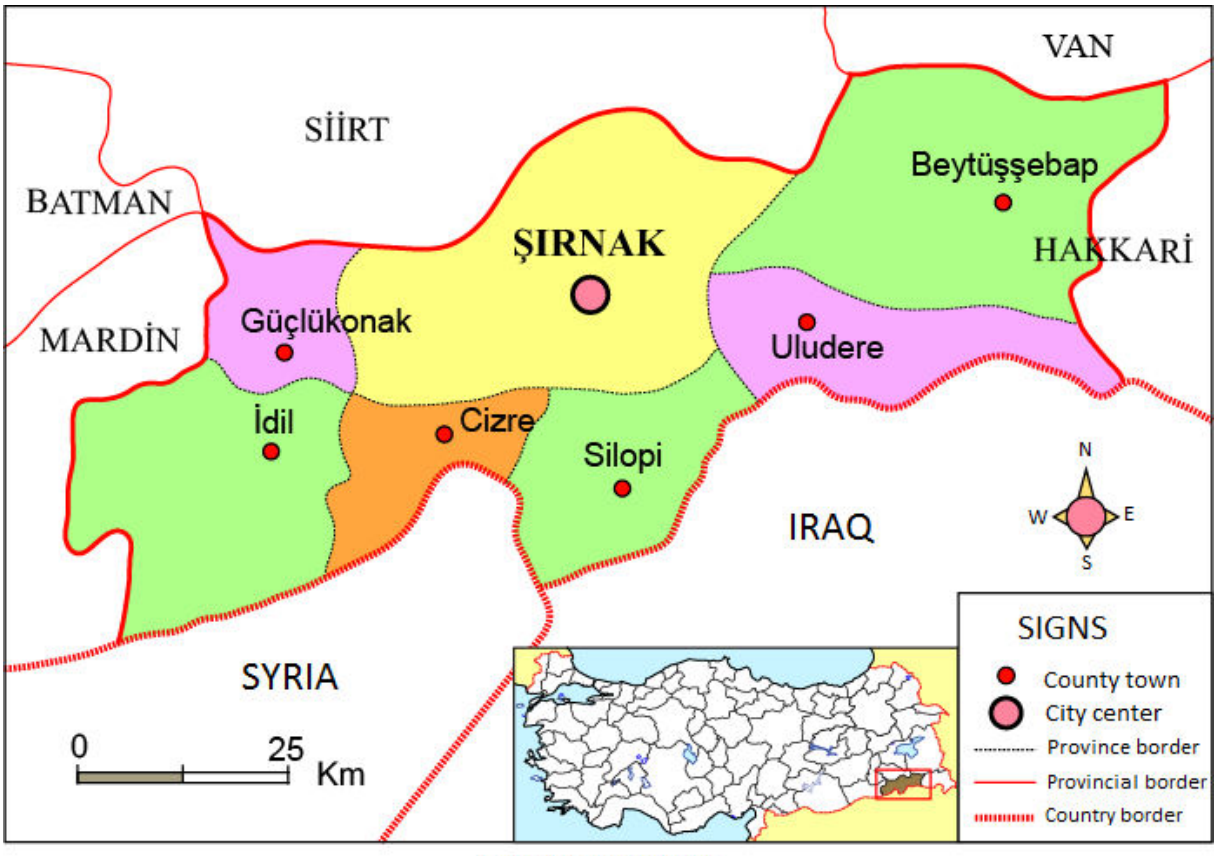
Department) affiliated to the Turkish General Staff; the Gendarmerie Intelligence and Anti-Terror Unit known as JITEM affiliated to the General Commandership of Gendarmerie; and the Police Special Operations Department (Özel Harekat Dairesi) affiliated to the General Directorate of Security. These three components, in constant competition with each other for more initiative and power, collectively established the core of the counter-insurgency structure of the state during the 1990s. Although competing with each other and fragmented through different groups and tendencies, they were the most powerful official authorities in the Kurdish region with the privilege of deciding on who would be the subject of necropolitics and who the subject of support and collaboration politics.[266] During the state of emergency period of the 1990s, the Turkish *deep state* was the state itself, especially in the Kurdish region.[267] If the sovereign is the one that decides who has the right to live and who does not, then the above specified institutions were the real sovereigns of Kurdistan.

In different parts of the Kurdish region, different teams implemented the politics of destruction and annihilation against the "internal enemies" and politics of support and collaboration for the loyal citizens. The activities of the JITEM teams occurred essentially after 1993 –though debated and partially implemented as of the beginning of the 1990s- in line with the new strategy of "Territorial Dominance and the Expulsion of the PKK from the region", as described above in the chapter *Historical background and the specific political conjuncture of the 1990s*. My aim here is to insist on the spatial aspect concerning the activities of these deadly teams, with a closer look at Şırnak and specifically at the Cizre and Silopi examples. The deadly team, named as JITEM or only Team by the inhabitants of Şırnak, operated in the capillary micro relations of the locality while implementing this central strategy. In other words, the JITEM team of Cizre and Silopi operated in a different way compared to the team of Diyarbakır. For instance, in Şırnak, evacuated villages became the space of torture and execution for the victims; whereas, in Batman, the executions were held in the city center and in the streets openly. People taken under custody were interrogated in the special buildings of the Provincial Gendarmerie Command in Diyarbakır; while in Cizre, the detainees were interrogated in the shelter under the basement of the house of a village guard. Hence, the phenomena of forcibly disappearing and other deadly strategies were implemented in accordance with a central concept but with different local signatories,

[266] For a discussion on the functioning, competition and alliances of these different institutions during the state of emergency regime, see. Soner Yalçın, *Binbaşı Cem Ersever'in İtirafları* (Istanbul: Doğan Kitap, 2003); Ecevit Kılıç, *JİTEM Türkiye'nin Faili Meçhul Tarihi* (Istanbul: Timaş, 2011); Arif Doğan, *JİTEM'i Ben Kurdum* (Istanbul: Timaş, 2011); Gülçiçek Günel Tekin, *Teşkilat-ı Mahsusa'dan Ergenekon'a, Kayıplar, Yargısız İnfazlar ve Faili Meçhuller* (Istanbul: Belge, 2012).
[267] Mehtap Söyler, Ibid., 316-317.

which may be called as "local forms of sovereignty".[268] The relationship between the central state apparatus and its localized powers may contain several tensions, contradictions, collaborations and reconciliations. These contentious relationships between the central authority and local doers are not, however, peculiar to the Turkish/Kurdish case: the tensions between several armed cliques of the Third Reich regime, competitions between different military institutions during the Algerian War and the plurality of the death mechanisms of the Holocaust causing rivalry have already been revealed.[269] The co-existence of the central concept along with local peculiarities, signatories or autonomy of the killing machine in Turkey, is, therefore, in line with these international examples. The transgression of conventional limits of law was necessary for the implementation of the central concept, and to this effect, the OHAL legal framework provided a legal foundation. In this context, every local team had its unique, peculiar method of operating due to the existence of different localities and spatial contexts.

Figure 10. Districts of Şırnak[270]



SIRNAK CITY MAP

[268] Thomas Blom Hansen and Finn Stepputat, Ibid., 306.
[269] Hannah Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil* (New York: Penguin Books, 1963); Todd Shepard, *The Invention of Decolonization. The Algerian War and the Remaking of France* (Ithaca: Cornell University Press, 2008); Tanıl Bora, *Türkiye'nin Linç Rejimi* (Istanbul: Birikim, 2008).
[270] Coğrafya Harita, accessed December 12, 2015, http://www.cografyaharita.com/haritalarim/4l_sirnak_ili_haritasi.png.

Şırnak has a total of 7districts: Beytüşşebap, Cizre, Güçlükonak, İdil, Merkez (central district of Şırnak), Silopi, and Uludere.[271] In this dissertation, I will focus specifically on two of these districts: namely Cizre and Silopi, which are crucial for understanding enforced disappearance and the functioning of the killing machine, the JITEM team. Therefore I will concentrate more on the structure of Cizre JITEM team, which also operated in Silopi. I will essentially scrutinize the forcibly disappeared in Cizre and Silopi for a more elaborate evaluation of the spatial patterns regarding the implementation of enforced disappearance.

5.2.2. Spatialization of the JITEM team

Cizre JITEM team, which was the team that executed the disappearances in both Cizre and Silopi, had a very organized structure. All of the JITEM teams operating throughout the Kurdish region during the 1990s were essentially characterized by several components: official military officer, village guard, repentant, member of the special forces of the police, and civilian member, who basically provided logistic support and knowledge for the team. Needless to say, not all the village guards were working for JITEM nor all the ex-guerillas collaborated with the state's killing machine and became repentant; only some of them served the JITEM teams. Their contribution was crucial, though, especially for the localization of the JITEM teams. The knowledge of the space including local relationships, familial and tribal networks and hostilities, economic texture, and PKK's position and alliances, were provided by these components. A closer examination of Cizre JITEM team reveals the division of labor and the structure of the team: the village guard is the one who provides knowledge and information more on the social and capillary relational networks of the space. Given the fact that they were an inherent part of the Kurdish society with their own familial, tribal and societal relations and networks, they were expected to provide this kind of information. The relations including alliances and hostilities among families and tribes, economic texture and contentions, communitarian rivalries and alliances were included in this knowledge, the use of which was essential for counter-insurgency strategies during the war. Hence, the village guard was an essential part of the team and his instructions were critical for the decisions on who would live and who would die. The repentant, on the other hand, provided mainly knowledge on the PKK's structure and organization, its rural and urban networks, the militias who were organized covertly in the districts and villages and the networks of the logistic support

[271] According to the 2014 census the population of Cizre is 132,857; Silopi is 121,110 and Şırnak Merkez is 91,573. Turkish Statistical Institute – TUIK, Adrese Dayalı Nüfus Kayıt Sistemi, accessed December 20, 2015, http://www.webcitation.org/6WFDnM1HY.

provided by local inhabitants. As ex-guerillas, they had an extensive knowledge of the clandestine organization and networks of the PKK and were principally expected to share such knowledge. Not only the supporters but also the enemies of the PKK were revealed through the information provided by the repentant so that JITEM teams could mobilize this knowledge either for destruction or collaboration.[272] Because of the location of Cizre and Silopi, which are at the borderland of Iraq and Syria, the control of the border economy was crucial for Cizre JITEM team. Thus, knowledge and information provided by the Kurdish speaking components of the team, (e.g. the village guard and the repentant) became more critical. "Policing border" is one of the obsessions of the modern state, especially during warfare and times of conflict. Even in the absence of a specific conflict, due to globalization and the constant flow of "currencies or commercial instruments, labor or commodities, flora or fauna, information or unwanted aliens"[273] the control and policing borders have become an issue reflecting the limits and scope of sovereignty. In the event of a conflict or warfare, the establishment of constant control over the border has proved to be much more serious politically and militarily as well as economically. The control of the Habur border gate, thus, transformed into a more important obsession during the 1990s and the Kurdish components of the team were extremely functional from this perspective as well.

Official members of JITEM, although there was an inner hierarchy among them too, were in a way the more powerful and potent members; they were the decision-makers of the team. Although the content of their activities, namely killing, torturing, destroying and disappearing, were not included in the regular legal framework, the existence of the OHAL legal framework, which created a state of exception where the law could be suspended, provided a field of limitless power. In this area of limitless power, there were still hierarchies and being officially a part of the state apparatus meant being in a more privileged, powerful and prevailing position. Final decisions, therefore, were in the hands of the official authorities, and the army members were the most powerful ones in the structure of Cizre JITEM team thanks to the creation of a "conceptual and ethical zero point".[274] They were the ones who marked the disposable bodies, in the grey zone of the OHAL's legal and material regime. These disposable bodies also became sites of power due to decisions of the official members of

[272] This division of labor is more or less reiterated in a legal file case regarding Cizre JITEM team. There are striking resemblances between the indictment of the lawsuit and the narratives of the forcibly disappeared. I will scrutinize this legal file in a very detailed manner in the upcoming chapters; therefore, I do not go into further detail here.
[273] Jean and John L. Comaroff, "Naturing the Nation: Aliens, Apocalypse and the Postcolonial State," in *Sovereign Bodies. Citizens, Migrants and States in the Postcolonial World*, ed. Thomas Blom Hansen and Finn Stepputat (Princeton: Princeton University Press, 2005), 128.
[274] Thomas Blom Hansen, "On Legality and Authority in India," in *Sovereign Bodies. Citizens, Migrants and States in the Postcolonial World,* ed. Thomas Blom Hansen and Finn Stepputat (Princeton: Princeton University Press, 2005), 170.

JITEM team, as was the case for other stigmatized bodies: ‘‘Bodies that are marked as ‘‘Other’’ because of race, class, gender, sexuality, ethnicity, religion, and political affiliation become sites where power brands subjects, turning them into social abjects: invisible, subversive (un- . . .), libidinal, and violent […]’’.[275] In line with this remark, it could be argued that the official members were the ones who were marking the bodies definitively, with the help of knowledge and information provided also by the Kurdish components of the team.

The importance of the spatiality regarding the operations and functioning of the JITEM teams in Cizre and everywhere else in the Kurdish region had a double meaning. On the one hand, there was the knowledge of spatiality provided by the inner division of labor in the JITEM teams, which should be used and implemented in line with the central counter-insurgency strategies. On the other hand, the implementation of JITEM's deadly strategies occurred in a given historical and political place, not in a vacuum. Therefore, political tendencies, social history, mobilization capacities and local relationships with the Kurdish movement were also indicative while classifying different localities. Cizre was a historical center that was politicized, mobilized, and self-organized giving massive support to the Kurdish movement during the 1990s. The 1990s were not only the years of state violence but also participation in the Kurdish movement, organized resistance vis-à-vis the state's deadly politics, and immense political mobilization for the inhabitants of Cizre.

5.2.3. Claiming the body in Cizre and Silopi

As mentioned above in the chapter *Historical background and the specific political conjuncture of the 1990s*, there were several *serhildan – uprisings* during the 1990s, especially between 1990 and1993. Several Kurdish citizens participated in these uprisings, chanting slogans, which openly supported the PKK's armed struggle saying ‘‘PKK are the people and people are here’’, ‘‘Vive PKK, Vive Kurdistan’’, ‘‘Kurdistan will be the grave of fascism’’ and ‘‘Guerilla is shooting to build Kurdistan’’. Şırnak and Cizre were among the city centers where these manifestations were organized with a huge crowd of participants, despite the fact that security forces opened fire on the protestors.[276] Murat Karayılan, one of the founders and top commanders of the PKK, depicts in a detailed manner how the guerilla groups were freely camping, planning and attacking the Turkish army while being sheltered and supported in several districts of Şırnak, including Cizre, Silopi, Uludere and

[275] Arturo J. Aldama, "Borders, Violence, and the Struggle for Chicana and Chicano Subjectivity," in *Violence and the Body. Race, Gender and the State*, ed. Arturo J. Aldama (Bloomington and Indianapolis: Indiana University Press, 2003), 28.
[276] Cengiz Güneş, Ibid., 207-208.

Beytüşşebap.[277] He adds that partaking in guerilla forces rose significantly as of 1991 reaching a peak in 1993. Since the PKK, in its Fourth Congress held in 1990, had decided to create liberated zones in the Kurdish region and to move the war to a higher degree through the activation of the people's army, the insistence on the spatial success should not be surprising. Karayılan also interprets the new concept adopted by the Turkish state beginning with 1992 and implemented in 1993 (the concept that I have referred to as the "Territorial Dominance and the Expulsion of the PKK from the region") as a response to this rise. Finally, he underlines the spatial dimension of this momentum stating, "During the course of 1993, the Turkish army couldn't enter many areas in Kurdistan. In such provinces as Botan, Zagros, Amed, Dersim, Serhat, there were some areas that they couldn't enter".[278] Hakkari, Şırnak and Siirt, mainly referred to as the Botan region, were the main conflict zones offering a significant local popular support for the PKK.

It could, therefore, be said that Şırnak, Cizre and Silopi were not passive receivers of state violence but active spaces of resistance, mobilization and politicization. From the perspective of the state, therefore, Şırnak and its districts were labeled as PKK areas and from the perspective of the Kurdish movement, the same place was labeled as the space of resistance, *serhildan* and struggle. It was included in the PKK's contemporary myth of resistance, which is a constitutive theme and is also associated with practices based on the myths of resistance and sacrifice for a broader establishment of political hegemony.[279] Şırnak, materially and symbolically, became the contentious site of struggle between official powers and PKK forces. The people living in the city and its districts as well its rural population demonstrated their majoritarian support for the PKK and the Kurdish movement in a broader sense, with an increasing trend commencing with the beginning of the 1990s. The wide range of dispersion of the settlement areas, the scarcity of the infrastructural and transport mechanisms among different settlements and the Turkish army's relative ignorance of the small rural settlement helped PKK's spatial strategy; that is, to mark some of the spaces as PKK areas.[280] In this respect, there is a duality or a contention about what Şırnak and Cizre represent for the social and collective memory as well. They are, simultaneously, spaces of war and violence as well as spaces of resistance and *serhildan*.

[277] Murat Karayılan, *Bir Savaşın Anatomisi. Kürdistan'da Askeri Çizgi* (Istanbul: Aram, 2014), 259-277.
[278] Murat Karayılan, Ibid., 277-278.
[279] Cengiz Güneş, "Explaining the PKK's Mobilization of the Kurds in Turkey: Hegemony, Myth and Violence," *Ethnopolitics* 12, no.3 (2013): 261. (247-267)
[280] Joost Jongerden, Ibid., 91.

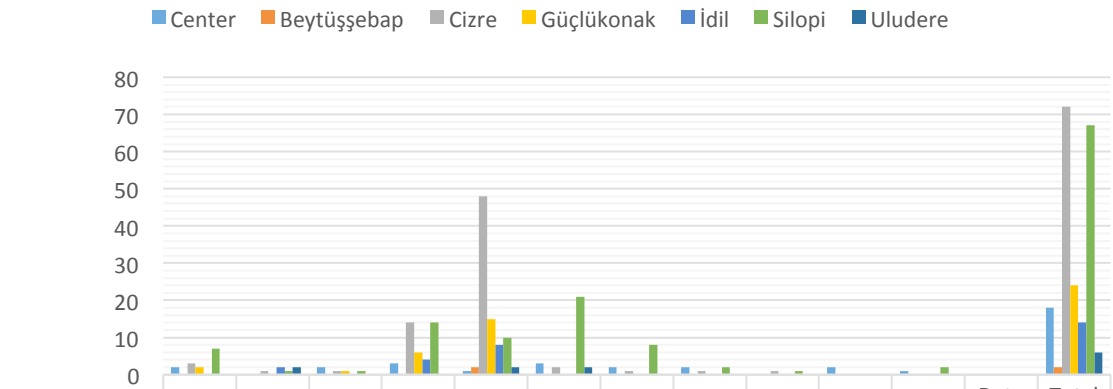
In this broader context of war and political mobilization, enforced disappearance and forced migration along with other forms of state violence of the 1990s such as extrajudicial and arbitrary killings, torture and ill treatment were implemented in Şırnak holistically. The repertoire of state violence included several different forms of destruction, annihilation, displacement and dispossession and a cluster of these forms was implemented simultaneously. One state officer from the General Directorate of Provincial Administration participating in a meeting of Turkish Economic and Social Studies Foundation (Türkiye Ekonomik ve Sosyal Etüdler Vakfı – TESEV) on forced migration provided data on the population of Şırnak and other Kurdish cities according to the Return to Villages and Rehabilitation Project. Accordingly, while the overall population of Şırnak was 31,026 in 1990, in 2000 it fell to 6.074.[281] Again, according to the same source, an overall population of 70,538 persons had been migrated from Şırnak and as of 2009, solely 15,621 had returned.[282] This data is very much in accordance with the data of Hafıza Merkezi, where several interviewees who were relatives of the disappeared narrated evacuations and burning down of different villages of Şırnak. As a general pattern, in the rural districts, inhabitants were asked and forced to adopt the village guard system and persons who refused were forced to leave. In most of the cases, their villages had been burnt down. Forced migration was not limited to the rural space; thousands of people in two neighborhoods of Cizre city center entitled Cudi and Nur, had been forcibly disappeared in early 1992. Cudi and Nur were defined as "the most patriotic neighborhoods" by several interviewees in that the most ardent supporters of the Kurdish movement lived in these places. "Following this forced migration in the Cudi neighborhood, temporary village guards were settled in the houses of those who had left."[283]

Simultaneous implementation of different forms of state violence occurred in Şırnak and its districts during the 1990s, as was the case with other Kurdish cities. If we go back to the primary work of the JITEM team and, therefore, to enforced disappearances in Şırnak, it is very difficult to find accurate data, even compared to forced migration, for which there are more data and sources. I will, again, refer to the non-conclusive/tentative list of Hafıza Merkezi, mentioned above in the chapter *Enforced disappearance and forced migration: terminology, patterns and effects*. Accordingly, 203 persons were forcibly disappeared in Şırnak beginning with the 1980 coup d'état until 2015. Seventy-two persons had been forcibly

[281] Yılmaz Doruk, "Türkiye'de Yerinden Edilmişlik Olgusu," in *Türkiye'de Zorunlu Göç: Hükümet Politikaları* (Istanbul: TESEV, 2010), 45. (42-50) It is interesting to note that Yılmaz Doruk, as a state officer, uses the term *displacement (yerinden edilme)* instead of *dislocation (yerinden olma*), as is the case for the majority of state officers.
[282] Yılmaz Doruk, Ibid., 46.
[283] Göral, Işık and Kaya, Ibid., 31.

disappeared in Cizre, 67 in Silopi, 24 in Güçlükonak, 18 in Şırnak Center, 14 in İdil, 6 in Uludere, and 2 in Beytüşşebap. The distribution of the forcibly disappeared by year and district is as follows:

Figure 11. Distribution of Enforced Disappearances in Şırnak by Year and District[284]



	1980-1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	After 2000	Date Unknown	Total Figures
Center	2	0	2	3	1	3	2	2	0	2	1	0	18
Beytüşşebap	0	0	0	0	2	0	0	0	0	0	0	0	2
Cizre	3	1	1	14	48	2	1	1	1	0	0	0	72
Güçlükonak	2	0	1	6	15	0	0	0	0	0	0	0	24
İdil	0	2	0	4	8	0	0	0	0	0	0	0	14
Silopi	7	1	1	14	10	21	8	2	1	0	2	0	67
Uludere	0	2	0	0	2	2	0	0	0	0	0	0	6

Inhabitants of Şırnak, along with its districts Cizre and Silopi, experienced the catastrophe of being forcibly disappeared as a contentious site of war, violence and political mobilization. Several persons had been tortured, wasted, disappeared and executed based on the claim that they were logistically supporting the PKK and several other persons had been supported, helped, nourished and promoted as loyal citizens of the state by the official and paramilitary institutions. *Tout ensemble*, this had a dual military and political impact. On the one hand, as a result of this structural state violence and spatial intervention, including the evacuation of whole settlement areas located between the mountains and cities, in 1994, the guerilla forces suffered serious losses unlike in 1993.[285] On the other hand, despite the atmosphere of fear induced by tortured and killed bodies and deadly activities of the JITEM team, a politicized

[284] Prepared based on the non-conclusive/tentative list of Hafıza Merkezi.
[285] Aliza Marcus, *Blood and Belief. The PKK and the Kurdish Fight for Independence* (New York: NYU Press, 2007), 246.

Kurdish region had been re-constructed based on the myths of self-sacrifice and resistance.[286] In other words, these relations and structures produced very contradictory and sophisticated outcomes through the re-construction of the political mobility and normalization of the violent methods of the state of exception. This process both shaped and was shaped by the spatial configurations. Spatial configurations also affected the functioning of the state institutions and paramilitary apparatus, the exercise of sovereignty and responses of the Kurdish inhabitants. Among other things, the state, including its different institutions and actors and its exercise of sovereignty, was mainly influenced by the spatial context. The relatives of the disappeared had accumulated several experiences, relations, and activities concerning the state and the exercise of sovereignty. I will focus specifically on the relatives of the disappeared of Cizre and Silopi, affected by Cizre JITEM team and reveal their understanding of state, state violence and sovereignty in relation to their experiences both before and after the disappearance. IDPs, on the other hand, experienced a holistic repertoire of sovereign and governmental state's acts and performances in their place of origin and in Istanbul. In the next chapter, I aim to provide a detailed analysis of these concepts and experiences.

[286] Cuma Çiçek uses the term 'the politicized Kurdish region' in a different context, but I find it useful for describing Cizre, Silopi and Şırnak of the 1990s. Cuma Çiçek, *Ulus, Din, Sınıf. Türkiye'de Kürt Mutabakatının İnşası* (Istanbul: İletişim, 2015), 335-358.

6. *Modus operandi* of the violent strategies: the state, sovereignty, and the pact of public secrets

A discussion, evaluation or analysis of the state poses some challenges since it has been exploited by conventional approaches in the social sciences as one of the most teleological, fetishized and unelaborated concepts. This conceptualization of the state, as an omnipotent and homogeneous entity featuring a predetermined way of thinking and acting confirmed by its own different institutions, has been rejected by certain social scientists. Philip Abrams, in his pioneering article *Notes on the Difficulty of Studying the State,* defines the state as "a spurious object of sociological concern" and reveals different types of theoretical traps that one may fall into in the absence of an essential questioning of the reification of the concept of the state.[287] Referring to Ralph Miliband, he insists that the state as a *thing* does not exist *per se* but it should rather be analyzed as an ideological power operating on different specific levels:

> "One thing we can know about the state, if we wish, is that it is an ideological power. Is it anything more? Myth is of course a rendering of unobserved realities, but it is not necessarily a correct rendering. It is not just that myth makes the abstract concrete. There are senses in which it also makes the non-existent exist. From this point of view perhaps the most important single contribution to the study of the state made in recent year is a passing observation of Ralph Miliband's at the start of the chapter 3 of *The State in Capitalist Society* to the effect that: 'There is one preliminary problem about the state which is very seldom considered, yet which requires attention if the discussion of its nature and role is to be properly focused. This is the fact that the "state" is not a thing, that it does not, as such, exist.' "[288]

Against all sorts of reifications oscillating between different concepts of the state, another way of thinking about the state is conceptualizing it as a series of practices that may contradict, resemble or articulate with each other and as a series in which different actors move by constructing different processes. The disunity of the political power and in the meantime some essential common tendencies of this power coexist simultaneously at the core of the state apparatus, in contrast to the general ideological illusion that shows the state as an absolutely coherent entity. The state apparatus, therefore, including different actors, institutions, motivations and ways of functioning that simultaneously contradict and strengthen each other, deserves a meticulous analysis that would preclude any sort of misinterpretation, including reification and totalization.

---

[287] Philip Abrams, "Notes on the Difficulty of Studying the State," *Journal of Historical Sociology* 1, no. 1, ([1977] 1988): 58-89.
[288] Philip Abrams, Ibid., 67.

Why does then the *state* concept lie at the heart of the analysis in this dissertation, if it is such an elusive and challenging concept to delineate? The reasons are twofold: first, the state apparatus as a set of practices, legal documents and political decisions determines to an important extent the content and forms of state violence, including enforced disappearance and forced migration. In other words, it is a set of different acts, actors and institutions in the state apparatus *that makes* the implementation of these violent strategies *possible*. In this respect, I claim that the state factor also shaped the experiences of the persons affected by these strategies during the 1990s at different levels. The *modus operandi* of the JITEM teams and the military apparatus, the political and social trajectory of the IDPs and relatives of the disappeared in the immediate aftermath of these violent strategies and everyday experiences in the spaces where forced migration and enforced disappearance occurred were also deeply influenced by several official actors and institutions. Second, the state concept is of central significance for the persons who have been affected by these two violent strategies. For persons whose relatives have been disappeared or subjected to an abrupt forced migration, the state, though referring to different things in different contexts, is a key word for making sense of their experiences, which have deeply marked their own subjectivities. As Clifford Geertz argues, the state as a fiction does not necessarily mean falsity but rather a certain genre of representation, a particularly powerful one.[289] Therefore, the state should also be evaluated as a *state effect*, representing a crucial factor, from the perspective of the relatives of the disappeared and IDPs.

Sovereignty, on the other hand, is another difficult and problematic concept. During the last decades *sovereignty* has become the concept of our time and several social scientists have used this concept for a better understanding of the modern state and its different practices yet with a lack of "critical engagement" with the concept, rather adopting the framework as an *Agamben effect*.[290] Although the concept of sovereignty is very much related with different essential discussions of political thought such as the functioning of the modern state, the possibility of a *popular sovereignty*, constituent and constituted power, the role of the *people* and their relationship with the political power, it has been used almost solely in relation to a specific use of the Agamben effect in recent anthropological and philosophical scholarly works. From this perspective, the question most ardently posed by previous thinkers, including theorists of the revolutionary tradition comprising the democratic, national, and left

[289] Cited in Begona Aretxaga, Ibid., 401.
[290] Ronald C. Jennings, "Sovereignty and Political Modernity: A Genealogy of Agamben's Critique of Sovereignty," *Anthropological Theory* 11, no. 1 (2011): 25.

revolutionary sub-traditions, which is "how to undo sovereign power", has been partially lost.[291] Multifaceted and sophisticated layers of this theoretical discussion, which encompassed obvious political inclinations, including such important names as Rousseau, Sieyes, Arendt, Benjamin, Schmitt and Agamben, have been reduced to a relatively more superficial level.

Still, I will take the risk of contributing to this relatively reductionist literature by using the *sovereignty* concept, and argue that it is a key concept for a thorough analysis of forced migration and enforced disappearance. Sovereignty, as an essential concept, operated at the core of these violent practices in two senses during the 1990s in the Kurdish region. First, the state's central institutions, and specifically the military apparatus, framed the intensification of the Kurdish conflict with the notion of sovereignty. Accordingly, vis-à-vis the intensification of the Kurdish conflict, the state should use its rights stemming from being the sovereign power and should respond to this warfare via novel methods of territorial dominance, including enforced disappearance and forced migration. In a way, these strategies were designed as a response to an actual sovereignty crisis from the official perspective. Second, the acts of disappearing and forcibly migrating may be interpreted as acts of sovereignty. During the 1990s, within a complicated legal and political framework, all the powers and authorities of the state apparatus had been transferred to the military and high-ranking administrative officials in the Kurdish region. Thus, these officials, albeit through different networks of competition and collaboration, acted as the absolute sovereigns in the Kurdish region in the sense that they had the final decision over the life and death of people.

Moreover, I contend that the notions of governmentality and governmental state are also essential for an in-depth analysis of the state of the 1990s. Not only management of life and death but also production of productive subjects/subjectivities was one of the key concerns of the state apparatus with respect to the Kurdish region. The aim to achieve control over territory and the aim to establish a form of power and rule over the population are simultaneous goals for reconquering the space and managing the population.[292] Thus different forms of state violence implemented during the 1990s were inherently related with the notion of governmentality in the sense that they were mainly acts geared towards reappropriation of the space and production of subjectivities. Forced migration, as one of the main components of this broader perspective of management of the space and population, should also be interpreted more adequately in line with the notion of governmentality.

[291] Ronald C. Jennings, Ibid., 32.
[292] Mitchell Dean, *Governmentality. Power and Rule in Modern Society* (London: Sage, 1999).

In this chapter, I will scrutinize the *modus operandi* of these two violent strategies, that is, enforced disappearance and forced migration, which were employed "at the margins" during the 1990s. I argue that these occurrences at the margins reveal several aspects of the state apparatus, sovereignty and governmentality -two concepts, which lie at the very center of Turkey's politics. First, I will reveal the structure of the perpetrator groups committing enforced disappearance and forced migration through the use of official documents; then I will focus on the perceptions of this structure by the persons who were subjected to these two strategies. Moreover, using a spatial analysis, I will focus on the political meaning of the traces of sovereignty, both from the official perspective and the perspective of the relatives of the disappeared. My focus will be the enforced disappearances in Şırnak. Again the discussion of *being* or *feeling at the margin* will be reassessed in this subchapter. As for forced migration, I will rather use the concept of governmentality and scrutinize the governmental state both from the perspective of the state officers and from the perspective of IDPs. And finally, I will discuss two most significant constituents of these violent strategies: their clandestine feature or their secrecy and their obvious and blatant feature or their visibility. Moreover, I will discuss whether the performances and acts of the Kurdish people establish *ethnicization of the urban sphere,* a process that is usually not acknowledged by different stakeholders.

My main argument in this chapter is that enforced disappearance and forced migration were responses to the sovereignty crisis and failure of the governmental state in the context of the Kurdish conflict during the 1990s. These two forms of state violence were employed by the sovereign state and governmental state respectively as novel counter-insurgency strategies. Along with the massive politicization wave of the 1990s and increased military and political power of the PKK, the crisis was severe from the official perspective and the state responded with novel forms of management and power. The sovereign state and the governmental state, even if they seemed rather unrelational at first glance, operated together to solve the sovereignty and governmentality crisis by producing enforced disappearance and forced migration as concrete responses to the crisis. Thus, these two forms of the state were organically linked facets of the same apparatus, producing different but relational consequences. For a comprehensive historical analysis of these two forms of state violence implemented during the 1990s as concrete responses to the existing historico-political crisis, I shall use theoretical and anthropological concepts. The *colonial effect* and *pact of public secrets*, two notions I aim to discuss below, adequately describe the ideological and

operational basis of the sovereign and governmental state. Acknowledging their interconnectedness, I claim, will facilitate a deeper and a more comprehensive analysis of the state, sovereignty, governmentality and of the nature of the aforesaid violent strategies.

6.1. Cizre JITEM team as the deadly representative of the state

Does JITEM exist? Or did JITEM exist during any period of time in the history of the Republic of Turkey? These were vexed questions of the 1990s, when the war in Kurdistan was intensified and thanatopolitics was systematically implemented against Kurdish citizens. The central state apparatus and its key figures were mostly unwilling to talk about this deadly question. However, several official actors, primarily due to some internal conflicts or competitions, began to talk about the JITEM structure and its activities. Some of the repentant members of JITEM as well, due to internal discussions, confrontations or conflicts, talked about the activities and structure of the JITEM apparatus. These talks, however, added to the mystification of this apparatus as if a pact of secrecy had been trespassed. Against this official attitude of mystifying JITEM, I argue that both secrecy and blatant obviousness of the JITEM apparatus were used in tandem as an official strategy during the 1990s and this mystification stems from this deliberate official strategy. I will try to demystify the perception of this apparatus of destruction and execution based on a selective set of official documents.

6.1.1. Talking to the state: reticence, words and allusions

According to a parliamentary report entitled "Parliamentary Report of the Investigation Commission on Political Murders by Unknown Assailants Committed throughout Our Country", drafted on October 12, 1995 with the aim of revealing the root causes and the perpetrators of the political killings committed mostly in the southeast region as well as other parts of Turkey, JITEM is not an understandable entity. The report states, "The activities of JITEM in the region could not be understood by our Commission".[293] The existence, structure and activities of the JITEM apparatus seem to have been deemed an intriguing question in the Commission's report. First, it is emphasized numerous times in the report that several questions on the structure and activities of the Special Forces Command had been asked to the military authorities in written form and had received very formal and brief answers from the military authorities emphasizing that the Special Forces Command was exactly like any other entity of the army. Furthermore, it is understood that although the Commission invited several times someone from the National Defense Ministry to inform about the structure and activities

[293]Parliamentary Report of the Investigation Commission on Political Murders by Unknown Assailants Committed throughout our Country [Ülkemizin Çeşitli Yörelerinde İşlenmiş Faili Meçhul Siyasi Cinayetler Konusunda Meclis Araştırma Komisyonu Raporu], (1995) accessed December 10, 2015, https://www.tbmm.gov.tr/sirasayi/donem19/yil01/ss897.pdf, 57.

of the Special Forces Command, they did not reply to these calls and attend the Commission's sessions.[294]

Nevertheless, there are, still, some comments on the activities of JITEM in the same parliamentary report. For instance, according to the testimony of a Captai Ş. Dönmez, there is no such unit entitled as JITEM but rather there are Gendarmerie Intelligence Teams, which operate under the authority of the Gendarmerie Command of Public Security.[295] Accordingly, these teams of intelligence were established in the OHAL region primarily in the context of anti-terror activities and secondly for combatting organized drug trafficking. However, the report criticizes the establishment of such teams on the basis of the problems associated with having multiple anti-terror actors, which caused *complication*. The report emphasizes that the collection of data and intelligence is mainly the work of the National Intelligence Organization (Milli İstihbarat Teşkilatı - MIT) and the double agency of the Gendarmerie in the field of intelligence creates a "*complication*, which turns out to be very useful for terrorist organizations that in turn spread some hearsay and blur the citizens' minds."[296] The report, seems to acknowledge, the anti-terror teams of the gendarmerie involved in the activities "which may blur citizens' minds", although not under the title of JITEM. This is already one step further from the total denial of JITEM and counter insurgency activities of the Gendarmerie in general.

In addition, several pages of the report are allocated to the activities of the village guards and repentant teams working with the Gendarmerie committing human rights violations and crimes. In the official documents, there is the recurrent pattern of easily acknowledging criminal activities of the Kurdish and local components of the JITEM structure, namely the village guards and the repentant, and being much more reticent and unwilling to acknowledge criminal activities of the official members of JITEM, e.g. army and police officers. This general tendency about the way the criminal and uncontrolled acts of the repentant and village guards is mentioned can be observed in different chapters of the report Accordingly, "the state can neither protect the ones who became repentant in a sincere manner nor restrain the malevolent repentant".[297] In the chapter where the crimes committed by the village guards and repentant groups are listed, including arbitrary killings, smuggling, usurpation and arms trafficking, Cizre is one of the listed areas of such crimes.[298] Moreover, enforced

[294] Ibid., 17, 18.
[295] Ibid., 57. Emphasis mine.
[296] Ibid., 58.
[297] Ibid., 171.
[298] Ibid., 47-53.

disappearances are also tackled in the report. In the final chapter entitled *Measures*, where the authors of the report state their suggestions for the prevention of political killings, the first measure is about custody practices. It is suggested that lists including all persons under custody should be provided to the prosecution offices and such information should also be provided to citizens. The second suggestion is to end the state of emergency, the OHAL regime, in the Kurdish cities and provinces. But there are two very striking suggestions in this final chapter: one (13th measure) is about "some elements in the state" and the other (23rd measure) is about "the repentant, village guards and JITEM elements". Both of these suggestions are, in a way, related with the JITEM apparatus and its activities, and the authors describe how to liquidate this apparatus in an official and implicit manner. The 13th measure, written in a complicated and obscure way, is as follows:

> "All the elements in the state, which may overthrow the state whether deliberately or through negligence, should be cleared of and a new organization in the police forces should be established for acting professionally against the political killings. Otherwise, the fact that the perpetrators of these killings remain unpunished will always blur the citizens' minds although the rulers reiterate that the state does not kill. The state should disclose its own officials who are in malpractice as well as illegal organizations which are committing these political killings and should deliver them to the juridical authorities so that its citizens would be convinced about the reality of the statement that the state does not commit crime."[299]

This suggestion, despite its obscure wording, reveals the existence of JITEM and its *extrajudicial methods* dramatically. The obscure official wording, which tries to achieve a contradiction, that is, simultaneously hiding and stating the existence of JITEM, reveals the equivocal attitude of the official actors vis-à-vis JITEM. The parliamentary report, on the one hand, aims to disclose the extrajudicial methods of the counter-insurgency teams and condemn them; but on the other hand, it also aims to minimize and reduce the power of JITEM discursively since the main motivation is still to hold the PKK accountable for all the deadly and violent acts in the Kurdish region. The obscure and convoluted style seems to be the manifestation of such a dilemma.

The 23rd suggestion was more directly related with JITEM and the word JITEM is also stated. Accordingly, the members of JITEM, the village guard and repentant teams had committed several crimes; therefore, an official denunciation should be made to the Ministry of Justice for further investigation. In addition, a special commission should be established in the

[299] Ibid., 158.

parliament to support the investigations of the juridical bodies.[300] These two suggestions of the chapter *Measures* were the primary reasons for dissenting opinion written by nationalist members of the parliamentary commission, drafted as an addendum to the report. This dissenting opinion strongly rejected the report's overall approach and arguing that its current content and wording helped nothing but to strengthen the enemies of Turkey, who want to partition and disintegrate her land.[301] According to the parliamentarians who drafted this dissenting opinion, all the parts of the report where JITEM was mentioned should be deleted.

Another parliamentary report, which is well known because of the accident that led to its drafting, is entitled "Parliamentary Report of the Investigation Commission for the Purpose of Revealing the Links of Illegal Organizations with the State and the Background Relations of the Susurluk Incident" and drafted on May 4, 1997.[302] After the Susurluk incident, in which the criminal networks of the mafia/extreme rightist circles linked with the politicians and members of security forces in the context of the war against the PKK had been revealed, a massive public debate flourished concerning the issues of accountability, official corruption and degenerated relations, transparency and reform. The then Prime Minister Necmettin Erbakan (leader of the Welfare Party – RP) and the then Deputy Prime Minister Tansu Çiller (leader of the True Path Party – DYP) strongly opposed, however, undertaking the initative to reform the political and military system and restoring accountability of the corrupt state officials, the ones who acted in coalition with the mafia and extreme rightist organizations:

> "Çiller gave unequivocal support to dubious state practices including illegal murders: 'Those who shoot bullets or those who are the targets of bullets in the name of the state are both honorable. They all are heroes.' Even Turkey's right-wing forces concurred with broader social pressure, demanding the termination of indiscriminate use of security forces, unchecked privileges and vested interests in intelligence and anti-terrorist operations."[303]

---

[300] Ibid., 159.
[301] Ibid.,166.
[302] Parliamentary Report of the Investigation Commission for the Purpose of Revealing the Links of Illegal Organizations with the State and the Background Relations of the Susurluk Incident [Yasadışı Örgütlerin Devletle Olan Bağlantıları ile Susurluk'ta Meydana Gelen Kaza Olayının ve Arkasındaki İlişkilerin Aydınlığa Kavuşturulması Amacıyla Meclis Araştırması Komisyonu Raporu,] (Susurluk Report) (1997) accessed December 23, 2015, https://www.tbmm.gov.tr/sirasayi/donem20/yil01/ss301.pdf. In 1996 a traffic incident occurred in a small city, Susurluk and a huge political discussion on the state's structure and criminal acts followed. Abdullah Çatlı, a drug trafficker and a killer on Interpol's red list, Hüseyin Kocadağ, a former deputy head of the Istanbul Police Department and Sedat Bucak, a parliamentarian from the True Path Party (Doğru Yol Partisi – DYP) which was in the then coalition government with the Islamist Welfare Party (Refah Partisi – RP) and also the head of a Kurdish village guard family and tribe were in the same car, and an accident occurred. Çatlı and Kocadağ lost their lives immediately and Bucak was severely injured. A fake passport for Çatlı, official diplomatic credentials, and weapon licenses, drugs, weapons, and an important amount of money were found in the car. Solid official evidence on Susurluk traced state-mafia connections, activities of JITEM, Special Operations Command and other counter-insurgency teams; they also implicated some members of the RP-DYP government, such as the then Minister of the Interior, Mehmet Ağar. For further information see. Mehtap Söyler, Ibid., 8.
[303] Ümit Cizre, "Ideology, Context and Interest: the Turkish Military," in *The Cambridge History of Turkey, Volume 4 – Turkey in the Modern World,* ed. Reşat Kasaba (New York: Cambridge University Press, 2008), 328.

It was against this background that a parliamentary investigation commission was established shortly after the Susurluk incident (1996) and the report was published in 1997.

This time, the parliamentary report was much more forthcoming about JITEM and its criminal activities. In several chapters different actors referred to JITEM as an organization involved in extrajudicial and criminal activities under the guise of engaging in anti-terror struggle. One high-ranking security officer, Hanefi Avcı, for instance, gave the names of some of the members of the gendarmerie (such as Cem Ersever) as JITEM officials and then depicted the JITEM apparatus and its functioning logic in a detailed manner. According to his statement, officers working in the security forces were organized under the Deputy Chairman Special Operations Department Ibrahim Şahin and civilian servants working with Korkut Eken, who were also directly linked to Mehmet Ağar, Director General of Public Security; military officers trained in special warfare departments along with extreme rightist persons and mafia members were organized under the authority of Mehmet Eymür in MIT; and military officers of JITEM were organized under the authority of Cem Ersever. These groups, though competing among themselves for more power, privilege and priority within the state apparatus, also collaborated and committed several crimes during the years of the intensification of the Kurdish war. Hanefi Avcı also mentioned the name of Veli Küçük, who was in service for several years in the Kurdish region during the 1990s and the then Gendarmerie Regional Commander of Izmit, as part of the JITEM organization. Avcı briefly gave the structure of the counter-insurgency teams and their activities while acknowledging explicitly the existence of JITEM.[304]

Several other individuals who testified before the parliamentary commission also referred to JITEM and its members as an organic part of the state apparatus. In the testimonies, some officers had been referred to as members of JITEM and several official actors either stated JITEM as an organization or said that they had been in contact with JITEM members in different contexts.[305] Even one former Prime Minister, Mesut Yılmaz, acknowledged the existence of JITEM in his testimony stating that Cem Ersever was the head of the JITEM teams. He also emphasized the competition and even the conflict among different counter-insurgency teams of the Gendarmerie, Police Forces and MIT.[306] In the conclusion part of the report, confrontations and conflicts between the security forces and intelligence units were emphasized. According to this part of the report,

[304] Susurluk Report, 170.
[305] For some examples of the different testimonies referring to JITEM see. Ibid., 188, 191, 219, 220 and 229.
[306] Ibid., 216.

> "While several different intelligence units have been established, it is unfortunately understood that there is a lack of coordination and cooperation among these units. We could not even understand the role and task of JITEM. Although the existence of JITEM has been debated, *it has become evident* that its *acts* are *indisputably real*."[307]

This time, the activities of JITEM and their consequences were acknowledged and accepted more explicitly, and the need for a security reform was emphasized repeatedly. Again, in line with a characteristic feature of most official documents, the criminal acts of the repentant and village guard teams were written in a much more detailed manner as opposed to those of their official counterparts.

6.1.2. The history, origins and structure of JITEM

These two parliamentary reports basically argued that JITEM, although its existence had not been officially proven, exercised some *extrajudicial and criminal activities* in the context of the war against the PKK. Cem Ersever, lieutenant and founder of JITEM according to some of the testimonies in these reports, was much more outspoken about the counter-insurgency activities of JITEM. In his interview dated 1993 with the journalist Soner Yalçın, which he specifically wanted to make, he provided crucial information about the structure and functioning of the military counter-insurgency teams used in the context of the Kurdish conflict. He believed that there were many serious problems of the counter-insurgency warfare of Turkey against the PKK, both militarily and politically, and he wanted his objections to be registered. He stated that there were several strategic and tactic problems of the official approach concerning the war on the PKK including lack of a strong strategy and leadership, directives coming from the bureaucracy not knowledgeable of the field, and lack of knowledge of the region (i.e. the Kurdish region). According to Ersever, the Republic of Turkey should learn, one day or another, unconventional warfare and its methods.[308] Reading the interview evokes the feeling that his criticism of the shortcomings in the ongoing unconventional warfare may have stemmed from his conflict with other members of the military apparatus, and this might explain why he made the interview in the first place.

In the interview, first, he objected to the term JITEM and claimed that the correct name of the organization was the *Gendarmerie Intelligence Group Command*.[309] He implied that he was the founder of the small groups, which were aimed to serve under the Gendarmerie Intelligence Group Command; in a way, he contended that he was the founder of the counter-insurgency unit publicly known as JITEM. Then, he described meticulously the structure of

[307] Ibid., 315. Emphasis mine.
[308] Soner Yalçın, Ibid., 79-80.
[309] Ibid., 90.

the unconventional warfare methods depicting the role of each element separately. He specifically emphasized the importance of the repentance factor explaining how one should have mastery of human psychology and be careful about not insulting the dignity of the captured PKK members. According to Ersever, this was the only way to observe and choose the ones who may be repentant. He also depicted how the repentant teams operated in the military structure: their existence was crucial since they were among the most important sources of information about the Kurdish society, the 'Kurdish issue' and the functioning of the PKK in the rural and urban areas, militarily and politically. The repentant were divided in two subgroups as the repentant serving the gendarmerie and the repentant serving the police forces. They were attending operations with the security forces, both with the police and gendarmerie, and they specifically revealed the places used as shelters by the PKK forces.[310] In this way, they contributed to the *spatial* knowledge of the JITEM teams. In addition, Ersever seemed to be familiar with the language, terminology and rhetoric of the PKK since he explicitly used the terms counter-guerilla, people's army and rebellion. He also recounted the lessons learned from Şırnak, where he had served as a young soldier, and underlined the importance of Cizre stating, "[…] in Cizre, the PKK gave the first signs of the fact that their fight would be similar to that of Palestine."[311] It was very unusual for a member of the army, an ex-lieutenant, to publicly talk about the counter-insurgency methods used in the Kurdish region as part of the Kurdish conflict in such a comprehensive manner. His dead body was found on November 4, 1993, shot à la JITEM style, i.e., his hands tied at the front with two bullet wounds in his head and in his nape, close to the exit of the Elmadağ district of Ankara, five months after he resigned from the army. Ersever's execution must not have been surprising for some of his old friends since *he spoke too much*. Colonel Arif Doğan, for instance, who was one of the prominent military officers during the 1990s in the Kurdish region and who also claimed to have established JITEM himself and then liquidated it after 1990, in a much recent interview in 2011,[312] emphasized the fact that the dead body of Cem Ersever was found in the Gendarmerie region.[313]

My aim is not to discuss the authenticity, truthfulness or veracity of these accounts; neither do I intend to choose the most accurate one among them. My aim is to reveal that several actors within the state apparatus talked about JITEM specifically and about the violent, deadly strategies of the counter-insurgency methods generally. Therefore there was not a *total*

[310] Ibid., 94-97.
[311] Ibid., 84.
[312] Arif Doğan, Ibid., 88-92.
[313] Ibid., 107.

reticence about JITEM, but rather a denial and reticence coexisted with words, statements, allusions and contentious talks. These talks, allusions and statements may be obscure, contradictory and misleading as a source of accurate information; however, they disclose a crucial point about the Kurdish conflict: the state used both the method of biopolitics, in the sense that it made coalitions and strengthened some parts of the Kurdish population, and the method of necropolitics, in the sense that it targeted some of the bodies, tortured, killed and marked them by the traces of its JITEM teams. In other words, members of the JITEM apparatus supported and strengthened the tribes, families and individuals who were in collaboration with them while they destroyed and executed other tribes, families and individuals who were marked as "the supporters of the PKK". Tortured, burned, executed and mutilated bodies of the disappeared may be interpreted as material evidence of this dual strategy instead of some *extreme measures*. If "[…] sovereignty is grounded in blood –as a reality and as a symbol-",[314] then the tortured and dead bodies of some of the Kurdish citizens were produced as traces of sovereignty as a result of planned, organized and localized state strategy, within the lawful suspension of the law in the OHAL regime, instead of being the result of extreme or marginal practices. These obscure, contradictory and contentious talks, statements and accounts about JITEM disclose this crucial knowledge about the deadly strategies of the 1990s despite their incoherent or contentious nature.

Yet, detectable in these contentious and contradictory narratives and accounts were some common patterns about JITEM. Following these common patterns in the narratives one can try to construct a more coherent narrative of JITEM, though it will always remain deficient and inaccurate to some extent. It seems that the origins of the JITEM apparatus go back to 1983, when Arif Doğan became the head of a newly established unity entitled the Gendarmerie Intelligence Group Commandership, acting under the authority of the Gendarmerie Intelligence Department. The Gendarmerie Intelligence Group Commandership, to be directed by the General Commandership of the Gendarmerie in Ankara, would be acting in seven regions as group commands: Ankara, Istanbul, Izmir, Diyarbakır, Erzurum, Samsun and Adana. Each command in these regions would be responsible for the intelligence activities throughout the appointed regions. Then in 1987, when he became the head of the Gendarmerie Public Order Corps Commandership, founded in Diyarbakır for strengthening the war against the PKK, Lieutenant General Hulusi Sayın restructured the Gendarmerie

[314] Mitchell Dean, "'Demonic Societies': Liberalism, Biopolitics and Sovereignty," in *States of Imagination. Ethnographic Explorations of the Postcolonial State*, ed. Thomas Blom Hansen and Finn Stepputat (Durham London: Duke University Press, 2001), 55.

Intelligence Group Commandership. Its name was altered as the Gendarmerie Intelligence and Anti- Terror Unit (JITEM) and the initial group commands continued with their intelligence activities. In the meantime, with the participation of the repentant and village guard teams, which were included as civilian officers of the Gendarmerie with the insistence of Cem Ersever, the JITEM teams began to conduct their own operations in addition to their intelligence gathering work. There were other civilians apart from the repentant and village guard teams, who were actively engaged in JITEM's activities as emphasized by both Arif Doğan and Hasan Kundakçı. The most active group was obviously the one in Diyarbakır. All the team commands in the Kurdish region were acting under the authority of the Diyarbakır Group Commandership and the team commands built up in Elazığ, Batman, Mardin, Şanlıurfa, Bingöl, Hakkari and Van were directly informing the Diyarbakır Group Commandership. There were some other JITEM team commands located in important and border areas such as Silopi, Yüksekova and Cizre. It is worth noting that several army officials who worked in Şırnak such as Cem Ersever, Veli Küçük, Arif Doğan, Mete Sayar, Cemal Temizöz and Levent Ersöz[315] had been named then as JITEM members.

There is indeed even more information, data and accounts on Cizre's JITEM team. A very important indictment of a legal case entitled Temizöz and Others (No. 2009/972 , dated 07. 14. 2009) provides much information about Cizre's JITEM team, which was mostly responsible for the enforced disappearances and extrajudicial and arbitrary executions that occurred in both Cizre and in Silopi. Initially accused in this case were seven persons:

- Cemal Temizöz (Army Officer – the then Colonel);
- Kamil Atak (Village Guard- Head of Village Guards);
- Kukel Atak (Village Guard, Kamil Atak's brother);
- Temer Atak (Village Guard, Kamil Atak's son);
- Adem Yakin (Repentant –codenames Bedran and Şahin);
- Fırat Altın (Repentant - Abdülhekim Güven –codenames Ferit and Hekim);
- Hıdır Altuğ (Repentant - codename Tayfun).

The eighth person Burhanettin Kıyak (Army Officer – the then Specialized Sergeant - codename Yavuz) was added to the accused list of the indictment later on, in 2012. Other names in the Cizre JITEM team that had been mentioned repeatedly by the relatives of the forcibly disappeared in the interviews such as Selim Hodja (probably from the gendarmerie),

[315] Ecevit Kılıç, Ibid., 49-61; Ecevit Kılıç, "JİTEM'in Öyküsü," in *Almanak Türkiye 2006-2008. Güvenlik Sektörü ve Demokratik Gözetim,* ed. Ahmet İnsel and Ali Bayramoğlu (Istanbul: TESEV, 2009), 220-221; Arif Doğan, Ibid., 89-93, 145-153; Hasan Kundakçı, *Güneydoğu'da Unutulmayanlar* (Istanbul: Alfa, 2007), 148-165.

Ramazan Hodja (probably from the police forces), Cabbar and Tuna (Army Officers), known by their codenames could not be identified in the indictment. Later on it was found out that the person known with the codename Tuna is Gündür Güler, a member of the gendarmerie who lost his life in 1995 in a traffic accident; the other three that were influential in the Cizre JITEM team, however, were never identified. The indictment is based on the testimonies of three persons; the testimony of Mehmet Nuri Binzet, the then village guard and brother of Kamil Atak and later on two secret witnesses with the codenames Street Lamp (Sokak Lambası) and Ballpoint Pen (Tükenmez Kalem). During the trials information about the identities of the secret witnesses leaked out and it was understood that the secret witnesses were in incidentally the accused of the case; Street Lamp was Hıdır Altuğ and Ballpoint Pen was Fırat Altın (Abdülhekim Güven). I will analyze this legal case in a more detailed manner in the next chapter on justice, *Production of subjects in the legal space: law, notions of legality and impossible justice*; however, in this chapter, I will use the bill of indictment as an account on the structure, functioning and activities of the Cizre JITEM team. Accordingly, when a person was abducted by this team –mostly taken by white Renault automobiles (the Taurus model) - first he or she was forced to talk, reveal the names of people supporting the PKK and show places of shelter or refuge used by the PKK forces. This process was entitled as the interrogation process and permanently accompanied with torture. The interrogation (and torture) team was comprised of Hıdır Altuğ, Adem Yakin, Yavuz, Selim Hodja and Tuna, also occasionally accompanied by Kukel Atak and Temer Atak. The location of the interrogation varied; it may have been carried out sometimes at the bunkers beneath the houses of Kamil Atak and Kukel Atak, sometimes in the buildings of the military commandership and sometimes in the vacant lots around the Cizre and Silopi rural area. The duration of the interrogation was mainly between 1 to 7 days, and the aim was to force the abducted person to talk and provide information, giving names, places and relational networks.

6.1.3. The interrogation and its aftermath

Interrogation accompanied with torture seems to be the *sine qua non* of not only all the JITEM teams but also several different counter-insurgency teams throughout the world. Elaine Scarry notes that torture is, in a way, the transformation of the body into voice, and adds ‘‘[…] the very voice of the torturer, the demand or the question itself, is obviously, whatever its content, an act of wounding’’.[316] Idelbar Avelar adds that torture does not happen

[316] Elaine Scarry, *The Body in Pain. The Making and Unmaking of the World* (Oxford: Oxford University Press, 1985), 46.

because of the victim's possession of information that is useful for the torturer. The modern practice of inducing pain, including the excess of cruelty in torture, is not only aimed at some pragmatic purpose such as the revelation of a piece of information:

> ''That is to say, questioning is justified not because it produces truth, but because it produces pain. Herein lies its entire truth, in fact. Its purpose is to lead the tortured subject to self-incrimination—often the betrayal of a loved one—and trap him/her in a perennial circle of guilt. Such forced production of statements in the tortured subject is the *act of torture itself*.''[317]

Thus, the interrogation and torture conducted by the Cizre JITEM team should also be interpreted as a sign of state violence, aiming to produce the pain both to display and to mark the power of the state/of the team on the corporeality of the abducted person.

After the interrogation, the team executed the abducted person with ''dirty weapons''. These dirty weapons were AK-47s, retrieved mostly from PKK guerillas killed in the clashes; they were preferred over available and registered weapons of the gendarmerie command.[318] Abducted persons were executed with the collaboration of Hizbullah teams either in a vacant lot nearby an official land or in the Hizbullah village of Basîsk (Kuştepe), located near the Cizre centre. The bodies were left either at the places of execution or carelessly buried and covered by rocks or buried anonymously in a common grave. Most of the bodies of the disappeared are still missing and solely bodies of a small minority of the disappeared have been found and identified, with traces of severe torture including burns, mutilation, cuts, and scars. As mentioned before, in the chapter *Enforced disappearance and forced migration: terminology, patterns and effects*, the bodies of the disappeared were mostly found on the roadsides, unused lands outside of the villages, wastelands near to the military zones, wells, cesspools, and construction sites.[319] Identity cards were collected initially by members of the team immediately after the abduction and handed over to Cemal Temizöz after the execution. The *modus operandi* of JITEM's Cizre team is described in the indictment of the Cemal Temizöz and Others case as follows:

> "[…] In the actions recorded above; similarities were detected in data such as the fact that all the victims were first detained, and detained by the same people, they were taken in by a white Renault car, they were all murdered either with a Kalashnikov rifle or a handgun, and in similar places, and following the murders all were buried in a careless manner under a layer of 8-10 cm of soil, which was then covered by rocks, and no document of identification was found on any of the victims.

[317] Idelbar Avelar, Ibid., 31.
[318] Not only the indictment of the Cemal Temizöz and Others case, but also several other accounts cite the use of dirty weapons: Soner Yalçın, Ibid., 144, Ecevit Kılıç, Ibid., 126.
[319] In an interview, head of Mardin Branch of IHD, Erdal Kuzu, confirms that the bodies of the disappeared have been found mostly in the nearest vacant lot/vacancy either under its own authority or controlled by itself such as evacuated villages, areas near the highways and water wells. Erdal Kuzu, Ibid.

> Despite the fact that the legal documents of many of the acts of murder recounted above were sent a short while after the act to the Diyarbakır State Security Court Office of the Chief Prosecutor with a verdict of non-jurisdiction, they were fully consistent with the statements of the secret witnesses. Thus, it has been assessed that it would be impossible for a person who was not involved in this act in terms of site, time, persons, type of event, arms used and consequences to possess this knowledge, and that therefore the accuracy has also been assessed of the statements of secret witnesses SOKAK LAMBASI and TÜKENMEZ KALEM and that of witness Mehmet Nuri BİNZET,
>
> That according to the chart prepared upon our directive by the Cizre Office of the Chief Prosecutor on unresolved murders that took place in the district of Cizre from 1990 to 2000, it is worthy of attention that there is a total of 48 unresolved murder files for the years 1993-1994- 1995, and that the total number of unresolved murder files for the years 1996-1997 is 7.
>
> And thus, in the light of all these assessments, that the suspect Cemal TEMİZÖZ was the leader in the district of Cizre from 1993 onwards of a criminal organization, that the members of this organization, under the directives of Cemal TEMİZÖZ, carried out many crimes including voluntary manslaughter, and that this organization used all the means -provided to them by the state for them to struggle against terrorism- in committing these crimes, has been determined by present evidence, […]"[320]

The sovereign state was, thus, concretized and revealed itself through the Cizre JITEM team for the inhabitants of Cizre, Silopi, İdil and Şırnak. It functioned with certain logic; followed the logic of the central state apparatus insisting on area control and cutting the links of the PKK with its supporters and also localizing this logic through the inclusion of some improvized and arbitrary acts. Targeting supporters of the PKK seemed to be the primary concern of the state and therefore its essential representative was not the governor, prosecutor or district governor, but rather the military apparatus and Cizre JITEM team. ''The state ceases to be simply an apparatus or an organization, however qualified by such labels as capitalist or authoritarian, and becomes a high-powered medium, refereed by hysterical generals, sadistic colonels and lonely torturers, for exorcising the ghosts it believes are ruining the nation.''[321] The practice of forcibly disappearing was neither extreme nor marginal for the inhabitants of these political margins; on the contrary, they were pretty sure about the consciousness of the state apparatus as it was acting by means of the Cizre JITEM team. Mutilated, tortured and shattered bodies of the disappeared were the material remnants of the sovereign state. Inhabitants of these places, who were also relatives of the disappeared, were very much aware of the crucial knowledge that "No one knows better than the state: who is killing whom, and how."[322]

[320] Cited in Özgür Sevgi Göral, Ayhan Işık and Özlem Kaya, Ibid., 31-32.
[321] Avery F. Gordon, Ibid., 126.
[322] Interview, Cizre Şırnak, October 16, 2012.

6.2. Traces of sovereignty: Cizre and Silopi

Enforced disappearance was one of the main strategies used by Cizre's JITEM team to show that they had the authority to decide who would continue to live and who would have to die. Enforced disappearance, as a thing-in-itself, is rather a strategy of *erasure*, including a very significant aspect of secrecy by its very nature.[323] This strategy aims to erase the disappeared and the act of disappearing in several manners: the lack of the body or remains of the disappeared, the uncertainty about the perpetrators who implemented torture and execution, the secrecy of detainment, the lack of information and the absence of evidence. This *erasing* violence – as argued by Banu Bargu on the nature of the violence stemming from the enforced disappearance- simultaneously produces several categories of denial. According to Sylvia Karl, whose focus is the disappearance in the Mexican context, the act of disappearing includes denial of four important cultural categories, which are related to ritual performance in every society:

> "[…] denial of bodies (i.e. of any knowledge about the location of relatives, be they alive or dead); denial of mourning (an important psychological process that is denied, since it is impossible to mourn without knowing if the person to be mourned is dead or alive, provoking thus a permanent state of liminality); denial of mortuary rituals (i.e. the structuring of the world of the living and the dead); denial of memory sites (there is no place where to think of, visit, or talk in a symbolic way to the relative)."[324]

In the context of Turkey, where enforced disappearances massively occurred in the midst of an ethnopolitical conflict, a fifth item that denotes the denial of an important cultural category should also be added to this list: denial of ethnopolitical identity (i.e. denying to recognize the ethnopolitical conflict defined as the Kurdish question).

6.2.1. Surreptitiousness and blatant show

Different layers of denial and *erasing* violence of the enforced disappeared, however, should be carefully reconsidered. The strategy of enforced disappearance had been implemented through a complicated nexus of knowledge and secrecy, including both the logic of blatant show and clandestine operations simultaneously. Avery F. Gordon rightfully emphasizes that enforced disappearance is a method of control, which requires a meticulous calculation of knowing and not knowing, visibility and secrecy, public knowledge and invisibility.[325] This meticulous calculation was at work in Cizre and Silopi due to the acts of the members of the Cizre JITEM team. The team had successfully exploited the secrecy and uncertainty about the

[323] Banu Bargu, Ibid., 44.
[324] Sylvia Karl, "Rehumanizing the Disappeared: Spaces of Memory in Mexico and the Liminality of Transitional Justice," *American Quarterly* 66, no. 3 (2014): 729-730.
[325] Avery F. Gordon, Ibid., 109-110.

enforced disappearances since it provided a shield of impunity for the perpetrators. The team members constantly denied the fate and whereabouts of the forcibly disappeared, though this was not found to be very convincing by the relatives. When the relatives of the disappeared inquired about their loved ones, the responses were mainly based on denial; either this person had not been taken under custody or had been released. The denial was a discursive strategy, which operated on different levels of the state apparatus. The most striking expression of this stance at the highest level of the state apparatus is the reply given by Süleyman Demirel, the then prime minister, to the families of the disappeared who were demanding to know about the fate and the whereabouts of their relatives: "Do you imagine that I keep your child in my pocket so that I can take him out and hand him over?"[326] Thus, denial as an official discursive strategy was not limited to the perpetrators or JITEM teams; it was a shared concept used at several different layers of the state apparatus.

The Cizre JITEM team, on the other hand, also left behind some symbolic and material traces of the violence. As underlined by Gordon, the calculation of secrecy and visibility is crucial for the implementation of enforced disappearance; therefore, visibility shall be performed simultaneously with secrecy. This was also the case with Cizre JITEM team. On the one hand, there was an uncertainty creating liminality for the relatives of the disappeared; and on the other hand, a blatant show of power and coercion was concurrently taking place. Denial coexisted with the acceptance of what was done. According to the court testimonies of the Temizöz and Others case and interviews conducted with the relatives of the disappeared, members of the Cizre JITEM team, upon the relatives' queries, verbally accepted several times that they abducted and executed some persons. Furthermore, the patterns of enforced disappearance revealed the importance of the visibility of the act in the sense that the majority of the forcibly disappeared persons were taken either during raids in their homes, in full view of their family and neighbors or taken from public places such as streets, workplaces, village squares, or cafes. Several eyewitnesses saw how the forcibly disappeared had been taken by official military officers or by Cizre's JITEM members and this abundance of witnesses contributed to the public visibility of the forcibly disappeared. Besides, enforced disappearance was employed along with other very visible deadly or violent strategies such as extrajudicial and arbitrary executions, widespread torture and ill treatment and forced migration. As much more visible examples, these forms, together with enforced disappearance, were part of the repertoire of state violence. This coexistence with other forms

[326] Cited in Gökçen Alpkaya, Ibid., 56.

of visible state violence also added to the public visibility of enforced disappearance and strengthened the dialectics of visibility and secrecy. In addition, as mentioned above, the bodies of the disappeared were found left in vacant lots nearby the state land buried in an offhand manner. The bodies/remains of the disappeared were not hidden carefully; on the contrary, they were left out in places where they could be easily found. These bodies should be interpreted as the material remnants of enforced disappearance, which are also symbols of sovereignty. These signs of a *deliberate inattentiveness* reveal the limits of the surreptitiousness of the act of disappearing.

But more importantly, the meticulous calculation of the degree of secrecy and public visibility was based on these signs as well. The surreptitious aspect of enforced disappearance should be balanced with these more visible acts so that it could create the feeling of terror, fear and horror. Some repetitive visual images used by the Cizre JITEM team were both symbolic and localized traces of sovereignty.[327] The team visualized and embedded itself spatially through some recurrent images: heavily built and bearded men dressed in plainclothes; white Renault Taurus cars with the cables of the radio dangling out; members of the JITEM team occasionally hiding their faces with snow masks; the sound of wireless radios used by these men; people walking in the streets protecting their back and the back of their neck since shooting from the back of the neck sort of signified JITEM's style; persons turning the streets at a wide angle so that they could see whether they were being followed or not. All these visual and performative acts were the tools for embedding the activities of Cizre JITEM team in the space and disclosing their limitless power over the lives and deaths of the inhabitants of Cizre and Silopi. One of the interviewees depicted the power of these visual and performative acts as follows:

> "The JİTEM team had a white Renault Taurus. Bearded men, dressed in plainclothes, all of them, but with wireless radios in their hands. The cable of the radio would dangle from the car. Once that car began to patrol the street, it meant that the death team was on duty. The moment they saw the car at the head of the street, everyone would flee to their homes. Not a single person would be left on the doorsteps or in the street, the moment they saw the car come, everyone would run inside."[328]

6.2.2. Local bearers of sovereignty: the village guard and the repentant

The localized forms of sovereignty represented by the Cizre JITEM team were mostly crystallized by the figure of the repentant and the village guard according to the interviewees. However, they seemed to be well aware of the fact that the military officers and members of

[327] Thomas Blom Hansen and Finn Stepputat, Ibid., 306.
[328] Interview, Cizre Şırnak, September 4, 2012.

the police force, i.e., the official staff was much more powerful compared to the Kurdish component of the team, but still, the repentant and the village guard were very powerful objects of animosity and detestation for the interviewees. The Kurdishness of the repentant and the village guard was emphasized several times in the interviews and they were mostly called *traitors* for having betrayed their "own nation" and the "people who fought for the liberty of their own nation".[329] They were also despised for being part of the JITEM team despite their lower position.

This perception is deeply interrelated with the PKK's hegemonic attitude and narrative of the 1990s. After the 3rd Congress of the PKK held in 1986, where compulsory military service was imposed for Kurdish youngsters, both the number of the local militia forces and the military capacity of the organization significantly augmented. One of the most important results of the congress decision was strengthened territorial/area control by the PKK and gradual establishment of the "liberated areas of the PKK" in districts like Cizre and Silopi. The village guard and the repentant teams, which were part of JITEM, were described in the PKK publications and congress decisions as individuals representing an ethically abysmal position. Accordingly, these individuals, who were also a part of the Kurdish society, were deliberately collaborating with the state for economic interests in order to stop the rise of the PKK. The village guard and the repentant were depicted as the traitors of the newly established politicized Kurdish region.[330] Therefore, the depiction of the Kurdish component of the Cizre JITEM team by several interviewees who defined them as *traitors* was mostly in line with the approach of the PKK. An epitome of this political position was represented by one of the interviewees as she spoke about Kamil Atak:

> "This state and all the states helped him [Kamil Atak]. Not our state though, but the Turkish state helped him. Not the Kurds but the Turkish state helped him. Apart from these *traitors*, people hated him. Everyone moved house and the dog [Kamil Atak] is all alone now in his neighborhood. People really hate and despise Kamo [Kamil Atak]. He killed so many brave people and he maligned so many brave men; so people hate him."[331]

There still remains an ambiguity concerning the Kurdish component of the JITEM team, especially the village guards. Although they had been described in line with the "official" discourse of the PKK, the village guards were, at the same time, the first point of contact for the relatives of the disappeared during their search to find out what had happened to the

[329] Interview, Cizre Şırnak, September 5, 2012.
[330] Cengiz Güneş, *Türkiye'de Kürt Ulusal Hareketi, Direnişin Söylemi* (Ankara: Dipnot, 2013), 196-203. Decisions targeting the village guard, establishing compulsory military service and insisting on collection of taxes would be either altered or abolished during the 4th Congress on December 26-31, 1990.
[331] Interview, Cizre Şırnak, September 3, 2012.

disappeared. The village guard, as someone who speaks Kurdish and is a part of the Kurdish society through different familial, marital and societal networks, was the first authority to ask the fate of the disappeared. I will discuss this pattern of search in a detailed manner in the upcoming chapter; suffice it to say here that despite the fact that the village guard –and the repentant- was described in passionate anger as a person with inferior moral status, he was also considered to be an authority figure that might still be of help. This representation revealed the ambivalent position of the village guard as a *limit figure* in several senses; as a part of the state apparatus and Kurdish society, a part of the formal official work and JITEM activities, a part of the fight against the PKK and sometimes as an ally of the PKK.[332] Even the attitude of the PKK represented this ambivalence since they transformed their more rigid attitude vis-à-vis the village guards based on the liquidation and destruction of the village guards into a more moderate position as aiming to "neutralize and liquidate and destroy the ones who are persistent about their situations".[333] The village guard, therefore, represented an ambiguous position as a part of the state apparatus and even the execution machine, JITEM, but still, he was perceived by the majority of the Kurdish society as "one of them" due to their several relational networks. Needless to say, not all the village guards were a part of the JITEM team; on the other hand, names of the village guards such as Kamil Atak, Hazım Babat and Bahattin Aktuğ were well known for their collaboration with the JITEM teams in the Şırnak region; and several families of the disappeared, nevertheless, contacted them first when their relatives disappeared.

Thus, the ambivalent role of the village guard created repulsion and hatred as well as hopes of inclusiveness and help simultaneously. It was common that an inner-societal figure of the local community was incorporated in the state apparatus as a medium and a politician, playing a bureaucratic role as the local representative of the state and/or a deadly role in the death squads. Deborah Poole, in her work focusing on notions and mechanisms of justice in its communitarian forms in Peru, refers to a similar figure, *gamonal*. Accordingly, the *gamonal* is an ambivalent figure who represents:

> "[…] two apparently distinct landscapes of power – the traditional agrarian estate, where the *gamonal* served as magistrate, police officer, and jailer, and the modern liberal state, where the same man often served as legislative representative and civilizing agent for the 'primitive' (and for the

[332] See the analysis of Mehmet Seyman Önder for details of the relations between the PKK and the village guards, Mehmet Seyman Önder, Ibid., 152-167.
[333] Mehmet Seyman Önder, Ibid., 46-49. In the meantime, several village guards were executed by the PKK.

most part disenfranchised) indigenous populations who formed the majority in his home district."[334]

The village guard featured quite striking similarities with the *gamonal*: Some of them were already using their traditional power stemming from their tribal, familial or societal positions and relations. Kamil Atak and his family, for instance, were part of the Tayan Kerevan tribe and they were well established in these tribal networks and relations. Other examples like the Babat family and Hazım Babat, or the Bucak family and Sedat Bucak were much stronger and wealthier figures using the tribal, familial and societal power, which predated the power of the central state apparatus in the region. Therefore the hopes of help and inclusiveness had a material ground of relationality. Based on this ground of relationality, the relatives of the disappeared perceived the village guard as someone who may support them during their search for the disappeared. And in some cases, the village guard was really helpful in preventing the execution of the abducted person. Generally, these sorts of preventions were really rare and mostly based on the familial or tribal relationships. Still, they existed. The ambiguous position of the village guard was strengthened and disseminated through the diffusion of this knowledge. Poole defines this dual or ambiguous position of the *gamonal* as follows:

> "As judge or justice of the peace, the *gamonal* embodies the state, yet he also marks the spot where the state's rationality and jurisdiction fade into the uncontrollable (and unseen, hence secret) dominions of extrajudicial force and violence. At the same time, in his 'other' role as local authority, judge, or schoolteacher, the *gamonal* is very much a part of the ongoing, day-to-day constitution of 'the state'."[335]

My aim here is not to discuss the similarities between the *gamonal* and the village guard, which are also different in several ways. My aim is rather to focus on the localized forms of sovereignty and local bearers of sovereignty that were enabling the embeddedness of the JITEM team in Cizre. This is the case in other contexts, I contend, since persons who were the bearers of this localization were in the meantime members of the local society and such membership created some ambivalences and dual positions. They were even, in a very contradictory way, a sort of intermediary between societal relations and the state apparatus. The village guards, although they were an inherent part of the JITEM teams, were closer to this position compared to the other component of the JITEM teams. The repentant teams, since they were mostly in the interrogation and execution team, were perceived as persons much dirtier compared to the village guards. In addition, since the repentant was an ex-member of

[334] Deborah Poole, "Between Threat and Guarantee: Justice and the Community in the Margins of the Peruvian State," in *Anthropology in the Margins of the State*, ed. Veena Das and Deborah Poole (Santa Fe: School of Advanced Research Press, 2004), 44.
[335] Deborah Poole, Ibid., 45-46.

the PKK who then changed his side, the perception of "traitor", even among circles not sympathetic to the PKK, was widespread in Cizre and Silopi. Thus, the village guard was the sole figure who could be this ambiguous bearer of sovereignty and still act as an intermediary for state-societal relations as a part of the local community.

6.2.3. The political economy of death

Traces of sovereignty not only created dead and tortured bodies along with the constant augmentation of the Cizre JITEM team's power during the 1990s but also strengthened and supported some segments of the Kurdish society. War- making was often a lucrative business. The structural violence stemming from war-making and war economy had complicated and intertwined facets. First, families who accepted being village guards had been supported and promoted through several means. As discussed before, the village guards were not a homogeneous group but rather a fragmented one.[336] However, some of the village guards profited and prospered significantly during the course of their duty and it is no coincidence that the ones closer to the state apparatus, OHAL governorship and the JITEM teams were the real benefiters. Kamil Atak was among the ones who benefited the most according to the narratives of different interviewees. Coming from a relatively modest familial network, Atak began to have an important increase in his economic resources after meeting Cem Ersever and serving as the head of the village guards after 1987. After his services in the Cizre JITEM team, he promoted to become the mayor of Cizre. He declared his candidacy for mayor before the March 27, 1994 local elections from Doğru Yol Partisi (The True Path Party – DYP). This political party was the representative of the novel methods of counter-insurgency based on deadly activities and its then president and Prime Minister Tansu Çiller was a political figure who identified with the intensified warfare years of the 1990s. It no coincidence, therefore, that Atak became the mayor from this political party although he was to alter his political party several times after the mayoral election. Once he became the mayor of Cizre, during his term of office, he left DYP and collaborated with Refah Partisi (The Welfare Party - RP), Anavatan Partisi (The Motherland Party - ANAP) and Milliyetçi Hareket Partisi (The Nationalist Movement Party).[337]

[336] For a thorough discussion focusing on the village guards' perspectives about different meanings and experiences of being a village guard, see. Şemsa Özar, Nesrin Uçarlar, Osman Aytar, Ibid., 147-158.

[337] A month before the 1994 local elections, Kamil Atak applied to the Silopi Province National Education Directorate claiming that he had graduated from primary school but had no document to prove it. He also produced two witnesses to testify for this. Atak was elected mayor in that election. He once again declared his candidacy at the April 18, 1999 elections in Cizre and won once again. Immediately after the elections, when reports that Atak had been sought for years for the murder of two shepherds in the district of Van were published in the national press, he fled Cizre, and later was tried at the Van High Criminal Court. When during the judicial process it became clear that Atak had not graduated from primary school, the results of the local elections were declared null and void, and the elections in Cizre were repeated. See. Birgün, "Devletin

However being the mayor of Cizre was in itself a modest sign of the lucrative business of the warfare during the 1990s. Two major sources of economic benefit were the control of the Habur Border Passing trade and the drug trade. Charles Tilly warns about the continuous relationship between organized crime, state-making and war-making processes. Arguing that coercive exploitation played a large part in the creation of the European states, he notes: "War makes states, I shall claim. Banditry, piracy, gangland rivalry, policing, and war making all belong on the same continuum –that, I shall claim as well."[338] Although Tilly depicts these intertwined processes in the context of the making of the European states, his main argument, which emphasizes the continuum of war making and organized crime, is also relevant for different contexts. This was definitely the case in Cizre and Silopi, where the border trade of Habur opened up an important space for illegal smuggling activities, especially the drug trade. Cizre's JITEM team members were extremely influential on this trade by gaining control of it via permissions, concessions, commissions and other support and control mechanisms. In the parliamentary Susurluk report, the JITEM apparatus and its crucial effect and control over the drug trade was emphasized several times in different statements.[339] Arif Doğan also underlined the importance of drug trafficking and the control of the Habur Border Passing trade in the context of Cizre and Silopi arguing that Cem Ersever's problems with other members of JITEM stemmed from disputes over the control of drug trafficking.[340]

The control and supervision of the Habur Border Passing trade through illegal means by the JITEM forces was constantly emphasized in the interviews with the relatives of the disappeared as well:

> "Habur, my dear, was the place of fraud, the place of bribery, the place of corruption at that time. I mean nothing was legal."[341]
>
> "At that time everyone was making business through the Habur Border Passing. Let's say that a guy was making business, working for himself and his family, involved in commercial activities. The guy was obviously going back and forth for business through Habur, and these people of JITEM, Bedran, Abdülhekim, these guys had taken him in Cizre. Then, at the opposite side of Cizre, they took all of his money, killed him and threw his body under the bridge. This is what I mean when I

Derebeyi: Korucu Kamil Atak," March 19, 2009, accessed December 15, 2016, http://www.birgun.net/haber-detay/devletin-derebeyi-korucu-kamil-atak-45222.html.

[338] Charles Tilly, "War Making and State Making as Organized Crime," in *Bringing the State Back in*, ed. Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol (New York Cambridge: Cambridge University Press, 1985), 170.

[339] Susurluk Report, 26, 52, 113, 125 and 170. The name Cem Ersever especially is emphasized several times by different witnesses. For a detailed account of drug trafficking in the Yüksekova –Hakkari, Batman, and Van triangle, see the testimony of the Trabzon parliamentarian, Eyüp Aşık, Ibid., 219-221.

[340] Arif Doğan, Ibid., 69-74.

[341] Interview, Silopi Şırnak, November 30, 2012.

say they were racketeering."[342]

> "Habur was a real industry, Habur was a proper economy. Habur was controlled by the special forces. I mean, all these activities, these JİTEM activities, or other activities in the West, were financed from Habur. Figures involved in some very dirty business got involved, the heads of the village guards (...) and then the JITEM commanders, the mayors (...) during that period. I mean, there was the smuggling, theft of vehicles, extortion money, heroin, all sorts of dirty business. Because their authority was so broad, it was an autonomous field. It allowed for all manners of arbitrary acts."[343]

One other area of this political economy of JITEM was what was called by one of the human rights activist of Cizre the "Temizöz industry". He was referring to the fact that there were some people who were contacting the relatives of the disappeared arguing that they knew where the disappeared person was, and that they could arrange the release of the person if a certain amount of money was paid to them. These people either claimed to be in relation with the JITEM team or to be ex-members. They were choosing relatively wealthier families; however, each and every family that they asked for money found that amount of money in some way and handed it to these people. Needless to say, it was all futile; none of the families who paid the money heard any news from these persons afterwards, let alone anything about the release of the disappeared. Since it was an obscure bargaining, families could not go to any authority to claim their money. In this way, they lost an important sum for an impossible hope as part of the political economy of death. The political economy of death, therefore, not only destroyed and annihilated some bodies and subjectivities but also produced and strengthened other bodies and subjectivities, as was the case with the benefiters of the so-called Temizöz sector.

Another controversial concept in relation to the political economy of death is the widespread myth of "per capita money". Not only did all the relatives of the disappeared refer to this *per capita money*, meaning that the JITEM team members received a certain amount of money from the central state apparatus for every person they executed, but also people from political parties, municipality and human rights activists mentioned this issue. People of Cizre and Silopi were convinced that these amounts entitled as *per capita money* were given by the state to the JITEM executive team, essentially to the repentant teams. It is not without reason that the figure of the repentant, who was perceived as the representative of a lower moral status in the JITEM teams as a *traitor* not only vis-à-vis the PKK but also vis-à-vis his "own people", was narrated as the primary receiver of the *per capita money*. One of the most famous

[342] Interview, Silopi Şırnak, October 14, 2012.
[343] Interview, Cizre Şırnak, October 13, 2012.

members of the Cizre JITEM team, Adem Yakin, known mostly by his codename Bedran, was linked with this myth of *per capita money*. It was rumored that when he killed the 100th man, he came to the battalion and said that he needed alcohol since he killed the 100th man and had his *per capita money* for the whole lot. I will not discuss the factual accuracy of such rumors but rather I want to focus on their political meanings. Hişyar Özsoy, while discussing different myths and rumors about the Sheikh Said Rebellion, stated that he "[…] understand[s] these stories as attempts at turning what has been written in history as a failed rebellion into a sacred politico-symbolic cosmology resituated against an oppressive state intruding in Kurdistan."[344] The same approach is also valid for our case; one should question the meanings of these rumors and myths in the politico-symbolic cosmology of the 1990s.

Rumor is not a technical or neutral narrative; according to Anne Laura Stoler "[…] the emergence of rumor mills in relations of colonial domination confounds the cultural construction of truth based on a hierarchy between 'hearsay as *opposed to visually confirmed facts*'."[345] In an environment of conflict and war where visually confirmed facts, audio-visual data disseminated through the mass media and writings of the mainstream press were rigidly pro-state, rumor was one of the discursive spaces, which the relatives of the disappeared used for a different politico-symbolic cosmology. Other forms of narration such as scientific factual narrative or fact based journalistic narrative seemed to be unreachable for the relatives of the disappeared. How to describe the horror of the disappearance and the strength of the JITEM team in this context? How to depict the atrocities performed on the bodies of the disappeared and simultaneous empowerment of other bodies collaborating with the state and the JITEM apparatus? These myths -whether they reflected the factual truth or not- were discursive strategies for depicting the simultaneous destruction and production of the bodies and subjectivities implemented by the JITEM apparatus. As argued by Allen Feldman in the context of Northern Ireland, the rumor and the forms of state violence are intrinsically related: "The exaggerated narrative of rumor directly communicates with exaggerated and grotesque bodily protuberances and distorted orifices which originate in material experiences of terror and violence."[346]

6.2.4. The moral economy of death: sacred and solemn

The political economy of death, thus, was inherently affiliated with the moral economy of death. The components of the political economy were depicted and formulated with the

[344] Hişyar Özsoy, Ibid., 168.
[345] Cited in Allen Feldman, "Violence and Vision: The Prosthetics and Aesthetics of Terror," in *States of Violence*, ed. Fernando Coronil and Julie Skurski (Ann Arbor: The University of Michigan Press, 2006) 452. (425-468)
[346] Allen Feldman, Ibid., 453.

terminology of moral economy, as in the case of the narratives concerning *per capita money*. Not only the *head money* discussion but several other issues of the political economy as well as other sorts of traces of sovereignty, including enrichment of the village guards who were part of JITEM, mutilation and destruction of the bodies of the disappeared and the refusal of the delivery of the bodies, were stated through a sacred politico-symbolic cosmology. According to this cosmology, you can kill people during a war but you have to respect their dignity as well; killing through the destruction of the body and mutilation, not delivering the body of the dead to avoid a funeral and a proper burial, therefore, doing things *à la* JITEM were unacceptable not only from a political perspective but also a religious-nationalist one. I use the term religious-nationalist deliberately because while rejecting the methods of JITEM, families of the disappeared used both a nationalist terminology emphasizing the ethnopolitical nature of the Kurdish conflict and the usurped rights of the Kurdish nation along with a religious terminology stating that a good Muslim would not commit such atrocities given his/her fear of God. I will discuss this religious, even messianic narrative in a more detailed manner in the chapter where I dwell on memory and the everyday life experiences entitled *Rhythm of the quotidian and struggle over memory: performing the political in the everyday life*. Here I would like to point out that the responses given by the families to these traces of sovereignty include a sacred political and symbolic cosmology with the components of nationalism, religion and justice. Bruce Kapferer, an anthropologist focusing on violence and political culture in different contexts, defines this cosmology as a *religious form of nationalism*.[347] Inspired by the definition of Benedict Anderson, who emphasized the distinctive religious features of nationalism, Kapferer points out that the religious form of nationalism invokes people's passions and beliefs and that the place of death is crucial within this nationalist cosmology. The production of nationalist passions through the moral economy of death is essential for several different nationalist movements.[348] The responses of the families of the disappeared to material and symbolic traces of sovereignty, including the dead and tortured bodies as well as destroyed subjectivities, and enrichment of other bodies and flourishing of other subjectivities, are affected by this sort of religious form of nationalism.

The destruction and annihilation of some bodies and subjectivities that were the *supporters of the PKK* from the state's perspective and the supporting of other rival bodies and subjectivities

[347] Bruce Kapferer, *Legends of People, Myths of State. Violence, Intolerance, and Political Culture in Sri Lanka and Australia* (Washington London: Smithsonian Institution Press, 1988), 3.
[348] Bruce Kapferer, Ibid., 3-7. "What I am saying is that the religion of nationalism, in relation to its historical, social and political context, transforms or interprets the import of the religious ideas and themes it incorporates within its own religious scheme." Bruce Kapferer, Ibid., 6.

that were *loyal citizens* were common features of all the JITEM teams throughout Kurdistan. The same was true for the Cizre team, which operating at the margin, in Cizre and Silopi, revealed important patterns about the way the Kurdish conflict was handled by the Turkish state during the 1990s. This knowledge on the handling of the Kurdish conflict, hence, offered not the knowledge of a *margin,* but of the very center of the *state apparatus* itself. The margins are not inert;[349] they are produced constantly through the declarations and implementations of the state of exception or a specific interpretation of a geographical space or stigmatization of demographic groups. The margins, therefore, are politically, socially, spatially and culturally produced and reproduced by various official policies, networks of power and a combination of biopolitics/necropolitics. The political performances exercised at the margins are not extreme practices or marginal exceptions; on the contrary, they may reveal substantial information about the very center of the state apparatus, as was the case in Cizre and Silopi. Besides, I claim that the state apparatus is much more visible at the margins, because they are "the places where state law and order continually have to be reestablished".[350] Since, as part of the logic of the state, there will always be a part of the population, which will need to be educated or repressed or taught to render them the proper subjects of the state,[351] there will always be blurred boundaries between what we call the margin and what we call the center.

What, then, did these margins, Cizre and Silopi, tell us about the very center of the state apparatus? I claim that the JITEM teams should be interpreted as a response to the sovereignty crisis of the Turkish state during the 1990s. The state of exception created in the Kurdish region through a complicated network of legal, political, necro and biopolitical politics, and administrative regulations during the 1990s was the official response of the Turkish state to a massive sovereignty crisis. The PKK, which was labeled as 'a few thugs' or 'a small group of bandits', became the major competitor of the Turkish state and contributed to broadening not only its military capacity but also its political zone and territorial hegemony. Official statements claiming that 'its head would be crushed very soon' became anxious declarations vis-à-vis the continuous expansion of the PKK. The state of exception, the OHAL regime, and its killing apparatus, the JITEM teams were similar, in a way, to political and symbolic walls built by the nation-states as a response to their own sovereignty crisis.[352] These walls would

[349] Veena Das and Deborah Poole, Ibid., 19.
[350] Talal Asad, Ibid., 279.
[351] Veena Das, "The Signature of the State," in *Anthropology at the Margins of the State*, ed. Veena Das and Deborah Poole (Santa Fe: School of American Research Press, 2004), 249.
[352] Wendy Brown, *Walled States, Waning Sovereignty* (New York: Zone Books, 2010), 45.

erode - if not fall apart- and the sovereignty crisis would prevail, though.

6.3. Displacement and dispossession in continuum: forced migration and urban displacement

According to a parliamentary report dated 1997 and entitled *Parliamentary Investigation Commission for Evaluating the Necessary Precautions after an Investigation of the Problems of the Citizens Who Migrated due to Evacuated Settlement Units in Eastern and Southeastern Turkey,* none of the OHAL region governors used their authority for forcibly migrating any of the citizens in the OHAL region during their governorship. Ünal Erkan, who was the OHAL regional governor between 02.21.1992 and 11.01.1995, when forced migration was implemented intensively, testified to the commission that he did not demand from any authority village evacuation and he, therefore, did not use his power.[353] Other previous OHAL regional governors spoke more or less to the same effect, that is, that they did not order for any village's or settlement's evacuation, that the "PKK terrorists" must have evacuated and burned all of these settlement areas, and only the villagers who were under heavy PKK attacks were relocated safely in the new settlement areas and housing zones built by the state. These statements, uttered most probably for denying the responsibility of the state's role in forced migration, implied a contradiction, though: forced migration of the 1990s was indeed planned, and executed in a totally extra-legal field and it was a *de facto* practice implemented by different official entities.

6.3.1. Forced migration as an *ultra vires* strategy

Why was *ultra vires* strategy in question? According to Article 9 of the OHAL Law (Law no. 2935 dated 10.27.1983) the evacuation of certain settlements, the prohibition of settlements, the restriction of entry to and exit from certain settlements are all under the authority of the OHAL regional governorship.[354] The scope of the power of the OHAL regional governorship was not limited solely to forced migration. The scope of the power of the OHAL regional governorship was extensively broad: the suspension of education at all levels and the closing of all student residences temporarily or permanently; the control, temporary or permanent use and closing, if deemed necessary, of all the casinos, taverns, restaurants, local social facilities, clubs and alehouses; the limitation or lifting of all the leaves of the personnel related with the implementation of the state of emergency services; the restriction or suspension of entry and

[353] Parliamentary Investigation Commission for Evaluating the Necessary Precautions after an Investigation of the Problems of the Citizens Who Migrated due to Evacuated Settlement Units in Eastern and Southeastern Turkey [Doğu ve Güneydoğu Anadolu'da Boşaltılan Yerleşim Birim- leri Nedeniyle Göç Eden Yurttaşlarımızın Sorunlarının Araştırılarak Alınması Gereken Tedbirlerin Tespit Edilmesi Amacıyla Meclis Araştırması Komisyonu Raporu,] (Migration Report) (1995) accessed December 16, 2015, https://www.tbmm.gov.tr/sirasayi/donem20/yil01/ss532.pdf, 14.
[354] M. Sezgin Tanrıkulu and Serdar Yavuz, Ibid., 495.

exit of all foodstuff and animal fodder in the region; the right to use all means and tools of communication within the borders of the region, and their confiscation, if deemed necessary.[355] In this broad repertoire of the scope of the power of the OHAL Regional Governorship, the evacuation of settlements seemed to be of primary importance since it was drafted as the first clause of Article 9. A series of decree laws had also been enacted for defining the broad range of powers of the OHAL regional governorship. These decree laws declared that the status along with the practices and acts of the OHAL regional governorship were outside the sphere of law by providing legal and criminal impunity for their acts implemented in their period of office based on the legal framework of the OHAL regime.[356] In addition, in one of these decrees (Decree numbered 285, dated 07.14.1987), the OHAL regional governorship's authority of evacuating the settlement units if deemed necessary had been reinstated.[357] Thus, the legal ground of forced migration was consolidated and the power of decision, again, was given to the OHAL regional governor. If this power had not been used by any of the OHAL governors and ex-governors, then it would mean that the forced migration of the 1990s did not have a legal basis. In other words, forced migration was a strategy implemented completely *ultra vires*.

The parliamentary report also acknowledged the *ultra vires* feature of the forced migration. In the chapter entitled *The legal dimension of the issue,* the parliamentary report, based on the testimonies of the OHAL regional governors, ex-governors and the investigation of the OHAL regional governorship archive, is quoted as stating that "The evacuation of the villages was devoid of a legal basis".[358] However, according to the same parliamentary report, 378,335 individuals had been migrated from the Kurdish cities based on the OHAL Regional Governorship's October 1997 dated data.[359] As discussed above in the chapter *Enforced disappearance and forced migration: terminology, patterns and effects*, this number is far from reflecting the real number of the persons subjected to forced migration; and the questioning of this number is an essential part of the debate regarding the acknowledgment and recognition of the state violence during the 1990s.[360] According to the same data, there are 71,874 internally displaced persons from Şırnak, thus Şırnak is the primary city with the

[355] Ibid., 495-497.
[356] Decree Laws No. 425 and dated 09.04.1990 and No. 430 and dated 16.12.1990. For the Decree Laws, see. Mevzuat, accessed December 5, 2015, http://www.basarmevzuat.com/dustur/khk/5/2935/a/khk425.htm and http://www.mevzuat.gov.tr/MevzuatMetin/4.5.430.pdf.
[357] For the Decree Law, see. Mevzuat, accessed December 5, 2015, http://www.mevzuat.gov.tr/MevzuatMetin/4.5.285.pdf
[358] Migration Report, 62.
[359] Ibid., 12.
[360] In the report it is stated that this number solely includes the population of the places where a total evacuation occurred. It is also stated that the report's number does not include partial or individual migration. See. Ibid., 30.

biggest number of IDPs among all the other cities governed by the OHAL regime. There is another important data on Şırnak, Cizre in the parliamentary report. Hayri Kozakçıoğlu, the OHAL regional governor in the period 01.02.1987 -08.02.1991, stated that during the years of his OHAL governorship, the PKK was not yet in possession of heavy guns. According to Kozakçıoğlu, during the Gulf War, while the Saddam regime was withdrawing from Northern Iraq, the PKK somehow took possession of the heavy guns of the Iraqi army. Therefore, during Kozakçıoğlu's governorship, the PKK forces had started substantial attacks on the villages with these heavy guns and the OHAL governorship resettled the villagers who were under heavy attack by the PKK. The OHAL regional governorship helped these villagers with the method of "build your own house". Kozakçıoğlu did not tell any other detail regarding this method; however, he stated that with this method the Babat family in Şenova had been resettled in Kumçatı, a place between Şırnak and Cizre.[361] The name of the Babat family and specifically Hazım Babat is very familiar to the JITEM structure since he was famous for his collaboration with the JITEM teams as the Head of the Village Guards in the Şırnak region. Cem Ersever depicted the position and activities of Hazım Babat at the end of the 1980s and the beginning of the 1990s as follows:

> "The Babatlar tribe was in charge of the second region [i.e. the region of Şırnak, Cizre, Uludere, and Şenoba]. They were the triggermen of all the unsolved incidents in that region. The tribe's head Hazım Babat was also the head of the village guards. They killed people without hesitation to be favorable in the eyes of the state."[362]

The support money of the OHAL regional governorship, which was supposed to be used for supporting the villagers forcibly migrated due to security reasons, was used for the needs of Hazım Babat, his family and his tribe. The signs of JITEM were everywhere, even more so in the official documents of the 1990s while describing official policy. This reveals, once again I claim, the holistic nature of these violent strategies; they were all intertwined and reinforced each other through numerous relational, political and social capillary networks.

Going back to the issue of the acknowledgment of forced migration, it could be argued that the parliamentary report, therefore, implicitly acknowledged that 378,335 persons had been migrated devoid of a legal basis and were outside the protection of the legal system not only at the moment of the forced migration but also in their arrival places. The report included a detailed account of the different problems experienced by IDPs such as health problems,

[361] Ibid., 15. The Kumçatı mayor stated that the population of Kumçatı rose to 11,000 from 2,300 due to the migration of the villagers and inhabitants of the hamlets who were migrated because of terror and operations. He also stated that the state selectively supported and helped some of the migrants and provided them cement and iron but did not support some other migrants. Furthermore, he added that the state did not provide any support for the Municipality. Ibid., 15.
[362] Soner Yalçın, Ibid., 136.

education issues, and other difficulties encountered in the city of arrivals. Different mukhtars coming from Van and Diyarbakır and other citizens who narrated their own stories of migration, pointed out the miserable conditions of the IDPs living in the arrival cities, who were struggling with poverty, unemployment, hostility, loneliness, and stigmatization and discrimination of the state authorities. In the report, the emphasis on the ECtHR is striking; the investigation commission asked the Ministry of Foreign Affairs to provide the number of cases against Turkey and their distribution according to the subject matter. Accordingly, there were 847 appeals in total before the ECtHR against the government of Turkey, and the number of appeals regarding the burning and evacuation of the villages in Southeastern Turkey was 347, which ranked first among all the appeals.[363]

The report was also politically "courageous" in the sense that it explicitly linked the migration issue with the "Kurdish question" as a political one. Under the title of *General Policies* the writers of the report suggested that there were four major projects which should be implemented. These were listed as *Bringing the Civil Initiative Forward*; *Peace Project*; *Democratization Project* and *Regional Socio-Economic Project*. Under these subheadings, the need for a political and peaceful solution was emphasized several times; the ending of the OHAL regime; the abolition of the inner-state mafia-like networks which inflamed the bleeding conflict in pursuit of their own interests, and the embrace of all the citizens of Turkey on the basis of equal citizenship with the macro-identity of being the citizens of the Republic of Turkey were also pointed out.[364] These were "brave" suggestions for 1997, though several NGOs and scholars had constantly criticized the parliamentary report essentially for the number of the IDPs arguing that it helped serve to diminish and minimize the tremendous scope of forced migration. At the risk of being repetitive, I would like to reiterate the main criticisms stated vis-à-vis the parliamentary report. The number of the IDPs mentioned in the report was extremely problematic since it neither accounted for the partially evacuated villages and hamlets nor considered "[…] as forced migrants all people forced or compelled to leave their homes because of feelings of insecurity, armed clashes, military-imposed food embargoes, as well as threats by security forces, the PKK, and government employed village guards".[365] Secondly, the number of the report is based on the rural areas solely; e.g. it solely included completely evacuated villages and hamlets. Moreover the number of the report completely omitted the displacement in the provincial and district/city

[363] Migration Report, 61.
[364] Ibid., 80-83.
[365] Bilgin Ayata and Deniz Yükseker, Ibid., 15.

centers. Thus, the number ignored the forced migration occurring in the urban areas and in provincial city centers such as Kulp and Lice in Diyarbakır, Diyadin and Doğubeyazıt in Ağrı, Yüksekova in Hakkari, Cizre in Şırnak and Şırnak city center itself.[366] And finally, the ethnic dimension of forced migration, e.g. the fact that it targeted mainly Kurdish citizens in the Kurdish region was not completely acknowledged in the report, even if it linked the forced migration issue with the broader concept of the Kurdish issue in general.

Relatively "brave" suggestions of the parliamentary report for the democratic solution of the Kurdish issue were written as a result of a peculiar political equilibrium established around the Investigation Commission. The spokesperson of the commission, Algan Hacaloğlu, a member of CHP, defining himself as a social democrat, and the minister of the state responsible for human rights of the 50th government, served during the period March 27, 1995 - October 5, 1995.[367] He was not a very influential figure in the government though known by his public speeches on the poor condition of the human rights in the country. One of his press statements in relation to forced migration was also quoted in the parliamentary report. Accordingly, in the Yeni Yüzyıl newspaper dated 09. 12. 1995, the then minister of the state responsible for human rights stated: "In Tunceli, I learned even persons at the level of master sergeant could decide to evacuate a village for reasons of security. When I told this situation to the governor he stated that he did not know about it."[368] The president of the commission, on the other hand, was Seyyit Haşim Haşimi, a parliamentarian of the 20th period – January 8, 1996 - April 18,1999- from the Welfare Party (Refah Partisi) –an Islamic party, relatively different and more moderate on the Kurdish issue and the rights of the Kurdish society- and of the 21st period - April 18, 1999 - November 14, 2002- as an independent MP,[369] who was known to hold opinions different from the official approach. Haşimi, MP of Diyarbakır during both periods, as the ex-mayor of Cizre coming from a well-known, wealthy and respected, pious family from Cizre, expressed continuously with a moderate and Islamic tone his opinions for the democratic solution of the Kurdish issue through the recognition of the usurped rights of the Kurdish society.[370] It should also be noted that other parliamentarians of the commission apart from Algan Hacaloğlu, Seyyit Haşim Haşimi, and MPs of the Kurdish region coming from Diyarbakır, Ardahan, Mardin and Van, added a dissenting opinion to the report. The statement emphasizing equal citizenship rights was rejected in nearly all of the

[366] Vedat Çetin, *Yakılan/Boşaltılan Köyler ve Göç* (Ankara: Öteki, 1999), 41.
[367] See. https://www.tbmm.gov.tr/develop/owa/milletvekillerimiz_sd.bilgi?p_donem=22&p_sicil=4587
[368] Migration Report, 20.
[369] See. https://www.tbmm.gov.tr/develop/owa/milletvekillerimiz_sd.bilgi?p_donem=21&p_sicil=5418
[370] His first name Seyyit means that he comes from the prophet Muhammed's family, that he is one of his ancestors. The prestige of the family in Cizre partially stems from this reference.

dissenting opinion based on the argument that there is no discrimination in the Republic of Turkey and the word Turkish is not an ethnic definition but refers to a cultural entity, which includes all the citizens of Turkey.[371] The report, thus, did not in actual fact reflect the rigid official stance of its period but rather echoed a relatively more peaceful and pro-solution approach despite all of its deliberate efforts for minimizing and reducing the scope of forced migration.

6.3.2. Conquering territory through ruination: material and discursive strategies

The perpetrators of the forced migration were always stated as military officers in the parliamentary report. IDPs named the perpetrators either directly as military personnel or men in military uniform. This tendency is in line with the results of my fieldwork; all of my interviewees stated that their villages, hamlets or other settlement units had been forcibly evacuated and in some of the cases burnt down by the military officers/teams. They were not necessarily JITEM teams, though; regular military teams came to the village, announced that the settlement unit would be evacuated, gave very little time to the inhabitants for packing their belongings and frequently burnt down either the houses or occasionally all the buildings in the village. In most cases, forced migration happened very abruptly and brusquely. The reasons varied significantly. However there were also some similarities; refusal to serve as the village guard was one of the most common reasons but other reasons such as having too many youngsters as guerillas in the PKK troops or being suspected of logistically helping the PKK troops by providing them food supply, water or shelter. In some cases the collapse of agriculture or animal husbandry due to pasture prohibition collapsed all the means of livelihood and people were forced to migrate, sometimes whole villages and/or hamlets had been destroyed on the pretext of the conflict and in some cases people had to flee their settlements due to lack of security of life. In some of the cases, however, the military team, which evacuated the settlement unit did not even mention a reason and just evacuated the settlement unit, partially or completely. [372] In my interviews, several IDPs reported that they were forced into being the village guard and they were mostly the ones who refused it. Although the implications of refusing to be a village guard had changed throughout the Kurdish conflict, during the 1990s, this refusal meant for local official authorities a sign of implicit or explicit support for the guerilla movement. The suggestion of being a village guard was used as a strategy for differentiating the loyal citizens from the supporters of the PKK. A negative response would result in the repression, evacuation and burning of a settlement

[371] Migration Report, 87.
[372] Göç-Der, Ibid., 36.

unit.[373]

The *modus operandi* of the evacuation and destruction of settlement units, I argue, revealed that this process was not a side effect or haphazard activities of the army officers but rather a structured, planned and meticulously implemented strategy. The counter-insurgency methods and the intensified war between the PKK and Turkish armed forces of the 1990s was a spatialized confrontation. The area control strategy, which was based on claiming the territorial domain, resulted in two strategies for both sides: from the perspective of the PKK, creating liberated zones or controlled areas, politically and militarily became crucial for the continuation of the guerilla movement with the beginning of the 1990s; and from the perspective of the state, *the environmental deprivation of the guerilla forces* and (re)gaining and claiming the area control over the space was crucial, politically, symbolically and militarily.[374] The main problem for the Turkish army was the lack of knowledge or ignorance concerning the spatial patterns of the Kurdistan region, based on dispersed and small rural settlements and the PKK's effect on these settlements. "The evacuation of small rural settlements as constituent part of the counter-insurgency strategy",[375] I claim, shaped also the patterns and perpetrator groups of the forced migration. I argue that the extra-legal functioning of forced migration along with its implementation by perpetrators acting *ultra vires* is not a coincidence. Forced migration, as a strategy that included *less* deadly acts but a *continuous* violence affecting the everyday lives of the IDPs permanently, was a more acceptable strategy of counter-insurgency from the official perspective. It was, first of all, formally, from the standpoint of the state, a *tenable* strategy compared to the deadly activities of the death squads and the JITEM teams. The perpetrators were, therefore, more visible and instead of working in the JITEM style, official military units directly implemented forced migration. In addition, as discussed above in the chapter *Enforced disappearance and forced migration: terminology, patterns and effects*, it was a widespread strategy implemented in several other contexts of conflict throughout the world. This fact must have encouraged the Turkish state and apparently, in this respect, they seem to have been proven right: "The international community has largely ignored the issue of forced displacement by associate country/candidate EU member and NATO ally Turkey, in spite of the fact that international human rights organizations reported the village evacuation and destruction that went with

[373] Evren Balta, Murat Yüksel, and Yasemin Acar, Ibid., 25.
[374] Joost Jongerden, Ibid., 90-93.
[375] Ibid., 91.

it."[376] Not until the beginning of the 2000s, did the international community including institutions such as EU and UN act or pressure the Turkish state on forced migration. Military forces intervening and retaliating in zones of conflict and the redrawing of the national political landscape,[377] are unfortunately a common feature of conflicts; and the Turkish state benefited from this knowledge while building the secrecy and blatancy equilibrium of the act.

The discursive strategy of the state in relation to forced migration, which created a pendulum between total denial and selective recognition[378] throughout the 1990s and 2000s, made possible statements of relatively different political positions within the state apparatus, as revealed by a close reading of the parliamentary report on forced migration. The ideological basis of the official stance emphasizing the reduction and minimization of the scope of forced migration, totally or partially de-politicizing the migration process, and blaming the PKK as the main actor for implementing or causing forced migration completely or partially was shared by different political stakeholders. Therefore, even politically more "courageous" positions, such as the ones stated in the parliamentary report, shared this ideological and political basis and became a variant of the statist stance by reducing its possibility of being more critical. The IDPs could be included in this stance, if at all, solely through their depiction of the miserable conditions.

My interviewees, who were IDPs coming from several cities from Ağrı, Siirt, Şırnak and Batman to Istanbul, were aware of the fact that forced migration was a constituent part of the counter-insurgency strategy during the 1990s. During the interviews, they reiterated that the *state* implemented forced migration and that *uniformed army officers* evacuated their villages or other kind of settlement units. These statements were also common among the relatives of the disappeared in Şırnak, who were in the meantime IDPs because of the evacuation and destruction of their own villages. The state did it, the army officers evacuated the villages very abruptly and brusquely, people did not have time to even take their personal belongings and then they destroyed, either through fire and burnings or destruction of the buildings the whole village, which left "[…] ruins, only ruins. The whole village turned out to be solely ruins. In minutes, it happened in minutes. The place where we lived was totally ruined and there was nothing we could do. I still remember it as if it was yesterday."[379]

During my interviews conducted in Istanbul, initially, the interviewees were referring to the

[376] Joost Jongerden, "New Perspectives on Forced Migration and Return to Village in Kurdistan-Turkey," in *Second International Dersim Symposium, September 20-22, 2013* (Tunceli: Tunceli University Press, 2014), 378-379. (378-402)
[377] Fernando Coronil and Julie Skurski, Ibid., 17.
[378] Bilgin Ayata and Deniz Yükseker, Ibid., 32.
[379] Interview, Kartal İstanbul, January 03, 2012.

state with a relatively neutral and depoliticized terminology, emphasizing that they have "a clear page with the state" or they are coming from "Southeastern Anatolia". However, after the first meeting, and occasionally during the same interview, this depoliticized tone was altered. The Kurdishness of the IDPs began to be claimed and a much more politicized discourse and tone superseded a previously more depoliticized discourse. At that moment, the knowledge of the state was manifested in a more explicit manner in the narratives. The state, as an entity represented by the military units that evacuated - and sometimes burned and destroyed – the villages, was depicted as an apparatus diffusing violence, destruction and fear. Its ruin was not only spatial and monumental but also symbolic and personal.[380]

Ann Laura Stoler conceptualizes different meanings of ruins and ruination through the notion of imperial formations. Accordingly, "Imperial formations are relations of force. They harbor political forms that endure beyond the formal exclusions that legislate against equal opportunity, commensurate dignities, and equal rights."[381] Within the concept of imperial formations, the ruination, she argues, is both a process and a political project:

> "[ruination] is also a political project that lays waste to certain peoples and places, relations, and things. To think with ruins of empire is to emphasize less the artifacts of empire as dead matter or remnants of a defunct regime than to attend to their reappropriations and strategic and active positioning within the politics of the present."[382]

After an emphasis on the differences between the ruination processes and projects played out in imperial centers and appearing in formerly colonized regions, she adds:

> "Ruins are made but not just by anyone, anytime, or anywhere. Large-scale ruin making takes resources and planning that may involve forced removal of populations and new zones of uninhabitable space, reassigning inhabitable space, and dictating how people are supposed to live in them. As such, these ruin-making endeavors are typically state projects, ones that are often strategic, nation-building, and politically charged."[383]

The ruination of the Kurdish region through the implementation of forced migration, both as a process and a political project, was explicitly defined, and invoked notions of fear, violence and irrevocability in the narratives of the interviewees. The state, as an entity crystallized in the military troops that were the perpetrators of forced migration, was depicted as an omnipotent actor of violence, destruction and appropriation.

---

[380] For a study that conceptualzed Van from the prespective of ruination see. Marlene Schafers, "Ruined Futures: Managing Instability in post-earthquake Van (Turkey)," *Social Anthropology/Anthropologie Sociale* 24, no. 2 (2016): 228-242.
[381] Ann Laura Stoler, "Imperial Debris: Reflections on Ruins and Ruination," *Cultural Anthropology,* no. 23 (2008): 193.
[382] Ann Laura Stoler, Ibid., 196.
[383] Ann Laura Stoler, Ibid., 202.

6.3.3. Encountering the state in the urban context

The state encountered in Istanbul was defined radically different by the same interviewees. Although life in Istanbul was also depicted as part of a continuous displacement due to UTPs, which is linked to the experience of forced migration, the discursive repertoire of my interviewees altered drastically. This time, the state apparatus and its different agents were depicted in a more nuanced manner and a terminology of market and capitalism was operational instead of the terminology of violence, fear and repression. It was now a more personal, operational and contextual description of the state, as if it were a businessperson. Several different actors and institutions such as the central state apparatus, local authorities, mayors, governors, and district governors were differentiated in the narrative and their responsibilities were expressed with the vocabulary of profit, market, social state and social rights. A terminology comprised of benefit, interest, unearned income, social and municipal services, and participation replaced the previous terminology of state violence, fear and destruction. Moreover, new inhabitants of Istanbul were more aware of their negotiating and political power as voters in the context of the novel urban setting.

A discursive transformation from the sovereign state into the governmental state occurred in the description of experiences in Istanbul's urban space and UTPs. A sort of ruination was also described in the context of UTPs but this time the vocabulary was not only more complicated and differentiating among different official agents but also categorically altered toward a market and management oriented vocabulary. From this novel perspective, which was essentially different from the previous one that defined the state with violence and fear, the state was defined mostly with *failure*, in the sense that it failed to implement fair, participatory and protective UTPs in the urban sphere. The state also failed to provide social services, protect basic human rights, and create an environment of solidarity in the arrival city, namely in Istanbul. This rhetoric of *failure* was not a depoliticized one, though; it was always analyzed through the notion of being a Kurd in the urban sphere where UTPs would be implemented.

Failure is at the heart of the developmental projects implemented in a whole different context, in the post-colonial African states, according to James Ferguson. He claims that corruption, failure, and inefficiency are integral parts of the development projects. In line with this, Dutkiewicz and Shenton state:

> "The completion, or, in a rational capitalistic sense, the efficient operation of such parastatals or development projects would have obviated the need to generate further plans and projects to achieve the ends which their predecessors ailed to do. In this sense, inefficiency was 'efficient,' efficient for

the expanded reproduction of the ruling group."[384]

This is a good analogy for the UTPs implemented in Istanbul in the sense that the features narrated as *failure* from the perspective of the IDPs were in actual fact efficient for the expanded reproduction of the ruling group. It was a failure from the perspective of the IDPs but an efficient strategy from the perspective of different official agents.

The feeling of *being at the margin* created a continuum for the IDPs living in *gecekondu* neighborhoods of Istanbul, which were either destroyed or reshaped by different sorts of UTPs. I will scrutinize these processes in the upcoming subchapter but here I would like to point out the continuum of both politics of displacement, dispossession and dislocation as well as politics of producing a spatial, political and cultural margin. Structured through different strategies and tactics, IDPs felt the cruel continuity of being in a produced margin, both in Kurdistan and in Istanbul. They did not perceive themselves as passive receivers of this polity, however; they somehow emphasized this feeling of continuity of being in a spatially produced margin as political agents. IDPs considered the state apparatus responsible for this continuum, describing it in a sharply different manner discursively with respect to forced migration and post-migration periods.

Finally, the plurality of the state actors and agents ranging from the municipality staff, TOKI employees, mayors, district governors to social workers, police officers and staff of tax bureau were reiterated. There were also various formal and informal intermediaries like persons collecting money for the land of the *gecekondu* house, mukhtar of the neighborhood manipulating the municipality regarding the information about parcel allocations, or the local opinion leaders managing neighborhoods associations, etc. For an IDP living in a *gecekondu* neighborhood in Istanbul, talking about the state meant referring to the activities of all these various actors. Bureaucratic, market-oriented, administrative, repressive and political agents of the state were engaged in constant activities in the context of the implementation of the UTPs. The local agents of the state became relatively more important in this milieu. Apathy of the state apparatus, however, was still ongoing despite the presence of its plural agents. Such plurality of agents and performances were recognized by the IDPs. This plurality may be interpreted as *an excess of statehood practices*, a concept defined by Begona Aretxaga. She argues:

> "The imagined national state, which is supposed to provide for its citizens, seems remote and careless, not fulfilling its obligations and generating a discourse of state deficit, an insufficient state

[384] Cited in James Ferguson, "The Anti-Politics Machine," in *The Anthropology of the State. A Reader*, ed. Aradhana Sharma and Akhil Gupta (Malden MA: Blackwell, 2006), 279.

> which has abandoned its citizens. In fact, there is not a deficit of state but an excess of statehood practices: too many actors competing to perform as state."[385]

There existed a uniformity in this plurality, though. Elaboration of the ethnopolitical issue defined as the Kurdish issue would play, again, a major role in the Istanbul's urban life of IDPs. The continuum of displacement, dispossession and dislocation seems to be structured and deeply rooted in statehood practices.

6.4. Forms of governmentality: Istanbul's *gecekondu* neighborhoods

If sovereignty is, briefly, the power over the decision of life and death, then governmentality is, briefly, the relational networks of power over the population. As a concept elaborated by Michel Foucault, governmentality is linked with the terms security, territory and population. It is the ensemble established by the institutions, procedures, analyses, calculations, tactics and reflections, which constitute a complex form of power that targets the population as its principal form of knowledge. It is a process rather than the concrete result or a specific momentum and it provides a peculiar distribution of power, diffusion of governmental apparatuses and the development of the whole complex *savoirs*.[386] Governmentality includes, therefore, relational networks for taming, organizing, producing and making governable the populations and producing through different performances forms of subjectivities. If the state in Cizre and Silopi is the sovereign state, it follows that the state in Istanbul is the governmental state. Although there are important intersections between these two concepts, the governmental state is a more adequate term for defining the experiences of the IDPs with different official actors in Istanbul's urban sphere.

My main argument is that the experiences of the IDPs living in the *gecekondu* neighborhoods in Istanbul, which were affected by the UTPs, could be better understood with the notion of governmentality. I already described the basis of the UTPs above, in the chapter *Setting the scene: Istanbul and Şırnak*. In this subchapter, I would like to elaborate more on the forms of governmentality in the neighborhoods where I conducted my fieldwork: the Ayazma neighborhood and Bezirganbahçe Mass Housing Blocks in the Küçükçekmece district,[387] and the Hürriyet and Yakacık neighborhoods in the Kartal district. The double dislocation experienced by the IDPs living in these neighborhoods occurred through different elaborations of urban and ethnopolitical differentiations. Needless to say, the UTPs are also a governmentalized tool for class cleansing and spatial disintegration. Moreover,

[385] Begona Aretxaga, Ibid., 396.
[386] Mitchell Dean, Ibid., 74.
[387] The land of Ayazma neighborhood is now in the administrative frontiers of Başakşehir Municipality and not Küçükçekmece Municipality. When I was conducting my fieldwork, initially, it was part of the Küçükçekmece district.

commercialization of the *gecekondu* neighborhoods, revalorization of the urban land and an immense opportunity for rent on the urban land also complicate the picture. However, I argue that the ethnopolitical anxieties are also essential in these processes of dislocation. Not only from the official perspective but also from the perspective, positions and subjectivities of different stakeholders in these neighborhoods, discursive strategies and daily performances were affected by the massive arrival of the Kurds during the 1990s as a result of forced migration. The UTPs also contributed to the perception of the IDPs as having been subjected to displacement in continuum in different ways. However, for a better understanding of the forms of governmentality in the specific spatial context, a closer look at the structure of these neighborhoods is necessary before discussing these questions in depth.

6.4.1. Spaces of urban margin, spaces of intervention: Ayazma and Bezirganbahçe

The Ayazma Area (*Mevkii*) was technically and administratively not a neighborhood but an integral part of the Ziya Gökalp neighborhood and currently, it does not exist due to its total destruction. Still, I will use the term neighborhood for this settlement area since this term was widely used by the inhabitants of Ayazma. Although Ayazma became a part of the Başakşehir Municipality after the local elections of March 29, 2009, it was originally within the borders of the Küçükçekmece Municipality. The Küçükçekmece Municipality is one of the fastest growing municipalities in Istanbul, with a 37.75 kilometer square surface area and a total population of 761,064.[388] The ardent interest in urban transformation of the district municipality, especially ambitious projects of the then mayor Aziz Yeniay, transformed the Küçükçekmece Municipality into a crucial actor of urban transformation.[389]

Ayazma was located among a number of important industrial zones in the area: to the east of Ayazma there is the Organized Industrial Zone, to the west the Olympic Park, to the south the TEM Highway, Atatürk Airport and Halkalı Mass Housing Zone and finally to the north there is the Kayabaşı region. This location shows the characteristics of a *gecekondu* residential area, which is in the midst of the important industrial zones of the Küçükçekmece District. As was the case with most *gecekondu* areas, this spatial position provided precarious job opportunities in the nearby industrial zones. Although the UTP for this location was named as Ayazma-Tepeüstü Urban Transformation Project, its dwellers considered Ayazma and Tepeüstü to be

[388] Küçükçekmece Belediyesi, "Küçükçekmece Konumu," http://www.kucukcekmece.bel.tr/icerikler/kucukcekmece/konumu/708 and "Küçükçekmece Nüfusu," accessed January 20, 2016, http://kucukcekmece.istanbul/icerikler/kucukcekmece/nufusu/710.

[389] A closer look at their activity reports reveals this zeal with its details, specifically Housing and Expropriation Sections. Küçükçekmece Belediyesi, "2013 Faaliyet Raporu," http://www.kucukcekmece.bel.tr/Content/dosya/1946/2013fr-61903-7656361.pdf and "2014 Faaliyet Raporu," accessed January 20, 2017, http://www.kucukcekmece.bel.tr/Content/dosya/1946/2014fr-36896-7172902.pdf.

two different neighborhoods. It was true that these neighborhoods were demographically, politically and culturally different. Ayazma was a relatively new settlement area compared to the classical *gecekondu* neighborhoods; it was established at the end of the 1970s and the beginning of the 1980s. As the longevity of such a neighborhood created legitimacy against forced demolitions, the inhabitants of Ayazma were well aware of their disadvantaged position. My interviewees from Ayazma, therefore, systematically underlined that the neighborhood already existed by the 1960s and 1970s during the interviews as a discursive strategy of legitimacy. Tepeüstü was relatively older, though; its establishment went back to the end of the 1960s.

The population of Ayazma dramatically increased during the 1990s due to forced migration. IDPs coming from Ağrı, Muş, Siirt, Bingöl, Erzurum, Kars and Şırnak resettled in this location rapidly with the support of solidarity networks of kinship and place of origin.[390] The population of Ayazma, hence, was mainly comprised of Kurds; according to my interviewees, approximately 80-85 % of the neighborhood's population was Kurds. Initial inhabitants of Ayazma who came to Istanbul during the early 1980s were mostly from Erzurum and they were in a relatively better position than IDPs of the 1990s. A small minority of migrants from the Black Sea region also resided in Ayazma but most of them were residents of the Tepeüstü neighborhood. The Tepeüstü neighborhood, on the other hand, was mainly established with migrants from the Black Sea region who came during the late 1960s, 1970s and 1980s. They called Ayazma as the *Kurdish neighborhood.* Most of the working population of Ayazma was employed in precarious and insecure manufacturing and construction jobs in the informal sectors with low salaries. Men were usually working at construction sites and textile ateliers. Unmarried young women were partially going to the textile ateliers as well. Married women, on the other hand, were not going "outside" to work but rather were doing piecemeal jobs at home.

According to the Küçükçekmece Municipality's sources, Ayazma was a neighborhood composed of approximately 1,800 houses and 7,800 inhabitants in 2004.[391] The Küçükçekmece Municipality described the neighborhood in the following way:

[390] The migration patterns in Turkey, as discussed partially above in the *Enforced disappearance and forced migration: terminology, patterns and effects* chapter is based on the clustering of kinship or place of origin networks. Traditionally, migrants preferred to choose the place of migration based on several informal relational networks and place of origin along with kinship networks was among the most important ones. For an elaborate discussion on these relational networks and specifically networks on kinship and place of origin, see. Sema Erder, Ibid., 35-38. After surviving the first shock of forced migration, IDPs also preferred their final destination in relation to mostly these relational networks. For the same observation regarding IDPs, also see. Deniz Yükseker, Ibid., 264-265.

[391] Aziz Yeniay, *Ayazma ve Tepeüstü Kentsel Dönüşüm Projesi* (Istanbul: Küçükçekmece Belediyesi, 2007), 24.

> "It is an area developed illegally on treasury lands (squatter houses), consisting mainly of single-storied houses devoid of any technical and social infrastructure, causing the area to be regarded as a slum area in both social and economic terms. The neighborhood is disintegrated from and located at the outskirts of the city with a population profile which may be considered as "the others", who try to hang on to the city, indeed to life as under extremely primitive conditions of living at a sub-area likely to be the most prestigious one in the Istanbul Metropolitan Area."[392]

Ayazma, therefore, was discursively produced as a *space of margin* firstly by the Küçükçekmece Municipality, and the then mayor Aziz Yeniay. The discursive representation of the neighborhood with a vocabulary including such terms as *others*, *primitive conditions*, and *slum area* in the pamphlet of the municipality operated as a legitimacy tool during the implementation of the UTP. Tepeüstü and especially Ayazma were represented as the spaces of poverty, deprivation, dilapidation and obsolescence in the statements of the municipality staff and written documents of the municipality in line with the general legal framework of the UTPs. This rhetoric was constantly reiterated before and after the implementation of the UTP in Ayazma and since the physical and material conditions of the neighborhood were really difficult it was a useful strategy. This vocabulary concealed other possibilities of transformation of the neighborhood such as *in situ rehabilitation*, meaning the rehabilitation and amelioration of the neighborhood while the inhabitants continued to live in their houses. In addition, this discursive representation also operated as an ideological tool to obfuscate lack of participation on the part of the neighborhood inhabitants during the whole UTP process.

Bezirganbahçe Mass Housing Administration (MHA) houses, on the other hand, where the *right owners* of the Ayazma and Tepeüstü *gecekondu* neighborhoods were transferred, are located within the Halkalı MHA. Several mass housing projects and sites already marked this area. Bezirganbahçe MHA houses were constructed in relation to Ayazma- Tepeüstü UTP's trilateral protocol signed by the Istanbul Metropolitan Municipality, Küçükçekmece Municipality and MHA on June 13, 2004. This protocol was the legal basis of the UTP as well as Bezirganbahçe MHA houses. The official name of the project was "Istanbul Küçükçekmece Halkalı Houses" and the project type was "urban renewal project" according to MHA registers. Before the construction of Bezirganbahçe MHA Houses, the land was not a housing area, though. Part of the land was vacant and part of the land was allocated to an old vehicle inspection station. According to the oral information provided by a MHA officer, the official proprietor of the land was, initially, the Treasury. As described above in the *Setting the scene: Istanbul and Şırnak* chapter, MHA has the right to ask the transfer of the property's

[392] Ibid., 25.

land without any payment. Therefore the property of the land of Bezirganbahçe MHA Houses had been transferred to MHA from the Treasury at no cost.

Bezirganbahçe MHA houses are comprised of 2,640 houses (55 blocks each of which is 11 stories), 1 primary school (with 52 classrooms) and a sports hall that belongs to the primary school, 1 healthcare center and 1 shopping mall (with 18 stores). Allocated to the families coming from Ayazma and Tepeüstü neighborhoods were 1,474 houses.[393] Other blocks were partially allocated to inhabitants coming from Zeytinburnu as part of another transformation project, and to police officers. Some of the blocks were simply sold through a regular selling process. Generally speaking, the downward area of Bezirganbahçe was allocated to Ayazma inhabitants (right owners), 6 blocks in the middle of the area side-by-side with the blocks allocated to police officers and their families, and the upward area was allocated to the families who had just bought their houses from MHA.

6.4.2. Who is the right owner and who is not?

One of the most important questions regarding the implementation of UTPs was the identification of the *right owners*. In other words, who was entitled to have a house in MHA buildings after the demolishment of the *gecekondu* neighborhood? Ownership in a *gecekondu* settlement is a very complicated issue. As Bartu Candan and Kolluoğlu note, "Ownership in the gecekondu might mean several things. It could mean (i) having the "use right" of a house through a gecekondu amnesty law; (ii) having a title deed of the land but not the house on it; or (iii) not having any title deed or the "use right" of either the land or the house."[394] In case of Ayazma, all these complicated configurations of ownership played an important role during the implementation of the UTP. Ayazma displayed very complicated land ownership patterns:

> "[Ayazma] is composed of 102 parcels. 19 of them are owned either by the state or by pious foundations (*vakıf*), which makes up about half of the land in the area. The rest of the land, which is divided into 83 parcels, is 'owned' by a total of 1,071 individuals. Except for 223 people who have *de jure* ownership with formal titles (*tapu*), the rest are informal owners who acquired ownership through illegal subdivisions, which gives clues about the informal processes through which land in Ayazma has been commodified."[395]

[393] Aziz Yeniay, Ibid., 27.
[394] Ayfer Bartu Candan and Biray Kolluoğlu, "Emerging Spaces of Neoliberalism: A Gated Town and a Public Housing Project in İstanbul," *New Perspectives on Turkey*, no. 39 (2008): 16. (5-46). For a thorough analysis of the complicated land tenure structures of the *gecekondu* neighborhoods and the political and urban consequences of such complication, see. Tuna Kuyucu, "Law, Property and Ambiguity: The Uses and Abuses of Legal Ambiguity in Remaking Istanbul's Informal Settlements," *International Journal of Urban and Regional Research*, no. 38 (2014): 609–627.
[395] Tuna Kuyucu, "Poverty, Property and Power: Making Markets in Istanbul's Informal Low-Income Settlements" (PhD diss., University of Washington, 2010), 228. These numbers and proportions are also confirmed by a pamphlet published by the Küçükçekmece Municipality.

These numbers clearly reveal that people had ownership over very small plots and the exact boundaries between different people's plots were not clearly marked. Therefore, determining the *legal right owners* was a very complicated issue because of the unclear ownership patterns and the whole process became very much vulnerable to all sorts of nepotism and corruption. This also paved the way for the production of new inequalities and hierarchies among the residents. According to the UTP protocol, only the inhabitants who had settled on the private land were declared as *right owners*. In Ayazma, 1,177 individuals owned 1,244 of the buildings, and even though all these buildings were unauthorized, some people were defined as *occupier* and some others as *right owner*.

> "If a *gecekondu* was built on publicly owned parcels, according to the law, the 'owners' were classified as 'occupiers', with no right either to their land or to their buildings. A total of 586 buildings existed on public land, in which 621 households resided. These were 'owned' by 572 individuals (i.e. 'occupiers'). On the privately owned parcels, on the other hand, there were 658 buildings in which 1,269 households resided. These 658 buildings were 'owned' by 602 individuals. Even though these buildings were also unauthorized, their owners were not classified as 'occupiers' because the land is privately owned."[396]

The complicated land ownership and the obstinacy to divide the *gecekondu* inhabitants as *occupiers* and *right owners* resulted in constituted arbitrary classifications and categories. Firstly, the dwellers of Ayazma were divided into several categories, producing new forms of inequalities: occupiers vs. right owners, tenants vs. proprietors. By late 2004 and early 2005, when the UTP had just commenced, letters coming from the Küçükçekmece Municipality were received by Ayazma dwellers. The letters stated "[…] all the dwellers of the Ayazma-Tepeüstü neighborhoods will be the rightful owners in the new social housing units regardless of their being proprietors or tenants".[397] The process, in the end, was sharply different, though.

Apart from these divisions producing arbitrarily new forms of inequality between different stakeholders, the process of negotiations with the *right owners* had also been nontransparent and arbitrary. The ones who already had close relationships with the Küçükçekmece Municipality -ruled by Justice and Development Party (Adalet ve Kalkınma Partisi – AKP)- were favored according to the overwhelming majority of my interviewees. The parcels of the right owners, my interviewees believed, were also determined in a corrupted manner, which benefited the ones who were AKP voters, very close to the municipality. And finally, the

[396] Ibid., 230. These numbers and proportions are also confirmed by a pamphlet published by the Küçükçekmece Municipality.
[397] Interview, Küçükçekmece İstanbul, May 7, 2012.

tenants issue turned out to be manipulated, again, according to my interviewees. The tenants, who constituted around 25% of the total population (337 households) according to the Küçükçekmece Municipality figures,[398] were the most disadvantaged group. They were not *right owners*, the only thing that they could do was to empty the *gecekondu* buildings where they were living and move. The tenants of Ayazma that I talked with, however, believed that the municipality had inflated the number of the tenants deliberately in order to deprive them of their rights. They claimed that the number of tenants in Ayazma was approximately 120 households. Finally, for the ones who did not have a title deed, the municipality calculated the price of their *gecekondu*, which would be considered as part of the down payment of the houses in Bezirganbahçe MHA houses. Again, according to my interviewees, several forms of corruption and nepotism also occurred during the making of these calculations. Considering the nontransparent feature of the process, these claims of corruption were understandable. I also failed to receive an answer to my questions on these issues of corruption and nepotism from the staff of the municipality or MHA.[399]

6.4.3. Governmental state and ethnopolitical tensions in the urban milieu

The state apparatus that tortured, killed and marked the bodies of the supporters of the PKK in Kurdistan became a more subtle, complicated and economic apparatus based on the plurality and sophistication of the actors, calculations and material redistribution of the resources and networks of nepotism and clientelism. This, however, does not mean the latter is more rational than the former; the production of the privileged subject was, again, calculated through the proximity of the subjects to the governmental apparatus. Thus, the calculations were arbitrary and biased; the redistribution of the resources and opportunities was marked by rumors of corruption; informal relational networks and the proximity to the government operated as the determining factors and bribery stories became widespread among the dwellers of Ayazma. The discursive construction of the governmental state, therefore, was inherently related with the discourses of corruption and accountability. This is a common tendency throughout the world for the functioning of the governmental state although "[…] the discourse of corruption

[398] Aziz Yeniay, Ibid., 38.

[399] Other researchers focusing on the Ayazma process also asserted similar observations about the process: "[In Ayazma] there has been a series of negotiations, the content of which is not revealed either by the local municipality or the MHA, conducted with the residents with title deeds regarding where they will move, and the conditions of payment. For those without title deeds, who constitute the majority of the residents, the real- estate value of the house was calculated, and this amount then considered as down payment for their new houses in Bezirganbahçe. Official agreements were signed between the residents and the MHA, specifying the conditions of payment." Ayfer Bartu Candan and Biray Kolluoğlu, Ibid., 21-22.

varies a great deal from one country to another, dependent as it is on particular historical trajectories and the specific grammars of public culture."[400]

During the process of the UTP, however, this governmental state also elaborated the Kurdishness of Ayazma's dwellers as well as their political tendencies. The sovereign state and the governmental state, therefore, were not distinct and separate from each other as they appeared to be at first sight. Instead, there were important similarities and continuities between these two forms of the state. In other words, it should also be kept in mind that there are different facets of the state apparatus where these different forms are also intertwined and interrelated. The governmental state was, therefore, aware of the ethnopolitical anxieties stemming from the Kurdish issue and used, manipulated and operated with these urban anxieties in different manners.

The legal basis of the Ayazma UTP, as in all UTPs, stemmed from a trilateral protocol signed by the Istanbul Metropolitan Municipality (IMM), Küçükçekmece Municipality and MHA. The municipalities had legal power to declare those "obsolescent sites" located within the administrative frontiers of their municipality as "urban/*gecekondu* transformation area" and implement the urban/*gecekondu* transformation project with MHA's help. This was exactly the case in the Ayazma neighborhood. Afterwards, with the 2005/2 numbered, July 4, 2005 dated decision of the Küçükçekmece Mayoralty Congress, Ayazma and Tepeüstü areas were declared as "Urban Transformation Area".[401] The Küçükçekmece Municipality planned, organized and implemented the methods of transformation for processing the UTP. By late 2004 and early 2005, letters from the Küçükçekmece Municipality stating all residents of Ayazma would be transferred to new MHA buildings regardless of their legal proprietor status, which I referred to above, were sent to the inhabitants. Immediately after receiving these letters, the inhabitants of Ayazma began to negotiate the terms and conditions of the upcoming UTP among themselves and established initiatives entitled *Ayazma Neighborhood Committee* for strengthening their position in the negotiations with the municipality. The trajectory of this committee reveals important insights into the nature, functioning and limits of the governmental state also highlighting its organic relation to the sovereign state. The strategies and tactics of the governmental state based on a specific form of stigmatization, criminalization and terrorization of this negotiation process were similar to the methods of the sovereign state.

---

[400] Akhil Gupta, "Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State," in in *The Anthropology of the State. A Reader*, ed. Aradhana Sharma and Akhil Gupta (Malden MA: Blackwell, 2006), 230.
[401] Sırma Turgut and Eda Ceylan, *Bir Yerel Yönetim Deneyiminin Ardından* (Istanbul: Alfa, 2010), 57.

The Ayazma Neighborhood Committee was mainly comprised of the local Kurdish prominent figures that were mostly politically active in the BDP, the pro-Kurdish party at the time. The spokesperson of the committee, a well-known member of the Peace and Democracy Party in the district, was declared as a "terrorist" and "outsider" by the members of the Küçükçekmece Municipality staff, who were willing to complete the UTP as soon as possible. Meanwhile, the son of the spokesperson was arrested and sentenced to prison for being a member of PKK's youth organization, the Patriotic Revolutionary Youth Movement (Yurtsever Devrimci Gençlik Hareketi - YDG-H). This also facilitated the criminalization process. The Küçükçekmece Municipality, through its staff and the meetings they organized with the residents closer to the municipality, labeled people actively struggling in the neighborhood committee as "outsiders", "terrorists", and "subversives".[402] But more importantly, the Municipality was successful to convince Ayazma dwellers that they were representing the rational, lucrative and reliable political party and position, whereas followers of BDP were representing an instable, destabilizing and harmful political position. Allegedly, BDP supporters were instrumentalizing the UTP process for their own political ends without considering the real interests and conditions of Ayazma residents. The spokesperson of the committee stated:

> "They did two things to destroy the resistance: first they have convincingly argued that if you are resisting, you will lose your rights that you already have, and second, even if you don't want to live in Bezirganbahçe MHA Houses, you can very easily sell your right for 15-20 thousand TL. None of the arguments were true; they were obviously lying but both arguments operated as if they were true. They succeeded unfortunately. The result: we are stuck in here with the least of rights."[403]

Another interviewee from the committee added:

> "People coming from the Küçükçekmece Municipality told our neighbors that we were fighting against the UTP because we were seeking political disorder. They also said that because of our political agenda we were trying to block the UTP, which would be very lucrative for the *gecekondu* inhabitants. And our neighbors, unfortunately, believed this lie. Now, they are seeing who was looking for order and who was not. Look at this MHA blocks that we are living in; we are here because our people believed this ridiculous propaganda."[404]

The situation was, however, slightly different in the context of the Hürriyet and Yakacık neighborhoods, where a specific elaboration of Kurdishness also played a role. But first, a

[402] For a detailed spatial, political and cultural analysis of Ayazma before the UTP see. Jean-François Pérouse, "Ayazma (Istanbul) : une zone sans nom, entre stigmatisations communes et divisions internes," in *L'urbain dans le Monde Musulman de Méditerranée*, ed. Jean-Luc Arnaud, (Paris, Maisonneuve et Larose, 2005), 155-174. http://books.openedition.org/irmc/303

[403] Interview, Küçükçekmece İstanbul, October 3, 2012.

[404] Interview, Küçükçekmece İstanbul, March 17, 2012.

closer look at these two neighborhoods and the Kartal district along with the specific UTP implemented there is necessary.

Kartal, known as the center of the Asian industry zone, is one of the oldest and well-known districts of Istanbul with its 550,000 dwellers. This must be why dwellers of the Hürriyet and Yakacık neighborhoods, persistently stressed that their neighborhoods are "ancient" contrary to the newly established *gecekondu* spaces. The Hürriyet neighborhood was one of the biggest and oldest neighborhoods in Kartal. This was a typical *gecekondu* neighborhood of working class, which emerged in the late 1950s and early 1960s and boosted firstly during the 1970s and then during the 1980s and 1990s. The neighborhood is located in a good position between two important highways, E5 and TEM, being also proximate to the Sabiha Gökçen Airport. To the west of Hürriyet is the Cumhuriyet neighborhood, to the east is the Çınardere neighborhood, to the north is the Aydos forest and to the south is E5, which is an important artery of Istanbul. Initially, when the first waves of migration occurred there was only one neighborhood, Kurfalı, which later on divided in two neighborhoods as Hürriyet and Cumhuriyet. Hürriyet seemed to be much better established compared to Ayazma or any other currently established *gecekondu* settlement. The Kartal Municipality provided electricity, water, telephone lines and different sorts of social and municipal services. There was only a problem with the provision of natural gas. A number of *gecekondu* house owners already had their title deeds, some of them had their pre-title deeds and almost all of them had official documents proving that they had paid an amount of money to the state, which provided a stronger position vis-à-vis the state institutions during the bargaining process of the UTP. The neighborhood was basically comprised of single-storied houses with gardens but two and maximum three-storied houses also existed. Approximately 100,000 persons were living in the Hürriyet neighborhood according to oral information obtained from the Kartal Municipality. The population was composed of people who came from the Black Sea region and principally from Trabzon, Giresun, Tokat, and Kastamonu. Migrants coming from central and eastern parts of Anatolia, such as Sivas, Elazığ, Dersim and Erzincan, also, comprised an important portion of the population. According to my interviewees and my observations from the field research, the Kurdish population increased during the 1990s; however, they constituted only about 20-25% of the total population. Before the huge deindustrialization wave that occurred in Kartal throughout the 1990s, the dwellers of the Hürriyet neighborhood were working for the battery, chipboard, cement, transformer and match factories. Apart from these big factories, there were also several ateliers, workshops and small-scale industrial enterprises

around the neighborhood. After the deindustrialization process in Kartal, the working class members residing in the neighborhood began to go to other industrial zones at the frontiers of Istanbul such as Gebze, Tuzla, Aydınlı and Dilovası. Men having permanent jobs in the industrial zones were considered privileged; usually men were working in precarious and temporal jobs, mostly in the construction zones. Small minorities of women, mostly young women, were working in textile ateliers nearby. Piecework at home was a widespread type of work for many older women in the neighborhood.

The Yakacık neighborhood, on the other hand, is comprised of two separate neighborhoods with two different mukhtars, Yakacık Yeni and Yakacık Çarşı. Yakacık Çarşı is the older and better established one, whereas Yakacık Yeni, known as the Neighborhood of Siirtans,[405] was established more recently. Hürriyet and Yakacık neighborhoods were side by side; therefore, they had important similarities such as proximity to E5 and TEM, and relatively good transportation possibilities for a *gecekondu* neighborhood. Still, Hürriyet seemed to be better established and in slightly better condition compared to Yakacık. To the west of Yakacık is the Cumhuriyet neighborhood, to the east is the Uğur Mumcu neighborhood, to the north is the Aydos forest and to the south is the Soğanlık neighborhood and the E5 highway. Yakacık Çarşı, the older neighborhood of Yakacık, is similar to Hürriyet in the sense that it was one of the old and typical *gecekondu* neighborhoods. As stated by one of my interviewees, "Yakacık Çarşı is not like Yakacık Yeni, this is a neighborhood of Kartal center."[406]

Yakacık Çarşı was established during the 1950s and then developed following two other migratory waves during the 1970s and 1990s. Yakacık Yeni, however, was a neighborhood that emerged to a great extent during the forced migration of the 1990s. Since Yakacık Çarşı was very close to the center of the Kartal industrial zone with its cement, battery and accumulator factories as well as sandpits, many working class families were residing there. Yakacık Çarşı was composed of people from the Black Sea region and also from the eastern and southeastern parts of Anatolia such as Erzincan, Kars, Bingöl and Bitlis. There was also a significant Kurdish population in the neighborhood especially after the forced migration of the 1990s, constituting approximately 40% of the neighborhood's population. Yakacık Yeni, on the other hand, was comprised of Kurdish migrants who came to Istanbul mostly in the 1990s. People from the southeastern cities such as Siirt, Bitlis and also eastern and northern cities such as Erzincan, Sivas, Kars and Giresun resided there.

[405] Siirtans refers to people coming from Siirt, a city in the southeastern part of Turkey with Kurdish and Arabic population.
[406] Interview, Kartal İstanbul, January 12, 2012.

The Yakacık and Hürriyet neighborhoods had been declared *urban regeneration area* and after several rounds of negotiations with the neighborhoods and neighborhoods associations, the initial destruction plan of the urban regeneration project was turned into a regularization plan. In other words, instead of their houses being destroyed, the inhabitants were distributed title deeds after they made a payment. On a technical note, only a part of the Yakacık Çarşı neighborhood was included in the urban regeneration area. Yakacık Yeni, however, fell almost totally within the area of the UTP. I will describe this process in the upcoming chapters. Here I will solely focus on the elaboration of Kurdishness by the Kartal Municipality, this time a municipality, which was initially an AKP municipality and then became a CHP municipality. Both political parties, AKP and CHP referred to the Kurdishness of the Yakacık neighborhood, especially Yakacık Yeni, as evidence revealing the necessity of transformation. This time, being a Kurd, was marked as being backward, un-urbanized and rural, reminiscent of the classical rural-urban dichotomy. For instance, some of the families in Yakacık Yeni were trying to do animal breeding with their goats. This fact was interpreted by the municipality as a sign of backwardness and evidence showing urgent necessity for the implementation of the UTP. Kurdish residents who had arrived by the forced migration of the 1990s were represented in the negotiation meetings as rustic and ignorant people who did not *know* how to live in urban space. This discursive violence based on the ethnicity of the residents was noticed perfectly well by the residents of Yakacık Yeni:

> "We know that they talked about us as if we were animals. We heard from our friends what they talked. Besides, sometimes they were even talking with us around too. They were talking about people who don't know how to live and behave in the urban space, etc. The guy from the municipality was referring to us, to Kurds; I know that. But who do you think you are? If I am in Istanbul after this cruel migration, I have the right to behave as I want in the city. I don't disturb anyone; I just try to preserve my customs, if possible. You can't humiliate me for that."[407]

Marking the Kurd, especially IDPs of the 1990s who were the *latecomers* to the city, as *backward*, *ignorant* and *un-urbanized* was nothing new or peculiar to the UTPs in metropolitan areas. There are several current instances of this attitude and different sorts of discrimination in different urban contexts.[408] However, this discursive strategy was also

[407] Interview, Kartal İstanbul, February 16, 2011.

[408] There is a growing literature on this issue, for important examples, see. Cenk Saraçoğlu, *Şehir, Orta Sınıf ve Kürtler. İnkâr'dan "Tanıyarak Dışlama"ya* (Istanbul: İletişim, 2011); Sevilay Kaygalak, *Kentin Mültecileri. Zorunlu Göç Koşullarında Neo-liberalizm ve Kentleşme* (Istanbul: Dipnot, 2009); Derya Demirler and Veysel Eşsiz, "Zorunlu Göç Deneyimini Kadınlardan Dinlemek: Bir İmkan ve İmkansızlık Olarak Dil," in *Cinsiyet Halleri*, ed. Nil Mutluer (Istanbul: Varlık, 2008), 165-180; Martin van Bruinessen, "Kurds and the City," in *Joyce Blau, l'éternelle chez les Kurdes,* ed. Hamit Bozarslan and Clémence Scalbert-Yücel (Paris: Institut Kurde de Paris, 2013), 273-295; Jean-François Pérouse, "Les migrations kurdes à Istanbul. Un objet de recherche à reconstruire," *Étude Rurals*, En ligne, no. 186 (2010) http://etudesrurales.revues.org/9302; Miriam Geerse, "The Everyday Violence of Forced Displacement: Community,

operating in other very subtle ways in the context of the UTPs as well. Needless to say, *gecekondu* settlements were interpreted as architectural and spatial signs of backwardness by the municipalities but specific elaborations of the ethnicity of the *gecekondu* inhabitants contributed to such interpretation. It was also another way of *erasing* the double dislocation or the displacement in continuum of the internally displaced persons, this time using the rhetoric of backwardness, un-urbanness and being rural. Again, a very specific use of Kurdishness was in question, employed by the agents of the governmental state during the execution of the UTP in Kartal. Ethnopolitical anxieties, thus, were functioning in depth in Istanbul's urban space through the forms and performances of the governmental state, even when it was not expected at all. As I argued above, the boundaries between the sovereign and governmental state could be more blurred than they appeared.

6.5. The dialectics of secrecy and visibility: the pact of public secrets

Sovereignty and *cruelty* are obscure concepts that go well together according to Derrida.[409] The sovereign, the one who decides who will live and who will die, has to preserve the right to lawfully suspend the law for the full implementation of its authority. In this sense, state of exception is an organic and inherent part of the modern state. It will be used through the implementation of different violent strategies if deemed necessary. The sovereign, therefore, should be interpreted as the legal cruel, since the basis of cruelty is meticulously defined and regulated through a sophisticated legal framework. Enforced disappearance and its systematic implementation in the Kurdistan region during the 1990s, when the war between the Turkish state and PKK forces had been intensified, can be better understood with this paradigm of sovereignty and cruelty. These were not extreme practices or marginal methods for the Turkish state but rather planned counter-insurgency strategies implemented through deadly acts of the local teams, each having a local signature. The plurality of the executive actors and the changing local signatures were also part of the job: localized forms of sovereignty or outsourced sovereignty were frequent forms of the use of sovereign power. Moreover, the tensions between the secrecy and visibility of the acts of the sovereign power were at the heart of these localized forms of sovereignty.

Memory and Identity Politics among Kurdish Internal Forced Migrants in Turkey," (PhD diss., Utrecht University, 2011). Still, these works are rare in the mainstream urban studies literature.

[409] Geoffrey Bennington, "Superanus," *Theory & Event* 8, no.1 (2005): 1.

6.5.1. Fetishistic and rational aspects: secrecy and visibility

The excess of violence used in these deadly methods resulted in the production of unlawful factors/figures.[410] The village guards and the repentant subjects serving the JITEM teams were the results of such production. In line with Deborah Poole's interpretation of *gamonale*, the ambivalence of these figures and specifically that of the village guard, as a figure navigating in two apparently distinct landscapes of power,[411] should be emphasized. The village guard, as someone having different authorities in the configuration of the traditional agrarian state and as the representative of the modern state represented a sort of in-betweenness for several relatives of the forcibly disappeared. This example reveals the importance of a closer look at the micro level based on spatiality for a better understanding of the thing called the state. The state, as the cruel and the sovereign, operated through the use of these spatial relations, hostilities, interests and networks during the 1990s in Kurdistan. The nature, functioning and effects of the violent strategies implemented there would be more accurately analyzed through a spatialized perspective taking into account not only meta-narratives and reified macro actors but also formation of the subjectivities, production of different actors and local responses to these strategies. The narratives of the parliamentary reports would be more aptly assessed with the inclusion of the narratives and experiences of the inhabitants of Cizre and Silopi.

This perspective reveals that the materialization of the state in the Kurdish region during the 1990s occurred through use of rational technologies of control and dominance established by strengthening the loyal citizens and uncovering the supporters of the PKK. These acts were operating based on a substrate of fantasy and scenes using intimacies, sensualities, and bodily operations.[412]

> "There is an uncanny quality to the production of the state through the production of an enemy because often the criminal or terrorist or threatening Other is a familiar face, familiar but strange, strange in its familiarity, such as neighbors. Nothing distinguishes them from the rest except the fact of their death, kidnapping, disappearance or arrest."[413]

Coexistence of fetishistic and rational performances of the state, therefore, was at the core of the OHAL regime in the Kurdish region, as I tried to prove in this chapter. The legal framework which allowed lawful suspension of the law, on the one hand, and the mutilation of the tortured bodies of the disappeared, on the other, revealed this coexistence. These

[410] Thomas Blom Hansen and Finn Stepputat, Ibid., 305.
[411] Deborah Poole, Ibid., 44.
[412] Begona Aretxaga, Ibid., 403.
[413] Ibid., 403.

kinds of coexistence invoke the concept of "The New Wars", identified by Mary Kaldor. Accordingly, new wars "[…] are often civil wars rather than wars between states and they have involved the use of "small" or inexpensive arms that are thereby made widely available, further raising the death toll of civilians […]".[414] Besides, mutilation is also very common in these new wars conducted mainly by paramilitaries fighting without clear lines of command. The mutilation of the bodies along with "frequent maiming of eyes, ears and tongues"[415] occurred also in the Kurdish region during the 1990s. Thus, a specific aggregation of rational methods and fetishistic performances happened simultaneously and this simultaneity was a constitutive feature of the counter-insurgency strategy. Focusing on the spatialized functioning of the JITEM teams was also crucial for scrutinizing this simultaneity.

This simultaneity also went hand in hand with the dialectics of hiding and exposing or secrecy and visibility in Cizre and Silopi during the 1990s. On the one hand, not only enforced disappearances but also several other crimes of the Cizre JITEM team were part of a secret regime, whose content was, according to rumors, solely known by some important statesmen. On the other hand, the functioning of the Cizre JITEM team was so visible and blatant through the reiterations of some symbolic gestures and images such as the use of white Renault cars; bearded men wearing snow masks; and the sound of wireless radios used by these men. Moreover, the bodies of the disappeared, when found, were mostly either left on the places of execution or buried and covered by rocks in an offhand manner or anonymously buried in a common grave. The bodies of the disappeared were mostly found on the roadsides, unused lands outside of the villages, wastelands near to the military zones, wells, cesspools, and construction sites, e.g. in sites where they were easily *noticeable*. Considered from this aspect, it could be said that enforced disappearance seems to have been preferred because of the protection it provided to the perpetrators.

Still, the liminality produced by the act of disappearing was crucial in the context of the Kurdish war. Most of the bodies of the disappeared are still missing and the uncanny feeling disseminated through the act of disappearing, the constant suspicion as to whether a person was dead or alive, were crucial. The disappeared as "someone abandoned, a 'living-dead', a 'corpse robbed of death', someone 'always present by their absence'"[416] always haunted this world of uncertainty, liminality and equivocalness. If the Cizre JITEM team wanted someone

[414] Catherine Lutz, "Making War at Home in the United States: Militarization and the Current Crisis," in *The Anthropology of the State. A Reader*, ed. Aradhana Sharma and Akhil Gupta (Malden MA: Blackwell, 2006), 300.
[415] Ibid., 300.
[416] Gabriel Gatti, Ibid., paragraph 32.

to be disappeared without any trace, they were capable of doing so and they left all the relatives living in a state of suffering that stems from liminality. However, this component of uncertainty and liminality was balanced with the space of disclosure and show of the Cizre JITEM team. The violence of the Cizre JITEM team including enforced disappearances was not a violence that solely *erased* but also *marked*. As Avery F. Gordon emphasized, enforced disappearance is a method of control, which requires a meticulous calculation of knowing and not knowing, visibility and secrecy, public knowledge and invisibility.[417] This meticulous calculation was in effect in Cizre and Silopi by the acts of the members of the Cizre JITEM team. I depicted this meticulous calculation in this chapter; however, here I would like to point out that this meticulous calculation should be further interpreted with the concepts of the *pact of public secrets* and *colonial effect.*

6.5.2. The pact of public secrets

The meticulous calculation of knowing and not knowing was at the heart of the implementation of enforced disappearance. In other words, the dialectics of secrecy and blatancy was crucial for the terror, fear and repression that aimed to be disseminated throughout the Kurdish region. The vanishing of several forcibly disappeared persons and the noticeable places where their tortured bodies had been left, in other words, obscurity and show, coexisted during the 1990s. Michael Taussig defines this dialectic of obscurity and show as *public secret*, something known but unspoken and unacknowledged.[418] Thus, enforced disappearance was simultaneously public and secret; known, heard or felt in a way but not acknowledged and recognized adequately. "Everyone must know just enough to be terrified, but not enough either to have a clear sense of what is going on or to acquire the proof that is usually required by legal tribunals or other governments for sanction".[419] The pact of public secrets constructed around enforced disappearances was a perfect example of this definition. People, in Cizre and Silopi, for sure, but in other parts of Turkey as well, were generally aware that there were killings, torture and executions in the Kurdish region; however these acts were not acknowledged and recognized properly. More importantly, the excess of these deadly strategies was also normalized and even legitimized for the majority of the population since there was no massive protest or demonstration against these deadly strategies, except for huge demonstrations of the Kurdish movement organized in important Kurdish cities as *serhildan* and oppressed brutally by the Turkish state. Interestingly enough,

[417] Avery F. Gordon, Ibid., 109-110.
[418] Ibid., 75.
[419] Ibid, p. 110.

these demonstrations were organized around dead bodies, too. The demonstrations, as was the case with the executed guerilla Kamuran Dündar in Nusaybin on March 15, 1990, or the funeral of the head of the Diyarbakır branch, Vedat Aydın, on July 5, 1991,[420] turned into massive protests not only revealing the atrocities of the Turkish security forces but also proving political and symbolic power of the Kurdish political movement and resistance in the Kurdish region. It was no coincidence that these demonstrations, *serhildan*, were mainly established around symbolically important dead bodies. The Turkish state marked the bodies of some supporters of the PKK with traces of torture and mutilation and the PKK's response was resistance manifested in claiming these bodies. The contention over sovereignty operated by means of tortured, mutilated and killed bodies.

The *excess of cruelty*, also, became more understandable within the context of the *pact of public secrets*. The dialectics of secrecy and blatancy was crucial for disseminating the feeling of fear and it also disclosed the limitless power of the death squads. Therefore, the excess of cruelty was essential for the dissemination of the feeling of terror and the omnipotent power of the death squads. Excess is not only necessary but also should be accepted as normal in such paradigm, and that is why, for instance, in a whole different context, in Argentina, the National Commission on the Disappeared in Argentina stated:

> "The cases highlighted in the report were not due to any 'excesses', because no such thing existed, if by 'excess' we mean isolated incidents which transgress a norm. The system of repression itself, and its planning and execution, was the greatest 'excess' – transgression was common and widespread. The dreadful 'excesses' themselves were the norm."[421]

The activities of the Cizre JITEM team were not extreme, excessive or conjectural activities but they rather represented localized and spatialized responses of the Turkish state to an existing sovereignty crisis.

Given the fact that an important portion of the population in the Kurdish region supported the military, political, cultural and symbolic activities of the PKK through a massive wave of politicization, it paved the way for the occurrence of the peculiar sovereignty crisis of the 1990s. At different levels of the state apparatus, the initial official expectations of crushing the PKK were transformed into feelings of shock, despair and fury at the beginning of the 1990s. In addition, the immense public support offered to the PKK by important Kurdish centers in several different manners against all the controlling and repressive mechanisms of the OHAL regime augmented the feeling of immediacy among the ruling elite. The

[420] Cengiz Güneş, Ibid., 181.
[421] Cited in Avery F. Gordon, Ibid., 76.

implementation of enforced disappearance as well as forced migration and other forms of state violence exercised over the Kurdish population in the region should be interpreted in this context of sovereignty crisis. Forms of state violence should also be interpreted in this broader framework of politicization, grassroots movements and resistance. Although the repertoire of violence of the Turkish state, including enforced disappearance and forced migration, meant in the meantime committing serious human rights violations and crimes against humanity, these acts could not be understood with the sole discourse of human rights violations and democratization. These acts of the JITEM teams were the traces of sovereignty in the Kurdish region producing a *pact of public secrets* based simultaneously on blatancy and secrecy. This exposure of violence through the politics of death, destruction, displacement, ruination, deracination and dispossession were not only implemented through the acts of JITEM but, as was the case with forced migration, through the acts of the formal military troops as well. However, distinct from the Argentinean experience of *desaparecidos*, enforced disappearance and also forced migration in Turkey were concentrated in a peculiar geographical area, namely the Kurdistan region.

6.5.3. Marking Kurdistan with the colonial effect

As Carl Schmitt reminds us, the word *nomos* was originally and fundamentally a spatial term, though we often associate it with "law", "regulation" or "norm".[422] *"Nomos"* expresses the production of (political) order through spatial orientation. The word *nomos* derives from *nemein*, Schmitt reminds us, which means both "to divide" and "to pasture". Thus, *nomos* "is the immediate form in which the political and social order of a people becomes spatially visible."[423] Sovereignty, therefore, is essentially a spatial concept. This means that forms of state violence are also fundamentally spatial categories. Space, not only was conceived and used as an apparatus for domination in the hands of the ruling elite but also functioned in different manners through different layers of state violence: state violence affected and fundamentally influenced material culture and urbanistic forms; the very spatial configuration of space had been used as a tool for displacement or annihilation of some populations; material, symbolic and imaginary dimensions of space had an impact on affective and subjective configurations.[424] The spatiality of sovereignty during the 1990s in the Kurdish region, on the other hand, had another peculiar aspect. The scope, content and forms of

[422] Cited in Wendy Brown, Ibid., 44.
[423] Ibid., 45.
[424] Estela Schindel and Pamela Colombo, "Introduction: The Multi-Layered Memories of Space," in *Space and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, ed. Estela Schindel and Pamela Colombo (New York: Palgrave Macmillan, 2014), 5.

violence in the Kurdish region reveal, I claim, the importance of the concept of *colonial effect* as an analytical tool for an elaborate understanding of the 1990s.

Frederick Cooper took a stance against a dilute use of the concept of the colonial effect and emphasized the importance of a move "[…] toward a focus on the institutionalization of a set of practices that both defined and reproduced over time the distinctiveness and subordination of particular people in a differentiated space".[425] In his view, locating the colonial everywhere brought the result of loss of its essential meaning as a political and analytical tool. It also "[…] diminished ability to make distinctions among the various forms of discrimination and exclusion and a tendency to look away from the actual histories of colonization toward a homogenized coloniality."[426] However, I will still argue that the concept of *colonial effect* is useful and appropriate for the case of Kurdistan concerning the violence of the 1990s. First, the same author, Frederick Cooper further on refers to the Russian and Ottoman Empires as the instances of old empires that "[…] began to act more colonial in the late nineteenth century, trying to impose an imperial civilization along the edges of empires, although constrained by the practical necessity of working with local elites."[427] It seems that thinking about the *colonial like attitudes* in the long term may indeed be appropriate in the context of the Ottoman Empire and Turkey. Second, the *moral distance* and *superiority* of the ruling elite, represented with the use of such words as *primitive* and *savage*, was very much decisive in the context of the peripheral areas, vis-à-vis non-Muslim communities, and commencing with the turn of the 20th century, vis-à-vis non-Turkish communities. As I discussed above in the chapter *Historical background and the specific political conjuncture of the 1990s*, this feeling of *moral distance* and *superiority* was one of the main motivations for the occupation of Kurdistan, which meant the military and political operations and maneuvers for lifting its autonomy.

Moreover, the scope and proportion of the state violence and coercion in this area was significantly higher than those in other parts of the Empire, both quantitatively and qualitatively, during the period that marked the end of the Ottoman Empire and those in other parts of the country, again, during the republican era, as I tried to demonstrate above in the chapter *Historical background and the specific political conjuncture of the 1990s*. There are some historians claiming that the official policies of the Ottoman Empire's late period would be better understood through the use of the post-colonial literature and that perceiving the

[425] Frederick C. Cooper, *Colonialism in Question. Theory, Knowledge, History* (Berkeley Los Angeles London: University of California Press, 2005), 26.
[426] Ibid., 26.
[427] Ibid., 28.

peripheries of the empire, including Kurdistan, like quasi-colonial spaces would broaden the analytical conceptualization of the period.[428] The obsession with homogeneity in the early republican era also facilitates the use of the concept of *colonial effect* for a complex understanding of the Kurdish region. The *backwardness*, *feudality* or *religiousness* of the Kurdish society was emphasized several times by the ruling elite of the early republican era and this discourse legitimized the establishment of severe repressive regimes in the Kurdish region. Kurdish notables who struggled for their remaining autonomy initiated severe contentions and rebellions. Also, several massacres and pogroms occurred in the Kurdish cities during this period. A list of the rebellions may be found above in the chapter *Historical background and the specific political conjuncture of the 1990s*. The contentious relationship between different strata of the Kurdish society and the politico-military apparatus of the Kemalist regime may be observed par excellence in a writing penned in 1930 by the Chief Commander of the Turkish Armed Forces, Fevzi Çakmak . He drafted a secret report on Dersim arguing that the *primitive communities of Dersim* cannot be gained through caressing. Instead, he stated, "Dersim should be considered firstly as a *colony* and their Kurdishness should be melted into the community of the Turks. Then, they should be *gradually* included in the Turkish law."[429]

This perspective was neither marginal nor extreme; the pendulum that swung between an ethnicist-exclusionist nationalism and a more politically inclusive nationalism created an enormous tension during the early republican era. Mesut Yeğen, in his excellent discussion on the citizenship article of the 1924 Constitution where he also reviewed the discussions in the parliament about this article, interpreted this tension in a thorough manner. He noted that the ruling elite, on the one hand, desired to define all the citizens of Turkey as Turks, but on the other hand, since they were aware of the ethnic heterogeneity of the citizens of the republic they did not want to include all the different ethnic components of the "nation".[430] The tension of political inclusion and colonial exclusion, thus, was at the heart of the new republic that was obsessed with homogeneity, concerning not only the Kurds but also other non-Muslim

[428] For different positions on this debate, see. Selim Deringil, *The Well-Protected Domains. Ideology and Legitimation of Power in the Ottoman Empire, 1876-1909* (London New York: I.B. Tauris, 1998); Selim Deringil, "'They Live in a State of Nomadism and Savagery': The Late Ottoman Empire and the Post-Colonial Debate," *Comparative Studies in Society and History* 45, no. 2 (2003): 311-342; Barış Ünlü, "Kürdistan/Türkiye ve Cezayir/Fransa: Sömürge Yöntemleri, Şiddet ve Entelektüeller," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin, 403-435 (Istanbul: İletişim, 2014); Edip Gölbaşı, "19. Yüzyıl Osmanlı Emperyal Siyaseti ve Osmanlı Tarih Yazımında Kolonyal Perspektifler," *Tarih ve Toplum Yeni Yaklaşımlar*, no. 13 (2011): 199-222; Eugene L. Rogan, *Frontiers of the State in the Late Ottoman Empire, Transjordan, 1850-1921* (Cambridge: Cambridge University Press, 1999); Joseph A. Massad, *Colonial Effects. The Making of National Identity in Jordan* (New York: Columbia University Press, 2001).
[429] Cited in İzzeddin Çalışlar, Ibid., 251. Emphasis mine.
[430] Mesut Yeğen, *Müstakbel Türk'ten Sözde Vatandaşa. Cumhuriyet ve Kürtler* (Istanbul: İletişim, 2009), 69-74.

communities as well. This tension and the persistence of different layers of state violence produced discursive and legal consequences as well as different forms of massacres and pogroms against non-Turk citizens.

And finally, the specific historical and political conjuncture of the 1990s also strengthens the idea of using the *colonial effect* as a useful analytical tool for analyzing the Kurdish region during the 1990s. The specific combination of disciplinary, biopolitical and necropolitical acts and performances[431] of the state apparatus through its local teams reveals forms of violence peculiar to a specific space. From the beginning of the 20th century more than 100,000 rebels and civilians had been killed in Kurdistan by state forces; and the Turkish Air Forces have been solely used against the Kurdish rebellions, apart from very limited exceptions from 1922 until today.[432] This is not only a question of physical destruction and violence: the methods of annihilation, destruction, and repression implemented on the Kurdish region; the inferiorization of the bodies, language, rituals and life styles of the Kurdish society; systematic implementation of forced migration, deterritorialization and dispossession throughout the history of the republic; the patterns of institutional and everyday forms of racism; the establishment of a distinct legal regime in Kurdistan through the OHAL legal framework for more than twenty-five years and the very low level of opposition coming from the western part of Turkey are crucial components revealing the legitimacy of the *colonial effect* concept. Considering other systematic cultural and structural forms of violence[433] and the lack of acknowledgment and recognition in different segments of the society vis-à-vis these forms of violence, it could be argued that the concept of *colonial effect* becomes even more significant. What happened in Kurdistan during the 1990s should not be understood solely in the context of democratization, human rights or citizenship, but should rather be seen in a broader historical, political context including the state, sovereignty, pact of public secrets and colonial effect, albeit tremendous human rights violations were indeed committed. The use of the concept of *colonial effect* renders several forms of structural violence understandable, including the *dehumanization* of the tortured, mutilated, and killed bodies of the Kurds. The excess of violence and dehumanization went permanently together in other contexts as well, where more typical colonial relations were established:

> "The colony, constituted a zone of exception in a double sense: both as not being directly under the sovereign power of the Crown or the republic and as being 'beyond the pale', an alien world whose populations were not accorded full humanity or membership of a community of civilized men

[431] Achille Mbembe, "Necropolitics," *Public Culture* 15, no. 1 (2003): 27.
[432] Barış Ünlü, Ibid., 420.
[433] Johan Galtung, "Cultural Violence," *Journal of Peace Research*, no. 27 (1990): 291–305.

> entitled to *habeas corpus* and other rights of the subjects of European powers. As a result, colonial sovereignty was generally marked by an excess of violence and much harsher forms of punishment than were administered in the European world at the time."[434]

The Kurdish case comprised both of these components: an excess of violence which was not seen in other parts of Turkey as systemically and for such a long period of time, and the dehumanization of the victims that marked the Kurdish bodies as disposable traitors. For the legitimacy of the repertoire of state violence, which included enforced disappearance and forced migration, the state apparatus "on the one hand was denying the use of an illegal coercion and on the other hand legitimized such coercion with a discourse of dehumanization of the victims and therefore tried to gain social support."[435] It looks like this strategy proved effective in Turkey; the political, social and scientific silence surrounding this violent strategy attested to its success. The success of this strategy also determined the balance of the dialectics of secrecy and blatancy; you need to show *more* and hide *less* in a colonial context. Moreover, masses outside Kurdistan mostly endorsed this violent strategy through a silent approval or a blatant nationalist and militarist consent during the 1990s. In this respect, several scholars, accentuating different points such as long-term historico-political patterns or more ethnographic work about loss and violence, have pointed out the importance of conceptualizing Kurdistan in the colonial/post-colonial framework. [436] I also claim that the concept of *colonial effect* offers important hints for emphasizing the systematic and structural violence of the 1990s along with allowing more room for understanding the importance of the sovereignty crisis experienced by the Turkish state.

6.5.4. Interconnectedness of the governmental and the sovereign

Pact of public secrets and *colonial effect* are also useful concepts for depicting the experiences of the internally displaced Kurdish persons in their new urban areas, and specifically in Istanbul, in a different manner. There were important similarities and continuities between the sovereign state in Cizre and the governmental state in Istanbul in

[434] Thomas Blom Hansen and Finn Stepputat, Ibid., 303.
[435] Hamit Bozarslan, "Sunuş," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin (Istanbul: İletişim, 2014), 17.
[436] For important studies conceptualizing Kurdistan in a colonial/post-colonial framework, see. İsmail Beşikçi, *Devletlerarası Sömürge Kürdistan* (Ankara: Yurt Kitap, 1991); Fikret Başkaya, *Paradigmanın İflası. Resmi İdeolojinin Eleştirisine Giriş* (Istanbul: Doz, 1991); Joost Jongerden *The Settlement Issue in Turkey and the Kurds. An Analysis of Spatial Policies, Moderntiy and War,* (Leiden Boston: Brill, 2007); Hamit Bozarslan, "Türkiye'de Kürt Sol Hareketi," in *Modern Türkiye'de Siyasi Düşünce*, *Vol. 8 Sol*, ed. Murat Gültekingil (Istanbul: İletişim, 2008), 1169–1207; Zülal Nazan Üstündağ, "Pornografik Devlet-Erotik Direniş: Kürt Erkek Bedenlerinin Genel Ekonomisi," in *Erkek Millet Asker Millet. Türkiye'de Militarizm, Milliyetçilik, Erkek(lik)ler*, ed. Nurseli Yeşim Sünbüloğlu (Istanbul: İletişim, 2013), 513-537; Bülent Küçük, "Beşikçi ve Kürdistan'ın Gerçekliği", *Jadaliyya,* December 20, 2013, http://www.jadaliyya.com/pages/index/15651/besikci-ve-kurdistan'in-gercekligi; Barış Ünlü, "Kürdistan/Türkiye ve Cezayir/Fransa: Sömürge Yöntemleri, Şiddet ve Entelektüeller," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin, 403-435 (Istanbul: İletişim, 2014); Bahar Şahin Fırat, "Türkiye'de 'Doksanlar': Devlet Şiddetinin Özgünlüğü ve Sürekliliği Üzerine Bir Deneme," in *Türkiye'de Siyasal Şiddetin Boyutları*, ed. Güney Çeğin ve İbrahim Şirin, 369-403 (Istanbul: İletişim, 2014).

terms of their treatment of the Kurdish society, bodies and subjectivities. The nonrecognition and unacknowledgment of the Kurdish issue shaped the experiences of IDPs, both in Kurdistan and in Istanbul. Although the state shifted its initial position of total denial and moved towards selective regulation,[437] this new approach was also far away from including the components of an official recognition and acknowledgment. The state, through its plural actors operating on the lives of IDPs such as local bureaucrats, municipality staff and MHA officers, did not implement a comprehensive policy based on the recognition of the ruination that occurred during forced migration and of the specific violent conditions of the IDPs in Istanbul's urban sphere. The political context, root causes and experiences of forced migration were indeed never mentioned or recognized by any of these actors. The depoliticization and nonrecognition of forced migration and its aftermath along with the lack of specific measures acknowledging the specific historico-political context linked the urban experiences of IDPs to the *pact of public secrets*. Again, something known but never acknowledged was in question; the Kurdishness of the IDPs was incontestably obvious but never openly acknowledged and recognized by official authorities. The language and vocabulary of the even more progressive wings of the parliament were insufficient from an in-depth understanding. The state apparatus, with its different tendencies and wings, was, therefore, more concentrated on mitigating the results of forced migration due to the relatively augmented pressure of the EU accession process. The main concern was to handle the forced migration issue and its aftermath without being obliged to make serious changes to the *status quo*. Not only the government but also the so-called social democratic parliamentarians adopted the same approach, as described above in the analysis of the parliamentary report on forced migration.

The same convergence of absence concerning the recognition of the sophisticated historico-political dimensions of the Kurdish issue persisted in Istanbul's urban sphere. Although the Kurdishness of the IDPs was remembered and recognized for the criminalization of the anti-demolition struggle, as was the case in Ayazma, the same recognition was lacking when it came to peculiar difficulties faced by the IDPs. The Kurdishness of *gecekondu* dwellers was also remembered for the legitimacy of the modernizationist ideologies of the urban transformation and regeneration projects if deemed necessary, as was the case in Yakacık. In those cases, Kurdishness was associated with negative, criminalizing and pejorative concepts such as *terrorist*, *outsider*, *backward*, and *un-urbanized*. The preference of these concepts varied from one context to another according to the official needs; however, they were not

[437] Bilgin Ayata and Deniz Yükseker, Ibid., 32.

randomly chosen. As discussed above in the chapter *Historical background and the specific political conjuncture of the 1990s*, these notions operated as ideological and discursive tools for the legitimacy of the state violence exercised over the Kurdish population with different emphasis throughout different time periods and for different official needs. The term *backward,* for instance, is a term borrowed from the political context of the 1950s and 1960s, whereas the term *terrorist* was much more widely used after the expansion of the PKK. All of these terms, however, had been selectively used in the context of the implementation of UTPs.[438]

This usage was not a peculiar feature of the Ayazma or Yakacık cases, on the other hand. Erdoğan Bayraktar, former head of the MHA and former minister of Environment and Urbanism, who also was an ardent supporter of UTPs, said that there were several aspects of the UTPs and one of them was based on the idea of a country and its nation. The nationalistic tone of his emphasis was clearly referring to disloyal citizens residing in the *gecekondu* neighborhoods. Allegedly, "Turkey cannot be developed without fixing the perception of the people living in the *gecekondu* neighborhoods concerning the state, without increasing their sense of belonging to the state and the nation".[439] According to Erdoğan Bayraktar, therefore, UTPs were essentially related with broader political issues such as belonging to the state, nation and citizenship. The implied but unspoken reference in this sentence is to the existence of Kurdish neighborhoods established in different *gecekondu* areas in Istanbul, specifically after the huge flow of the Kurdish migrants of the 1990s. Again, a mainstream newspaper, *Milliyet*, published a report taken from a conservative magazine, *Aksiyon*, entitled "The Terror Map of Istanbul", claiming to be compiled from police records. Accordingly, several *gecekondu* neighborhoods, including Tarlabaşı in the Beyoğlu district, Fikirtepe in the Kadıköy district, and Kanarya in the Küçükçekmece district, where UTPs were recently initiated, were under the strong political influence of the PKK.[440] All these ideological discursive strategies based on implying the influence of the PKK in Istanbul's urban context were reiterated in different contexts to serve the legitimacy of the physical destruction of the *gecekondu* neighborhoods where "criminal/terrorist organizations" were said to be very much active.

---

[438] According to some police officers, for instance, Ayazma is "captured by political gangs and criminal organizations and police forces can't enter the district." Cited in Guillaume Perrier, "La colère monte au bidonville kurde d'Ayazma, a İstanbul", *Le Monde*, May 23, 2007, http://www.lemonde.fr/europe/article/2007/03/22/la-colere-monte-au-bidonville-kurde-d-ayazma-a-istanbul_886451_3214.html.

[439] Erdoğan Bayraktar, "Opening Speech," in *Istanbul Buluşmaları. Kriz ve İstanbul*, ed. Pınar Özden et al. (Istanbul: TMMOB Şehir Plancıları Odası, 2010), 16.

[440] Cited in Alp Kanzık, "The Kurdish Migrants in Yenibosna: "Social Exclusion", Class and Politics," (MA thesis, Boğaziçi University, 2010), 90.

In other words, urban discussions on the UTPs in Istanbul were implicitly and essentially *ethnicized* as a result of the huge flow of the Kurdish migrants to the urban sphere during the 1990s. The Kurdish issue, representing violence happening in the Kurdish region, became an urban issue pertaining also to the metropolitan areas of Turkey, especially Istanbul. Ethnicization characterized the urban debates, positions and discussions during the 2000s. This did not, however, necessarily mean that there was proper recognition or acknowledgment of the multifaceted dimensions of the Kurdish issue. The term ethnicization is basically used in two senses in urban studies: First, it points out the rise of multifarious urban inequalities and novel forms of exclusion, discrimination or marginalization, some of which appear to have a distinctly ethnic or ethnopolitical component. Second, it emphasizes the immense spread of ethnonational, racial or xenophobic ideologies, contentions and tensions related to a specific ethnospatial segregation and the settlement of migrant or internally displaced populations.[441] I claim that both usages are relevant with respect to the UTPneighborhoods in Istanbul.

Although the modernizationist terminology blaming *gecekondu* residents for being backward and un-urbanized already existed generally, the Kurdishness of the *gecekondu* residents strengthened the ideological legitimacy of the demolitions. Not only the existence of the Kurdish society but also the historical, political and social residues of the Kurdish war, which dehumanized and devalued Kurds, facilitated the discursive reproduction of the same vocabulary regarding the urban debates. The effects and consequences of the ongoing Kurdish war influenced and shaped the Kurdish region and the metropolitan space as well. In addition, this discourse had an important impact at the societal level. Urban movements including anti-demolishment initiatives, neighborhoods associations and other kinds of platforms were more or less influenced by the official discourse on Kurdishness. However, being subjected to different forms of state violence is not necessarily conducive to solidarity relationships per se; it could even reinforce and complicate existing hierarchical relations and power networks. Lesley Gill, for instance, showed that "miners" and "Indians" were unequal and opposed categories, despite the considerable similarities that characterized the individuals so defined; and their relationship was difficult, contentious and contradictory in the Bolivian context. Miners referred derogatorily to peasant immigrants as "Indians," who were ostensibly less

[441] Loic Wacquant, "Urban Outcasts: Stigma and Division in the Black American Ghetto and the French Urban Periphery," *International Journal of Urban and Regional Research* 17, no. 3 (1993): 366–383; Arjun Appadurai, "Spectral Housing and Urban Cleansing: Notes on Millennial Mumbai," *Public Culture* 12, no. 3 (2000): 627-651; Erez Tzfadia and Haim Yacobi, *Rethinking Israeli Space. Periphery and Identity* (New York: Routledge, 2011); Frank Eckardt and John Eade, ed., *Ethnically Diverse City* (Berlin: BWV, 2011).

civilized than themselves from their perspective.[442] In a similar vein, *gecekondu* dwellers and Kurdish IDPs who shared the same urban space and had been subjected to similar and different forms of state violence did not automatically establish an alliance. Unacknowledged and unrecognized ethnopolitical anxieties shaped everyday experiences, political alliances, notions of justice and formation of different memories. The next chapters will dwell on these complicated issues.

[442] Lesley Gill, *Teetering on the Rim. Global Restructuring, Daily Life, and the Armed Retreat of the Bolivian State* (New York: Columbia University Press, 2000), 70.

7. Production of subjects in the legal space: law, notions of legality and impossible justice

Derrida argues that there are three essential aporias concerning the notions of justice and law (*droit*). The first aporia, entitled the *épokhè of the rule*, states that "[…] there is never a moment that we can say *in the present* that a decision *is* just (that is, free and responsible) or that someone *is* a just man - even less '*I am* just.' Instead of just we could say legal or legitimate, in conformity with a state of law, with the rules and conventions that authorize calculation but whose founding origin only defers the problem of justice."[443] The second aporia, entitled *the ghost of the undecidable*, reveals how "The undecidable remains caught, lodged, at least as a ghost – but an essential ghost- in every decision, in every event of decision. Its ghostliness deconstructs from within any assurance of presence, any certitude or any supposed criteriology that would assure us the justice of a decision, in truth of the very event of a decision."[444] And the third aporia, entitled *the urgency that obstructs the horizon of knowledge*, asserts that "[…] the moment of *decision*, *as such*, always remains a finite moment of urgency and precipitation, since it must not be the consequence or the effect of this theoretical or historical knowledge, of this reflection or this deliberation, since it always marks the interruption of the juridico- or ethico- or politico-cognitive deliberation that precedes it, that must precede it."[445]

So, contrary to the idealistic or naive perceptions of the notion of justice, Derrida deconstructs the notions of law and justice and draws the limits of these notions by revealing their inherent aporias and contradictions. Accordingly, justice is not a notion that may be achieved or restored through some predetermined mechanisms but needs to be deconstructed on many different layers. In other words, several aporias which inherently exist at the heart of the notion of justice complicate its implementation - if any- in various manners, constantly and synchronically. The notions of law and justice were analyzed by several philosophers and social scientists such as Jacques Derrida, Walter Benjamin, Hannah Arendt, and Karl Jaspers, who pointed out different inherent and structural contradictions in these notions.[446] These contradictions, needless to say, do not solely reflect theoretical discussions about a notion but

[443] Jacques Derrida, "Force of Law: 'The Mystical Foundation of Authority,'" in *Deconstruction and the Possibility of Justice*, ed. Drucilla Cornell and Michael Rosenfeld, (New York: Routledge, 1992), 16.
[444] Ibid., 18.
[445] Ibid., 19.
[446] Hannah Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil* (New York: Penguin Books, 1963); Karl Jaspers, *The Question of German Guilt* (New York: Fordham University Press, [1947] 2000); Walter Benjamin, "On the Critique of Violence," in *Reflections, Essays, Aphorisms, Autobiographical Writings*, ed. Peter Demetz (New York: Shocken Books, [1920] 1995), 277-300.

they also indicate the aporias lying at the heart of the implementation of different legal mechanisms. Therefore, the aforementioned scholars can be said to have enlarged our perception of the notion of justice, emphasizing - in very different manners- the limits of such idealistic concepts as *restoring justice*, *achieving justice* or *real justice*.

It is not a coincidence that the theoretical, analytical and political debates around the notions of law and justice were diversified during the second half of the 20th century, in a specific historical and political momentum. After the multifaceted repertoire of mass atrocities of the 20th century, including genocides, ethnic conflicts, crimes against humanity and war crimes, systematic forms of violence against women and other oppressed groups such as the LGBTQI, colonial destruction strategies, and racialized forms of systematic violence, methods and mechanisms of dealing with and undoing these crimes became of crucial importance at the global scale. According to Shoshana Felman, "As a pattern inherited from the catastrophes and collective traumas of the twentieth century, the promised exercise of *legal* justice – of justice by trial and by law- has become civilization's most appropriate and most essential, most ultimately meaningful response to the violence that wounds it."[447] Despite ontological limits, law, legal mechanisms and justice, therefore, became the primary space for dealing with mass atrocities and crimes. The concepts of *restoring justice* and *achieving justice* had been widely used in this context, in spite of the ongoing theoretical, analytical and political debates revealing their limits. Thus, it was a simultaneous historical process: on the one hand, several critical scholars whose work would later on establish *critical legal studies* revealed the limits and conditions of the possibility of the legal sphere; and on the other hand, the legal mechanisms, national and international legal bodies became more important as essential tools for dealing with mass atrocities or forms of state violence.

In the meantime, two essential experiences shaped the area of law, justice and dealing with mass atrocities during the second half of the 20th century: the Nuremberg Trials and the Adolf Eichmann Trial. The Nuremberg trials were a series of military tribunals -held by the Allied forces immediately after World War II, with the first trials beginning in 1945-, where the prosecution of significant members of the political and military leadership of the Nazi criminal apparatus took place. The trials were held in the city of Nuremberg, Germany. The aim of the tribunal was creating an international juridical mechanism for trying the high-level cadres of Nazi Germany who planned, carried out, or otherwise participated in genocide,

[447] Shoshana Felman, *The Juridical Unconscious. Trials and Traumas in the Twentieth Century* (Cambridge, Massachusetts, and London: Harvard University Press, 2002), 3.

other war crimes and crimes against humanity.[448] Despite all criticisms emphasizing the lack of a thorough legal process, negligence regarding the defendants' rights and implementation of *victors' justice*,[449] these trials were extremely important for spreading the notion of dealing with mass atrocities through tribunals. Holocaust survivors, on the other hand, were relatively ineffective during the Nuremberg trials, since their participation was limited. Yet, the Adolf Eichmann Trial became a milestone as a very much widely known trial of the perpetrators of genocide and mass atrocities disseminated through several media. Moreover, massive participation of the victims in the trial process differentiated this trial from its precedents. Adolf Eichmann, one of the perpetrators of the Holocaust and wanted for a long time, was caught by Israeli agents in Argentina in 1960 and brought back to Israel. The trial was held in Jerusalem between 1961 and 1962; Eichmann was found guilty, sentenced to death and hanged in May 1962. Holocaust survivors participated in the trial *en masse* and throughout the hearings recounted in their testimonies their own experiences. According to Annette Wieviorka, the Eichmann Trial was so influential that it represented the historical momentum when a broad cultural and historical deafness or unwillingness to listen to survivors' stories was substituted by the image of the witness as "bearer of history" and thus it created a new regime of witnessing.[450] Since the witnessing of the Holocaust survivors played a central role during the Eichmann trial, witnessing became an essential method of knowing history and *what really happened*. Particular accounts and narratives of the survivors, including their feelings and concrete experiences, were used strategically and gained prominence over specialists' opinions and written evidence. The Eichmann trial initiated a new era of witnessing, prosecuting and dealing with mass atrocities.

In this chapter, I will analyze law, legal framework, notions of legality and justice within this broader analytical-theoretical framework and historical experiences of mass atrocities, law and trials with the help of the above-mentioned literature. My aim is to go beyond the approaches that emphasize an idealistic notion of justice regarding enforced disappearance, forced migration and other urban discrimination patterns in the context of the urban

[448] The term *genocide* was included in the indictment of the major war criminals in the Nuremberg trials as follows: "They (the defendants) conducted deliberate and systematic genocide - viz., the extermination of racial and national groups - against the civilian populations of certain occupied territories in order to destroy particular races and classes of people, and national, racial or religious groups, particularly Jews, Poles, Gypsies and others." Cited in Raphael Lemkin, "Genocide," *American Scholar* 15, no. 2 (1946): 228. *Crimes against humanity*, *war crimes* and *crimes against peace* (including *participation in a common plan or conspiracy for the accomplishment of a crime against peace* and *planning, initiating and waging wars of aggression and other crimes against peace*) were other categories of the major crimes, which were recognized by the indictment of the major war criminals in the Nuremberg trials. See. Isabelle Fouchard, "İnsanlığa Karşı Suçların Uluslararası Hukukta Tanımlanması," in *İnsanlığa Karşı Suç,* ed. Mireille-Delmas Marty, Isabelle Fouchard, Emanuela Fronza, Laurent Neyret (Istanbul: İletişim, 2012), 19-20.

[449] Samantha Powers, *A Problem from Hell. America and the Age of Genocide* (New York: Basic Books, 2003), 75.

[450] Annette Wieviorka, *L'ère du témoin* (Paris: Plon, 1998), 36.

transformation projects. My aim is to problematize the legal space with its discourses and practices from a critical perspective focusing on how the legal sphere produced its own legal subjects and how this production created contentions and limitations. I will claim that the production of these legal subjects is in contradiction with the concrete demands of the stakeholders forming a heterogeneous group. In addition, the demands themselves are also constantly changing in different contexts, temporalities and spatialities. To reveal these contradictions in the legal field I will first depict the legal framework and the actual legal situation with respect to enforced disappearance, forced migration and UTPs, both domestically and internationally. I will then focus on different demands of the stakeholders and the temporal and spatial transformations of these demands. In this subchapter, I aim to show the contradictory meanings of the legal field for a heterogeneous group labeled as *victims.* And finally I will scrutinize different notions and articulations of *justice* through the study of an ongoing legal case, the case of Temizöz and Others. Although it is a case related with enforced disappearances and extrajudicial and arbitrary killings, I claim that it reveals the limits and potentials of the politico-juridical realm for dealing with forms of state violence in Turkey.

7.1. The limits of the legal framework, the trials and the current situation

There was a legal framework for different constituents of the Cizre JITEM team and for the OHAL governorship, both for the power and authorities of the OHAL governorship, as well as the village guards and other state officials of OHAL. As described above, the legal framework of the OHAL regime was essential for consolidating the power and authority of the counter-insurgency teams and also ensuring their total impunity. There was also a legal framework concerning the repentant element: the "Law of Repentance" (Pişmanlık Yasası), which was first enacted in 1985 and designed for members of illegal armed organizations who may turn into official witnesses in exchange for reduced prison sentences. The parliament enacted five laws of this kind during the course of the Kurdish conflict aiming to influence captured guerillas and invoke them to change sides.[451] One can argue that legality was taken into consideration while forming the JITEM teams and choosing their components. An examination of the violent strategies used by these parties reveals differences in their respective legal regimes, which I will depict in the following sections.

[451] Zerrin Özlem Biner, "From Terrorist to Repentant: Who Is the Victim?," *History and Anthropology* 17, no. 4 (2006): 340.

7.1.1. From legal void to tacit acceptance: the Ergenekon and Balyoz cases

The crime of enforced disappearance was and is still not defined or referred to in the national legal framework in Turkey. In the current Turkish Penal Code, numbered 5237 and dated 10. 12. 2004, a crime defined as enforced disappearance does not exist. Article 77 of this code is entitled "Crimes against Humanity" and it lists these crimes as *numerous clauses*, therefore, in a conclusive manner so that no other type of crime could be added to the list via interpretation. The wording of the article makes no reference to enforced disappearance. The article is as follows:

> "Crimes against Humanity"
>
> ARTICLE 77- (1) Execution of any one of the following acts systematically under a plan against a segment of a community for political, philosophical, racial or religious reasons creates the legal consequence of a crime against humanity.
>
> a) Voluntary manslaughter,
>
> b) To act with the intension of giving injury to another person,
>
> c) To torture, inflict severe suffering, or forcing a person to live as a slave,
>
> d) To restrict freedom,
>
> e) To make a person be a subject in scientific researches/tests,
>
> f) Sexual harassment, child molestation,
>
> g) Forced pregnancy, and
>
> h) Forced prostitution.
>
> (2) In case of execution of the act mentioned in paragraph (a) of the first subsection, the convict is sentenced to heavy imprisonment; in case of commission of the crimes listed in the other paragraphs, the convict is sentenced to imprisonment not less than eight years. However, if the crime is caused by voluntary manslaughter or intentional injury of a person, then the provisions relating to physical joinder are applied in consideration of the number of victims.
>
> (3) The court may adjudicate imposition of security precautions upon the legal entities due to such crimes,
>
> (4) These crimes are not subject to statute of limitation."[452]

Since enforced disappearance is not a crime defined in this article quoted above, it could be said that there is a *legal void* regarding this specific crime in the current penal code. Article 77 of the current penal code includes solely voluntary manslaughter in its conclusive list. Obviously, enforced disappearance is not the same as the crime of manslaughter; and given the legal architecture of the article, enforced disappearance could not be added as a crime

[452] The translation of the article is taken from the website of World Intellectual Property Organization with some amendments, accessed October 3, 2016, http://www.wipo.int/edocs/lexdocs/laws/en/tr/tr113en.pdf.

against humanity through case law or any sort of legal interpretation. Eren Keskin, one of the most prominent human rights activists and human rights lawyers claims:

> "Although there are several crimes committed by the official forces which constitute crimes against humanity, not even one state official has until now been tried based on this article. […] Let me tell you how I understand the wording of the crimes against humanity article in the current Turkish Penal Code: this article is solely enforceable when 'some persons gather and establish an organization for committing crimes against humanity'. Taking into account the content of the article, I claim that state officials were not meant at all."[453]

Thus, enforced disappearance, if brought before the legal institutions, could only be tried with other articles of the Turkish Penal Code, which regulate voluntary manslaughter. The persistence of the legal void regarding enforced disappearance after the drafting of the new penal code in 2004, which had a specific article on crimes against humanity, reveals a persistence concerning the impunity of the perpetrators.

Still, some attempts took place for the trial of the perpetrators of enforced disappearances after 2007, contrary to the total rejection of any sort of legal proceedings in the 1990s. Before 2007, in almost none of the cases was a conclusive decision reached; however, after 2007, and especially within the scope of the Ergenekon and Balyoz investigations, the crimes and atrocities of the 1990s, once again, became an issue of legal and political debate. According to the indictment of the Ergenekon trial, Ergenekon[454] is an ultra-nationalist group with ties to members of the country's military and security forces as well as political actors, and is alleged to have plotted to create the political and military conditions for organizing a military coup against the AKP government. An official investigation was launched in 2007, and one year later, the first 86 persons were charged with membership in an armed terrorist group, plotting against the elected government, having illegal relationships with other countries' intelligence services, and other offenses. When the trial ended in the Court of First Instance in 2013, more than 500 people had been taken into custody, nearly 300 formally charged with membership of the terrorist organization Ergenekon, and 17 life sentences delivered to prominent figures of the military establishment, along with politicians, academics and journalists. However, after a very short period of time, in 2015, the Court of Appeal radically altered the decision of the Court of First Instance and acquitted all the defendants.[455] Similarly, in 2012, some 300

[453] Eren Keskin, "Crimes against Humanity in the Turkish Penal Code," (Interview with Eren Keskin by Levent Pişkin) in *Geçmişle Yüzleşme ve Mevcut Davalar* (Istanbul: TESEV, 2012), 26.
[454] *Ergenekon* is a very loaded term historically and politically. According to the popular myths of the Turkish ultra-nationalism, Ergenekon refers to the original country of the Turkish people, which they left in the Central Asia for coming to Anatolian land.
[455] For a detailed account of the Ergenekon trial including also statistics and numbers, see. Ferda Balancar and Esra Elmas, "Askerin Siyasete Müdahaleleri ve Ordu İçi Siyasallaşma," in *Almanak Türkiye 2006-2008. Güvenlik Sektörü ve Demokratik*

suspects of Operation Sledgehammer, most of them retired military personnel, were sentenced to prison terms for the alleged coup plan "Operation Sledgehammer" (*Balyoz Harekâtı*). Although in 2012, the Court of First Instance gave rulings with severe prison sentences, the Supreme Court detected important defendants' rights violations in this trial, and thus, more than 100 defendants were finally acquitted or faced a retrial.[456] The conspicuous transformation of these two important trials was deeply related with the changing political climate, alliances and hostilities of the Turkish mainstream politics. Apparently, two elements seem to have influenced the course of these two trials: the breaking down of the Justice and Development Party's alliance with the Fethullah Gülen movement,[457] and the new political and conjectural status quo concerning the Kurdish issue, which represents a new war regime instead of a peace and negotiation process.

If we go back to the momentum of the commencement of these two investigations, namely Ergenekon and Balyoz, we see that the first striking component of their indictments was the mention of several names of the JITEM apparatus who committed crimes during the OHAL regime such as Veli Küçük, Cem Ersever, Cemal Temizöz and Hasan Atilla Uğur. Some of the enforced disappearances and extrajudicial and arbitrary killings were also referred to in the same indictments.[458] However, these crimes were not included in the indictments as criminal acts. When in 2008, Veli Küçük, a highly influential figure of the JITEM apparatus, was detained, the demand to expand the investigation to include the crimes committed on "the other side of the Euphrates" was voiced by the then pro-Kurdish political party, Democratic Society Party (Demokratik Toplum Partisi - DTP) and by several different human rights organizations and NGOs such as the Human Rights Association (İnsan Hakları Derneği - İHD), the Diyarbakır Bar Association, and the Progressive Lawyers Association (Çağdaş Hukukçular Derneği - ÇHD).[459] These demands were rejected by the court and the scope of

---

Gözetim, ed. Ahmet İnsel and Ali Bayramoğlu (Istanbul: TESEV, 2009), 196-197. See also BBC TÜRKÇE, "Dokuz Soruda Ergenekon Davası," accessed January 3, 2016, http://www.bbc.com/turkce/ozeldosyalar/2013/02/130217_rengin_ergenekon.

[456] Al Jazeera Turk, "AYM Balyoz'da 'hak ihlali var' dedi," accessed June 18, 2014, http://www.aljazeera.com.tr/haber/aym-balyozda-hak-ihlali-var-dedi. Al Jazeera Turk, "Balyoz sanıklarına tahliye kararı," accessed March 6, 2016, http://www.aljazeera.com.tr/haber/balyoz-saniklarina-tahliye-karari.

[457] Fethullah Gülen is a Muslim political leader and ex-imam whose intellectual background as well as interpretation of Islam stems from the Islamic tradition of Said Nursi (1876-1960). Said Nursi was a very significant religious leader who with his writings had a massive impact on the Muslim tradition in Turkey and called his works as "service for faith". After his death, his community fragmentized into several groups, and Fethullah Gülen's movement represented the conservative-nationalist wing of the movement. Gülen, inspired by Said Nursi, also called his work as "rendering service" and acquired a well - developed, and complicated network of people, commodities, and resources both nationally and internationally. Initially, the Gülen movement was a very close ally of AKP, but then, in 2013, this alliance collapsed and a visible fight between AKP and the Gülen movement commenced due to several political issues. For a broader analysis of the Gülen movement, see. Mucahit Bilici, "The Fethullah Gülen Movement and Its Politics of Representation in Turkey," *The Muslim World* 96, no. 1 (2006): 1-20.

[458] Gülçin Avşar, *Ergenekon'un Öteki Yüzü. Faili Meçhuller ve Kayıplar* (İstanbul: TESEV, 2013), 33-159.

[459] Faili Belli, "Ergenekon Davası, Dava Özeti," accessed May 15, 2016, http://failibelli.org/dava/ergenekon-davasi/.

the indictment was ultimately not expanded to include the crimes against humanity committed during the 1990s in Kurdistan.

Not only political organizations or NGOs but several individuals also applied for their case to be included in the indictment of Ergenekon and Balyoz. Islam Zeyrek from Silopi, elder brother of Mursal Zeyrek,[460] who forcibly disappeared in Silopi on May 26, 1994, was one of them. His brother Mursal Zeyrek was initially taken under custody three times and finally forcibly disappeared after being taken under custody by Serdar Öztürk. At the time, Serdar Öztürk was a lieutenant in Silopi. Islam Zeyrek found out that Serdar Öztürk was being tried in detention within the scope of the Ergenekon investigation:

> "There was one lieutenant in our region, Serdar Öztürk. He is in prison now because of the Ergenekon lawsuit. Serdar Öztürk took my little brother under custody three times and finally he disappeared the poor kid. […] This guy was a lieutenant but he was not connected to anyone in the military hierarchy. I am telling you, he was JITEM's guy, and a member of Ergenekon. […] He took my brother and tortured him several times. He asked some questions including some names and my brother did not respond. Then, he said to my brother that he would definitely kill him, and beat and tortured him, swearing all the time. He was a member of Ergenekon, he was an enemy of this land. […] This man was a member of Ergenekon, everybody knew it, so I applied to the Ergenekon lawsuit for being involved but they didn't accept my petition."[461]

Immediately after learning Serdar Öztürk was also included in the indictment as a defendant, Islam Zeyrek, with the support of the Şırnak Bar Association,presented a petition to the Ergenekon trial, yet his demand was rejected. In another case, the incarceration of a village guard known as Koçero Saluci [real name Cindi Saluci], well known to be part of the JITEM team in Silopi, was received with appreciation in Silopi. However, despite his ill reputation, the criminal activities of Saluci were not turned into a case, and he was released consecutively. Saluci continued to reside in Silopi.[462] And finally, after the commencement of the Ergenekon investigation, in March 2009, upon the petition filed by the Şırnak Bar Association, official excavations were conducted in the Sinan facilities and the BOTAŞ pits on the grounds that there were several human bodies of forcibly disappeared and executed persons of the Şırnak region, and bones were discovered. However, it was declared that these were the remains of animals. In the meantime, the Şırnak Bar Association gathered petitions from approximately 130 complainants and attempted to initiate the files of the disappeared and extrajudicial and arbitrary executions, and also to revive the files of those cases where a

[460] Zorla Kaybedilenler Veri Tabanı, "Mursal Zeyrek'in Zorla Kaybedilmesi," accessed July 3, 2016, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/39.
[461] Interview, Silopi Şırnak, October 15, 2012.
[462] Interview, Silopi Şırnak, December 2, 2012.

file existed yet no conclusion had been reached. Until now, about these petitions, not one single response has been received or for that matter, no sort of legal procedure initiated.

In a nutshell, the Ergenekon and Balyoz cases, despite all the criticisms regarding the defendants' rights and other breaches of legal procedures, were important cases in dealing with the immense impact and criminal relations of the military apparatus in Kurdistan. Yet crimes committed in the Kurdish region were deliberately put outside of the scope of these investigations. Although the defendants of the Ergenekon and Balyoz cases more or less corresponded to the perpetrators of JITEM and although they were tried for other gross human rights violations, serious crimes including enforced disappearances and extra judicial and arbitrary executions committed in Kurdistan were not included in the bill of indictments as "gross human rights violations".

7.1.2. Being a part of the notion of *humanity*

The question of who will be included in a legal document and who will be excluded is a deeply political one, influenced by power relations, alliances and different contentions. The concept of human rights did not include Kurdish citizens as subjects of these rights; in other words, *Kurdish rights* were not perceived as part of the violated human rights paradigm in the indictments of the Ergenekon and Balyoz cases. This significant exclusion reveals the continuity of two essential approaches of the Turkish state regarding the Kurdish issue: the first one is deliberately excluding and not recognizing the *Kurdishness* of the Kurdish issue and depoliticizing it through discourses of feudalism, tribalism or terrorism.[463] The second one is the persistence of what I described in the previous chapter as the *colonial effect*, including the systematic exclusion of Kurdishness from the field of humanity based on an assumption of political and moral superiority. Furthermore, this exclusion is not peculiar to the Turkish-Kurdish case. Walter Mignolo aptly discusses the position and place of *indigenous rights* within the context of *human rights*. This discussion, I argue, offers important suggestions about the context of the Kurdish issue:

> "Humanity was not, it is not, a transcendental and neutral essence that just anyone can appropriate and describe. Humanity has been created upon philosophical and anthropological categories of Western thought and based on epistemic and ontological colonial differences. If someone else wants to use human rights they must specify what kind of human he or she is. For example, "Indigenous rights" are predicated on the assumption of their difference from "universal" (or White Euro-American) rights. However, by the sheer fact of naming a set of rights "Indigenous" it becomes clear that they cannot be universal rights and that what passes as universal is indeed "Euro-American

[463] For a thorough analysis of these discourses, see. Mesut Yeğen, "The Kurdish Question in Turkish State Discourse," *Journal of Contemporary History* 34, no. 4 (1999): 555–68.

> white rights." That is, two "species" of the human, by convention, which is spoken by everybody who wants to speak and locate him or himself in a specific community of rights."[464]

Therefore, after the colonial refusal of including crimes committed against humanity in the indictments of the Ergenekon and Balyoz cases, individual criminal proceedings commenced for some of the well-known military JITEM members; and other investigations were launched. Ten prosecutions were initiated regarding enforced disappearances that occurred in the 1990s. Below, I will scrutinize one of these cases, Cemal Temizöz and Others, and try to reveal the traces of the colonial effect in this criminal suit and its structural, political and ethical limits. For now, suffice it to say that common to all of these ten cases are the nonrecognition of the Kurdishness of the victims, the arbitrariness of the cases chosen for the indictments, the legal void regarding the nature of the crimes –all being defined as voluntary manslaughter- along with the refusal of the term *crimes against humanity* and of the disclosure of the JITEM structure as a separate individual criminal organization. A table showing basic information along with current situation of all the criminal cases regarding enforced disappearance is annexed to the dissertation. What is striking on this table is that all the criminal cases were either concluded at the Courts of First Instance or approved by the Supreme Court of Appeals with the acquittal of the defendants. The initial peculiar political conjecture, which led to the trial of the perpetrators, seems to be completely changed during the last years.

The situation before the European Court of Human Rights (ECtHR) is completely different. Although a very small number of the families of the forcibly disappeared were able to take their complaints to the ECtHR, in its inquiry, the ECtHR determined that official authorities were unwilling to investigate enforced disappearances and found that there was no right to legal remedies in Turkey. Therefore, the ECtHR ruled that the families might directly file their complaints to the ECtHR without being obliged to follow domestic procedures. In regard to many applications, the ECtHR found that agents of the state had responsibility in the violations concerning the forcibly disappeared. According to the studies by Hafiza Merkezi, 133 forcibly disappeared persons' files were brought before the ECtHR; and in 77 percent of the applications, diametrically opposed to the decisions of the domestic legal authorities, the ECtHR found Turkey responsible for the violation of the right to life and prohibition of torture, ill-treatment and failure to conduct an effective investigation. In 10 percent of them, a

[464] Walter Mignolo, "Who Speaks for the "Human" in Human Rights?," *Human Rights in Latin American and Iberian Cultures. Hispanic Issues on Line* 5, no. 1 (2009): 17. http://spanport.cla.umn.edu/publications/HispanicIssues/pdfs/MIGNOLO_HRLAIC.pdf.

friendly settlement was offered by the state of Turkey; thus, the responsibility of the Republic of Turkey was determinable in 87 percent of the enforced disappearance cases.[465] However, there is one striking feature of the rulings of the ECtHR as well: although claimed several times by the complainant party, the court never accepted the claim of an ethnical discrimination against the Kurdish citizens. In other words, the court never accepted the claim of the breach of Article 14 of the European Convention on Human Rights, entitled *Prohibition of Discrimination*.[466]

This legal framework, including the content and the wording of the existing laws and the situation of the ongoing cases at the national level, failed to acknowledge the colonial effect produced via a holistic repertoire of state violence implemented as acts of sovereignty throughout the 1990s in the Kurdish region. Moreover, this pattern also produced new forms of *victimhood* through depoliticization, compartmentalization and individualizing strategies concerning the crimes against humanity committed in the Kurdish region. From this legal perspective, the *victim* should be defined as an unfortunate individual who happened to live in the southeastern part of Turkey and who, for some unfortunate reasons, was disappeared or killed by local JITEM teams which were acting on their own and not in relation to any other systemic organization. This narrative also produced a *truth regime* regarding the crimes against humanity committed in the Kurdish region during the 1990s, which ontologically contradicts the narratives of the relatives of the forcibly disappeared. The context of *looking for justice* was not adequate to reveal different power relations, discursive and political strategies and other political confrontations that occurred in the legal field. Still, even more contemporary indictments producing such depoliticized, compartmentalized and individualized legal narratives, which categorically deny the recognition of the *Kurdishness* of the issue, did not result with the punishment of the perpetrators; they were finally acquitted one by one. The same logic that Begona Aretxaga defined for the legal framework and real experiences of sexual violence in the case of Northern Ireland may be applied to the enforced

[465] Hakikat Adalet Hafıza Merkezi, "The conduct of the Judiciary, Analysis Results in Brief," January 2014, accessed December 2, 2015, http://hakikatadalethafiza.org/en/about-hafiza-merkezi/how-do-we-work/main-findings-of-the-legal-studies-program/.

[466] Article 14 of the European Convention of Human Rights is as follows:
"ARTICLE 14
Prohibition of discrimination
The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status." European Court of Human Rights, "European Convention of Human Rights," accessed 21 December, 2016, http://www.echr.coe.int/Documents/Convention_ENG.pdf. For a detailed analysis of the cases of enforced disappearances at ECtHR, see. İlkem Altıntaş, "Enforced Disappearance Cases from the Perspective of the European Court of Human Rights," in *Enforced Disappearances and the Conduct of the Judiciary*, (Istanbul: Hafıza Merkezi, 2013), 108-132. It should also be added that about the Chechen disappearance cases filed against the Russian Federation, the ECtHR judgments never accepted a breach of Article 14, e.g. prohibition of discrimination.

disappearance cases. Aretxaga, while arguing that the performance of some acts constituted a rape psychologically and politically, if not legally, analyzes this logic as: "It is precisely this sliding between the reality of legal definitions of rape and the actual experience of sexual violation that permits the exercise of forms of rape under the cover of institutional rule."[467] A similar argumentation is possible for the enforced disappearances in Turkey; with regard to the ongoing cases, the sliding between the truth regimes and narratives in the legal field, and the concrete experiences of the forcibly disappearing permits the lack of recognition of the enforced disappearances and the continuance of this lack of recognition with other forms of state violence actually happening in the Kurdish region.

7.1.3. Forced migration: legal procedures of selective regulation

A closer look at the current legal situation of forced migration would reveal several continuities and also important differences with that of enforced disappearance. Firstly, there are more legal documents pertaining to forced migration, even if their effectiveness, impact and comprehensiveness have been much debated. Basic legal documents establishing the national legal framework are: Return to Villages and Rehabilitation Project (Return Project) (1994); Law on Compensation for Losses Resulting from Terrorism and the Fight against Terrorism – Law no. 5233 (Terör ve Terörle Mücadeleden Doğan Zararların Karşılanması Hakkında Kanun – Compensation Law) (2004); a framework document issued by the Council of Ministers entitled "Measures on the Issue of Internally Displaced Persons and the Return to Village and Rehabilitation Project in Turkey" (2005); and the Van Action Plan (2006). These legal documents and their enactment commencing with the 1990s and continuing throughout the 2000s reflect the shifting attitude of the state from total denial to a selective regulatory position, as discussed above. The basic shortcoming of this framework and its totalizing aspect that refuses to recognize the political nucleus of forced migration were criticized by two researchers as follows:

> "The legal framework misses the political dimension of the problem, which is essential; it also misses that after 15 years it is not only the problem of the ones who want to return to their villages but also the ones who want to stay in cities; therefore, the legal framework misses the problem's turning into an 'urban question'; and finally this legal framework misses the fact that people who have forcibly migrated are comprised of different social groups with differentiated needs and demands and are, therefore, not a homogeneous group."[468]

[467] Begona Aretxaga, "The Sexual Games of the Body Politic: Fantasy and State Violence in Northern Ireland," *Culture, Medicine and Psychiatry*, no. 25 (2001): 19.
[468] Derya Demirler and Veysel Eşsiz, Ibid., 168.

A more detailed look reveals an even more complicated legal situation concerning forced migration. The abundance of legal documents and the frequent use of the Compensation Law should not create the misleading impression that they helped solve the problem, for the wording, discourses as well as the implementation of each of these legal documents were fraught with serious problems. The Return Project, for instance, to which the state allocated approximately TL 19 million in the period 1999-2002, was severely criticized by the Human Rights Watch.[469] Accordingly, the Return Project was firstly criticized because of its poor performance:

> "In 2001 and 2002, Interior Ministry officials said that the government would expand and formalize assistance to returning displaced persons once a survey had been completed and a returns model established. The survey was finished in 2002, but no model for return was ever developed, and governors continue to dole out meager assistance through the project on an *ad hoc* basis."[470]

In addition, the Human Rights Watch also criticized the Return Project on the basis of failure to restore damaged and destroyed infrastructure in villages receiving returnees; sporadic and insufficient provision of income support for IDPs; and the arbitrary and inconsistent distribution of assistance. Moreover, according to the Human Rights Watch, the continuity of the village guard system along with the presence of village guards who committed serious crimes such as executions, kidnappings and disappearances; the persistence in the evacuation of the villages, and the continuity of the crimes including executions, civilian prosecutions and political killings were the main hindrances blocking the return to the villages.[471]

The situation was getting even more complicated with the enactment of the Compensation Law. On the one hand, with the enforceability of this law, the Turkish state was able to claim that there were effective national legal remedies that had to be exhausted before addressing the ECtHR; and on the other hand, with a complicated procedure of compensation, the Turkish state, again, produced new forms of *victimhood* creating new categories of exclusion, discrimination, and de-politicization. The title of the law, *Law on Compensation for Losses Resulting from Terrorism and the Fight against Terrorism*, reveals important insights into its content. Also significant were the use of the notion of terrorism, which was not used and appropriated by a significant part of IDPs, and also the equalization of the ones suffering from state violence with the village guards and other perpetrators of state violence. The title of the law alienated an important group of IDPs initially, but then, they mostly preferred to ignore

[469] Human Rights Watch, "'Still Critical' Prospects in 2005 for Internally Displaced Kurds in Turkey," March 2005, vol. 17, no. 2 (D), 22, accessed April 3, 2016, https://www.hrw.org/reports/2005/turkey0305/turkey0305.pdf.
[470] Ibid., 22.
[471] Ibid., 7-12 and 21-24.

the title for acquiring a sort of compensation, which was a crucial support in the aftermath of forced migration. Almost all of my interviewees pointed out the alienation and fear felt vis-à-vis the state originating from the title of the law only. One of the interviewees, who had come from Ağrı due to forced migration in 1994 and who was an ex-resident of Ayazma and a current resident of Bezirganbahçe MHA Houses, expressed how he felt about the name of the law as follows:

> "How can I tell you how I felt? Imagine that there are some villains who have beaten you up, killed your loved ones and attacked your dignity. Then you learn that in order to have some money, you have to blame and curse the ones who fought against these villains. You have to use some words that you don't believe in. I wish I were richer so that I wouldn't need to accept these insults for the compensation. What happened to us, look what we had to accept."[472]

The problems stemming from the Compensation Law were not limited to its name. The Compensation Law aimed to indemnify individuals for the material damages that occurred since 1987 "due to terrorist acts or activities undertaken during the fight against terror". The law "[…] provides compensation to anyone who has sustained losses due to terrorism or anti-terror activities",[473] including but not limited to IDPs; members of the army forces, the security forces and the village guards were also included within its scope. The indemnification was relevant for solely three kinds of losses: damage to property (moveable or immovable), damage to the life and to the body of the individual, and damage sustained due to inability to access one's property. The non-pecuniary damages due to the evacuation and destruction of the villages were not included in the scope of the Compensation Law. Forced migration occurred in various complicated manners; however, there are some common patterns, including that the villagers or inhabitants of the urban settlements were forced to leave their habitat abruptly and mostly with such brutal methods as random shootings and executions, severe beatings and widespread torture, arson and destruction of their property. Military forces including mostly the gendarmerie, village guards and special teams were involved in this process; death threats, humiliation and attacks on the dignity of the inhabitants accompanied the abrupt practice of forced migration.[474] The criticism of not including the non–pecuniary damages, therefore, was not solely related with the lack of an

[472] Interview, Küçükçekmece İstanbul, June 2, 2011.
[473] Dilek Kurban, Ayşe Betül Çelik and Deniz Yükseker, *Overcoming a Legacy of Mistrust: Towards Reconciliation between the State and the Displaced. Update on the Implementation of the Recommendations made by the UN Secretary-General's Representative on Internally Displaced Persons Following His Visit to Turkey* (Istanbul: TESEV, 2006), 33.
[474] For a detailed account of forced evacuation in Dersim and Bingöl, including the very similar patterns that I described, see. Martin van Bruinessen, "Forced Evacuations and Destruction of Villages in Dersim (Tunceli), and Western Bingöl, Turkish Kurdistan, September-November 1994," Academia, accessed December 5, 2016, https://www.academia.edu/6250323/Forced_evacuations_and_destruction_of_villages_in_Dersim_Tunceli_and_Western_Bingöl_Turkish_Kurdistan_September-November_1994

important sort of indemnification. I argue that, regarding the Compensation Law, this exclusion reveals the nonrecognition of forced migration patterns in their totality.

7.1.4. Assessing the damage: national and international context

For the provision of indemnification, the process was described as follows:

> "The task of processing the petitions, evaluating the incurred losses, and specifying the amount of compensation is conferred on damage assessment commissions, established in provinces on demand. These commissions are composed of seven members, six of whom are public employees. The chairman is a deputy governor designated by the governor. The remaining members are five public employees appointed by the governor from the departments of finance, public works and housing, agriculture and rural affairs, health, and industry and commerce; and a lawyer appointed by the relevant bar association. The lawyer is the only non-governmental member of the commissions."[475]

Damage assessment commissions were an important novelty implemented with the enactment of the Compensation Law. These commissions, however, were mainly composed of official staff and, therefore, apart from the lawyer who has the potential to represent the inhabitants, the commissions functioned with the decisions of the state officials. Thus, the impartiality and inclusiveness of the commissions regarding their decisions about IDPs with different political positions were compromised right from the beginning.

Still, these commissions were established and functioned in the Kurdish cities as important mechanisms for the provision of indemnification. Given the fact that IDPs were not properly and adequately informed about the enactment of the law, the final date for making the appeals to the relevant commission was extended three times. Initially, the final date was July 27, 2005, then it was postponed to January 3, 2007 and then to December 18, 2007, and finally, it was postponed to May 30, 2008.[476] The functioning of the damage assessment commissions was as follows:

> "Upon assessing the damage sustained by the applicants, the commissions prepare declarations of friendly- settlement (*sulhname*), which specify the compensation to be paid in cash or in kind, and present it to the applicant. Any prior payment made to the applicant by the state is deducted from that amount. Should the applicant disagree with the terms of the declaration and refuse to sign it, a protocol of non-agreement is signed, after which time the applicant retains the right to bring an action for compensation in the relevant administrative court."[477]

The results of the applications brought several discussions and debates among IDPs and NGOs, scholars and researchers focusing on forced migration. Firstly, persons convicted under the Anti-Terror Law were excluded from the implementation of the Compensation Law

[475] Dilek Kurban, Ayşe Betül Çelik and Deniz Yükseker, Ibid., 33.
[476] Dilek Kurban and Mesut Yeğen, Ibid., 82.
[477] Dilek Kurban, Ayşe Betül Çelik and Deniz Yükseker, Ibid., 33.

because they were considered responsible for incidents that caused damage. The commissions arbitrarily used this exclusion and they regularly rejected submissions of the relatives of convicted guerillas or pro-Kurdish movement's politicians. The decisions of the commissions had been partially revoked by administrative courts.[478]

Overall, the Compensation Law was criticized in many additional aspects; due to, for instance, the fact that it solely covers the damages that occurred after 1987, which means that it excluded the damages that occurred between 1984 and 1987. Moreover, based on the definition of the losses "due to terrorism or anti-terror activities", it also excluded in practice IDPs who were not forcibly migrated by the PKK or the security forces directly but who were obliged to flee due to the consequences of the conflict in the area. Besides, IDPs had an insufficient understanding of the scope of the law due to lack of information; they mostly believed that the law covers only losses resulting from evictions and destructions and not deaths and injuries. Also, an extremely low amount of money for damages for death and bodily harm (the amounts were fixed to TL 14,000 for death, TL 2,000 for injuries, TL 1,000-2,100 for disabilities) and arbitrary decisions of the commissions rendered the compensation payments insufficient. The list of main criticisms also included the heavy burden of proof and need for several bureaucratic documents for submission to the commissions; very high rate of rejected submissions and belatedness in the payment of the compensations; the use of gendarmerie documents and knowledge as a source of information.[479]

Commencing with the enactment of the Compensation Law in October 2004 until October 2010, throughout the country, 358,854 submissions were filed in total. Among these, 257,309 submissions, which amount to approximately 70 per cent, were finalized. The decisions were positive for 145,468 among the finalized submissions; and therefore, compensations were paid to the relevant applicants. On the other hand, 111,841 submissions were rejected. For all the accepted submissions, a total amount of TL 2,180,529,441 was decided to be given to the applicants. Out of this total, 95 per cent, that is, TL 2,064,149,512 was paid to the applicants as of October 2010.[480] These numbers, although stated as a sign of success by official staff, also reflect high rates of refusals and very low amounts of payment quantitatively.[481]

[478] Hülya Dinçer, "Internal Displacement and Right to Truth and Reparation in Turkey" (Paper presented at the XV. Conference of the International Association for the Study of Forced Migration, Bogotà, July 15-18, 2014).
[479] Dilek Kurban and Mesut Yeğen, Ibid., 105-132; Dilek Kurban, Ayşe Betül Çelik and Deniz Yükseker, Ibid., 33-40.
[480] Dilek Kurban and Mesut Yeğen, Ibid., 82-83.
[481] Kurban and Yeğen calculated the approximate amount of individual compensation paid to the applicants by dividing the paid amount to the number of applicants who had a positive response, which totaled TL 14,989. Given that each applicant was the representative of a family of 6-8 persons and this amount was the sum for a period of approximately 20 years, the inadequacy of the Compensation Law, even solely from a quantitative perspective was obvious. Dilek Kurban and Yeğen, Ibid., 83.

Despite all these criticisms, the ECtHR accepted the Compensation Law as an effective legal remedy concerning forced migration. Before the enactment of the Compensation Law, the ECtHR issued numerous decisions on human rights violations in the Kurdish region during the state of emergency regime and specifically on the evacuation and burning of the villages starting with the 1990s. Several decisions where the ECtHR found Turkey responsible were taken either for violation of basic rights, including violation of the right to home, privacy and family life, right to private property, breach of the prohibition of torture or inhuman or degrading treatment or punishment; or for violations of official responsibility, including the reluctance in acknowledging that security forces committed these violations or the reluctance for effective investigation.[482] During this initial phase "[…] the ECtHR has reached the decision that actions like the burning and destruction of villages by the security forces violated the European Convention on Human Rights (ECHR), it has not engaged in an analysis which shows that such violations occurred as part of the process of internal displacement."[483]

The decision of Doğan and Others vs. Turkey, however, was the symbolic decision that radically disclosed the novel position of the ECtHR's approach. First, the ECtHR, for the first time, identified a "structural issue" regarding IDPs in Turkey and handled the issue with a comprehensive approach. Second, "[…] the ECtHR found that by enacting the Compensation Law in July 2004, Turkey has developed an "effective" domestic legal remedy for the solution of internal displacement. The Court has rejected thousands of similar petitions claiming that they have not yet exhausted this domestic legal remedy."[484] Thus, after the enactment of the Compensation Law, the ECtHR accepted IDPs as subjects who had an *effective legal remedy* in the national context for the mitigation of damages and recovery of losses. This also meant rejection of thousands of petitions waiting before the ECtHR concerning forced migration.

Again, as was the case in enforced disappearance, the Turkish state had created a *new truth regime* and produced new legal subjects based on the production of a certain notion of

[482] The jurisprudence of ECtHR had several consequences for Turkey. For a detailed discussion on the use of the right to individual application of the jurisdiction of ECtHR in the Turkish/Kurdish context, see. Lisa Reppell, "Turkey's Track Record with the European Court of Human Rights," *Turkish Review* 5, no. 1 (2015): 6-13; Başak Çalı, "The Logics of Supranational Human Rights Litigation, Official Acknowledgment, and Human Rights Reform: The Southeast Turkey Cases before the European Court of Human Rights, 1996–2006," *Law & Social Inquiry* 35, no 2 (2010): 311–337. There are several important decisions during this initial period concerning forced migration such as Aksoy vs. Turkey, November 26, 1996, Appl. No. 21987/93, Selçuk and Asker vs. Turkey, April 24, 1998, Appl. Nos. 23184/94 and 23185/94, Mentes and Others vs. Turkey, November 28, 1997, Appl. No. 23186/94. For a detailed analysis of these cases, see. Dilek Kurban, "Human Rights Watch, Kurdish Human Rights Project and the European Court of Human Rights on Internal Displacement in Turkey," in *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban et al., (Istanbul: TESEV, 2007), 119–144.

[483] Dilek Kurban, Ibid., 126.

[484] Dilek Kurban, Ibid., 127.

victimhood. According to this national legal framework, *Kurdishness* was extracted from forced migration and migration was represented as a security issue stemming from some unpleasant technicalities in both terrorism and counter-terrorism activities. The *victim*, in conformity with this perspective, is a male breadwinner who somehow lost his house as a result of either terroristic acts or counter-terrorism activities. He also speaks Turkish and should be able to follow complicated legal and administrative procedures of the damage assessment commissions or courtrooms. His complaints would be recovered with the provision of a certain amount of money. This reductionist and legalistic perspective resists the recognition of the Kurdishness of forced migration by effacing its organic ties with the Kurdish issue and also depoliticizes and erases complex, contradictory and heterogeneous consequences of forced migration. The demands, experiences and trajectories of IDPs were shaped by different temporalities, spatialities and the crosscutting of several lines of differentiation such as gender, age, social status and class positions contrary to the reified notion of *victimhood* produced by the national legal framework in Turkey. I claim that the production of victimhood occurred not as the result of an omnipotent or rational and effective panoptic system of surveillance but rather as "forms of governmentality […] constituted [here] through sporadic, intermittent contact".[485] The state's systemic nonrecognition of the Kurdish issue coincided with the production by the state of a certain specific victimhood; and the results were produced by the contingencies, performances and decisions of the damage assessment commissions and courtrooms. Needless to say, these contingencies, performances and decisions occurred within the broader framework of power relations, deadly strategies and biopolitics as well as thanatopolitics of the state; however, the *illegibility of the state*[486] was produced through capillary encounters, contradictions and alliances happening in everyday life, as in the case of enforced disappearance.

7.1.5. Framing urban transformation projects

The legal situation concerning the UTPs operated, again, in different forms of governmentality. As mentioned above, in the chapter *Setting the Scene: Istanbul and Şırnak, the* official attitude based on the tolerance, ignorance and gradual regularization of the *gecekondu* settlements altered radically with the very beginning and intensification of the commodification of the urban land during the 1990s. Tolerance, ignorance and gradual regularization of the previous period had also shaped the legal regulations in relation to the *gecekondu* issue. The typical legal regulation of the 1960s and 1970s was the "Gecekondu

[485] Veena Das, Ibid., 231.
[486] Veena Das, Ibid., 234.

Law" (Law no. 775),[487] enacted in 1966, where the term *gecekondu neighborhoods* was officially pronounced in the title. It was the first time that the term *gecekondu* was ever mentioned in a law. Accordingly, the state's responsibility for providing "a decent environment" and fundamental social services for the inhabitants of the *gecekondu* neighborhoods was officially recognized. Additionally, the *Gecekondu* Law set forth the necessity of categorizing informal settlements and proposed the assignment of these areas to common use –in 'clearance zones'-, upgrading the dwellings –in 'improvement' zones-, or constructing houses for low income groups –in 'prevention zones'.[488] As can be seen, this law was a significant policy initiative and aimed to regulate different types of *gecekondu* settlements through different methods. Although the rights mentioned within the framework of the Gecekondu Law were exercised more often by the burgeoning urban middle classes than the dispossessed of the cities, the law itself had introduced the concept of regularization for *gecekondu* dwellers.

Another important legal tool of the previous period was the *gecekondu* amnesties that were enacted several times. These amnesty laws facilitated the regulation of the informal settlements, which suffered from land tenure issues and complicated property patterns. The logic of these amnesties was based on the regulation of the informal settlements through *improvement and zoning plans* (*ıslah imar planı*). Improvement and zoning plans "aimed to make an improvement and regularization of the informal settlements built in irregular and unhealthy ways. Besides, they aimed to provide a healthy, balanced and regular environment by the demarcation of the amorphous land tenure".[489] The improvement and zoning plans were, therefore, important instruments for the regularization of the informal settlements, despite the various criticisms they received. Basically, these plans were criticized for having been developed without a comprehensive planning perspective and having led to new forms of inequalities among *gecekondu* inhabitants. Still, they played an important role against forced evictions.

The most important amnesty law was the law numbered 2981 (Law 2981) enacted in 1984, which also formed the legal basis for the regularization of the Hürriyet and Yakacık areas. It provided *gecekondu* owners the right to construct four-storey buildings on their plots. According to Law 2981, the municipalities had the right to prepare and implement the

[487] For the full text of the Gecekondu Law in Turkish see. Mevzuat, "Gecekondu Kanunu," accessed December 8, 2016, http://www.mevzuat.gov.tr/MevzuatMetin/1.5.775.pdf.
[488] Anıl Mühürdaroğlu, "De-Regulatory Urban Redevelopment Policies in Gecekondu Areas in Turkey: the Case of Dikmen Valley," (MA thesis, Middle East Technical University, 2005), 67.
[489] Menaf Turan, *Türkiye'de Kentsel Rant. Devlet Mülkiyetinden Özel Mülkiyete* (Ankara: Tan, 2009), 266.

improvement and zoning plans for the regularization of the informal settlement areas. *Gecekondu* inhabitants, first, had to apply to private technical offices to receive the pre-title deeds (*tapu tahsis belgesi*), upon which, the pre-title deeds were to be changed to proper titles after the implementation of the improvement and zoning plans prepared by the municipalities. This amnesty law regularized an important number of informal settlements and created new forms of spatial segregation and inequalities at the same time. This contradictory process was described in the report of the Advisory Group on Forced Evictions (AGFE) as follows:

> "Due to financial reasons or bureaucratic procedures, not all could benefit from this development while those who could pay and make their applications correctly received their pre-title deeds. However, taking a selective stance, the municipalities did not make the necessary development and improvement plans for all areas. Thus, in the end, some ended up with title deeds, some with pre-title deeds (in Küçükbakkalköy) and some with no deeds at all (in Ayazma). In 1986, the scope of the law was expanded to grant a pardon to all *gecekondus* built before 1985 and the precondition was lifted."[490]

These relatively "populist" policies based on the regularization of the *gecekondu* areas drastically changed during the 1990s. I will not go into further details of this change since I described it above, in the chapter *Setting the Scene: Istanbul and Şırnak*. Here I will emphasize the change in the legal framework. Three steps were crucial concerning the change in the legal framework: to reinforce the authority of the municipalities over the urban land; to reorganize the Mass Housing Administration (MHA) as one of the most powerful actors of the real estate market; and to adjust the whole legal context in tandem with this process. The most important legal signs of this process were the Law of Metropolitan Municipalities/Law numbered 5216 and Law of Municipalities/Law numbered 5393 enacted in 2005. Accordingly, the power of the metropolitan municipality was increased and the mayor came to acquire a very powerful position in relation to the use of the urban land. The famous 73rd article of the Law of Municipalities, furnished the municipalities with the authority to declare the "obsolescent parts of the city" as "urban transformation areas" in order to build housing areas, industrial zones, commercial areas, technology parks and social reinforcements. "An area has to be within the administrative frontiers of the municipality and has to be at least fifty thousand square meters" in order to be declared an "urban transformation area".[491] Also, by stating only these options, the law implicitly accepted that UTPs could only be realized via

[490] Advisory Group on Forced Evictions, Ibid., 10.
[491] For Article 73 and the full text of the law, see. Mevzuat, "Belediye Kanunu," accessed October 21, 2016, http://www.mevzuat.gov.tr/Metin1.Aspx?MevzuatKod=1.5.5393&MevzuatIliski=0&sourceXmlSearch=&Tur=1&Tertip=5&No=5393

discharges, *demolitions* and *expropriations*. Besides, the Law of Municipalities gave new powers to the municipalities including:

> "1) broadening the physical space under the control and jurisdiction of the greater municipality; 2) increasing its power and authority in the development (*imar*), control and coordination of district municipalities; 3) making it easier for greater municipalities to establish and/or create partnerships and collaborations with private companies; 4) defining new responsibilities of the municipalities in dealing with "natural disasters";[492] and 5) outlining the first legal framework for "urban transformation" by giving municipalities the authority to designate, plan and implement "urban transformation" areas and projects."[493]

Also, the authority of the MHA was significantly increased with the new legal context and it became the most prominent actor in the realm of UTPs and a powerful real estate developer in the market, as I described above, in the chapter *Setting the Scene: Istanbul and Şırnak*.

Thus, with a discursive strategy built around the notions of *dilapidation, obsolescence* and *immediacy*, and in particular, using the fear and risk of earthquake, the novel legal framework of UTPs was established. With this new discursive strategy embedded in the new legal framework, *gecekondu* inhabitants were marked as desperate dwellers living in these dilapidated, degenerated and unhealthy areas. Such discourse provided two things simultaneously: first, it obstructed a genuine, in-depth and multifaceted debate about the issue of informal settlements including *gecekondu* neighborhoods as a result of inclusion in the legal framework of the inhabitants of such settlements by *technically* and *legally* marking these areas as dilapidation areas. Second, it obscured vast interest groups, institutions, and different enterprises, which would benefit from the commodification of the urban land, especially from the gentrification of the *gecekondu* areas. The novel legal framework represented an intense desire for transforming the cities due to a technical necessity. In this respect, the novel legal framework not only delineated the inhabitants of *gecekondu* neighborhoods in a specific manner but also produced new forms of knowledge and "*savoir*" around the issue of urban transformation. According to Foucault, one of the meanings of governmentality lies "[…] on the one hand, in the formation of a whole series of specific governmental apparatuses, and on the other, in the development of a whole complex of *savoirs*."[494] The novel legal framework suited this definition of governmentality *par excellence* and the whole complex of *savoirs* that it produced would be very useful in bypassing and blocking concrete demands of the inhabitants.

---

[492] In particular, earthquake or the risk of earthquake is cited many times in the legal documents.
[493] Biray Kolluoğlu and Ayfer Bartu Candan, Ibid., 13.
[494] Michel Foucault, "Governmentality," in *The Foucault Effect. Studies in Governmentality*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991), 103.

7.2. Different demands, different notions of legality

The relatives of the disappeared, although very often referred to as such as if they were a homogeneous category, do not in actual fact form a homogeneous category. Several differences in social class, gender, age and spatial locations differentiated their demands, experiences and performances. Also, their political position, their proximity to the Kurdish movement or the state and their cultural and symbolic capital resources created differentiations among themselves. I will dwell on this heterogeneity in the upcoming chapter *The rhythm of the quotidian and struggle over memory: performing the political in everyday life*; however, here I will underline that these differences also shaped the content and forms of their *search for justice*. Families with more economic, political and symbolic resources, for instance, were looking after their lost ones more constantly, with the support of different relations, using more adequately the administrative and legal mechanisms and devoting much more money to this particular purpose, whereas families with fewer resources had much more limited access to all of these mechanisms. After the disappearance, families more closely and organically tied to the Kurdish political movement had more visibility in the Kurdish media or in other political institutions concerning the forcibly disappeared and the search of the relatives.

This heterogeneity, however, should by no means obscure common patterns in experiences regarding the demands and notions of legality of the relatives of the forcibly disappeared. There are important similarities regarding the demands, understandings of justice, and notions of legality, especially among the relatives coming from the same place. On the other hand, concrete demands and the content of the notion of justice were also shaped by different temporalities. The phases after the act of forcibly disappearing marked these demands and the scope of the search for justice. Thus, the *search for justice* from the perspective of the relatives of the forcibly disappeared was not comprised of redundant and uniform performances, though it also included some redundancies, but it rather involved acts which were dynamic, patterned and adjusted to different temporalities.

7.2.1. After the disappearance: actors and demands

The first phase after the enforced disappearance, which corresponds to the first days and weeks immediately after, was marked by a feeling of *urgency*. As I described above, in the chapter *Modus operandi of the violent strategies: the state, sovereignty, and the pact of public secrets*, interrogation accompanied with extensive torture supervened upon the capture of the person by the Cizre JITEM team. A very small minority of the forcibly disappeared was executed immediately after the capture. For the majority, the process of interrogation

accompanied with extensive torture commenced. In Cizre and Silopi, these interrogations occurred either at the bunkers beneath the houses of Kamil Atak and Kukel Atak, or in the buildings of the military commandership or in the vacant lot around the Cizre and Silopi rural area, including Basisk (Kuştepe) - the village of Hizbullah. The duration of the interrogation was mainly 1-7 days. As I already asserted above, the differences among the JITEM teams in terms of the method, time and place of the interrogations should be understood as a manifestation of the *local forms of sovereignty*. [495]

The relatives of the forcibly disappeared were absolutely aware of this process. According to the peculiar dialectics of secrecy and visibility of the enforced disappearance strategy, the relatives of the forcibly disappeared knew that their relative was under interrogation accompanied with extensive torture. Therefore their main demand was to find their loved one alive. So, in the first days every family tried to search the disappeared, either publicly or secretly, and they contacted key persons who might help with the possibility of release. Some of the families went directly to the Gendarmerie buildings or contacted the commanders, including Cemal Temizöz himself, but mostly they contacted Kamil Atak or other village guards. The main demand in this first phase was to find the person alive and ensure his/her release. Thus, a compelling feeling of urgency marked this period.

The second phase commenced following the first weeks of the disappearance and continued a few years. The main demand of this period was to *know what happened* to the forcibly disappeared. The feeling of urgency and the hope of having back the person alive were relatively weakened during this period. To reveal the truth about what happened to the forcibly disappeared and to struggle for the trial of the perpetrators were the main motives in this phase. Different actors like political parties, newspapers, and human rights organizations were mainly visited during this period. The political parties were very often pro-Kurdish political parties of the period, the newspapers were mostly pro-Kurdish newspapers and the human rights organization was, for the vast majority of the families, the Human Rights Association. These institutional relations were mobilized to obtain information on the fate of the forcibly disappeared; and although such mobilization was indeed crucial for solidarity, in most cases, the relatives did not receive a concrete answer from these institutions. The term *perpetrators* that the families used during this second period, refers to the ones who took under custody or captured and executed the forcibly disappeared; and therefore, to members of the JITEM team. The accountability of the perpetrators, mostly, refers to the identification

[495] Thomas Blom Hansen and Fin Stepputat, Ibid., 306.

of the ones who executed the forcibly disappeared and if possible, to seeing them appear before court and tried.

The third temporality, characterized by other acts and notions of legality, commenced after the elapse of the first years. During this temporality, relatively weakened were the feeling of urgency of the first temporality and the desire of knowing what exactly happened to the disappeared of the second one. The main legal demand of the third period was to have the *bones*[496] of the disappeared and to have a proper funeral and grave.[497] The third temporality was a period where the passing of time was declared irrelevant by the relatives; time stopped being a hindrance to waiting, searching and asking for the bones. The *dismissal of time,*[498] a notion defined by Jean Amery, perfectly represents the position of the relatives of the disappeared as well. Time's passing by, in a way, was declared meaningless. During this temporality the meaning of the term *perpetrator* also altered: it was extended so as to include the totality of the state apparatus and all the parties that had military and political responsibility. Furthermore, the political memorials, including but not limited to Saturday Mothers/Persons, became much more important. To keep the memory of the disappeared alive was one of the main motives of this temporality.

At this point, several nuances need to be emphasized. Firstly, these different temporalities, including different phases, performances and demands are not consecutive temporalities, which exclude each other. Rather, they refer to *conglomerated temporalities*, which do not have a linear logic and instead include several aspects in common. Therefore, there is a continuity of demands during each temporality. For instance, although the feeling of urgency and the idea that the disappeared might be alive fade during the course of time, for the relatives of the disappeared these expectations never definitively expire. In particular, about a disappearance in the case of which the remains of the body have not been found, the liminality persists and the family is never entirely sure about the death. Thus, the demands of the first temporality also persist during the second temporality; however, they are less urgent. Between different temporalities, there is continuity, a conglomeration of some of the demands and the notions of legality, although the essential demands that characterize each temporality alter. The main demands should be understood as the demands which characterize the specific

[496] The word *bones*, *xesti* in Kurdish and *kemikler* in Turkish refers to the remains of the body of the disappeared. The relatives of the disappeared used the term *bones* for referring to their desire for having the body and the grave of the disappeared.
[497] For an excellent work on the political and anthropological meanings of *gravelessness* in Kurdistan in a broader context, see. Hişyar Özsoy, Ibid., 98-172.
[498] Jean Amery uses this term in the context of Holocaust survivors who, as an ethical act, refuse to forget and forgive. Jean Amery, Ibid., 98.

temporality; and the continuity of other demands should always be kept in mind. Thus, it is worth noting that there is always a heterogeneity and plurality in the demands and the notions of legality.

7.2.2. *Real* Kurdistan and *Legal* Kurdistan

The zigzag of petitioning was the essential activity of the second phase; however, it is also a constant legal act, which crosscuts all temporalities. Most of the relatives of the disappeared, immediately after the disappearance, at least one time –mostly several different times- took legal action in the form of writing petitions to the relevant legal authorities. Thus, the notion of *search for justice* was firstly and initially crystallized and embedded in this zigzag of writing petitions to the prosecutors for the possibility of a trial. Most of the relatives of the disappeared, for the vast majority male members of the family, wrote several petitions to the prosecution office in their cities. Women were almost completely excluded from this petition writing process, and whenever they were engaged, it was due to either the physical lack of male members of the family or their unwillingness to do so. Under normal circumstances, men of the family were involved in the zigzag process of petitioning. The *illegibility of the state,*[499] including arbitrariness, double standards and contingencies of the bureaucratic procedures, influenced the petition writing process. This process required knowledge of the Turkish language as well as administrative and legal terminology. Therefore, that is, since it required endless bureaucratic visits at the prosecution offices, the process was relatively more easily handled by the male members of the family who speak Turkish more fluently. In other words, it was essentially a gendered process.

In Cizre and Silopi, the relatives of the disappeared had several different responses from the prosecutors during the 1990s after submitting petitions: some prosecutors did not accept the petitions stating different pretexts; some took the petition and put it in the waste bin in front of the relative's eye; among the ones who did accept the submission of the petition almost none started an investigation; some of them underlined their weakness, while others threatened the relative of the disappeared:

> "At that time we went to the prosecutor's office. We told him that Cemal Temizöz had taken my father because of the hostility concerning this land issue, Memediye land. The prosecutor called the sergeant and the sergeant said he was not aware. [...] Then the prosecutor could not even dare to write the name Cemal Temizöz in his official report. We, at that time, referred to the name of Cemal Temizöz but the prosecutor was too scared to write down his name. He could not in the end."[500]

[499] Veena Das, Ibid., 234.
[500] Interview, Silopi Şırnak, October 15, 2012.

> "I called several places then I gave petitions to the government office. They lost my petitions, too. I almost gave at least 20 petitions and they lost them all. [...] They lost them in collaboration with each other, of course. I was submitting them and they were losing them, at that time they were controlling everything. They were all under the control of Cemal Temizöz."[501]
>
> "The prosecutor said: 'I have nothing to do but I am really sorry for you. I don't have the power to accept your petition. I mean, I don't have any power. Even if I accept your petition, there is nothing that can be done.' I mean at that time, the prosecutor also was scared. Even though he took the petition, he was still scared."[502]
>
> "I didn't go to the prosecutor's office, brothers of my husband did. The prosecutor tore up the petition and threw it into the waste bin. He also threatened my brother-in-law saying 'Don't ever come back again'. He just tore up the petition, said my brother- in-law."[503]

Prosecutors specifically and the juridical apparatus more generally either emphasized their lack of power and in implicit collaboration with the perpetrators did nothing about the enforced disappearances, or they were in explicit collaboration with the JITEM apparatus. The endless legal zigzagging of the relatives submitting these petitions did not produce a concrete result for the trial of the perpetrators and the investigation of the disappearances during the 1990s.[504] The endless zigzag of petitions, therefore, essentially meant futile efforts and redundant petition giving activities. One interviewee noted: "I was constantly writing petitions and nothing ever happened. Then, again, I wrote a petition and again, nothing happened."[505] The *search for justice* was, therefore, first of all a redundant performance without any consequence.

Shuttling back and forth between different legal and administrative authorities and doing the endless zigzag, however, was extremely important for the relatives of the disappeared. The ones who submitted petitions during the 1990s despite the atmosphere of fear and violence remembered and defined their endeavors with a feeling of pride; however, the ones who did not apply to formal legal mechanisms remembered their position, mostly, with a strong feeling of guilt. The relative of the disappeared who did not use these legal mechanisms, although everybody knew that the mechanisms were ineffective and resultless, experienced

[501] Interview, Cizre Şırnak, September 2, 2012.
[502] Interview, Silopi Şırnak, October 14, 2012.
[503] Interview, Cizre Şırnak, September 3, 2012.
[504] For a detailed analysis of the legal situation during the 1990s, see. Gökçen Alpkaya et al., *Enforced Disappearances and the Conduct of the Judiciary* (Istanbul: Hafıza Merkezi, 2013); Tahir Elçi, "Yakın Geçmişte İnsan Haklarının Ağır İhlallerini Soruşturma(ma) Sorunu," in *Geçmişle Yüzleşme ve Mevcut Davalar* (Istanbul: TESEV, 2012), 10-14.
[505] Interview, Cizre Şırnak, September 3, 2012.

self-incrimination often accompanied with a sense of having betrayed a loved one, and this feeling "[…] trap[s] him/her in a perennial circle of guilt."[506]

> "I couldn't speak. I can't lie on this; I could not even dare to ask what happened to him, I was that scared. [...] Although he was the brother of my own father, I couldn't ask for him anywhere because of fear. [...] We couldn't speak or ask anyone about him. His son couldn't say he's my father. His wife couldn't say he's my husband. We were too scared that something could happen to anybody else in the family. Thus we couldn't go to the prosecutor or to anyone else to ask about him. Everybody knows that. We are all in shame."[507]

The performances in the search for justice, therefore, created also ethical hierarchies among the relatives of the disappeared. Although most of the interviewees emphasized the ineffectiveness and futility of the petitions, making this legal zigzag was perceived as a crucial symbolic gesture of making a claim on the disappearance. It was also a widespread practice; even those who said that they could not submit to any legal mechanisms at the beginning of the interview stated that they drafted petitions to some legal or administrative authorities. Why was this the case? In other words, why did the relatives of the disappeared write petitions even though they were so much aware of the ineffectiveness of the method?

There are two main answers to this question. First, as I have already emphasized throughout this dissertation, the 1990s were not only the years of state violence, necropolitics and destruction but also the years of a massive mobilization, politicization and invention of new struggle methods. Pro-Kurdish political parties were established; the elections and different actions of civil disobedience were implemented simultaneously; the dissemination of new truth narratives through newly established pro-Kurdish newspapers occurred. In a nutshell, the emergence of new collective challengers and challenging forms[508] radically altered the legal forms used by the Kurdish society and opened up a new space. New forms of public protest, popular mobilization and new forms of vindication of rights concurrently arose. The insistence on the writing of petitions should be conceptualized in the broader context of these new methods of mobilization and vindication of rights along with other uses of legal mechanisms such as the active use of the ECtHR.[509]

---

[506] Idelbar Avelar, Ibid., 31. Although Avelar uses this expression in the context of the tortured subjects, I argue that this conception makes sense in the context of the relatives of the disappeared as well. Just like the vainness of the petitions, the tortured subject who spoke during the torture mostly revealed an already known piece of information. What matters is not the *effectiveness* or *consequences* of the act of speaking during the torture or act of writing petitions; it is rather the presumed ethical difference between doing and not doing such acts.

[507] Interview, Silopi Şırnak, November 30, 2012.

[508] Nicole F. Watts, *Sandıkla Meydan Okumak. Türkiye'de Kürtlerin Siyasi Yolculuğu* (Istanbul: İletişim, 2014).

[509] European Convention of Human Rights was signed in Rome on November 4, 1950 and came into force on September 3, 1953. The Republic of Turkey ratified the convention on March 10, 1954 and put it into effect with the law numbered 6366 on May 28, 1954. The right to individual application was recognized by the Republic of Turkey on January 28, 1987; and on

Second, the struggle in the endless mechanisms of the juridical and administrative apparatus meant for the relatives of the disappeared an act of knocking at the door of law and rights in order to force the judicial apparatus to *recognize* the crime of forcibly disappearing. In other words, this act was also a juridico-political call of the relatives of the disappeared for a differentiation between the actual world and legal world. The zigzagging of the relatives revealed that different notions broadly defined as *rights* were also constructed categories through redundant and endless legal zigzags and different legal acts and performances - such as trials and legal decisions. The relatives of the disappeared took these convoluted paths of legal zigzags to enjoy the right to speak; and in the broader political mobilization atmosphere of the 1990s, they perceived the legal mechanisms as a concrete space of struggle. In other words, instead of perceiving the legal mechanisms as grounds for the dilemma of being optimistic versus pessimistic or believing in the legal mechanisms in a romantic manner versus rejecting all of them categorically, the relatives of the disappeared intervened in the legal space as the result of a political and ethical *"devoir"*.

Deborah Poole discusses a very similar distinction in the context of Peru, using the popular divide of the Peruvian peasants *el Peru real* and *el Peru legal*.[510] This popular divide stems from the need to differentiate the state's extrajudicial or 'frontier' justice and practices from the reasoned judicial procedures. From the perspective of the relatives of the disappeared it seems that a *real Kurdistan* and a *legal Kurdistan* divide existed. Despite the violence and coercion included by the *real Kurdistan*, the possibilities and mechanisms of the *legal Kurdistan* needed to be tried and compelled. This approach did not stem from any sort of abstract hope but rather from the necessity of following a specific legal mechanism, despite all the obscure, redundant, and ineffective character of the process, for the purpose of acquiring a concrete legal right:

> "Our prosecutor is on vacation and he has not come back yet and he has not sent my files. I ask him to send my files and I ask him to find out my loved one's bones. They have to tell me what they did to him and where they put his dead body. I claim it and I will never renounce my claim. Even if they chew me like tobacco, I will not renounce my claim. I will pursue my legal case. […] I will not leave the door of the courtroom, even for one day. Why? This door, because, is the door of law and

January 28, 1990, compulsory jurisdiction of the ECtHR was recognized. Commencing with the beginning of the 1990s, the right to individual application to the ECtHR was being used throughout Kurdistan with a steady rise during the 1990s. For a detailed discussion on this, see. Lisa Repell, "Turkey's Track Record with the European Court of Human Rights," *Turkish Review*, January 1, 2015, accessed December 10, 2016, http://www.turkishreview.org/reports/turkey-s-track-record-with-the-european-court-of-human-rights_549090; Başak Çalı, "The Logics of Supranational Human Rights Litigation, Official Acknowledgment, and Human Rights Reform: The Southeast Turkey Cases before the European Court of Human Rights, 1996–2006," *Law & Social Inquiry* 35, no 2 (2010): 311–337.

[510] Deborah Poole, Ibid., 61.

rights. We will not give up until the day we die. We will pursue our legal cases. Right till the end."[511]

Writing and submitting petitions in the *legal Kurdistan* meant the claim of recognition and rights, the encounter with the perpetrators, the registration of the names of the perpetrators in a legal document and loyalty to the memory of the disappeared. These petitions were also an impossible call to the judiciary apparatus of the state for differentiating itself from the JITEM apparatus from persons who knew perfectly the symbiosis of the JITEM apparatus and the state at the margin. Besides, these petitions meant following the Kurdish political movement's political line through the improvisation of the new methods of challenging. Writing and submitting a petition, which certainly would give no result, was meant, in the meantime, to show the political will for the trial of the perpetrators.

7.2.3. Internally displaced persons as a heterogeneous community

The demands and notions of legality of the internally displaced persons in relation to forced migration also altered throughout different temporalities. The diversification of the demands was not solely related with different experiences of different temporalities; the diversification also stemmed from age, class and gender differences of IDPs. Ayşe Betül Çelik, for instance, convincingly shows how elderly Kurdish women experienced depression due to social exclusion much more severely compared to younger Kurdish female generations. [512] Younger Kurdish women were more active in the economic sphere, worked in associations, participated in local politics, and had the chance of receiving a formal education; even though these younger generations also suffered from different forms of discrimination. In other words, gendered experiences as well as age-based differentiations altered and marked the demands of IDPs who constituted a heterogeneous group. The demands of IDPs and their notions of legality are much more diversified and complex than they appear to be at first sight. The legal framework and especially the Compensation Law did not recognize such heterogeneity; and not only the content of the law, which had different exclusionary categories, but also its implementation was partial, random and insensitive to such heterogeneity. In the best case scenario, some fixed amounts in the event of death and injury and some arbitrarily calculated amounts changing from one case to another were paid to the applicant "regardless of their differences of class, age or gender."[513] The Compensation Law already excluded several categories like the ones who had already received an amount from

[511] Interview, Cizre Şırnak, September 2, 2012.
[512] Ayşe Betül Çelik, "'I miss my village!': Forced Kurdish Migrants in İstanbul and Their Representation in Associations," *New Perspectives on Turkey*, no. 32 (2005): 147.
[513] Zerrin Özlem Biner, "The Logic of Reconciliation: Between the Right to Compensation and the Right to Justice in Turkey," *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 4, no. 1 (2013): 80.

the ECtHR or the ones who were convicted under the Anti-Terror Law. Moreover, the arbitrariness of the functioning of the Damage Assessment Commissions was one of the main reasons for the insecurity felt by IDPs, especially the ones who were closer to the Kurdish political movement. The significant impact of the information provided by the gendarmerie to the commissions; the abundance of the necessary documents; the discretionary power that the commissioners had -although aimed to be limited by the calculation tables remitted to the commissions from the Ministry of Interior-; and significant differences between the decisions of different or sometimes even the same commission were the main issues regarding the implementation of the Damage Assessment Commissions.[514] Zerrin Özlem Biner, who studied the Damage Assessment Commissions, adds to this list the complications created by the use of the local knowledge. Accordingly, the local knowledge used by the local bureaucrats of the commission for transgressing the limits of law,[515] contributed to the *illegibility of the state*. Different researchers like Mesut Yeğen, Dilek Kurban and Zerrin Özlem Biner discussed whether the Compensation Law may be interpreted as a reconciliation law, and the answer they reached was negative.[516] Although these scholars acknowledged the law as a legal document that opened up an important space for negotiation, recognition and bargaining, they claimed that the absence of an explicit mention of recognition and the arbitrariness of the wording in the law as well as its implementation made it difficult to define the law as one devised for reconciliation.

The IDPs that I interviewed were perfectly aware of the opening up of a space with the Compensation Law. Nearly all of them defined the compensation that they received or asked within the scope of the Compensation Law as their *right* and they were comfortable with being applicants. Rumors were, again, one of the constructive discursive components of the compensation process:

> "I don't know very much about the details, but I've heard that the PKK also wanted us to take this compensation. One of the *heval*s[517] told me that even Murat Karayılan said once Kurdish people

[514] For a detailed discussion on the functioning of these commissions, see. Zerrin Özlem Biner, "The Logic of Reconciliation: Between the Right to Compensation and the Right to Justice in Turkey," *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 4, no. 1 (2013): 73-91; Dilek Kurban and Mesut Yeğen, *Adaletin Kıyısında* (Istanbul: TESEV, 2012); Meryem Kavak, "Onarıcı Adalet Bağlamında Türkiye İçinde Yerinden Edilenler" (MA thesis, İstanbul Bilgi University, 2008), 143-157.

[515] Zerrin Özlem Biner, Ibid., 82. Biner also emphasizes the importance of one of the exclusionary categories of the Compensation Law for the commissioners that she interviewed, the ones who were convicted under the Anti-Terror Law: "This was the most sensitive issue for the commission members I interviewed in 2009. In their view, other criteria (here they refer to the availability of required documents) were always open to negotiation, but the exclusion of those convicted under the Anti-Terror Law should by no means be transgressed." Zerrin Özlem Biner, Ibid., 80.

[516] Zerrin Özlem Biner, Ibid., 73-91; Dilek Kurban and Mesut Yeğen, Ibid., 105-155.

[517] *Heval* means friend in Kurdish. It is a very loaded term, though, since people who are closer to the Kurdish movement and the members of the Kurdish movement as well mostly use it. The term initially was used among guerillas but now it is more broadly uttered as a form of address.

> have the right to use this compensation and it is legitimate to ask for it. We did not receive something that we didn't deserve; on the contrary, we had much less than our losses and damages. We didn't say anything against the PKK though."[518]

One of the activists of Göç-Der said that several people narrated as a rumor this story of the support given by the PKK commanders and with the discursive empowerment granted by such rumor felt relieved after receiving compensation from the Turkish state. Needless to say, the inherent concern here covered only the segments of the Kurdish IDPs who were politically closer to the Kurdish movement. For others, who were forcibly migrated due to constant PKK attacks or who defined themselves as closer to the state apparatus, this concern did not constitute an ethico-political dilemma. In other words, the need for an *ethical approval* was politically and symbolically relevant for the ones who had closer relationships with the Kurdish movement.

7.2.4. Space for bargaining: shifting demands, different temporalities

Different temporalities shaped the demands of IDPs; and the Compensation Law added to the diversification of these demands. Narrating their trajectory, they meticulously emphasized their shifting demands. The first days after the forced migration were marked by the abruptness of the migration along with the anxiety of dealing with the traces of the immediate violence and the essential demand was to return. IDPs belonging to different age, gender and class origins emphasized their ardent request of return. During this initial phase, IDPs mostly sheltered in the houses of their relatives and their destination was mostly decided by the places where their relatives were living. Different metropolitan spaces such as Diyarbakır, Batman and Van became the first station of IDPs. The shock and the survival anxiety coexisted during this first phase with the immediate interruption of several daily activities such as the schooling of children, caring of the household and the elderly; in a nutshell, the continuity of everyday life. Thus, the main demand in this first phase was that of returning to the evacuated settlement; and this demand included both the symbolic and material meanings of the term *return*.

The second temporality included the second phase commencing weeks after the migration and the first years in the arrival place along with the acts and performances of this period. During the second phase, mostly, IDPs resettled in their new arrival place where they would live – hopefully - permanently. These places were chosen based on several factors: existence of relatives or fellow villagers; proximity to possible precarious job opportunities; different economic and social possibilities for low-income groups such as cheap housing; and

[518] Interview, Kartal İstanbul Kartal, May 8, 2012.

proximity to the place of origin. The issue of compensation became *thinkable* during this phase in a broader context of redress. Tactics of survival in the arrival place, and especially forms of poverty, economic depression and precariousness made this demand thinkable during this stage. Hearing from others that compensation was possible also facilitated the application process in the context of the Compensation Law. IDPs used the Compensation Law as subjects being aware that this law provided a space for them to bargain, challenge, and be empowered. The term *IDP* refers, in this context, to the breadwinner of the house; the youngsters and elderly members of the household were preoccupied with their own agendas. The youngsters, although experiencing several forms of everyday discrimination and racism, seemed to be more adapted in the arrival place and less prone to the idea of return. The elderly, on the other hand, dreamed ceaselessly for a possible return. This temporality also refers to a phase where several different urban resources and opportunities were targeted by IDPs. Not only compensation but also different economic support mechanisms including social services, municipal support mechanisms, social security and formal jobs were also reached during this phase.

The third temporality included relative normalization of life in the arrival place. Novel problems and issues of the place of arrival as well as political, economic and symbolic strengthening strategies occurred. The main demand of this temporality was a holistic recognition of material, symbolic and quotidian violence stemming from forced migration implemented by the state apparatus and also by larger segments of the *Turkish* society. This demand was mainly legitimized in the context of citizenship; the holistic recognition of state violence was perceived as a requirement of equal citizenship. Those I interviewed emphasized multifaceted, complicated and diversified forms of everyday discrimination and racism that they faced. Thus, the legal demand, during this third temporality, included the recognition of these forms of discrimination and racism along with the establishment of retrospective redress mechanisms. Most of my interviewees were entirely aware that this demand would not be realized in a short span of time; nevertheless, they insisted on it. It was essentially a common demand shared by different IDPs belonging to various social and economic positions, age groups or gender. Mostly, it was stated as a politico-legal demand, including several dimensions of recognition:

> "You know, we've been through a lot. How can I tell you and which part am I to tell? We were forced to leave our houses in 15 minutes and while we were leaving we watched our houses and lands burning. We heard the cries of our animals, which were also burnt. Then we came to Adana, to live with our relatives, I told you. But I cannot tell enough the miserable conditions that we were

> living in, however much I talk now. Even animals wouldn't live in the house where we tried to survive. […] Then in Istanbul, everything is new, everything is unknown to you; we didn't even know how to talk to our neighbors. […] Now, the state gave us some money, I guess a total of ten thousand liras and then the state paid for our damages. This disgraceful situation can't be rehabilitated with that amount of money. It is not the amount of money; the state has to say to us: 'You are also my citizens, I treated you badly and I won't do it again'. I know that the state would maybe never talk to us like that but that is what I expect. It is my right as a citizen; that is what we deserve."[519]

This quoted passage reveals adequately the content of the demand for recognition. All the experiences around forced migration, which affected and altered the lives of IDPs, formed their lifetime trajectory. In particular, different forms of deprivation, discrimination and racism, including lack of social services and social aid mechanisms; humiliation and hostility of municipality staff, school teachers, doctors, neighbors, employers and shopkeepers because of their accent in Turkish or because some of them could not speak Turkish; necessity of hiding political opinions for safety and security reasons; and hearing several insults and insinuations regarding the PKK, the Kurdish movement or Kurds, especially when the Kurdish conflict was re-intensified; all these quotidian practices, discourses and encounters formed a totality. I will dwell on these forms of everyday racism and discrimination along with responses of IDPs in the next chapter. Here, I will only note that this totality was perceived by most of the IDPs as a sign of violence committed by the state and society. This totality is very much linked to the specific knowledge of the state, which was also verified at the moment of forced migration: the state produces a violent, discriminatory and humiliating experience, which targets the decency and dignity of the Kurdish citizens.

I should emphasize here that as was the case in enforced disappearance, these temporalities did not solely follow a linear fashion but rather they represented a conglomerate of time, demands and performances. Therefore, there are echoes of the initial demands in the consecutive temporalities as well, like the demand of return continuing, even more ardently, during the second and third temporalities as well, especially for elderly generations. In addition, the demand for a holistic recognition, stated differently by different IDPs, was also reiterated during the first and second temporalities, sometimes to the face of official staff, sometimes politically in the political parties, organizations and associations and sometimes in the houses, coffee houses and neighbor gatherings.

[519] Interview, Kartal Istanbul, May 12, 2012.

Those I interviewed did not consider this demand to be contradictory or inconsistent with their own political positioning. As was the case in the compensation issue or the lawsuits concerning enforced disappearances, the doors of the *legal Kurdistan* needed to be knocked perpetually. The rights were to be constructed through a struggle built up by several performances and discourses, including the reiteration of statements concerning politico-legal demands. Pragmatic acts might be realized to acquire rights such as signing settlement documents (*sulhname*) drafted unilaterally by the damage assessment commissions, using discourses of *innocence* before the court or damage assessment commissions for an accentuated emphasis on the inadmissibility of forced migration.

These strategies for self-strengthening of the subjects were not peculiar to Kurdish citizens. Brigittine M. French emphasized the importance of such discursive strategies while describing the functioning of the Guatemalan truth commission. The testimonies were patterned, spoken to and transformed for such multiple audiences as "survivors in the local community, perpetrators in the local community, the dead, national governmental officials, and international human rights advocates among various others".[520] In addition, while talking before the Guatemalan Truth Commission, relatives of the executed used extensively discursive strategies of innocence to strengthen themselves vis-à-vis the ideological work of institutional propaganda. French reports the testimony of a witness as follows: "[…] she repeatedly says the accusation (communists, guerillas) and she tries to defend her husband with the seemingly 'opposite' words (good father, good worker, honest)".[521] Discursive strategies, different layers of narratives and multiple audiences were also present in the case of IDPs; those I interviewed were entirely aware of the existence of several layers - including the accounts they told me-, and perceived being pragmatic or formulating demands differently in different contexts as part of their *rights*. Besides, using the mechanisms of *legal Kurdistan* required such strategies and differentiations between different layers. The demand for holistic recognition in the politico-legal field necessitated awareness about all these different audiences, which might help gain rights through concrete struggle, pragmatism and reiterations. After all, as emphasized critically by Marc Nichanian -while he was discussing, through the laws of France, the negationist laws on the Armenian Genocide in terms of the problematic relation between the law and the catastrophe-, the law means, above all, recognition:

[520] Brigittine M. French, "Technologies of Telling: Discourse, Transparency, and Erasure in Guatemalan Truth Commission Testimony," *Journal of Human Rights,* no. 8 (2009): 98. (92-109)
[521] Brigittine M. French, Ibid., 100.

> "In reality, the law does not forbid interpretation, nor does it intervene in any case in the interpretation of historical facts. It does something else, something entirely extraordinary. It admits, or better, it asserts that there are, after all, *recognized* facts in this world. For, without them, what would we do?"[522]

Using the mechanisms of *Legal Kurdistan*, nearly nonexistent in the case of enforced disappearance and inadequate in the case of forced migration, involved asking for the sort of recognition that Nichanian emphasized. Kurdish citizens asked for the assertion of their experiences as *recognized facts* so that it would mitigate their suffering and reward their struggle. As was the case with the Compensation Law, this assertion was responded incompletely, inadequately and incommensurately.

7.2.5. Urban negotiations, urban melancholia: destruction and regularization

The legal demands and essential concepts of legality of the Kurdish migrants in the context of the UTPs, again, differed both among different stakeholders and during different temporalities. Firstly, when the inhabitants of the *gecekondu* neighborhood learned about an UTP, which mostly meant destruction of the *gecekondu* buildings and the resettlement of *right owners* in MHA buildings, they were deeply divided on the issue. On the one hand were the ones who approved this transformation, arguing that they preferred to live in more modern and urban houses and supported having an apartment in the MHA buildings. These circles, which were politically close to the AKP, remained more silent. On the other hand, there were the ones who were against the UTPs, listing a number of reasons: UTPs would not be lucrative for *gecekondu* dwellers in the long term; the down payment and installments for MHA houses were high; job opportunities existed in the current *gecekondu* neighborhoods that were spatially better positioned; there was the crucial aspect of moral economy and survival strategies built around *gecekondu* areas and the impossibility to reestablish them in the MHA blocks; and everyday life was isolated and atomized in the MHA buildings, especially for the Kurdish inhabitants. Some of the Kurdish IDPs living in these *gecekondu* neighborhoods firmly believed that one of the main reasons for the implementation of UTPs was to isolate, weaken and atomize Kurdish families, and thus, diminish the power of mobilization and organization of the Kurdish movement in the western cities of Turkey.

Approval or disapproval of UTPs was not only related with political opinions or being *right owner* but also with gender identities. Many women I interviewed - especially the mothers of the house who were responsible from child and elderly care and the feeding and daily maintenance of the household - said that implicitly they were supporting UTPs, though they

[522] Marc Nichanian, *The Historiographic Perversion* (New York: Columbia University Press, 2009), 38.

did not share their opinion with their husbands. Besides, those I interviewed mostly told these stories of approval of UTPs as if they were based on hearsay. One typical account is as follows:

> "You know what I heard from our neighbors? Women who were saying that they didn't want to go to MHA houses, that they were very happy to live in Ayazma talked differently when they were alone with the staff of the Küçükçekmece Municipality. I even heard some of them were calling the municipality people when their husbands left home for work and asked the municipal staff when they would come for the destructions. They said, I heard, they were tired of the mud, mess and disorder in this neighborhood. And living in these apartment buildings, you know, I guess several women were curious how our lives would change if we went to these tall buildings. It is not how I think; it is what I heard."[523]

I discussed elsewhere the gendered nature of the anti-UTP struggle and argued that the monolithic feature of the mechanisms used by the legalistic anti-UTP struggle contributed to the marginalization and exclusion of women's experiences.[524] I will analyze gendered division of labor in the mechanisms of everyday politics and deepen my analysis in the next chapter; however, here, I should point out the total exclusion of women's practices and experiences from the politico-legal field of the anti-UTP struggle. One dimensional anti-UTP legal struggle based on bringing law suits against the decisions of municipalities required being skilled in the drafting of endless bureaucratic and legal documents, having contact with attorneys of urban transformation and following the cases in the corridors of the courthouses. If there had been heterogeneity in the methods and mechanisms of the anti-UTP movements so as to include women's experiences, then the situation would have been different. Results of empirical researches in South America revealed that while men were more willing to participate in mobilization around legalistic demands such as legal struggles for housing, provision of social services, etc., women were prone to be mobilized around household requirements like childcare, schooling and healthcare because of the gendered division of labor. Women who may not be a part of a bureaucratic-legal struggle may be local leaders of a struggle for healthcare.[525] Thus, women's position was not only related with their daily experiences in the current *gecekondu* neighborhood but also with their situation vis-à-vis the use of existing politico-legal mechanisms.

---

[523] Interview, Küçükçekmece Istanbul, April 18, 2012.
[524] Özgür Sevgi Göral, "Kentsel Dönüşüm Projelerine Muhalafet Etmek: Kentsel Muhalefetin Cinsiyeti," *İstanbul Üniversitesi Siyasal Bilgiler Fakültesi Dergisi*, no. 44 (2011): 67-81.
[525] Lilia Rodriguez, "Barrio Women: Between the Urban and the Feminist Movement," *Latin American Perspectives* 21, no. 3 (1994): 32-48.

Keeping in mind this differentiation, it could still be argued that one of the main demands of the initial phase of UTPs was non-destruction of the neighborhood. I participated in several meetings of the neighborhood associations and also neighborhood initiative meetings in Hürriyet, Yakacık and Ayazma. I even observed that people who were fiercely supporting UTPs were wondering if there was a possibility of ameliorating the *gecekondu* neighborhood without demolition. Based on my observations, I can argue that almost everyone was prone to discussing the possibilities of *in situ rehabilitation*. *Gecekondu* inhabitants were aware that commodification of the urban land was the main reason for UTPs. The differentiation among inhabitants did not stem from a controversy about the reason for the UTP but rather from a controversy about how to react to this project. In other words, non-destruction was a common demand during the first temporality. Even the ones who were supporting UTPs stated that they discussed with the municipality staff in the Ayazma neighborhood why a rehabilitation and amelioration in the current *gecekondu* neighborhoods did not take place. The demand for non-destruction or *in situ rehabilitation* was the most important politico-legal demand in the Hürriyet and Yakacık neighborhoods as well.

During the second temporality, when gecekondu inhabitants were dwelling either in the MHA houses or in the *gecekondu* neighborhood waiting for regularization, the main demand was *assistance* and *support*. This assistance and support could be economic, social or political but life after the implementation of the UTP needed different mechanisms of support. The melancholy atmosphere and the uncanny feeling of the MHA blocks, the stories about drug users hanging around the parks, , the poor infrastructural equipment, cracked walls and stationary elevators were all among the depressive daily images of the Halkalı MHA blocks.

In the Yakacık and Hürriyet negihborhoods, post-UTP period was far from being what the CHP municipality initially depicted. First, the land ownership of the Yakacık neighborhood belonged to the Kartal municipality (for Yakacık Yeni the proportion of ownership was more than 80 per cent), so the Kartal Municipality had already begun the regularization and distribution of the title deeds to the *gecekondu* inhabitants who had made their downpayments. Unfortunately, in Hürriyet, the majority of the neighborhood's land belonged to the Istanbul Metropolitan Municipality and the National Treasury (Milli Emlak). Therefore, the transfer of property of the land to the Kartal Municipality, even if these two institutions were legally obliged to do it under Law 2981, had not occurred yet.

Secondly, an important part of the land of the Hürriyet neighborhood was declared "*gecekondu prevention zone*". This declaration prevented the realization and implementation of the

Improvement and Zoning Plans. In other words, if an area was declared as a "*gecekondu prevention zone*", then the same area could not be subject to an improvement and zoning plan. In order to implement an improvement and zoning plan, the declaration of *gecekondu prevention zone* had to be cancelled first as a legal requirement. Only under this circumstance was the municipality able to prepare the improvement and zoning plans. Therefore, for the distribution of the title deeds there were two necessary steps to be followed in the Hürriyet neighborhood: the transfer of property of the land to the Kartal Municipality for regularization and the cancellation of the "*Gecekondu* Prevention Zone" decision on the land for the drafting of the improvement and zoning plan. Istanbul Metropolitan Municipality had done nothing regarding these two issues; the land had not been transferred to the Kartal Municipality. That is why regularization solely occurred in the Yakacık neighbourhood.

All these difficult and complicated circumstances created a need for assistance and support for *gecekondu* inhabitants. Kurdish IDPs living in the UTP zones were once again reminded of the lack of such official assistance and support. Administrative and bureaucratic requirements were different compared to those in *legal Kurdistan;* however, negligence of the will of the citizens, lack of genuine negotiation and threats against political mobilization were common features of *governmental Istanbul* and *legal Kurdistan*:

> "I know this state perfectly well. I came to learn about it several times, in Ağrı, in our village when we were beaten up by our teachers for not knowing Turkish, when young army officers slapped my grandfather's face simply to humiliate him and when our village was burnt down by military troops. I know that the state always lies; you mustn't trust what official people say. I learned it perfectly well. So, now in here, in the Yakacık neighborhood, when someone from the municipality or MHA or Istanbul Metropolitan Municipality tells me something, I know that it may not be true. I have thousands of questions and I need *assistance* but I know they won't answer. Not properly or honestly, this is I am sure of. But still, I am struggling for better conditions of regularization."[526]

The continuity concerning knowledge of the state is perfectly reflected in this quotation. Politico-legal demands were shaped by such knowledge. Beyond the terminology of pessimism and optimism, these demands were also reiterated as an ethico-political duty, both in Kurdistan and Istanbul. The issue was not whether there was pessimism or optimism regarding the demands; the issue was to establish new forms of political activism, subjectivities and mobilizations while concretizing these demands, both for *governmental Istanbul* and *legal Kurdistan*.

[526] Interview, Kartal Istanbul, December 10, 2011. Emphasis mine.

7.3. Impossible justice, impossible redemption: Temizöz and Others

I already referred to the case of Temizöz and Others in the chapter *Modus operandi of the violent strategies: the state, sovereignty, and the pact of public secrets* due to the fact that this case contained crucial and extensive information about the functioning of the Cizre JITEM team. Here in this chapter, I will reconsider it in the context of justice. The Temizöz and Others case is a perfect example revealing the possibilities and limitations of the novel legal space introduced after the Ergenekon and Balyoz trials, in 2007. I already described these individual criminal cases stemming from the Ernegekon and Balyoz indictments; at this point, I should only note that the case of Temizöz and Others is one of these criminal cases. I will further analyze it based on the interviews with the relatives of the forcibly disappeared, legal representatives of the relatives, other lawyers and human rights activists, as well as my personal observations from attended hearings.

7.3.1. Bill of indictment: inclusions, exclusions and misspellings

According to rumors, Cemal Temizöz, while carrying out his duty in Kayseri as senior gendarmerie colonel, fell into conflict with members of the Fethullah Gülen movement in the army and reported several of them. Cemal Temizöz himself noted several times during the hearings of the Temizöz and Others case that he was tried and incarcerated as a result of the Gülen movement's political plot. The indictment was based on the testimonies of three persons; the testimony of Mehmet Nuri Binzet, the then village guard and brother of Kamil Atak and two more secret witnesses with the code names Street Lamp (Sokak Lambası) and Ballpoint Pen (Tükenmez Kalem). During the trials the information about the identities of the secret witnesses leaked out and it was discovered that the secret witnesses were incidentally the accused of the case; Street Lamp was Hıdır Altuğ and Ballpoint Pen was Fırat Altın (Abdülhekim Güven).[527] According to the bill of indictment, Cemal Temizöz, who was the commander of the district gendarmerie in Cizre between 1993 and 1995, established an

[527] I already depicted the case in a detailed manner in the chapter *Modus operandi of the violent strategies: the state, sovereignty, and the pact of public secrets*, but still, at the risk of being repetitive, I will reiterate basic information concerning the Temizöz and Others case. The initially accused in this case were 7 persons:

- Cemal Temizöz (Army Officer – the then Colonel);
- Kamil Atak (Village Guard- Head of Village Guards);
- Kukel Atak (Village Guard, Kamil Atak's brother);
- Temer Atak (Village Guard, Kamil Atak's son);
- Adem Yakin (Repentant – codenames Bedran and Şahin);
- Fırat Altın (Repentant - Abdülhekim Güven – codenames Ferit and Hekim);
- Hıdır Altuğ (Repentant - codename Tayfun).

Then eighth defendant Burhanettin Kıyak (Army Officer – the then Specialized Sergeant - codename Yavuz) was added to the accused list of the indictment later on, in 2012. Other names of the Cizre JITEMteam that had been mentioned repeatedly by the relatives of the forcibly disappeared in the interviews such as Selim Hodja (probably from the gendarmerie), Ramazan Hodja (probably from the police forces), Cabbar and Tuna (army officer), known by their codenames could not be identified in the indictment. Later on it was found out that the person known with the code name Tuna was Gündür Güler, a member of gendarmerie who lost his life in 1995 in a traffic accident; the other three who were influential in the Cizre JITEM team, however, were never identified.

interrogation/execution team comprised of the defendants and this team, under the guise of 'anti-terror struggle' interrogated and executed 21 persons.[528] Temizöz himself argued that members of the Fethullah Gülen movement obliged the secret witnesses "to tell these lies about him" as a political revenge, and that therefore the bill of indictment was "null and void".[529]

There were several arbitrary choices in the bill of indictment as was the case with other individual criminal cases of post-2007.[530] For instance, for some of the disappearances, despite the fact that the Cizre JITEM team had disappeared two persons together, the bill of indictment covered only one of them. İhsan Arslan and Ali Karagöz were taken under custody together by the Cizre JITEM team but solely the death of İhsan Arslan was included in the scope of the bill of indictment of Temizöz and Others, while that of Ali Karagöz was not. Again, Mehmet İlbasan and Mustafa Aydın also were taken under custody together yet solely the death of Mustafa Aydın was included in the scope of the bill of indictment of Temizöz and Others, while that of Mehmet İlbasan was not. Families of Ali Karagöz and Mehmet İlbasan wrote petitions several times notifying the situation and applied to the court for these names to be included in the indictment, but they were not.

Besides, several other families of the disappeared and executed also gave the names of Cemal Temizöz and other perpetrators of the case, but they were not included in the file. Who was included in the scope of the bill of indictment and according to which criteria these names were included was quite a mystery. The arbitrariness, again, marked the process as yet another reminder of the illegibility of the state – unreadability of its rules and regulations as well as the arbitrariness of its functioning-[531] and its judiciary apparatus. If we think about this arbitrariness together with the unreadability of the Turkish legalistic jargon dominating the case, it seems that "[…] the illegibility of the rules, and the human actions that embody these rules, appears to be part of the way that rules are implemented."[532] In other words, this arbitrariness was a structural and constituent feature of the functioning of the judiciary apparatus in the post-2007 context. Some of the army officers who committed crimes against humanity in Kurdistan during the 1990s were included in the scope of the indictments of these individual criminal cases partially concerning their crimes; and the Temizöz and Others case

[528] The victims included in the indictment of Cemal Temizöz and Others are: Ramazan Elçi, Ramazan Uykur, Abdullah Efelti, İbrahim Adak, Mehmet Gürri Özer, İbrahim Danış, Abdurrahman Afşar, Abdurrahman Akyol, İhsan Arslan, Beşir Bayar, Abdurrazak Binzet, İzzet Padır, Abdullah Özdemir, Mustafa Aydın, Süleyman Gasyak, Abdulaziz Gasyak, Ömer Candoruk, Yahya Akman, Abdulhamit Düdük, foreign male individual and unidentified female individual.
[529] Unless stated and referred to otherwise, all these statements from the hearings are based on my personal notes.
[530] For general information about these individual criminal cases, see. Annex 1.
[531] Veena Das, Ibid., 234.
[532] Veena Das, Ibid., 238.

was one of them. These commanders were mostly high-ranking military officers whose names were constantly stated in the context of JITEM or Ergenekon organizations; however, these names and their interrelations in a structural JITEM apparatus were not included in the bill of indictment of Temizöz and Others. This structure of the JITEM apparatus was not included in the indictments of other criminal cases either. Several different local JITEM organizations were tried as if they were individual and separate criminal organizations and their interrelations with different institutions of the central state apparatus were ignored. This was true for the case of Temizöz and Others; the broader relationality of the Cizre JITEM team was entirely disregarded.

At this point, one crucial addition should be made with respect to the issue of illegibility: the names of the executed and disappeared were misspelled several times in the bill of indictment. There were also several other spelling errors and grammatical mistakes; however, the frequency of the misspellings in the names of the victims is remarkable. The names of not only the "victims" but also the witnesses were misspelled several times.

The names of Kurds pose a major problem in itself for official authorities; mostly, they have two names, one on the identity card and one used in their everyday life; if the names are in Kurdish, they are often misspelled in official documents, the letters that exist in the Kurdish alphabet but not in the Turkish such as *w, q, x* are always rewritten with their Turkish equivalents. However, misspellings in the context of the Temizöz and Others case were beyond these generalities; these misspellings were totally ignored even when highlighted by the relatives of the disappeared during the trials. I asked lawyers if this was similar to the situation in other indictments and they confirmed that the names of the disappeared and executed were often misspelled in the bills of indictment and hearing minutes of other ongoing criminal cases. I claim that these misspellings are not coincidental. These misspellings must be related with the erasing violence of enforced disappearance. Several movements struggling against enforced disappearance globally have used the photographs and the names of the forcibly disappeared in their manifestations in order to rehumanize them. The peculiar catastrophe of enforced disappearance stems from the uncertainty, liminality, and violence of erasing the names and the faces of the disappeared:

> "It happened, that much we know; they are dead, we know; we also know who is responsible. But there are no data, no evidence… Only remnants. Or if there is, it does not fit well with the logic of data and evidence. It is a part of the *data* – these data, the data of this catastrophe- the fact that there are no data is part of the data. The magnitude of this extermination was such that in addition to the obvious –bodies and lives- what was also annihilated here was representation itself, its possibility.

> The question posed by Jean Luc Nancy (how to go about 'making what is not of the order of presence come to presence') can thus be reformulated as an answer: *the only data are the absence of the data*."[533]

The misspelling of the names, must, therefore, be related with this inherent and structural feature of forcibly disappearing. It may be interpreted as a juridico-verbal continuation of the erasing violence of disappearance. In especially the cases which commenced in the post-2007 context with the claim of dealing with the past, these misspellings, instead of random carelessness, reveal the continuity of the erasing violence at worst and the indifference of the official agents towards the rehumanization of the disappeared at best. Both options disclosed important features about the nature of the way the state intended to deal with the past claims.

7.3.2. Perpetrators, witnesses and victims: the court as a scene of encounter

Relatives of the disappeared carefully followed the commencement of this case along with other criminal cases of the post-2007 context. In the initial bill of indictment, along with the claim of committed crimes such as "Establishing an organization for committing criminal acts, being members of criminal organizations, instigate murder and willful murder", the prosecutor asked severe punishments for the defendants: 9 times aggravated life imprisonment for Cemal Temizöz; 7 times aggravated life imprisonment for Kamil Atak and Adem Yakin; 6 times aggravated life imprisonment for Fırat Altın (Abdülhekim Güven); 3 times aggravated life imprisonment for Hıdır Altuğ, 2 times aggravated life imprisonment for Temer Atak and aggravated life imprisonment for Kukel Atak. All of the defendants were incarcerated during the trials.[534] Another important feature of the Temizöz and Others case was that the hearings were carried out through accelerated procedure of trial and in the initial two years, 22 hearings were conducted. There was a hearing regularly every week during the interrogation of the defendants, which meant a very unusual and swift process for the commencement of the case.[535]

For the relatives of the disappeared, who not only participated in all of the hearings but also monitored the ones who participated from political parties, human rights associations, lawyers and activists, this court of trial meant above all a space of encounter with the perpetrators – their *murderers* in their own words. One relative of the disappeared who stated that she would go to these trials "even crawling if necessary" narrates her perception as follows:

---

[533] Gabriel Gatti, "An Orderly Landscape of Remnants: Notes for Reflecting on the Spatiality of the Disappeared," in *Space and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, ed. Estela Schindel and Pamela Colombo (New York: Palgrave Macmillan, 2014), 184.

[534] For an overall evaluation of the Temizöz and Others Case, see. Human Rights Watch, *Time for Justice*. *Ending Impunity for Killings and Disappearances in 1990s' Turkey,* September 3, 2012, http://www.hrw.org; Mehmet Atılgan and Serap Işık, *Cezasızlık Zırhını Aşmak. Türkiye'de Güvenlik Güçleri ve Hak İhlalleri* (Istanbul: TESEV, 2011).

[535] Mehmet Atılgan and Serap Işık, Ibid., 39.

> "[…] I go to each hearing to look at their faces, to look at the face of Kamo [Kamil Atak]. I'll go there until he, Kamo, gives me my bones. I swear to God I've been waiting for my bones until now but Kamo has not given them to me. He should deliver the bones of my husband, the remains of him. You killed him Kamo. In the courthouse, three times he said 'I killed him'. He admitted it in front of the court."[536]

The court is not only a space of encounter for the relatives of the disappeared and the perpetrators, but also for several other actors, narratives, truth regimes and stakeholders. This plurality of encounters made the courthouse even more important for the families. To tell the story of the disappeared by looking in the eyes of the prosecutor, to face the defense attorney as he was declaring that all the victims were members of the supporters of the PKK, to listen to the reading of the bill of indictment and testimonies of other witnesses, all these acts established different layers of encounters. Besides, families of the disappeared encountered families of the perpetrators, two groups of lawyers –attorneys of the defendants and attorneys of the victims- confronted with each other, the defendants and families of the victims; all these encounters created tensions, relations, hostilities and alliances. Kamil Atak, for instance, was often talking to the relatives of the disappeared and their lawyers during the trials and constantly threatening them.[537] However, some encounters also reversed already existing alliances and hostilities. Some relatives of the disappeared reported that lawyers of the defendants were talking to them saying that they were sorry for what they were going through. Also, some of the relatives of Kamil Atak were saying they were forced to come due to familial relationships but they in fact supported the relatives of the disappeared.[538]

When I say relatives of the disappeared, I refer to, mostly, women. The ones who were following this case very closely were often the wives of the disappeared. Also some male members like brothers, nephews or sons of the disappeared participated but the majority were wives of the disappeared. The mothers were very elderly and wives were still the ones who remembered their lost ones and struggled for the rehumanization of the disappeared. They displayed a very powerful iconographic image in the courtroom; several middle-aged women sitting with their white headscarves either silently or murmuring and whispering utterances in Kurdish and "cursing the defendants inside".[539] These women, who speak Kurdish more

[536] Interview, Cizre Şırnak, October 3, 2012.
[537] "[Kamil Atak] claims that the complainants that have made depositions are from the Keçan tribe, and that they are slandering him because of the animosity between the Keçan and Tayan tribes; and he protests the court board for allowing the complainants to comfortably speak out. He continues to threaten the lawyers, too, stating, "There is a member of the Keçan tribe among the lawyers, I will find him and slap him in the face even if he hides amongst the clouds." Özgür Sevgi Göral, Ayhan Işık and Özlem Kaya, Ibid., 58. For a detailed account of the threats by the defendants, see. Human Rights Watch, Ibid., 38-40.
[538] Interview, Cizre Şırnak, October 3, 2012.
[539] Interview, Silopi Şırnak, November 15, 2012.

easily than Turkish, gave testimonies within the limits of the courtroom's question and answer sessions with the support of a translator; so the *illegibility of the state* actualized in literal terms. The lawyers of the complainants were frequently correcting the translator due to several mistakes of translation; the translator was not a professional interpreter but an officer working in another courthouse; the translation service was provided to the witnesses and complainants solely when they were testifying and not during the whole trials. Complainants, mostly women, were unable to listen and understand properly the testimonies of the defendants or other witnesses and were therefore unable to use their right to direct questions.[540] Besides, women could not recount their own gendered and personal experiences in the courthouse, including not only sufferings and struggles but also important insights for a better understanding of the act of forcibly disappearing, as a narrative including knowledge on the background and aftermath of the disappearance. Their role was limited to telling briefly *what* happened to the murdered/disappeared and *how*, and then answering the questions of the court board. Although they were (and still are) the carriers of mourning, memory and the symbolic legacy of their loved ones, in the courthouse, their narratives were limited solely to the *empirical facts expected* in response to the questions asked by the judicial professionals.[541]

In addition, a majority of the women lacked the necessary resources and opportunities to follow the hearings. First, the trial took place in Diyarbakır and for each hearing they came from Cizre to Diyarbakır. This was only possible with the financial support of either the Diyarbakır Bar Association or the municipality or the then pro-Kurdish political party, Peace and Democracy Party. However, they did not tend to share this information publicly since it would be perceived as yet another sign of their being members or supporters of the PKK from the perspective of the defendants and their attorneys. Thus, they were, on the one hand, dealing with these organizational and economic questions for monitoring the hearings; and on the other hand, they were under constant pressure of proving that their presence was not the result of a political manipulation or the PKK's influence. That is why when asked by the prosecutor how they managed to participate in the hearings they underlined that they were participating "with their own will". One of the wives of the disappeared explained what happened during her testimony as follows:

[540] Mehmet Atılgan and Serap Işık, Ibid., 39.

[541] It was a common gendered feature of prosecutions throughout the world: "[…] while they may be able to exercise their agency in the local community context, when it comes to claiming their rights and seeking truth and justice women find themselves disempowered and struggling to find their agency in the unfamiliar world of lawyers, courts and forensics." Wendy Lambourne and Vivianna Rodriguez Carreon, "Engendering Transitional Justice: a Transformative Approach to Building Peace and Attaining Human Rights for Women," *Hum. Rights Rev.*, no: 17 (2016): 84.

> "When I said that I watched on television the trial and the testimonies of these murderers, the prosecutor asked whether I watched it on a Kurdish or a Turkish television channel. As if only Kurdish channels talked about these issues; I was really angry with his question. […] When we go to the courthouse, we know when the hearing will take place. Nobody is forcing us to go, we go by ourselves. The state should stop asking who brought us in the courthouse. We know when the hearing will take place, and we know the postponed date."[542]

All the trials were marked by material and immaterial traces of what Derrida called *the ghost of the undecidable*.[543] How are we to evaluate the fact that out of seven initial defendants six were Kurdish, either a repentant subject or a village guard? How are we to assess the fact that, apart from Cemal Temizöz, not one single Turkish army officer who planned, contributed to and implemented the methods of the Cizre JITEM team was included in the bill of indictment? How are we to respond to the statements made by Adem Yakin and Abdülhekim Güven when they argued that they solely followed the orders given by the militaries? How are we to calculate the accuracy of Cemal Temizöz's statements when he argued that he was rewarded by the same people who were now accusing him of killing these people and that each of his acts was within the knowledge of the military and political actors of Şırnak? The defense of the accused, nearly all of them, was based on the reiteration of the same arguments. They were arguing that the "claimants were either manipulated or convinced by the PKK" for a political plot against them. Cemal Temizöz added the Fethullah Gülen movement to this general conspiracy theme, claiming that he was "thrown in front of the PKK terrorist organization by the Fethullah Gülen movement". During the hearings, he talked about the organization of the Fethullah Gülen movement as much as he made his personal defense. Kamil Atak, for whom these hearings meant also a personal space of encounter, followed a very similar strategy. Kamo, for most of the relatives of the disappeared, was a relative of some of the disappeared and murdered, belonged to the same tribe with some of them and personally knew the relatives of the disappeared and their attorneys from Cizre. Thus, Atak, on the one hand, claimed that he could not have killed his own relatives, and on the other, recounted his personal fight with the PKK and prominent PKK commanders:[544]

> "I am a target of the PKK, I am a person of this region; I am not and was never against my own people and I don't want to be. However I was attacked by the PKK very unfairly. [...] These evil people [members of the PKK] called us for years feudal; the state knows very well who called us feudal. These devils are Murat Karayılan,[545] Cemil Bayık,[546] and I know perfectly well how evil they

[542] Interview, Cizre Şırnak, October 4, 2012.
[543] Jacques Derrida, Ibid., 18.
[544] Republic of Turkey, Diyarbakır 9th Heavy Criminal Court, minute dated September 18, 2009.
[545] Murat Karayılan is one of the founders and the most high-ranking commanders of the PKK.

> are. Murat Karayılan, he threw bazooka at my house; he personally did it; he has our blood in his hands. Our guys are still in the mountains guarding the country, fighting with the PKK and we are here."[547]

Apart from these different rhetorical strategies and personal narratives, performances of the accused in the courthouse were based on reiteration of clichés such as "the manipulation of the PKK", "the political plot against them" and "implementing military orders". The use of *clichés* was one of the constituent features of Adolf Eichmann's defense, according to Hannah Arendt, who interpreted this reiteration of clichés and stock sentences as signs of Eichmann's inability to think, to see things from other people's perspective and contemplate about different layers of truth.[548] These clichés, in other words, signaled not being able to reflect deeply on one's acts, allowed cutting of the link between thinking and acting, and provided a protection vis-à-vis other claims of truth through an authentic inability to think.[549] The defendants of the Temizöz and Others case constantly repeated these clichés as well; they seemed to be indifferent about the persuasiveness of these clichés but in any case seemed to believe in their discursive power through reiteration, repetition and insistence.

7.3.3. Failed reckoning, impossible justice

The relatives of the disappeared narrated what happened as much as possible during the hearings; the claimants' attorneys found crucial open and contradictory issues in the testimonies of the defendants through cross examination; and the weight of the relevant crimes along with the scope and vocabulary of the bill of indictment created the expectation that the defendants would be severely punished. The relatives of the disappeared were, nevertheless, extremely precautionary about the result:

> "If you ask me, even if they have a punishment of 100 years, it is not enough for me. Cemal Temizöz already had 18 years from the Balyoz case. But 18 years is not enough for him, even 20 times 18 years is not enough. Why did you kill all these innocent and poor people? We hope he has the heaviest penalty; however, we don't know how the judiciary will function. Nobody knows how they will decide. If you ask me, even if they sentenced him with the most severe punishments, it would not be enough. Our wish is that they would have the heaviest sentences. I want them to have

---

[546] Cemail Bayık is one of the founders and the most high-ranking commanders of the PKK.
[547] Kamil Atak's testimony from the hearing minutes dated November 8, 2013.
[548] Hannah Arendt, Ibid., 59.
[549] "Again, several years after the publication of Eichmann in Jerusalem, Arendt returned to comment on what she meant by the banality of evil: "Some years ago, reporting the trial of Eichmann in Jerusalem, I spoke of "the banality of evil" and meant with this no theory or doctrine but something quite factual, the phenomenon of evil deeds, committed on a gigantic scale, which could not be traced to any particularity of wickedness, pathology or ideological conviction in the doer, whose only personal distinction was a perhaps extraordinary shallowness. However monstrous the deeds were, the doer was neither monstrous nor demonic, and the only specific characteristic one could detect on his part as well as in his behavior during the trial and the proceeding examination was something entirely negative: it was not stupidity but a curious, quite authentic inability to think." Cited in Mab Huang, "Hannah Arendt on the Banality of Evil," *Soochow Journal of Political Science*, no. 23 (2006): 13.

> 36 years, or 136 years; even these years are not enough for them. This is our wish. They should have more than 100 years of prison punishment."[550]
>
> "Kamo [Kamil Atak], he was the state. He was the chief village guard; he was a shepherd before being the chief village guard, though. He was working as a shepherd for other people; he was very poor at that time. He earned money, a lot of money, from our blood. […] His brother Nuri disclosed everything; he told about everything really. [...] That's why the state caught him, not with my words or testimonies but with Nuri's testimony. They never did such things on my words. Nuri talked about all of them and then they were all incarcerated. Do you think we put them in jail? No, never. The state wouldn't listen or care, however much I talked; the state listens to the ones who resemble itself."[551]

Despite this cautious attitude of the relatives of the disappeared, the claimants' attorneys were relatively more expectant. One of the attorneys said that this case should be deemed as an unofficial truth commission. [552] In a country like Turkey, where there is no official transition including the implementation of the transitional justice mechanisms and institutional forms of dealing with the past, the case of Temizöz and Others, along with some other important cases, not only disseminated the narratives of the relatives of the disappeared and murdered to a much broader audience, but also created a relative and cautious expectation regarding their results based on the bills of indictment - all the criticisms raised in Kurdistan, notwithstanding. This relative and cautious expectation was augmented with the commencement of the peace talks with Abdullah Öcalan.

In *western Turkey*, the case of Temizöz and Others created much more enthusiastic expectations among different nongovernmental organizations, intellectuals and journalists. For the first three years, one of the biggest nongovernmental institutions in Turkey, TESEV established a monitoring group for the case of Temizöz and Others. With the support of this monitoring group, several different nongovernmental organizations, journalists, academicians, writers and intellectuals followed and monitored the case. This case was perceived and presented as a –partial- will of the state for dealing with the crimes of the past –especially of the 1990s and JITEM-; and different journalists with different political positions wrote pieces and articles concerning the importance and situation of the case.[553] Wise Persons' Committee[554] Group of the Southeastern Anatolia Region watched the hearing dated May 3,

[550] Interview, Silopi Şırnak, October 14, 2012.
[551] Interview, Cizre Şırnak, September 3, 2012.
[552] Interview, İdil Şırnak, October 1, 2012.
[553] For some examples, see. Bekir Berat Özipek, "Kuruma Değil Halka Karşı Sorumlusunuz," *Star*, August 8, 2013; Ufuk Uras, "Gündemin Rengi," *Özgür Gündem*, October 16, 2012.
[554] A committee established officially for contributing to the legitimacy of the peace and deepening among the society the debate on the process. Intellectuals, journalists, human rights activists, representatives of trade unions, nongovernmental organizations representatives and also well-known actors and musicians participated in these committees. Nine "wise

2013; Ahmet Faruk Ünsal, one of the members of the Wise Persons' Committee, made a declaration on behalf of the group, emphasized the historical importance of the case and stated his optimistic expectations in the context of the peace talks: "We see this case from a pluralistic perspective considering the trial of the perpetrators, the victims' demand for justice and the prospect of the enlightenment of a dirty and dark history."[555] In the first four years, several attorneys from different parts of Turkey, also, followed and participated in the hearings.

The trajectory of the case, unfortunately, verified the cautious attitude of the relatives of the disappeared instead of the enthusiastic expectations. After the accelerated procedure of the trial of the initial years, the hearings were held at longer intervals of time. As the trial was prolonged, the defendants regained their self-confidence; several changes made in the prosecutors of the case also augmented such confidence-. Kukel Atak was released on March 18, 2011 due to his health issues; Temer Atak was released on June 22, 2012 on the basis of his being in the army during the time of the crimes; Kamil Atak was released on December 21, 2012 based on an evaluation of the nature of the crime and evidential situation; Hıdır Altuğ and Fırat Altın (Abdulhakim Güven) were released on November 8, 2013 considering their period of incarceration; and finally Cemal Temizöz was released on September 12, 2014 considering his period of incarceration. The last incarcerated defendant of the case, Burhanettin Kıyak, was released on April 2, 2015. The case was transferred to the Eskişehir Heavy Criminal Court due to "security reasons". On November 5, 2015, all the defendants were acquitted due to lack of evidence as per the decision of the Court of First Instance.

In the meantime, the crowded audience of the initial period dispersed and very few organizations continued to follow the case until the end. The number of attorneys decreased significantly as time went by; solely lawyers from the Şırnak and Diyarbakır Bar Associations followed the case, especially after the transfer of the case to Eskişehir. After the cessation of the ongoing peace process and recommencement of the Kurdish conflict along with the fight of the AKP government with the Fethullah Gülen movement, the political atmosphere surrounding these cases, including the case of Temizöz and Others, radically altered. The

---

persons" from seven geographical regions of Turkey, i.e., 63 people in total, were appointed. Committees were built as of April 2013 and their period of work was determined as two months; then extended two times for additional two months. During this period of time each committee organized meetings and different forms of gatherings in their region and discussed the peace talks with the people. Then, each committee, separately, wrote a report about their work. As of April 2017, solely the report of the Southeastern Anatolia Region was publicly available on different web pages; other reports are not available for public review.

[555] See. En Son Haber, "Akiller Cemal Temizöz Davasını İzledi," May 3, 2013, accessed January 10, 2017, http://www.ensonhaber.com/akiller-cemal-temizoz-davasini-izledi-2013-05-03.html.

political discussion around these cases on dealing with past atrocities terminated dramatically. Today, the continuity regarding the impunity of the perpetrators is more relevant than ever.

The limits of the existing politico-juridical realm concerning crimes against humanity in the Kurdistan region committed during the 1990s were, once again, drastically revealed. Apparently, revelation and prosecution of the *pact of public secrets* comprised of the crimes against humanity committed in Kurdistan during the 1990s and dealing with its *colonial effect* is currently not possible. The relatives of the disappeared were the ones who were aware of this limitation *par excellence*. Compared to several NGO professionals, intellectuals, academicians and journalists, they were the ones who had this knowledge of the state reminding them that dealing with the past or prosecuting the crimes of the past always happened within the realm of power relations, political positions and contentious networks of *today* and *now*. They were the ones who were perfectly aware that their demand for justice was not a reified notion trapped and frozen in some juridical rhetoric but a vivid and concrete demand related with not only the *past* but also *now* and *today*. Right from the beginning, they were cautious about the nature of this *now*, where the *past* was navigating within; after all "the state was a close friend of Kamo [Kamil Atak] and Colonel Cemal [Cemal Temizöz]".[556]

[556] Interview, Cizre Şırnak, September 3, 2012.

8. Rhythm of the quotidian and struggle over memory: performing the political in the everyday life

Analyzing violence through the acts of macro-political agents such as various state institutions, armed movements, paramilitary forces and other strategic actors has represented a common tendency in the scholarly analysis of violence. Accordingly, macro-economic relations, performances and acts are determinant for a deepened understanding of contentious and violent acts such as genocides, crimes against humanity, revolutions, and other violent political and military transformations. Evaluating intrastate military, diplomatic and political relations, inner-state political transformations, acts of key political actors, and strategic confrontations of armed movements with official forces have been the key elements to study in this approach.[557] This body of work has been inspiring and offered important insights about the functioning of violent patterns from a perspective focusing at the macro level.

Yet a more recent body of work, nested in the fields of ethnography, history and anthropology, is more focused on the micro and capillary levels in the functioning of violent and contentious patterns and experiences, assessing more carefully the relations, discourses and practices at the level of the *quotidian* or *everyday life*.[558] Following the tradition of the *subaltern studies*, this approach assesses different forms of violence and contention through their traces on the quotidian experiences, gendered identities and relations, mundane practices and ordinary confrontations in the everyday life. Along with the notions of *subaltern studies,* Foucauldian concepts such as governmentality, production of the subjects and power relations have also been frequently used by scholars adopting this perspective. This body of work - though harshly criticized from a more orthodox Marxist position for neglecting the systemic functioning of capitalism and class relations on the one hand and underestimating the emancipatory promises of modernity on the other-[559] has become very influential in the inter-disciplinary space that focuses on forms of violence. Moreover, a more balanced approach, combining macro-analysis with a focus on relational networks, acts and performances and micro-analysis with a focus on different attitudes of various subjects vis-à-vis violent and

[557] Very important and inspiring examples of this approach may be cited as *Bringing the State Back in*, ed. Peter B. Evans, Dietrich Rueschemeyer and Theda Skocpol (Cambridge: Cambridge University Press, 1985); Charles Tilly, *The Politics of Collective Violence* (New York: Cambridge University Press, 2003); Theda Skocpol, *States and Social Revolutions. A Comparative Analysis of France, Russia and China* (Cambridge: Cambridge University Press, 1979).
[558] Valentine E. Daniels, *Charred Lullabies* (Princeton: Princeton University Press, 1996); Avery Gordon, *Ghostly Matters. Haunting and the Sociological Imagination* (Minneapolis: University of Minnesota Press, 2008).
[559] For a thorough example of this Marxist position, see. Vivek Chibber, *Post-colonial Theory and Specter of Capital* (London: Verso, 2013).

contentious forms in the everyday life has offered a sophisticated understanding of violence.[560]

I will follow this last approach in this dissertation. Having focused on the functioning of the state and dominant discourses prevailing at the macro level, then on law, notions of legality and legal practices, I will, in this chapter, scrutinize quotidian life built around violent experiences and memory-making processes. My aim is to reveal how violent forms continuously produce specific political subjectivities and struggles in the context of different temporalities and spatialities. A focus on the everyday life and micro level not only pluralizes the subjectivities and acts around enforced disappearance, forced migration and urban interventions but also provides a thorough understanding of them. I claim that for a better understanding of these violent forms, an analysis at the micro level focusing on relations, networks and experiences is not optional but rather necessary. In other words, my contention is that only a holistic approach containing a combination of the macro level with the micro level can provide an exhaustive picture of these violent forms.

On the other side, the discussions and studies on memory prevailed in social sciences during the second half of the 20th century. As I analyzed above, in line with the establishment of the mechanisms of dealing with the past and specifically with the initiation of court trials, a new regime of witnessing emerged and this significantly influenced the discussions over memory. On the one hand, personal accounts became critical for pragmatic and legal reasons, specifically after the trial of Adolf Eichmann in Jerusalem in 1961 and on the other hand, a new literature of memory and personal narrative was produced after the publication of the autobiographies, memoirs and personal accounts of Holocaust survivors, both in written and later in audio-visualized forms. In other words, a memory boom occurred during the second half of the 20th century and it increased in accordance with the establishment of novel mechanisms and forms of dealing with the past, which were implemented with the use of testimonies and witness accounts.[561]

Needless to say, there is no one single, homogeneous and consensual memory. On the contrary, there is a constant struggle between different narratives of memories including the different remembrances and claims of various stakeholders. Thus, to talk about a single and established memory is not possible since memories are produced by and simultaneously

[560] *States of Violence,* ed. Fernando Coronil and Julie Skurski (Ann Arbor: The University of Michigan Press, 2006); *Anthropology in the Margins of the State*, ed. Veena Das and Deborah Poole, (Santa Fe: School of American Research Press, 2004); Willem Schinkel, *Aspects of Violence: A Critical Theory* (London: Palgrave Mcmillan, 2010).
[561] Beatriz Sarlo, *Geçmiş Zaman. Bellek Kültürü ve Özneye Dönüş Üzerine Bir Tartışma* (Istanbul: Metis, 2012).

produce different subjectivities and performances. The struggle over memory(ies), including testimonies before the courts, several forms of witness accounts, autobiographies and memoirs, reports of truth commissions and different forms of commemoration, continues incessantly. In the midst of such struggle over memories, the spatial aspect is a key dimension to examine. Not only witnesses and written or audio-visualized accounts but also spaces and places are inherent parts of the debate on memory. The gigantic work of Pierre Nora, introducing the concept of *lieux de memoire* –site of memory -, including monuments, museums, public commemorations, symbols and other sorts of sites in the French context, has deeply influenced and inspired scholars focusing on memory.[562] The spatiality of memory, in other words, has appeared as an important aspect after Nora's work and altered the field of memory studies.

The struggle over memories also determined the content, focus, and omissions of Pierre Nora's work. As criticized by Perry Anderson, Nora did not refer to imperial and colonial history of the French Empire at all while depicting different memory sites.[563] Thus, not only what he revealed but also what he disregarded shaped his work. In other words, the omissions and gaps in Nora's work were crucial and marked his account of *lieux de memoire*. Another historian, Tony Judt "[…] observed the 'bizarre' fact that 'there is no entry in any of the volumes of *Les lieux de mémoire* on either Napoleon Bonaparte or his nephew Louis Napoleon, or even on the political tradition of bonapartism that they bequeathed to the nation.'"[564] Despite these omissions, the work of Pierre Nora opened a very important channel, especially on the spatiality of the memory discussion; and criticisms concerning his work, again, prove the contentious and multifaceted aspect of memory-making. Nora's work also revealed the contentious and conflictual aspect of national and collective memory-making processes, which, in turn, has deeply influenced the literature on memory. Whose stories and voices will be remembered and whose will be silenced fall within the scope of a broader political and historical context including power relations, struggles, negotiations, and omissions.

In the case of Turkey, enforced disappearance, forced migration and urban transformation projects were experienced by people whose experiences were suppressed, distorted or ignored by the hegemonic national and collective Turkish memory. In line with this suppression, their everyday life experiences, which were intertwined with their struggle over memory, also were

[562] Pierre Nora, ed., *Les Lieux de Memoire* (Paris: Gallimard, [1984, 1986, 1992] 1997).
[563] Perry Anderson, *The New Old World* (New York: Verso, 2009), 161- 162.
[564] Cited in Michael Rothberg, "Introduction: Between Memory and Memory: From Lieux de mémoire to Noeuds de mémoire," *Yale French Studies*, no. 118/119 (2010): 5.

degraded. Nevertheless, these individuals were not only passive receivers of these omissions and suppressions; they actively participated in the struggle over memory. Their manifestations, public gatherings and political claims had contradictory results and marked their quotidian lives.

This chapter aims to deal with these intertwined issues, that is, quotidian life and memory-making processes. First the rhythm of the quotidian will be explored. Different temporalities for the relatives of the forcibly disappeared, internally displaced persons and dwellers of *gecekondu* neighborhoods will be scrutinized. Different temporalities, including different experiences, relations and feelings, which were analyzed in the chapter *Production of subjects in legal space: law, notions of legality and impossible justice*, will be discussed this time in the context of quotidian life. Then, different threads of memory regarding these three experiences and how they were remembered will be explored. The question of this subchapter is how state violence was remembered, perceived and named. Finally, Saturday Mothers/Persons, one of the most important civil initiatives and memorial attempts in Turkey with respect to enforced disappearances, will be examined. I will try to understand the long struggle of Saturday Mothers, with a specific focus on Cizre's Saturday Mothers. In this part, I aim to analyze their struggle in spatial and political terms using the concept of *knots of memory*, *noeuds de mémoire* instead of *lieux de mémoire*. The story of Saturday Mothers, in Istanbul and in Cizre, I argue, reveals important insights concerning the memory debate. Finally, in this chapter, I will try to situate everyday experiences and memory-making processes within a gender regime since I firmly believe that gender roles and inequalities extensively shape all these experiences, processes and spatio-temporalities.

8.1. The rhythm of the quotidian: different temporalities, different acts

The rhythm of the quotidian, which varied through different temporalities, marked the subjectivity of the Kurdish citizens in different ways. Disappearance, forced migration and urban interventions affected Kurdish citizens not only by the acts of different official actors but also by the experiences and encounters occurring in the quotidian life. Again, temporality should be understood not in a linear fashion where one is followed by the other consecutively but rather as a conglomeration where each temporality collapses on the subsequent one.

8.1.1. Searching for the disappeared: hope, despair and messianic justice

As discussed above in the chapter *Production of subjects in legal space: law, notions of legality and impossible justice*, there are different temporalities including different phases as well as different acts, performances and experiences for each of these phases. These different

acts, performances and experiences shaped the rhythm of the quotidian life for the relatives of the disappeared. The first phase, which corresponds to the first days and weeks immediately after the disappearance, is marked by a feeling of *urgency*, as I discussed above. The relatives of the disappeared, both in Cizre and Silopi, tried to have back their relative *alive*; therefore, the search during the first phase was literally a matter of life and death from the perspective of the relatives. During this first temporality, the term relative refers not only to the first degree relatives such as wife, mother, children or brother/sister but also to a broader meaning of the term including uncles, nephews and nieces, in-laws and cousins. In most of the cases, all these relatives applied to several official and non-official authorities to find the disappeared one alive. The relatives of the disappeared went to juridical authorities, gendarmerie buildings, houses of the village guards, houses of notable individuals in the local community, and individuals having a close relationship with official authorities. An important aspect of the search during this first phase is the constant negotiation among family members. Family members discussed in detail the steps required to bring a positive outcome.

The acts of this first phase were planned and implemented through a calculated division of labor based on gender and age.[565] Since there was the hope of taking the disappeared back alive compared to the situation in other phases, the division of labor among members of the larger family became crucial. Women of the household went mostly to places where they could speak Kurdish, so they were allocated to visiting the politically powerful individuals of the Kurdish community who had good relations with official authorities; important local notables and village guards. These women also contacted the relatives of these Kurdish figures, too; they went to the sister, daughter-in-law, daughter and mother of these "influential men" to ask whether they could help to find the disappeared. As I already stated, they went several times to the house of Kamil Atak to ask his help and beg for an answer. These visits were often in vain though. Atak mostly refused them either by not responding, telling lies or threatening them:

> "I entered his [Kamil Atak's] house, he changed his clothes and he came back. There was a cradle in the room, I held the cradle and I said, Uncle, for the holy sake of this cradle let go İskan[566] so that he can live. I said İskan had not even thrown a stone at anyone; so please set him free. My dear, İskan has gone, he answered. It was only half an hour after his disappearance, but still, he said İskan had gone already. I swear to God, he continued, if the tribal rules allowed killing a woman I would kill

[565] For an impressive account of the gendered division of labor on the aftermath of a violent experience, see. Veena Das, *Life and Words. Violence and the Descent into the Ordinary* (Berkeley Los Angeles: University of California Press, 2006).
[566] İskan [İhsan] Arslan forcibly disappeared on December 27, 1993 in Cizre. For more information, see. Zorla Kaybedilenler Veri Tabanı, "İhsan Arslan'ın Zorla Kaybedilmesi," accessed January 15, 2017, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/29.

you right now. Leave this house, he said. I stayed a bit longer; he didn't say a thing and then I left the house silently."[567]

As I discussed above in detail, the ambiguous position of the village guard was striking in the case of Kamil Atak, who was a representative of the state and of the Cizre JİTEM team and also a member of the Kurdish community having social ties, networks of relatives and tribal relations. He was, therefore, the first authority to whom –mostly- wives of the disappeared turned. Also, there were different relations between women from the family of the village guard and women who were searching for the disappeared –mostly wives. Women from the family of the village guard, for instance, despite the rejection of the village guard in most of the cases, tried to help and provided information to the women looking for the disappeared:

"Xece, wife of Kukel [Atak, son of Kamil Atak], sent a message to me. She said that İskan stayed three days in the basement of her house. She said that she brought water to İskan so that he could perform ablution. While she was giving water to İskan, Kukel appeared and said 'Why are you performing ablution? You just have one hour in this world, then you'll be dead', Xece told me. The same night, which meant three days after the abduction, İskan was executed. Xece told me all that, she wanted to help me. May God bless her."[568]

This example, although not happening very frequently, revealed the existing transgressive relations based on familial, tribal and gendered ties. In this story, the wife of the disappeared and the wife of the executioner were members of the same household/bigger family. The interviewees narrated other forms of transgression as well: the relatives of the village guards –mostly women- offering sincere condolences to the wife of the disappeared; women from the family of the village guard speaking to the guard to obtain information concerning the disappeared and women from the family of the village guard secretly providing information about the status of the disappeared. While it would be over-reading the matter to define these transgressions as women's solidarity, it would not be wrong to note that a sort of proximity was indeed present among women. It seems that based on the commonality of their daily experiences and also common familial and tribal origins, some women tried to help and support each other.

Moreover, there was a division of labor among women as well. Women who were going to official authorities such as the prosecutor's office, gendarmerie, and police station were, very often, elderly ones, if any. Mostly, the mothers of the disappeared went to these official places. These elderly women also participated in the physical search of the disappeared day and night and contacted various different Turkish authorities. This deliberate choice was made

[567] Interview, Cizre Şırnak, September 3, 2012.
[568] Interview, Cizre Şırnak, September 3, 2012.

with the fear of a possible sexual harassment, which might have occurred while seeing Turkish official authorities, and especially staff of the military. Elderly mothers contacted these official authorities, if necessary and mostly, in the company of a male relative.

Not only mothers but also men of the family, on the other hand, went to official authorities. They visited the prosecutor's office, governorship offices, district governorships, gendarmerie buildings and police stations, alone or with other relatives, friends and neighbors or elderly women of the family. They tried to persuade these authorities to release the disappeared. As I emphasized above, these were futile efforts. Moreover, they were subjected to ill treatment, physical and psychological attacks and torture during these visits. Still, they continued to search for their loved ones despite all the fear, torture and other sorts of intimidation and physical attacks.

As I emphasized above in the chapter *Production of subjects in legal space: law, notions of legality and impossible justice*, the performances in the search for justice created also ethical hierarchies among the relatives of the disappeared. Not only juridical attempts but also other forms of looking for the disappeared established ethical hierarchies among the relatives of the disappeared. Those who went to see several authorities, both official and societal, felt proud of what they did. These search efforts were interpreted as conquering fear, doing what needed to be done or being brave; and created ethical hierarchies favoring the ones who searched *more*. Although they emphasized fear as an omnipotent feeling in the region during the 1990s and emphasized that they were not judgmental while evaluating the search for the disappeared, in fact, the ones who searched *more* expressed their *difference* since they had taken the risk of searching. The ones who could not or did not apply to societal or official authorities, on the other hand, felt ashamed for not doing so. They felt as if they had failed to pay their moral debt to the disappeared. The search for the disappeared, therefore, created ethical hierarchies and tensions among the relatives of the disappeared.

The second period was the period that began after the first days and weeks following the disappearance. The immediacy of the first phase relatively diminished during this second phase and the hope of having back the disappeared alive was significantly weakened. The most important demand of this phase was to know what happened to the disappeared including information about the remains of the body. A gendered division of labor also marked this temporality. Women mostly collected information in the sphere of everyday life and quotidian relations, whereas men mostly followed up relations and correspondences -if any- with official authorities. Members of the broader family and tribe were less present

during this temporality; mostly first-degree relatives continued the search. Visits to several institutions also intensified during this temporality; not only official authorities but also institutions like the Human Rights Association, the pro-Kurdish political parties, newspapers, including mostly the pro-Kurdish newspaper *Özgür Gündem*, journalists and local politicians were also notified. These visits were also ethical and political acts for telling the story of the disappeared and linking this story to the broader political context of the Kurdish movement. In a way, these visits reflected the political demand for inclusion in the narrative of the Kurdish political movement. In other words, these visits may be read as "[…] efforts to guarantee the rights of the dead to be remembered beyond the narrow sphere of kinship"[569] ; and in line with Arendt's description, they represent the struggle for "the right to have a political home".[570] And finally, it was mostly during this second phase that unknown people contacted the family of the disappeared to ask money in exchange for information about the disappeared. These individuals, most probably related with JITEM or different paramilitary organizations, targeted wealthier families and every family paid the amount that was demanded. However, none of the families had any information or concrete evidence in exchange.

The third temporality, which began after the first years following the disappearance, refers to a longer cycle of waiting and acting. The immediacy of the first temporality and the will to know what happened to the disappeared was considerably weakened. This temporality was marked by the will of having the body/remains of the disappeared, which was referred to as *having the bones*, to have a decent grave and to keep the memory of the disappeared alive. During this temporality, the passing of time was declared meaningless. A peculiar notion, the *dismissal of time*[571] was observed during this temporality. Acts and discourses of the relatives of the disappeared reflected such dismissal, which declared the flow of time meaningless and carried the search for the disappeared beyond the course of linear time. This temporality represents *longue durée* of mourning. Mostly women were the bearers of the mourning, and also, this was the proof of leading a *decent life* since bearing the mourning was achieved by concealing sexuality. Women's refusing to attend any wedding, not participating in the public celebration of feasts, always wearing black headscarves, standing alone during religious feasts, and not laughing in public served as symbolic representations of mourning. Mourning

[569] Heonik Kwon, "The Ghosts of War and the Ethics of Memory," in *Ordinary Ethics. Anthropology, Language and Action,* ed. Michael Lambek (New York: Fordham University Press, 2010), 412.
[570] Cited in Heonik Kwon, Ibid., 410.
[571] Jean Amery uses this term in the context of Holocaust survivors, who refuse to forget and to forgive as an ethical act. Jean Amery, Ibid., 98.

was inherent to the life of the relative of the disappeared, especially the wife and mother of the disappeared:

> "I am looking for my bones, I am searching my bones and this is my struggle. I will continue this struggle until my last breath, until the last drop of my blood, and after the end of this world. I will never give up my struggle, God willing. As long as I live and also in the other world after death, in front of God, I will not give up. Never."[572]

In addition, in line with this eternal search and mourning, a new conception of justice emerged during this temporality. The new conception of justice was expressed with the vocabulary of redemption, which transcends all the existing notions of justice and refers to a pious day of redemption, when a proper reckoning will occur. Expressions used very frequently such as "as long as we are alive, until the last drop of my blood, until my last breathe" all refer to this divine notion of justice. This denotes, on the one hand, a confrontation between the perpetrator and the relative of the disappeared in front of God, when the truth will arise, and on the other hand, it represents redemption of the disappeared/dead through the acknowledgement of his dignity and identity. This notion of justice, which involved using mostly Islamic jargon to refer to God's existence, will and eternal justice, resembles the messianic notion of divine justice echoed in the struggles of the oppressed throughout the centuries.

The dead are central to this understanding of messianic justice, which was manifest several times in the context of different struggles of the oppressed throughout the centuries. Benjamin, for instance, pointed out the crucial place of the *dead* and injustice done to the *dead* concerning the notion of messianic justice: "Life for the dead resides in a remembrance (by the living) of their story; justice for the dead resides in a remembrance (by the living) of the injustice and the outrage done to them."[573] So, emphasis on the eternal remembrance of the disappeared and of his story is a constructive part of messianic justice. Redemption will occur sooner or later, whether in this world or in the eternal world promised after death by Muslim belief. This messianic conceptualization of justice may, therefore, be interpreted as a pendulum between the revolutionary apocalyptic version of the judgment day where the payback between the oppressor and oppressed is believed to take place[574] and a specific interpretation of the judgment day of the Islamic belief where a proper reckoning will occur

[572] Interview, Cizre Şırnak, November 5, 2013.
[573] Cited in Shoshana Felman, *The Juridical Unconscious. Trials and Traumas in the Twentieth Century* (Cambridge, Massachusetts, and London: Harvard University Press, 2002), 15.
[574] Carlo Salzani, "Violence as Pure Praxis: Benjamin and Sorel on Strike, Myth and Ethics," *Text Theory Critique*, no.16 (2008): 23.

before God. This is, in a way, the acceptance and acknowledgment of the impossibility of a proper reckoning within the existing mainstream legal, political and ethical framework.

8.1.2. Radical changes of the quotidian: melancholia, nostalgia and political belonging

The rhythm of the quotidian is also divided and intertwined through different temporalities for internally displaced persons. The first days after the forced migration, which was marked by the abruptness of the migration along with the anxiety of dealing with the traces of the immediate violence, IDPs mostly struggled hard for their *survival*. Men of the family, mostly breadwinners, were looking for a temporary shelter where the family may reside and also temporary job opportunities. Temporary shelters were often provided with the support of the familial and kinship networks. In most cases, families sheltered in the houses of their relatives residing in relatively approximate cities in the Kurdish region such as Diyarbakır, Batman, Mardin and Van. During this initial period, the decision where to reside permanently would be made and the most accurate timing for going there would also be decided. Some families prolonged this early phase in case they might find job opportunities, but mostly, families left these early shelters for their final destination within a couple of weeks. Needless to say, this trajectory was true for families who were able to find temporary shelters. In other words, not all the families had such opportunity; the ones who did not have access to this kind of socio-economic resource left for their final destination abruptly and immediately after the forced migration.

Women often narrated this early phase in temporary shelters with a vocabulary of shame and suffering. The sorrow and shame of feeling like a *parasite*[575] in somebody else's house was a common narrative, although, mostly, they were warmly welcomed by the residents of the arrival house. The pain of migration and having left their homes was added to this feeling of shame during this early phase. This feeling of *shame* accentuated almost only by women was also related with the gendered roles and relations concerning the notion of home. The house was mostly and predominantly related with women and women's labor; therefore, its loss mostly and primarily affected women. In addition, the ordinary continuation of quotidian life was disrupted brusquely after the forced migration. The children could not go to school for a while; nursing of the elderly and infants could not be handled properly since it had to be adjusted to the conditions of the house of arrival; and routine errands ceased. In other words, life as it was stopped sharply and women were forced to get used to this:

[575] The word used in Turkish was *sığıntı* (i.e. someone who takes shelter in a household) in most of the interviews.

> "How can I tell you what we've been through? We left our houses and like a parasite we were obliged to live in the house of my uncle-in-law in Diyarbakır. In a house made for one family we began to live together, as two families. It is very difficult to be detached from your own house. Your house means your habits, your way of doing things, your way of protecting your children. You don't have it now. You have to forget all these things. You have to live in a small house with 20 people and you have to get used to it. It is cruel what they did to us. I'll never forget those first days."[576]

The second temporality, which commenced weeks after the migration and included the first years in the final arrival place, corresponds to the years of *adjustment*. During this phase, mostly, IDPs resettled in their new arrival place. Since I discussed above the factors influencing the preference of the final arrival place in the chapter *Production of subjects in the legal space: law, notions of legality and impossible justice*, here I will focus more on the concrete experiences of the quotidian life. Experiences of the quotidian life and the perceptions of the space were radically differentiated among IDPs during this period of time. IDPs diverged based on their economic conditions; political, social and symbolic resources; familial and kinship networks; clientelist relationships; political belongings and proximities. The ones with better resources and opportunities adapted easily and relatively voluntarily to the metropolitan areas. However, there were other divisions among IDPs and their diversification was not solely related with these parameters. Experiences of women and men diversified significantly during this temporality; therefore, their perceptions of the forced migration altered as well. Breadwinners of the houses, mostly men, were preoccupied with finding job opportunities. Not only the father but also –the elder- children worked. A gendered division of labor occurred in the metropolitan space: among the lower income groups that comprised the majority of my interviewees, men worked mostly in precarious employment as, for instance, peddler, porter, solid waste collector or construction worker. Women, on the other hand, were either employed in textile ateliers or did piecework at home for significantly low pay. There was also another gendered division among women: married ones essentially did piecework at home and youngsters went to the textile ateliers, if possible.

Derya Demirler, in an article where she criticized the gender blind and male-dominant legal framework in Turkey from a feminist critical legal perspective, emphasized that being a *Kurdish man* and a *Kurdish woman* do not refer to the same experience.[577] Understanding gender difference, thus, is crucial to scrutinizing the quotidian experiences of Kurdish citizens. Language, meaning speaking Kurdish or Turkish, is a differentiating factor among

[576] Interview, Küçükçekmece Istanbul, March 4, 2012.
[577] Derya Demirler, "İnsan Hakları ve Egemenlik Sarkacında Türkiye'de Yerinden Edilme ve Toplumsal Cinsiyet," *Feminist Yaklaşımlar. 2006-2007 Seçkisi*. (2008): 33-57.

men and women. Women, who either did not know Turkish at all or had very little knowledge of it, became once more dependent on men who could speak Turkish. Official nonrecognition of the Kurdish language blocked or significantly limited women's access to public services and aggravated the impact of the urban trap built by poverty, unemployment, limited access to education, health and other social services.

Gendered difference of experience, however, was not solely limited to these material differences and shortcomings. Most of the women that I interviewed, specifically the elderly ones, pointed out that they felt degraded and unworthy in the metropolitan space of Istanbul. Several male interviewees also expressed this feeling; however, this did not change the structural difference between men and women: women's functions, positions and productions were valued more in their place of origin, mostly their village. Their symbolic position was also much stronger in their village where knowledge of the Kurdish language and community along with the traditional tasks they performed were deemed more precious. Thus, elderly Kurdish women, who were more strongly identified with the rural everyday life, expressed their urban experiences with a vocabulary of melancholia, despair and loss. This vocabulary was not only related to the actual loss of the house and rural life but also to this broader context of material and symbolic loss.

> "I don't like Istanbul at all. I am 65 years old, it is very difficult for me to get used to here. It is crowded, people are always talking about their work and everybody is so furious. Besides, what can a Kurdish woman of my age do here? In my village, I was making my own bread in my *tandır*, I was planting my garden, I was looking after my vegetables, I was weaving small rugs with my neighbors. Here, I can't do any of these things. In Ayazma, we tried to do it and then they destroyed our neighborhood. I am an old, sick woman; I don't speak Turkish well, so nobody even hears me here. If they were to sell me, no one would pay one Turkish Lira for me. I am worthless here."[578]

Melancholia was not the only feeling that marked their vocabulary, though. The level of political participation altered the narratives on the feelings about migration. For elderly women who were politically active in the local networks of the Kurdish political movement, this loss was something that needed to be acknowledged but not to be ashamed of:

> "You see, I don't speak Turkish well. But I am who I am. Though it makes me worthless here I will not learn it more. I know that they laugh when I speak Turkish but still I will not learn it more. Why is it that no one learns Kurdish in Istanbul and it's always us that have to learn Turkish?"[579]

Thus, either strengthened through political mobilization or weakened as a result of the isolation that happened in the metropolitan space, elderly Kurdish women were perfectly

[578] Interview, Küçükçekmece Istanbul, May 11, 2012.
[579] Interview, Küçükçekmece Istanbul, June 19, 2012.

aware of the discriminatory patterns that devalued their position because of their mother tongue. A semantico-linguistic issue was concurrently a political and ethical issue[580] that sharpened the existing discriminatory patterns in their everyday experiences.

The third temporality refers to the relative *normalization* of life in the arrival place. Novel problems and issues of the place of arrival along with new political, economic and symbolic strengthening strategies caused the emergence of diversified experiences. As I argued above, this temporality was characterized by novel and diverse forms of deprivation, stigmatization and discrimination: lack of social services and social aid mechanisms; humiliation and hostility shown by the municipality staff, school teachers, doctors, neighbors, employers and shopkeepers because of their accent in Turkish or because some of them could not speak Turkish and spoke solely Kurdish; necessity of hiding their political opinions for reasons of safety and security; and hearing several insults and insinuations regarding the PKK, the Kurdish movement or Kurds, especially when the Kurdish conflict re-intensified; and tensions among the neighbors due to the political affiliation of the IDPs.[581] These new tensions that included new distances/animosities and proximities/alliances stemming from the urban political condition had contradictory results. On the one hand they fed the feeling of nostalgia, melancholia and longing for home among the IDPs and on the other hand, they produced individual and collective responses thanks to political mobilization and personal empowerment.

Experiences of young Kurdish women were characterized by contradictions during this phase. As also pointed out by Handan Çağlayan, Şemsa Özar and Ayşe Tepe Doğan, young Kurdish women in Istanbul were mobilized through two important pillars: political mobilization by the Kurdish political movement and participation in the labor force.[582] Often, political mobilization had contradictory reactions both from family and from friends and neighbors. On the one hand it altered established hierarchies in the family and household and on the other hand, it stigmatized young women as dangerous and unreliable persons in the eyes of their neighbors.

[580] Elizabeth A. Povinelli, Ibid., 323. For a thorough analysis from a gendered perspective of the importance of the Kurdish language among IDPs, see. Derya Demirler, and Veysel Eşsiz, Ibid., 165-180.
[581] For an account of these conditions in the example of Tarlabaşı, see. Bediz Yılmaz, "Yakındaki Uzak: İstanbul'un Bir Kentiçi Mahallesinde Sosyal Dışlanma ve Mekânsal Sürgün," in *Türkiye'de Büyük Kentlerin Gecekondu ve Çöküntü Mahallelerinde Yaşanan Yoksulluk ve Sosyal Dışlanma*, *Avrupa Komisyonu Raporu,* ed. Fikret Adaman and Çağlar Keyder (Brusells: 2006), 26-41.
[582] Handan Çağlayan, Şemsa Özar and Ayşe Tepe Doğan, Ibid., 159.

> "It was difficult at the beginning. I began to confront my brothers and my father. They were saying that they were patriots,[583] yet their attitude towards my sisters and me were unacceptable. Of course, I understood this after joining the party [pro-Kurdish political party]. You need a consciousness to understand these things and it is only possible after going to the party. Our neighbors and my friends, first, they felt disturbed. One of my friends, who was also our close neighbor, told me how disturbed she was when she first heard that I was going to the meetings of DTP. She said that she felt as if she lost me."[584]

Being politically active in the Kurdish political movement, therefore, destabilized both intra and extra-familial relationships. Moreover, it altered alliances and contentions. Younger Kurdish women who seemed to be more *adapted* to Istanbul's urban milieu and who had closer relations with their Turkish neighbors redefined their proximities after the politicization. They experienced new antagonisms in the patriarchal division of labor at home, although they had a common political belonging. Also, they were faced with new distances in their relationships with their Turkish neighbors and friends. Work also altered their position in the family. Even if they worked mostly in precarious jobs without social security, their position at home was strengthened after their participation in the labor force; and again, this led to patriarchal confrontations.[585] Politics, therefore, changed the positions and belongings of the IDPs. However, not all of the IDPs were influenced in the same manner; different experiences were lived along the lines of class, gender and age produced different outcomes. Unlike the monolithic and homogeneous character of the experiences of IDPs as defined in the national and international legal context, the concrete everyday experiences of Kurdish IDPs were always diversified.

8.1.3. Local organizations, local initiatives: men, women and who holds the authority?

Kurdish IDPs living in *gecekondu* neighborhoods in Istanbul learned about the urban transformation projects concerning their own neighborhood through rumors, like all other *gecekondu* dwellers. UTPs had been implemented without the participation of and extensive negotiations with the inhabitants of *gecekondu* neighborhoods; indeed, in most cases, initially, the inhabitants were not aware of the process at all.[586] This was one of the early tensions between *gecekondu* residents and municipalities about the UTP processes. Several other tensions, confrontations and contentions followed the early ones.

---

[583] *Yurtsever* in Turkish. The term refers to the members and sympathizers of the Kurdish political movement and it is widely used both in the Kurdish region and Turkey.
[584] Interview, Kartal Istanbul, July 21, 2012.
[585] For similar observations, see. Leyla Şen, "Poverty Alleviation, Conflict and Power in Poor Displaced Households: A Study of the Views of Women in Diyarbakır," *New Perspectives in Turkey*, no. 32 (2005): 131-133.
[586] Tuna Kuyucu and Özlem Ünsal, Ibid., 1483.

During the process of the implementation of the UTPs, not only urban anxieties and confrontations with municipalities and neighborhood inhabitants but also ethnopolitical tensions occurred among *gecekondu* residents. Neighborhoods associations and different forms of neighborhood mobilizations were among the main pillars of such tensions. Once they learned there would be an UTP, in most of the neighborhoods, they established several forms of organization. These local organizations may be classified into three groups: associations established for dealing with UTPs in the neighborhoods where a new UTP had been declared; associations established initially for the amelioration and beautification of the neighborhood that were later on to function in the context of UTP; and finally neighborhood initiatives/committees that were not organized in the form of a legal association. The Gülsuyu/Gülensu Neighborhood Association that represents the neighborhood of Gülsuyu/Gülensu in the Maltepe district subjected to an UTP is an example of the first group; associations of the Hürriyet and Yakacık neighborhoods are examples of the second group; and the Ayazma Committee and Ayazma Victims[587] –two consecutive initiatives established by fellow residents of the Ayazma neighborhood- are examples of the third group. The opportunity to establish an association was solely possible for the relatively established and resourceful *gecekondu* neighborhoods. The Hürriyet Neighborhood Association was established in 2006 and the one in Yakacık in 2007. Although establishing associations does not render popularization of the urban struggle, building democratic relationships or acknowledging differentiated demands of a diversified society *per se*, it helps to multiply the resources and enables institutional continuity during the negotiations with municipalities and MHA staff. It also facilitates to follow up relational networks with institutions such as the Chamber of Architects, other neighborhood associations and different actors active in the urban space. Committees and initiatives, on the other hand, do not allow these possibilities of continuity and inclusiveness in their struggle.

However, as was the case with Ayazma Victims, these initiatives and committees were also in constant relation with other institutions through networks among urban movements, organizational networks and solidarity relations. Members of the Ayazma Victims, for instance, were regularly consulting with an association, namely the One Hope (1 Umut)

[587] The Ayazma Victims were established by the tenants who were formerly living in Ayazma and then did not leave the Ayazma neighborhood after the destruction and evictions. The tenants did not have any rights under the Ayazma and Tepeüstü UTP but some of the tenants (19 families) did not leave the neighborhood after the evictions and continued to live there in tents. They declared that they were unable to rent any house due to high home rental prices. They lived in tents in the demolished Ayazma neighborhood for nearly two years, during the years 2008 and 2009. Their tents had been destroyed several times by the Küçükçekmece Municipality but in the end, the Küçükçekmece Municipality resettled them in Bezirganbahçe MHA Houses and paid their one-year rent. They continued their struggle to be the *right owner* under the UTP and to be treated equally with the proprietors. Their case is still pending before the Court of Appeal.

Association. One Hope was established by radical leftist militants, who had previously struggled in the urban field on different occasions such as rehabilitation after earthquakes, UTPs and urgent expropriations. They provided legal advice gratuitously also trying to support families in other ways in the long run. Members of the Ayazma Committee and members of the One Hope Association had very close relations and were able to establish networks of solidarity. Still, having an institutional body was a strengthening factor both materially and symbolically, especially during the negotiations with municipalities and with MHA staff.

Neighborhood associations and initiatives/platforms claim to be organized based on urban belongings. In other words, they claim to disregard political, ethnic and cultural differences on the basis of being members of the same neighborhood. Although they are often categorized as *local struggles against UTPs* by urban scholars, members of these local organizations were not categorically against UTPs. Frequently, these organizations were used as tools for negotiation with the municipalities and MHA to receive more information, increase the gains of *gecekondu* inhabitants and protect their own interests. In addition, they claim to be beyond all kinds of political and identity- driven differences, meaning "their door was open to anyone; every resident of the neighborhood was welcome here without any difference."[588] Women and men, Turks and Kurds, rich and poor, all belonging to the neighborhood family were welcome in the organization, which stood beyond all of these differences.

The reality was significantly different. First, ethnopolitical tensions marked the functioning and discourse of these neighborhood organizations. In mixed neighborhoods such as Hürriyet and Yakacık, the boards of the associations were mostly comprised of Turks and Kurds who were not active in the Kurdish political movement. Moreover, members of the board were mostly members of lower middle class who had more material and symbolic resources than lower class residents and they were the ones to determine the main discourse of the association. The discourses of the associations, which emphasized being a *member* of the neighborhood as a neutral belonging without referring to any ethnopolitical difference, were perceived by the Kurds closer to the Kurdish political movement as a strategy that deliberately ignored their existence for increasing the bargaining power of the association. Ethnopolitical tensions were always in the air despite the strategy of deliberate disregard. Not only Kurdish inhabitants but also other inhabitants were aware of these tensions. One resident of the Hürriyet neighborhood described it as:

[588] Interview, Kartal Istanbul, July 6, 2012. Emphasis mine.

> "We all said initially that political affiliations were not important. I mean you could be from AKP and I from another party. It didn't matter if you are a Turk or Kurd. However we were not being sincere. These things do not vanish when you say we are all living in the same neighborhood. Maybe it could have been better if we had continued by *accepting* these things. Everyone maintained his or her political affiliation; maybe we should have *acknowledged* this. What we did was weird in a way."[589]

In addition to the disregard for political and ethnopolitical differences and contentions, these organizations were also founded and frequented solely by men. Women were non-existent. I participated in several meetings of the Hürriyet and Yakacık neighborhood associations and Ayazma Victims and I saw that women never came to these meetings.[590] I asked several members of these organizations about the absence of women and they all repeated the same clichés about the participation of women: they were really willing the participation of women but women were too busy with housework and childcare; women were the pillars of the associations even if they would not participate; women were very important in their culture and neighborhood and so on. A typical answer by one of my interviewees was as follows: "Well, we are always paying attention to what our women are saying. They have too many things to do at home. Their will is to stop the demolition of the houses and this is what we are struggling for. Actually, our hearts are together."[591] Although they were situated in front of the people during manifestations before the municipality or MHA buildings as actors of legitimacy; women were totally absent in the decision-making process. The nature of the struggle; a bureaucratic and legalistic one based on court cases, petitions and meetings where the use of jargon and technical language of the urban field was used excluded women.

Women were also perfectly aware of this fact. However, they either thought that they were carrying out the *moral* aspect of the resistance or they were the real decision makers in the sense that they influenced their husbands in the house. In a way, women underestimated the bureaucratic and legalistic struggle of men, which they found sort of useless, and they emphasized the moral dimension of the struggle. Although not recognized properly by men frequenting neighborhood associations, they were the ones who discussed and disputed with the mayor verbally; they spoke courageously when MHA staff came to the neighborhood; they informed journalists when they came to the neighborhoods; they brought tea to every meeting of the committee/association and they influenced their husbands and their neighbors for

[589] Interview, Kartal Istanbul, December 4, 2011. Emphasis mine.
[590] Heidi Wedel observed that there were some women who were pioneers or spokespersons in the urban political struggle of the *gecekondu* neighborhoods; however, I did not encounter them in the *gecekondu* neighborhoods where I conducted my fieldwork. I only heard rumors about their existence in other contexts and neighborhoods. See. Heidi Wedel, *Siyaset ve Cinsiyet. İstanbul Gecekondularında Kadınların Siyasal Katılımı* (Istanbul: Metis, 2001), 134-135.
[591] Interview, Kartal Istanbul, May 13, 2012.

following a specific strategy. Thus, though aware of their total exclusion from the neighborhood association or initiative circles, they did not perceive themselves as powerless subjects; rather they underlined the importance of their role during local mobilization. Besides, women also emphasized that the neighborhood was built upon their own labor. They suffered a lot because of the material conditions of the neighborhood. Their rhetoric based on sweat, hard work and effort was a discursive strategy, which legitimized and valued their position in the neighborhood. In a nutshell, they claimed to be the real builders of the neighborhood and therefore to have the moral authority for deciding the future of the neighborhood.

According to İlknur Üstün and Aksu Bora, the rhetoric of victimhood is, in the meantime, the rhetoric of authority; and women frequently use it.[592] Women, whose authority stems from either age or work and the suffering that they have been through in the context of patriarchal bargaining,[593] use the narrative of victimhood as a narrative of moral authority. In other words, as a result of the victimhood and concrete labor processes in the household, they ask for authority and power. This was the case in *gecekondu* neighborhoods as well; instead of being a part of the juridico-bureaucratic struggle of the associations, women emphasized their moral contribution[594] for the continuation of the struggle, which was, from their perspective, crucial. Instead of entering into a struggle for being included in the existing organizations, a struggle they would most probably lose, they declared this space of struggle as insignificant and continued to increase their authority in the moral part of the struggle. They, as the symbols of innocence, authenticity and locality of the struggle, were well aware of the specific locus of their strength and continued to situate themselves in that sphere. That is why nearly all of them expressed their indifference to participation in the activities of the neighborhood association/initiative and instead pointed out their excellent knowledge of the neighborhood; information about the positions of the neighbors concerning the implementation of the UTP and negotiation skills with the municipality and/or MHA staff. As the ones who transformed their houses in the *gecekondu* neighborhood into warm nests, they perceived themselves as moral promoters of the struggle for better conditions during the UTP process. After all, from their perspective, they were the ones who mobilized hundreds of people for massive demonstrations and without them "[…] their organizations would have done nothing. Men only talk, you know, but without our efforts, no one would have come to the demonstrations in

[592] Aksu Bora and İlknur Üstün, *"Sıcak Aile Ortamı". Demokratikleşme Sürecinde Kadın ve Erkekler* (Istanbul: TESEV, 2008), 47.
[593] Deniz Kandiyoti, "Bargaining with Patriarchy," *Gender and Society* 2, no. 3 (1988): 278-281.
[594] Karen Leroux, "The Moral Geography of Urban Life: Gender and Urban Reform," *Journal of Urban History* 29, no. 3 (2003): 354–362.

front of the Kartal Municipality. Did they know about this? I don't think so. But who cares about what *they* know since God and I know the truth."[595]

8.2. Contentious memories of violence: witnessing, remembering and encountering

The last three decades have witnessed a boom in the studies and initiatives of memory and memorialization and themes of dealing with the past along with the dominance and immediacy of the present.[596] Although it seems contradictory at first glance, focusing on the past through fragments of memory for a deepened understanding of the present has become the motto *du jour*. Henry Rousso conceptualizes this tendency perfectly by referring to François Hartog, who argues that contemporaneous historicity is a historicity based on the immediacy of *now*, which can be formulated as *régime présentiste* as opposed to *régime futuriste* that has characterized the conception of time beginning with the Enlightenment until recently.[597] According to Rousso, the omnipresence of the present and the obsession with the past coexist in contemporary thought and such coexistence is one of the essential themes determining our notions of the present in relation to history and the past. This coexistence is not a solely theoretical fact; it has also produced a wide range of work, studies and concrete mechanisms focusing on how to deal with the past. Several forms of narratives like memoirs, biographies, autobiographies, testimonies, and eye witness accounts have, indeed, flourished during the last decades. These different forms of narration, mostly, either depict or relate a period of war, mass atrocity, conflict, genocide or other forms of violence.[598] Remembering and witnessing have been considered as a duty, *devoir de mémoir,* for the accountability of the perpetrators and the establishment of a democratic collective knowledge concerning these catastrophes. Accordingly, memory and different memories have to play a political and social role; they become crucial for dealing with past atrocities and establishment of a new democratic society.

This approach has been criticized, especially by scholars of anthropology and history, arguing that it assumes a linear development of a monolithic memory; extenuates ethico-political dilemmas on bearing witness concerning the times of a catastrophe; ignores the existence of several contentious and competing memories; underestimates political, ethnical and gender differences in the formation of the collective memory and ignores important ethical and

[595] Interview, Kartal Istanbul, May 13, 2012. Emphasis mine.
[596] Beatriz Sarlo, Ibid., 10.
[597] Henry Rousso, *Face au Passé* (Paris: Belin, 2016), 267.
[598] Patricia M. Thane, "Oral History, Memory and Written Tradition: An Introduction," *Transactions of the Royal Historical Society* 9, (1999): 162.

political debates for the sake of a liberal sort of democratization and development.[599] However, despite all criticisms, memories as socially produced artifacts have become the novel locus of research and analysis.

The debate on memory is also fundamental to this dissertation. Enforced disappearance, forced migration and urban transformation projects were always depicted by the interviewees through the mediation of memory. Their narratives represented fragments of memory describing various acts and performances for the remembrance of the catastrophe or the brusque change to which they had been subjected. Put differently, their accounts included not only what happened empirically but also how they remembered what happened and how they struggled for keeping alive the memory of what happened. Their narratives, therefore, included important signs of the struggle between contentious memories, social production of remembrance and forgetting, and perseverance in preserving specific narrations. Also, their narratives included important insights into the potentials and limits of bearing witness concerning catastrophes in the sense that their narratives included different meanings of remembrance as a political and nostalgic act and contradictory results of several encounters. This subchapter aims to dwell on these insights.

8.2.1. Act of witnessing, act of remembering

Ayşe Karagöz, wife of Ali Karagöz,[600] who was forcibly disappeared on December 27, 1993, lives with her two daughters in a small house in Cizre. She raised her six children alone under extremely difficult conditions after the disappearance of her husband. Today, she suffers from serious health issues. She was in her early twenties when her husband Ali Karagöz was taken under custody with İhsan Arslan and disappeared in Cizre. Her husband Ali Karagöz was not included in the indictment of the Temizöz and Others case although İhsan Arslan was one of the victims listed in the same indictment. She was furious and failed to understand the reason for such arbitrary exclusion; still, she participated in each and every hearing of the Temizöz and Others case.

Although she described herself as a *broken tree* as the wife of a forcibly disappeared, she was brave enough to call Kamil Atak to account for what he did. She visited several times Kamil Atak, both in his office after he was elected mayor of Cizre and in his house, to ask the fate of her husband. The brother of Kamil Atak, Mahmut Atak, threatened her and told her that he

[599] For some examples, see. Kathryn Haynes, "Other Lives in Accounting: Critical Reflections on Oral History Methodology in Action," *Critical Perspectives on Accounting*, no. 21 (2010): 221–231; Selma Leydesdorff, Luisa Paserini and Paul Thompson, *Gender & Memory* (New Brunswick and London: Transaction Publishers, 2009); Diana Taylor, *The Archive and the Repertoire: Performing Cultural Memory in the Americas* (Durham, NC: Duke University Press, 2003).

[600] For the story of Ali Karagöz: Zorla Kaybedilenler Veri Tabanı, "Ali Karagöz'ün Zorla Kaybedilmesi," accessed July 7, 2016, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/28.

would kill her as well if she continued to look for her husband. Then, she visited once again Kamil Atak, this time in his office. Kamil Atak told her that he did not know what happened to her husband and he recommended her to stop looking for him and added: "[…] otherwise she will also get into a lot of trouble."[601] Still, she continued to look for him by any means: she went to the pro-Kurdish political party for help; she asked important local notables to find her husband and she struggled to mobilize all the connections she had to find him. However, she always felt guilty about not doing enough to find her loved one.

I discussed above, in the chapter *Production of subjects in the legal space: law, notions of legality and impossible justice*, the feeling of endless guilt by the relatives of the disappeared in the context of the use of legal mechanisms. However, the feeling of guilt, the feeling that "[…] trap[s] him/her in a perennial circle of guilt"[602] was not solely related with the use of the legal mechanisms. It was more like an ontological guilt about the relative of the disappeared. Whatever she/he did was not enough; she/he should have done better; this or that relative had looked in such and such places too and she/he had not. In addition, this perennial circle of guilt was not only related with the search but also with almost every detail of the quotidian life lived after the disappearance. Ayşe Karagöz's feeling of guilt was pervasive in her narrative: she was sad about several issues; during the interview, she emphasized several times that she *failed*. The feeling of *I should have done better* was very significant not only for Ayşe Karagöz but also several other wives of the disappeared. The memory of the disappeared was constructed through this feeling of guilt; the disappearance created an unspeakable catastrophe *per se* but the disappearance also destroyed all hopes of a better life at the familial level. If he were alive/there with the family, then all the harrowing experiences would be different. The memory of the disappeared seems to be constructed as well through this kind of absence: his absence was represented as the source of all the wrongs experienced by the wife of the disappeared. Thus, the memory of the disappeared was in a way a memory built up through different feelings of guilt and inadequacy.

Ayşe Karagöz worked hard to be able to feed her children and keep her family together. Economic difficulties shaped her life immensely. After losing her husband, she was alone with her six children and although her family and her in-laws tried to help her, she had to work since none of the families had sufficient economic resources. She knitted clothes for

[601] Interview, Cizre Şırnak, September 2, 2012.
[602] Idelbar Avelar, Ibid., 31.

infants; she stitched quilts for her neighbors; she made pillows and mattresses for her clients; in a nutshell, she did "the work of others".[603]

The absence of the disappeared was always remembered through these kinds of economic difficulties since the disappeared was the breadwinner of the house in most cases. The wives of the disappeared, women who experienced a feeling of liminality due to the act of disappearing, were also experiencing severe economic deprivation in a way that they never could have imagined. Women, after the disappearance were kneading dough for other people; squeezing their grains; becoming the cook of others; going to others' farms for work when their breasts were full of milk for their infants; emptying their breasts in these farms; selling the milk and the cream of their sheep; doing agricultural work with their children after they grew up; collecting cotton and nuts; doing all the hard labor from Iraq to Van, from Muş to Düzce; being among Turks, being among *those who killed us*; doing everything that men were doing and thus becoming men.[604] The memory of the disappeared, therefore, was constructed not only through a feeling of loss, mourning and grief but also through these material experiences. The disappeared became a figure that could have prevented these experiences built on sweat, tears and hard work. In other words, if melancholia, loss and mourning were organic parts of the act of disappearance, the economic and material struggle was also an organic part of the act of disappearance in the remembrance of the wives of the disappeared. Remembrance was constructed through these experiences of hard work, poverty, and economic struggle experienced in the aftermath of the disappearance.

In addition, the narratives of discrimination in the quotidian life were also present in the case of the families who worked in the western cities of Turkey. Going among Turks for work meant -for the relatives of the disappeared- *going among those who killed us*. The experience of the Kurdish war represented by the disappeared was always intertwined with these other kinds of experiences and thus both the memory of the disappeared and the subjectivities of the wives of the disappeared were constructed through this intersectionality.[605] These concrete experiences were as significant as the feelings of loss, and mourning; ethnopolitical anxieties were inherently intertwined with economic anxieties in the case of the wives of the disappeared. Children of the disappeared narrated the importance of these experiences as well. The ill treatment that they were subjected to when they went for work to the western cities;

[603] Interview, Cizre Şırnak, September 2, 2012.
[604] Özlem Kaya and Hatice Bozkurt, *Holding up the Photograph. Experiences of the Women Whose Husbands were Forcibly Disappeared* (Istanbul: Hafıza Merkezi, 2014), 28-62.
[605] Geraldine Pratt, "Reflections on Poststructuralism and Feminist Empirics, Theory and Practice," in *Feminisms in Geography. Rethinking Space, Place and Knowledges*, ed. Pamela Moss, and Karen Falconer Al-Hindi (New York: Rowman & Littlefield Publishers, 2008), 54.

racist or discriminatory discourses of the employers, colleagues and neighbors; the feeling of insecurity they felt after the PKK attacks in the western cities while being employed in temporary agricultural work were also crucial parts of the picture. The liminality and the specific catastrophe of the disappeared, meaning not exactly knowing what happened to the disappeared for so many years, coexisted with these experiences of social class, discrimination and forms of everyday racism. Thus the experiences and feelings of the family of the disappeared regarding the catastrophe and feeling of absence stemming from the act of disappearance were always intertwined with other experiences and feelings such as poverty, discrimination, and suffering due to social class differences. As argued by Diane M. Nelsin with regard to the context of Guatemala, "[…] we must always think of inter/actions –among the imagined and lived body of the bleeding nation, between indigenous rights and the project of nation building, among class war, race war and utopian imaginings, of the simultaneity of modernity and tradition, and between real bodies and social fantasy, solidarity and critique."[606] The memory of the disappearance was also constructed through several interactions; the disappeared and the disappearance were always remembered in a complicated network of labor, politics, everyday experiences, discrimination and poverty for the majority of the wives of the disappeared. Thus, the disappearance, instead of being a tragic moment standing alone in the family history, was situated within a complicated nexus of acts and experiences.

Just like the aftermath, the period prior to the disappearance was also a part of the memory of the disappearance. In most of the cases, the disappearance was a moment in a long history of state violence for most of the relatives of the disappeared. Families who had been subjected to forced migration, who lost several members during the conflict in the ranks of the PKK, who were tortured, beaten up, ill treated or constantly harassed by the Turkish army on the pretext of being PKK militia in the cities or supporting the guerillas in the villages had thus a prior knowledge of the Turkish state. The memory concerning the state was essentially a memory of suffering, contention and conflict for the majority of the families of the disappeared. The disappearance, therefore, represented a specific momentum in the peculiar knowledge of the state. This knowledge was mostly articulated through bodily metaphors; in the aches of the back, loss of the teeth, severe headaches and migraines, insomnia, and sickness of the stomach.

[606] Diane M. Nelson, "The Cultural Agency of the Wounded Bodies Politic: Ethnicity and Gender as Prosthetic Support in Postwar Guatemala," in *Cultural Agency in the Americas*, ed. Doris Summer (Durham and London: Duke University Press, 2006), 118.

> "[…] Look at me my dear. I am not healthy at all, I feel like I am very old. I don't have teeth in my mouth, I always have headaches and I can't sleep. Every time I close my eyes I see him [the disappeared]. He's always in mind, how can I forget him? […] I cannot even speak of all these pains; people won't listen to me. The state won't even care, of course. I would like to say to them look what you did to me. I lost my husband, my friend but also I lost my health, my happiness."[607]

The state was remembered, and this time specifically by women, through bodily metaphors and with a constant emphasis on the notion of pain. Veena Das reminds us that the state is mostly experienced through bodily metaphors at the margins of the polity at the local level. Accordingly, the state is "close to the skin, embodied in well-known local officials, through practices of everyday life."[608] The suffering after the disappearance was perpetually interwoven with the pain stemming from the knowledge of the state. The state, which is *close to the skin* and represents the origin of the mourning, manifests itself in the ceaseless pains and symptoms of the body.

The mourning was omnipotent, though. The relatives of the disappeared, but more specifically, the women mourned with their symbolic performances in the quotidian life. Mourning was performed and displayed through a gendered division of labor. Wearing solely black headscarves; not attending weddings or feasts; wearing black or dark clothes; not laughing; marrying children without ceremony and refusal to participate in any public celebration were the most common symbolic performances. There were also other recurrent acts and feelings such as being ashamed of one's self when laughing or feeling happy; swearing to God for never forgetting the disappeared, even after death; talking for hours in the night with the disappeared when everyone was asleep, which might all be interpreted as personal performances of mourning. The wives and mothers of the disappeared, as the carriers of mourning, were ceaselessly performing symbolic and material acts to prove that they did not forget the disappeared despite the "public prohibition of mourning".[609] These acts were, in the meantime, Antigonean ethical acts,[610] which meant maintaining one's *loyalty* to the disappeared personally, politically and ethically. Mourning included these persistent and redundant ethical acts along with melancholia. Another social scientist, Ramazan Aras, also underlined the gendered division of labour concerning ethical and political duty of witnessing and mourning while encountering different forms of violence and depicted the experience of a Kurdish woman, Wesîle, as such:

---

[607] Interview, Cizre Şırnak, September 4, 2012.
[608] Veena Das, Ibid., 64.
[609] Marc Nichanian, "Catastrophic Mourning," in *Loss. The Politics of Mourning*, ed. David L. Eng ve David Kazanjian (Berkeley, Los Angeles and London: University of California Press, 2003), 99-125.
[610] Judith Butler, *Precarious Life. The Powers of Mourning and Violence* (London: Verso, 2004), 34.

> "The personal testimonies of Kurdish women clarify how it becomes the special role of women to 'witness' death, to lament for it, and then to convert silence into speech. Wesîle's struggle to give a meaning to her subjective pain converted her personal suffering into a collective suffering."[611]

Mourning and melancholia were also structured through the proximity of the families to the Kurdish political movement. Families who were politically closer to the Kurdish political movement and were actually politically motivated narrated both the stories of their disappeared and their life trajectory with a vocabulary of struggle instead of a vocabulary of melancholia. Families who were distanced to the Kurdish political movement, whether due to political, practical or contingent reasons -lack of time due to the burden of hard work, being geographically away from any kind of activities or elderly age, etc.-, on the other hand, were narrating the stories of their disappeared and their life trajectory with a vocabulary of melancholia, loss, despair and loneliness. These features were also present in the narratives of the more politically engaged relatives as well since the disappearance of a loved one, despite the militancy and struggle, invokes feelings of loss and melancholia. However the emphasis on melancholia was strikingly different.

In addition, currently being close to the Kurdish political movement was strengthening the feeling of *loyalty* to the disappeared.

> "[…] We always stayed loyal to our cause, thank God. My husband struggled for Kurdistan; he was always saying that he wouldn't be able to see it in his lifetime. However, he continued. I raised my children in accordance with his commitment; they believe in Kurdistan as well. Also, I, as much as I could, did my best for our cause. I did not change my path, praise God; I followed the good way, the way of my *hevals.* I continued what he did and what they killed him for."[612]

Another ethical hierarchy was built via these narratives of genuine *loyalty* to the disappeared expressed by relatives closer to the Kurdish political movement. As I discussed above, both in this chapter and in the chapter *Production of subjects in the legal space: law, notions of legality and impossible justice*, there are several aspects of the ethical hierarchy among the relatives of the disappeared: searching the disappeared for a long period of time; using all the legal mechanisms; mobilizing different networks of family and tribe for the search of the disappeared and not getting married after the loss; all these built up peculiar ethical asymmetries. Being part of the Kurdish political movement was one of the most crucial parts of the ethical code, and thus, one of the most solid aspects of the ethical hierarchy.

---

[611] Ramazan Aras, *The Formation of Kurdishness in Turkey. Political Violence, Fear and Pain* (London and New York: Routledge, 2014), 141.
[612] Interview, Silopi Şırnak, September 3, 2012.

The narratives of the relatives of the disappeared reflected a peculiar pendulum of the personal and the political; aspects of the *personal* were always narrated in an interwoven manner with aspects of the *political*. While depicting the melancholia of the loneliness after the loss of the disappeared or the personal search for justice, suddenly, reference was also made to the release of Abdullah Öcalan or the return of the PKK guerillas in dignity. The raising of children in severe economic difficulties was easily and swiftly connected to the discussion of education in mother tongue and the political contentions around it. The move of the family to another city of Kurdistan was narrated in connection with the political demand of the Kurdish movement for democratic autonomy in the new constitution. This expeditious zigzagging between the political and the personal was at the heart of remembering and narrating. The political was constantly expressed through the narrative of the mundane details of everyday life. The famous motto of the feminist movement, that the personal is political, was specifically elaborated by the relatives of the disappeared and mostly by women, the wives of the disappeared, both in the same manner with the feminist motto and also in a peculiar way that combined the acknowledgment of the disappearance and the ethnopolitical conflict, namely the Kurdish issue.

8.2.2. Lost paradise and absent belongings

Ayfer, a young woman from Ağrı, came to Ayazma with the forced evacuation of their village. She felt herself *freer* in Istanbul's urban space. Although the limits of her freedom were renegotiated and restructured after her marriage, still, she thought the urban context had more to offer for her compared to her village life. After her arrival in Ayazma, Ayfer did piecework and contributed to the family budget. Not only she but also her younger and elder siblings worked in precarious jobs to contribute to the family budget. She had already left school while she was in Ağrı, thus she did not have any school experience in Istanbul. Right after her marriage, her husband did not want her to work, even on a piecework basis. Then, he changed his mind; -"poverty is a strong thing; it changes everything" she told me laughing- therefore, she continued to work from home. She was making pens and the middleman was paying 30 Kuruş for each pen. She had four children, who all grew up in Ayazma; and she thought that they were lucky to be born in Istanbul. Nevertheless, she saw her village as a piece of heaven and she stated that she could never forget her days in the village.

> "For a woman, Istanbul is better. It is a big city; no one interferes in others' lives. In Ayazma we were living very close with our relatives and fellow townsmen –*hemşeri*-, still I was freer compared to the village. We were promenading in the streets of our neighborhood; we were making pens each

> day at one of our friends' altogether; we were even going to Bakırköy DEHAP[613] for meetings. You can't do these things in the village; that is for sure. […] Our village, you know, was extremely beautiful. Your lifetime would be longer if you were living there. The air, the trees, all sorts of animals and the food, everything was very different. We were all relatives as the inhabitants of the village, so there was always a friendly environment. I still remember my days in our village in my dreams. The state did not want us to be happy; that's how I see it."[614]

When I asked Ayfer whether she preferred to live in her village or in Istanbul, she answered she would prefer Istanbul for the sake of her children. Also, she emphasized several times during the interview the fact that she specifically and women more generally were *freer* in Istanbul.[615] Still, to her, her village represented a piece of heaven, *a lost paradise*, and she was extremely furious because of the official prohibition on her return to the village.

Her mother, Zehra, on the other hand, detested being obliged to live in Istanbul. She spoke solely Kurdish and was very much scared to leave her house because of her illiteracy. She was constantly complaining about her life in Istanbul and constantly trying to tell me how much she missed her relatives, as she cursed the military officers who had burned and evacuated her village. Also, she narrated the pain of losing her animals, which they had to leave in their barn. She was always crying while talking about her village. She was obliging her grandchildren to translate her narrative into Turkish so that I would write in my dissertation about her pain and sorrow that the state had inflicted on her by burning and evacuating her village. For Zehra, just like her daughter, her village was a piece of heaven, *a lost paradise*, which represented the authentic Kurdish life and culture.

These two women, with very different motivations, narrated their village as *a lost paradise*. This theme was the most recurrent theme in all the narratives concerning evacuated villages. The desire for return varied among IDPs depending on age, gender and socio-economic status; however, the memory of the evacuated village was always narrated as *a lost paradise*. According to this narrative, the village was a place where authentic life style of the Kurdish

---

[613] The name of the pro-Kurdish political party at that time; *DEHAP* is the acronym for Demokratik Halkların Partisi (Democratic People's Party).

[614] Interview, Küçükçekmece Istanbul, May 25, 2012.

[615] The desire of the IDPs for return varied significantly depending upon their age, gender and socio-economic status. Mostly, elderly people were more prone to return and younger generations were more willing to live in Istanbul, according my research. Again, women were more willing to stay in Istanbul's urban space compared to men, emphasizing relatively more libertarian familial and relational networks in terms of gender roles. Other studies have also verified the result of my research. Nazan Üstündağ pointed out the same information in her unpublished dissertation: "In Esenyurt, the displaced population has less hope and relatively less desire for return, but is more inclined to be part of the urban community. Although at first all the people I talked to expressed their desire to turn back, as we spent more time together, they declared that life in the city gives one more freedom, specifically in gender relations." Nazan Üstündağ, "Belonging to the Modern: Women's Suffering and Subjectivities in Urban Turkey," (PhD diss., Indiana University, 2005), 249. For similar findings, also see. Şemsa Özar, Handan Çağlayan and Ayşe Tepe Doğan, Ibid., 84-112.

community was preserved and maintained; the relationship with nature was uninterrupted and the social nexus was harmonic contrary to the situation in the artificial urban space.

Again, the construction of the memory concerning the village as *a lost paradise* referred to a spatial and political sense of *loyalty*. Whether the person was willing or unwilling to return, the discursive representation of the village as a piece of heaven had various implications simultaneously. For the elderly who were desperately waiting for the restoration of their village, this representation was the sign of their overwhelming desire to return. As for younger generations, who were not necessarily willing to return and had more solid connections with the current urban setting, this representation was a sign of political belonging to Kurdishness more generally and to the Kurdish political movement more specifically. It was like a sign that they did not forget about where they had come from and therefore their Kurdishness. Also, it was an implicit narrative of the refusal of what the state had done to them. Thus, as a discursive political and spatial duty, the uniqueness and peculiarity of the evacuated village was depicted in each and every narrative. The village represented lost home, which was perfect. The persistence of this representation seems to stem from, again, the desire for "the right to have a political home".[616] The discursive strategy that depicted the evacuated village as a lost paradise and authentic home was also, in the meantime, an indication of the loyalty to the political home from the perspective of the narrator.

Martin van Brunessen pointed out the essential outcome of forced migration, which is two-dimensional, as the urbanization of the Kurds and the Kurdicization of the cities.[617] This also meant the urbanization of an ethnopolitical issue, namely the Kurdish issue. The everyday life of the Kurdish IDPs, therefore, was characterized by not only a sense of loss and melancholia but also daily consequences, alterations and effects of the Kurdish conflict. On the one hand, their relations with the Kurdish political movement had been constantly shaped and reshaped in the novel urban setting and on the other hand, they had been subjected to several forms of racism, discrimination and exclusion, both at the official and societal levels. I will discuss these novel forms of racism, discrimination and exclusion in their new urban setting in the upcoming subchapter; here I will focus solely on their complex relationships with the Kurdish political movement.

[616] Cited in Heonik Kwon, Ibid., 410.
[617] Martin van Bruinessen, "Kurds and the City," in *Joyce Blau, l'éternelle chez les Kurdes*, ed. Hamit Bozarslan and Clémence Scalbert-Yücel (Paris: Institut Kurde de Paris, 2013), 273-95.

As for the relationship with the Kurdish political movement, it should be noted that there exists no one single form of experience. Some families who were politically active in their original settlement became even closer with the Kurdish political movement and were more mobilized in the urban setting. For some others who were more active in the rural milieu the novel urban space served to distance and alienate them from the political movement. The position of the Kurdish political movement, which was much more potent and powerful in the Kurdish region, seemed to be relatively weaker in the western urban settlements from the perspectives of the IDPs that I interviewed. Still, the capacity for solidarity as well as access to economic and social networks; the change that it creates, e.g., relative emancipation and mobilization through political activity, specifically for youngsters and young women; and the strong feeling of belonging and loyalty made the Kurdish political movement one of the most important actors in the quotidian life of the IDPs.

In addition, the discourse of the Kurdish political movement, based on a specific selection of the notions of martyrdom, dignity, sacrifice and altruism, provided a feeling of moral satisfaction and self-esteem for the IDP population living in the western urban setting. In my research, I observed that most of my interviewees were fervent supporters of the Kurdish political movement and some of them were active in the echelons of the political party. However, even the ones who were radically distanced and alienated from the Kurdish political movement felt themselves indebted to the Kurdish political movement both in their authentic home, *lost paradise*, and in the novel urban setting. First stating several criticisms concerning the armed struggle of the PKK, they then added that through the existence of the PKK several gains had been achieved. The feeling about the PKK was basically a feeling of indebtedness.

> "We had many lambs and goats in the village. And all of us were grazing them day by day. One day it was my father's turn and he saw a bunch of military officers. He was so scared that he got down on his knees and tried to be invisible among the lambs and goats. Can you imagine that? I mean he was so scared that he acted like an animal. I mean he didn't mind being among the animals on his knees. The human is sublime, that's why God created them to walk on their feet not their knees. However, there we were, very scared and terrified when confronted with the state, especially with the army. With the PKK, we became human in the sense that we were on our feet again, including my father. […] It is the same here in Istanbul. They are our neighbors; they may be good persons, ok. However, I know that they are nursing a grudge against us; you should see their attitudes when we speak Kurdish among ourselves or a soldier is killed in Kurdistan. I believe they would harm us if they didn't know that we are not alone. Again, the existence of the PKK protects us."[618]

[618] Interview, Küçükçekmece Istanbul, March 25, 2012.

I do not claim that this account is representative for depicting all the IDPs' political belongings or for making overall generalizations. My research, however, provided insights into the importance of the Kurdish political movement, which created a feeling of *indebtedness*, not only among its own members, supporters or sympathizers but also among the Kurdish IDPs who were more distanced to the movement. I claim, therefore, that the Kurdish political movement represented an important locus of power, legitimacy and authority for the Kurdish IDPs in their urban settings. Mostly young Kurdish migrants criticized the politics and discourses of the Kurdish political movement for being monolithic and rigid with the argument that the main political demands were not adjusted for different spatial contexts. In other words, the fact that the Kurdish political movement was struggling for the same demands and not adjusting itself to the novel urban concrete problems was often criticized, mainly by young Kurdish urbanites. Still, this criticism did not undermine the authority and crucial position of the movement.

The *Kurdish issue*, therefore, through different discourses, practices and everyday experiences shaped and reshaped the daily lives and memories of the Kurds subjected to forced migration. Construction of memory as well as personal experiences was deeply affected and formed by the tensions of this ethnopolitical issue. This is the reason why the Kurdish migrants in the urban context were constantly linking their intimate or personal experiences to the broader macro political demands. The zigzagging between the personal experiences and the narrations, the struggle and vocabulary of the political demands and identity rights created a peculiar political pendulum in the novel urban context. The pendulum constructed by mingling the aspects of the micro and personal levels with the aspects of the macro and political level was essential for establishing a political movement through political and social networks.[619] It seems that the Kurdish political movement, despite all criticisms,[620] was able to do so.

8.2.3. The right of being urbanite: mud, sweat, labor and tears

Esen is a woman who came to Istanbul from Şırnak during the 1990s and whose family began to live in Ayazma because some relatives of the family were already residing there. For a

[619] Donatella Della Porta, *Social Movements, Political Violence, and the State. A Comparative Analysis of Italy and Germany* (Cambridge: Cambridge University Press, 2006).

[620] As I discussed above, especially younger generations, were criticizing the Kurdish political movement for not adjusting itself to different conditions between Kurdistan and the western metropolitan space of Turkey. There were other lines of criticisms as well; some conservative IDPs criticized the Kurdish movement for being too secular, some of them criticized the new macro-political movement of the party based on the refusal of separation and building of a new Kurdish state and members of the Alevi minority criticized it for not being receptive enough for their own demands. For similar findings concerning the perceptions of the IDPs, see. Mirjam Theodore Geerse, "The Everyday Violence of Forced Displacement, Community, Memory and Identity Politics among Kurdish Internal Forced Migrants in Turkey" (PhD diss., Utrecht University, 2011), 132-136.

newcomer, she said, Ayazma was an excellent neighborhood; first because of its proximity to the construction sites and second because of the existence of a complicated network of solidarity among people from the same places of origin, i.e. *hemşehri*.[621] She narrated everyday life in the Ayazma neighborhood with a vocabulary of *labor*; she worked so hard to be able to continue living in Istanbul, and also she struggled so hard to be a part of the neighborhood despite all difficulties. There were no proper streets in the neighborhood; therefore, she lived years in the mud; electricity came to the neighborhood with the efforts of its own inhabitants; public water system was nonexistent so she had to wait long hours in queue in front of the fountain. Everyday life in Ayazma was fraught with these concrete difficulties. Still, she would not give up; she continued to endure and tried to ameliorate the living conditions of the neighborhood:

> "We suffered a lot being a part of this neighborhood. We've been through a lot. We built our houses with our bare hands. We lived in the mud, there was no proper transportation so our men were walking kilometers each day; there was no water so we were waiting hours in front of the fountains; our kids grew up under these circumstances. I was crying every day with the fear that they would get a disease because of the water. Every day… Still, we were happy in our neighborhood. We were trying to have a sort of garden, everyone was cultivating flowers and other sorts of beautiful plants. We were trying to clear the streets with our own efforts. We were doing our best to embellish the neighborhood."

Esen's narrative, which concentrates on the difficulties of the *gecekondu* neighborhood and her responses to these difficulties, in a way, was a typical narrative of the *gecekondu* inhabitants that I interviewed. Accordingly, the responses given to the difficulties of *gecekondu* life, specifically the ceaseless efforts made, indicated that the inhabitants of the *gecekondu* neighborhood actually deserved to be in Istanbul. Life in the *gecekondu* neighborhood, which corresponded to Istanbul's urban life, was legitimized with this vocabulary of labor and survival despite all the difficulties. They *deserved* to be in the urban space as a result of their own labor and sufferings through the building and continuation of the *gecekondu* life. *Gecekondu* inhabitants, who were perfectly aware of their being morally stigmatized with the term "occupier", tried to open up a discursive space of *deserving,* emphasizing their difficulties and efforts in their quotidian lives. As I discussed above, the new rhetoric of stigmatization of *gecekondu* inhabitants as undeserving persons, "namely, seeing them as the 'Other' who is 'less than' and 'inferior to' them",[622] was discursively

[621] For an analysis of the impact of the existing *hemşehri* associations and networks on the IDPs, see. Ayşe Betül Çelik, Ibid., 137-163.
[622] Tahire Erman, "The Politics of Squatter (Gecekondu) Studies in Turkey: The Changing Representations of Rural Migrants in the Academic Discourse," *Urban Studies* 38, no. 7, (2001): 998.

refused with this narrative of blood, sweat, tears and mud. Although I do not claim that this discourse is relevant for all *gecekondu* inhabitants in Istanbul, I argue that it is a common and frequent strategy for the appropriation of the urban space among *gecekondu* dwellers. Heidi Wedel, for instance, in her pioneering work on women's political participation in the *gecekondu* neighborhoods of Istanbul, also argued that women narrated their right to be part of the urban setting through their hard work during the building of their *gecekondu*.[623] According to *gecekondu* inhabitants, the right to be a part of the urban setting and to appropriate it was gained by means of their own ceaseless efforts; thus, instead of being undeserving occupiers, they had become *deserving* urbanites.

The memory concerning the *gecekondu* neighborhood, after or during the implementation of the urban transformation projects, was basically constructed with the narrative of labor and endeavor. Not only Kurdish IDPs but also the other *gecekondu* residents that I interviewed or talked to emphasized this vocabulary of labor/endeavor and therefore being *deserving* urbanites. This discursive strategy, it seems, was a way of elaborating the *right to the city* through a rhetoric emphasizing the efforts for establishing and surviving in *gecekondu* neighborhoods. Accordingly, the discourse used by the mainstream and official urban authorities to depict being the legal proprietor of a house as the sole source for the right to the city was undermined by *gecekondu* dwellers. *The right to the city*, the famous notion elaborated by Henri Lefebvre, is described "[…] like a cry and a demand [...] The right to the city cannot be conceived of as a simple visiting right or as a return to traditional cities. It can only be formulated as a transformed and renewed right to urban life".[624] The transformed and renewed urban life, according to *gecekondu* residents, should also include their own existence and demands on how to renew the existing *gecekondu* neighborhoods. The legitimacy of this existence and demands originated from the hard work, which lay at the heart of the establishment and continuation of *gecekondu* neighborhoods. Thus, the right to the city, implicitly formulated by *gecekondu* dwellers, was based on a new definition of the urbanite compared to a liberal one based on the right to property; it was essentially legitimized through the notions of endeavor, suffering, struggle and effort. Using these notions also meant asking for "[…] an urban spatial approach to political struggles with the participation of all those who inhabit the city without discrimination".[625] Memory of the *gecekondu* neighborhoods, in other words, elaborated a new notion of urbaneness, which also included the poor, the

[623] Heidi Wedel, Ibid., 223-224.
[624] Henri Lefebvre, *Writings on Cities* (Oxford: Blackwell, 1996), 158.
[625] Hyun Bang Shin, "Right to the city and critical reflections on property rights activism in China's urban renewal contexts," *Centre for Analysis of Social Exclusion (CASE) Papers*, no. 156 (2011), 3.

marginalized and the excluded. This inclusion was a discursive strategy, which claimed power over the processes of urbanization, over the ways in which the cities that we are living in are made and remade,[626] including as well the urban transformation processes.

This discursive strategy, however, was not entirely durable vis-à-vis the anxieties about the ethnopolitical issues and interpretations of different political belongings in Istanbul's urban space. Togetherness of *gecekondu* dwellers vis-à-vis the urban transformation projects was extremely divided by ethnopolitical lines and the distances between different political belongings. Although openly acknowledged neither by the majority of *gecekondu* dwellers and their organizations nor by current urban movements,[627] ethnopolitical tensions shaped the content of being urbanite and complicated the political possibilities for the togetherness of *gecekondu* residents. Unspoken lines of division undermined the strength of the anti-demolition struggle against the UTPs and aggravated the conditions of a possible coalition, which may have been established by the inclusion of various political tendencies.

In Kartal, for instance, the distribution of the *gecekondu* title deeds varied from one neighborhood to another. In the Hürriyet neighborhood, the distribution of the title deeds began and continued very slowly, whereas in the Yakacık neighborhood, it took place much more swiftly. There was a technical reason for this, as I already mentioned above: the land of the *gecekondu* neighborhood where the UTP would be implemented belonged to the Kartal Municipality in Yakacık; however, in the Hürriyet neighborhood, it essentially belonged to the Istanbul Metropolitan Municipality and Treasury. Despite the fact that the Istanbul Metropolitan Municipality and Treasury were legally obliged to transfer the property of the land to the Kartal District Municipality, they dispensed with this for purely political reasons. As a way of politically punishing the Kartal Municipality, governed by CHP for a decade now, the Istanbul Metropolitan Municipality blocked the process of the regularization of the Hürriyet *gecekondu* neighborhood by blocking the transfer of the property. However, the majority of the residents in Yakacık and Hürriyet told me that this difference happened because of the *Kurdishness* of the Yakacık residents. In the Hürriyet neighborhood, several

[626] David Harvey, *Rebel Cities. From the Right to the City to the Urban Revolution* (London: Verso, 2012), 5.

[627] When I refer to *urban movements,* I refer to groups that can be basically classified under four pillars: (i) political parties' politicians related with urban issues such as housing, municipal services and urban perspective; (ii) local neighborhood initiatives and institutions that basically became the tool for the struggle against demolitions and urban transformation projects; (iii) initiatives and platforms constituted with the participation of a limited number of middle class academicians, students, activists, urban planners and architects; and (iv) occupational organizations such as the Chamber of Architects, Chamber of Urban Planners, etc. It should be added that they are far from being united and mass-scale movements; rather, they are fragmented and divided for several political, ideological and practical reasons. Urban movements, apart from political parties' branches, are mostly radical small groups based on new left ideology and the rhetoric of new social movements; they are fragmented and small-scaled; and mainly use an anti-government discourse. They are organized on case bases and are rather political campaigning organizations, loosely related with each other. Mostly, the notions of the right to the city, housing for all and democratic-ecological urbanization discussions have influenced their paradigm.

interviewees reiterated this belief, and one of them added that their fault was being *loyal to the state* since their title deeds were not distributed contrary to what happened in Yakacık.[628] In Yakacık, the Kurdish residents who were politically active among the Kurdish political movement's ranks also proudly said that they had their title deeds because the state was *scared*. In these narratives, being a Kurd, therefore, was associated with struggle and being opposed to official-mainstream politics, and defined normatively positive by the Kurdish residents and negative by the non-Kurdish ones. Although the difference concerning the distribution of the title deeds stemmed basically from a technicality, it was interpreted under the light of the existing ethnopolitical tensions.

Similar discourses operated in Ayazma and Bezirganbahçe as well. The manager of the Bezirganbahçe MHA houses[629] said that he previously worked in the Çinçin neighborhood in Ankara, a neighborhood known for its dense Roma population, and added that he therefore knew very well how to manage *difficult* and *dangerous* populations.[630] He was referring to the Kurdish population that came from Ayazma without openly stating their Kurdishness. My interviewees from Ayazma also constructed their narrative of the demolished *gecekondu* neighborhood as a space where they could experience their Kurdishness and perform their daily politics more easily. Fatma described this difference as follows:

> "Ayazma, it was much better than here. We were much closer with our neighbors. We were talking in Kurdish and they were teaching us the basic Turkish words in order to facilitate shopping and doing daily errands. Here, however, the friendly environment completely changed. Whenever we speak Kurdish in the elevator, for instance, the other ones stare at us. We feel disturbed and we stop speaking. […] It is impossible to organize demonstrations as we were doing in Ayazma."[631]

The story of having ROJ TV[632] in Bezirganbahçe MHA Houses was also narrated through these lines of urban ethnopolitical tensions. Initially, the broadcasting of ROJ TV on the satellite system was blocked by the unilateral decision of Boğaziçi Yönetim, the manager's office. The inhabitants of Bezirganbahçe, who originally came from the Ayazma neighborhood, asked several times for the broadcasting of ROJ TV and gathered petitions

[628] Interview, Kartal Istanbul, April 5, 2012.
[629] There is an administration office run by a manager called Boğaziçi Yönetim. Boğaziçi Yönetim is a private company active in the field of "site administration" and most of its shares (96 per cent) are owned by KİPTAŞ, which is recently a subsidiary of the Istanbul Metropolitan Municipality. Initially, it was established in 1987 for the purposes of implementing projects with foreign capital partnerships on zoning plans and building architectural projects. It became dormant after the local elections of 1989, following which it was supposed to be liquidated. After the local elections of 1994, however, it was restructured and renamed as Istanbul Konut Imar Plan Sanayi ve Ticaret A.Ş. With this restructuring it also became a subsidiary of the Istanbul Metropolitan Municipality. For further information, see. Kiptaş, accessed July 7, 2016, http://www.kiptas.com.tr/en/kiptas/about-kiptas
[630] Interview, Küçükçekmece Istanbul, March 12, 2012.
[631] Interview, Küçükçekmece Istanbul, April 20, 2012.
[632] Roj TV, which is broadcasted from abroad, is the television channel established and managed by the Kurdish political movement. It is closed and other television channels with different names exist as of today.

about it. They did not receive a positive response, though. Finally, they organized a crowded meeting with the participation of hundreds of inhabitants in the garden of Bezirganbahçe MHA Houses for the broadcasting of ROJ TV on satellite. After this meeting ROJ TV was unblocked by the manager's office. This meeting was narrated by the manager himself as a meeting where *some residents* had implicitly threatened him[633] and by the Kurdish residents as a democratic meeting of struggle for basic rights.

These unspoken tensions and their un-acknowledgment are a part of the existing urban movements as well. Local neighborhood initiatives and institutions, urban initiatives and platforms as well as occupational organizations do not refer to any of the differences among *gecekondu* residents but rather they refer to a monolithic definition of *being a part of Istanbul's urban space*. Although this definition is inclusionary in the sense that it elaborates the right to the city in a way that includes the residents of *gecekondu* neighborhoods, the same definition, in the meantime, fails to acknowledge discursively several lines of difference including gender, ethnicity or other political belongings. This is not solely a discursive issue as well; the politics of these institutions is drawn by a uniform definition of the Istanbul urbanite. This discursive urbanite seems to be Turkish, male and a member of the low-middle class. The un-acknowledgment of other subjectivities, both discursively and practically, limits the politics of these institutions to a more bureaucratic, legalistic and technical approach. It is certain that acknowledgment of these differences cannot be achieved through a given formula; it should rather be defined within the framework of a constant political debate and search for novel radical politics. Moreover, I do not refer here to a neo-liberal celebration of difference and compartmentalization, but rather emphasize the need for a novel definition of urbaneness which may strengthen the democratic and pluralistic content of anti-UTP struggle as well as enlarge the capacity for enhancing its inner members and alliances.

Although unacknowledged by several actors, ethnopolitical tensions and contentious interpretations of different political belongings shaped the lives of *gecekondu* dwellers, both in their former *gecekondu* neighborhoods and in their new settlement areas. My interviewees narrated several stories of everyday racism and discrimination exercised by not only central and local representatives of the state but also their neighbors. According to these narratives, it seems that the official hostility against the politically mobilized Kurdish IDPs was also adopted by a majority of the non-Kurdish inhabitants. Stories of clash during the electoral campaign of the pro-Kurdish political party, tensions due to the use of the Kurdish language in

[633] Again, the word *Kurd* or *Kurdish* was not uttered by the manager.

the public sphere and verbal and physical confrontations because of the use of signs increasing political visibility of the Kurdish political movement were the most common reasons for tension. Istanbul's urban space was marked by these tensions and especially the political surplus generated by the Kurdish IDPs through different forms of manifestation, political mobilization, and campaigns essentially annoyed the non-Kurdish inhabitants. One of the interviewees in the Hürriyet neighborhood described a typical instance of this annoyance in the following way:

> "Ok, you are oppressed and everything. You suffered a lot because some people in the state treated you badly. But you are always asking for more. As if your support for the terrorist organization is not enough, you are constantly organizing meetings, gatherings, etc. This day is the day terrorist Öcalan was put in prison, so they protest. That day we want to speak in Kurdish, as if they don't speak Kurdish by the way, so they protest. Another day, it is their made-up day, Nevruz. Their love for protest never ends. If you are protesting everything about Turkey, why do you even live here? They could never be satisfied, these Kurds, in my opinion. Never."[634]

It is clear that the urban encounter between the Kurdish IDPs and existing residents did not automatically foster acknowledgment and produce notions of plurality but rather reinforced the existing political lines of hostility and produced novel forms of banal racism and discrimination based on a superficial knowledge of the politicized Kurdish community.

Cenk Saraçoğlu defined this novel hostility as "exclusive recognition", based on his field research conducted among the middle and lower middle classes in Izmir. Accordingly, with the beginning of the 2000s, forced migration, and erosion of the socio-economic resources of the middle classes, which was deepened by the inequalities of the neo-liberal regime, created a new form of hostility against Kurdish migrants as a result of their encounter with the established urban strata. This encounter meant "a historically specific ethnicization process" based on exclusion and it did not solely mimic existing hostilities of Turkish nationalism(s) or assimilationist policies of the state. Saraçoğlu emphasizes, therefore, the autonomy of the exclusive recognition paradigm from the official approaches.[635] I, on the other hand, emphasize the interconnectedness of these novel forms of everyday racism and discrimination with official politics and mainstream Turkish nationalisms. I argue that through forced migration of the 1990s, the encounter of the Kurdish IDPs with non-Kurdish residents in the metropolitan space created the notion of *undesirable victims* for defining Kurdish IDPs from the perspective of non-Kurdish inhabitants. This suggests that through this encounter non-Kurdish residents gained a superficial knowledge of the victimization of the Kurds but in

[634] Interview, Kartal Istanbul, April 20, 2012.
[635] Cenk Saraçoğlu, *Şehir, Orta Sınıf ve Kürtler. İnkârdan Tanıyarak Dışlamaya* (Istanbul: İletişim, 2011).

tandem with official discourses they interpreted this victimhood in a paradigm of political superiority and hostility. Borrowing largely from official assimilationist and exclusionist discourses of different state institutions,[636] the representation of the Kurdish IDPs as *undesirable victims* was widespread among non-Kurdish residents. I, therefore, stress the relationality between official politics/nationalisms and societal responses and hostilities. The term *undesirable victim* refers to a representation of the Kurdish IDPs as aggressive, offensive and uncivilized victims. Although the victimhood of Kurdish IDPs was recognized, this time, because of their political activities creating an urban surplus, they were declared undesirable by their neighbors. Compulsory encounter resulting from forced migration seems to reveal important but unacknowledged similarities between governmental and official bodies, oppositional movements and ordinary citizens when ethnopolitical anxieties are in question. The urban space of Istanbul was also marked by these existing but unacknowledged or hidden similarities.

8.3. "Until my last breath, after the end of this world": Saturday Mothers/Persons

Suphiye Durgut, wife of Süleyman Durgut,[637] who was forcibly disappeared by the Cizre JITEM team on July 14, 1994, attends each demonstration of Cizre Saturday Mothers – *Dayîkên Şemîyê* in Kurdish. Each Saturday, mostly wives but also mothers -who are still alive- of the disappeared, gather in front of the Cizre Police Station with the photographs of their relatives who were forcibly disappeared. Several wives of the disappeared said that the place was deliberately chosen; they wanted to sit in front of the police station so that the police officers, who killed their loved ones, would be obliged to see them. Suphiye Durgut, who attended each and every sitting of Saturday Mothers in Cizre, added that "[…] when you kill someone you are destroying a sculpture made by God".[638]

Süleyman Durgut, husband of Suphiye Durgut, was taken under custody several times by the Cizre JITEM team before his disappearance. Reportedly, the Cizre JITEM team tortured him extensively: he was beaten up naked, then put in cold water; parts of his body were cut with blades; members of the Cizre JİTEM team put out their cigarettes on his body; gave him electricity through wires set up on his body and forced him to drink his own urine. During these sessions of extensive torture he was crying and asking for help in the name of God and

[636] For a thorough analysis of the official pendulum of the Turkish state including the simultaneity of assimilationist/inclusionary and discriminatory/exclusionist approaches, see. Mesut Yeğen, *Müstakbel Türk'ten Sözde Vatandaşa. Cumhuriyet ve Kürtler* (Istanbul: İletişim, 2006); Mesut Yeğen, *Son Kürt İsyanı* (Istanbul: İletişim, 2011).
[637] Zorla Kaybedilenler Veri Tabanı, "Süleyman Durgut'un Zorla Kaybedilmesi," accessed July 5, 2016, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/245
[638] Interview, Cizre Şırnak, September 21, 2013.

Prophet Mohammed since he was a firm believer of Islam as an *imam*. Cemal Temizöz responded saying there is neither God nor Prophet Mohammed there and continued the session of torture.[639] Suphiye Durgut wished that her husband would be killed once instead of being subjected to these sessions of torture and expressed her feelings during one sitting of Saturday Mothers as well, when it was her turn to speak.

Every Saturday one or two relatives of the disappeared take turns to speak during the sitting and the other participants remain silent with the photographs of the disappeared ones that they carrying in their hands. During the demonstration, when they talk about the story of their loved ones, they not only talk about the perpetrators, the innocence of the disappeared and the horror of the act, but also their own dreams, sleepless nights, sorrows, loss, suffering and their search for a moment of messianic justice. The participants are almost totally women in Cizre. Women, mostly wives of the disappeared, in their traditional black burka, sit silently in front of the police station and one by one tell the stories of the disappearance while police officers record them on video. Personal narratives intertwine with metapolitical narratives; demands for justice are interwoven with traditional concepts of Islam; and the political and the personal are performed in a peculiar manner during these sittings. Relatives of the disappeared call these sittings as "holding up the photograph".[640] Even if the relatives may be unable to go to the demonstration themselves, they send the photograph of the disappeared by other people so that it is shown during the demonstration. The existence and display of the photograph each Saturday is very important for them; in a way, it is an act of *loyalty*. In the Saturday sittings, not only narratives about Süleyman Durgut, who was an *imam*, but other narratives of the disappeared are voiced through a discursive mixture of religious reminders, demands for justice, curses and oaths, utterance of the names of the perpetrators and names of the victims, their own dreams and wishes, views on the politics of Turkey and the quotidian life in Cizre. Cries and political demands are thus intertwined in Cizre each and every Saturday.

Saturday Mothers/Persons is one of the most important and longest civil initiatives inherently related with memory politics in Turkey. It was first organized on May 27, 1995, in Galatasaray Square in the Beyoğlu district, Istanbul. Galatasaray Square is one of the most crowded points of Istanbul and it was chosen deliberately by human rights activists. The search for one of the

[639] Interview, Cizre Şırnak, September 21, 2013. This terminology of "No God, no Mohammed" was a common theme in the torture sessions according to the interviewees. The same theme, through different variations such as "No God and Mohammed is on vacation", was also reiterated by the torture victims of the coup d'état of 1980 and by other victims abducted or taken under custody by different teams of counter-insurgency in Turkey.
[640] *Fotograf rakirin* in Kurdish.

forcibly disappeared in Istanbul, Hasan Ocak,[641] ended with the finding of his tortured body in a common grave. In the meantime, while Hasan Ocak's relatives and human rights activists, mainly from the Human Rights Association, were looking for Hasan Ocak, they found in the registers of the Forensic Medicine Institute, by mere coincidence, some documents referring to another forcibly disappeared, Rıdvan Karakoç.[642] Finally, the disappearance of Ayşenur Şimşek,[643] a pharmacist, activist and one of the founders of the newly established union in the health area, Sağlık-Sen (Sağlık ve Sosyal Hizmet Çalışanları Sendikası - Union of Health and Social Service), whose dead body was found on January 24, 1995 after her being taken under custody by the police forces, deeply influenced families and human rights defenders. Inspired by Mothers of the Plaza del Mayo in Argentina and with the leadership of Hasan Ocak's family, human rights defenders and families of the disappeared gathered and they began the sittings of Saturday Mothers/Persons on May 27, 1995 in one of the most crowded spots of Istanbul, Galatasaray Square in Beyoğlu's Istiklal Street. They gathered every Saturday at 12p.m. and sat silently with the photographs of the disappeared in their hands demanding to learn what happened to the disappeared and to have those responsible tried. The silent action was repeated each Saturday, at the same hour, at the same place, occasionally with red cloves in their hands, without any slogan, solely photographs, stories of the disappeared and one press declaration at the end emphasizing their demand for truth and justice with regard to the years when the strategy of enforced disappearance was systematically applied. Despite constant pressure, including the participants' being taken under custody, tortured under custody, and beaten as well as violent interventions in the sittings, the silent action continued 200 weeks. During this period, although severely criminalized and threatened by different state

[641] Hasan Ocak was forcibly disappeared on March 21, 1995. He was actively involved in one of the radical leftist organizations and was a widely known local political figure in the Gazi neighborhood, a neighborhood known for its Alevi population and the intense activities of several radical leftist organizations. His dead body was found on March 26, 1995 in a forest in Beykoz; even though an investigation had been conducted at this place, the dead body had not been identified and buried in a common grave. His family was able to identify him in the records of the Forensic Medicine Institute and found his dead body, severely tortured, two days later. For more information about Hasan Ocak's case: Zorla Kaybedilenler Veri Tabanı, "Hasan Ocak'ın Zorla Kaybedilmesi," accessed July 6, 2016, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/150

[642] Rıdvan Karakoç was a Kurdish activist and his family last heard from him on February 20, 1995. Three months after Hasan Ocak's family found the photograph of Rıdvan Karakoç in the registers of the Forensic Medicine Institute, the prosecution office informed Rıdvan Karakoç's family. He was also buried in a common grave and the family took out the body of their child and reburied him in the Gazi neighborhood on June 3, 1995. For more information about Rıdvan Karakoç's case: Zorla Kaybedilenler Veri Tabanı, "Rıdvan Karakoç'un Zorla Kaybedilmesi," accessed July 7, 2016, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/66

[643] Ayşenur Şimşek, taken under custody by the police on January 24, 1995, was severely tortured previously because of her unionist activities. Her family held a press conference when their inquiries to the police forces, prosecutor's office and ministry of interior remained unanswered. Nevertheless, they did not have an answer. After a waiting period of three weeks, they learned on April 12, 1995 that one of the unidentified bodies found dead on the road -to Kırıkkale- was buried in a common grave. They opened this grave and identified the dead body of Ayşenur Şimşek with traces of severe torture. There were bullets in her head and chest. For more information about Ayşenur Şimşek's case: Zorla Kaybedilenler Veri Tabanı, "Ayşenur Şimşek'in Zorla Kaybedilmesi," accessed July 7, 2016, http://www.zorlakaybetmeler.org/event.php?id=HAH/event/111.

institutions, Saturday Mothers/Persons[644] became one of the most important civil initiatives of Turkey; people from different political stances, positively or negatively, talked about the phenomenon of disappearance.[645] One of the most acclaimed and popular singer and songwriters of Turkey, Sezen Aksu, made a song for them named *The Ballad of Saturday*, and a recording of it was disseminated as a supplement to the popular magazine, *Aktüel*.[646]

Saturday Mothers/Persons was, therefore, in a way, the local response given by Turkey's Kurdish issue as a manifestation of the struggle over memory in the context of the Kurdish war of the 1990s. The 1990s, more broadly the post-Cold War period, were marked by this endeavor of dealing with past atrocities and mass crimes along with the struggle for democratization and pluralization of different collective memories. Conflicts of memory in Spain and France over the civil war and colonial experience consecutively, end of apartheid in South Africa, fall of the dictatorial regimes in South America all marked this global trend of struggle over the establishment of a new and more pluralist memory tendency.[647] Argentina is one of the most significant examples in the sense that it is the symbol country in the struggle concerning the disappeared and it also produced the iconic political figures of *Mothers of Plaza del Mayo*. Diana Taylor, while she scrutinized the performances of the Mothers/*Madres* and Grandmothers/*Abuelas* of Plaza del Mayo in Argentina, pointed out the huge impact of the protests of the Mothers of the Plaza del Mayo as they invented a new form of protest. The peculiar combination manifested in these performances including statements of intimate and personal experiences with utterances of political and ideological stances had a strong public impact in the context of Argentina. According to Taylor, "By turning their 'interrupted mourning process' into 'one of the most visible political discourses of resistance to terror' The Abuelas and Madres introduced a model of trauma-driven performance protest".[648] Following the model of the Argentinian case, Saturday Mothers/Persons in Turkey created their peculiar form of trauma-driven performance protest through weaving a specific elaboration of the

[644] According to the first participants of the sittings, the demonstration was named right from the beginning as *Saturday Persons;* however, the sittings came to be widely known as *Saturday Mothers* in Turkish and *Dayiken Şemiye* in Kurdish, referring again to mothers. Several feminists participated in the organization of the first sittings and insisted on the name *Saturday People*. After the recommencement of the sittings, the name *Saturday People* was used more insistently during the action.

[645] For a comprehensive account of the commencement of Saturday Mothers/People and the political context of the period, see. Ayşe Günaysu, « C'était très drôle, une poignée de femmes, des centaines de policiers » : un entretien avec Ayşe Günaysu par Selin Altunkaynak, Hypotheses, accessed January 15, 2016, http://hypotheses.org/59391.

[646] Wikipedi, "Cumartesi Türküsü," accessed February 7, 2016, https://tr.wikipedia.org/wiki/Cumartesi_Türküsü

[647] Henry Rousso, Ibid., 272. Rousso rightly emphasizes the crucial influence of the memory of Shoah as the trendsetter experience in the sense that it determined the modalities, debates and forms of the mechanisms of dealing with the past in the sphere of memory-making. See Ibid., 275-287.

[648] Diana Taylor, *The Archive and the Repertoire. Cultural Memory and Performance in the Americas* (Durham, NC: Duke University Press, 2003), 171.

personal with the *political*, which revealed crucial insights into the phenomenon of disappearance along with the state of exception. In addition, the new form of performance protest created by Saturday Mothers/Persons produced a new form of memory-making as well. By displaying some symbolic gestures and performances including carrying the photographs of the disappeared, being silent without chanting any slogan, always leaving the front place in the sitting to the families of the disappeared, telling the story of one forcibly disappeared each week, using personal details of the disappeared along with the political depiction of the time of the disappearance and reiterating the names of the perpetrators and the responsible political authorities, these silent sittings also served to produce the memory of the disappeared and mark one of the most important spaces of Istanbul with the haunting figure of the disappeared. The iconic aspect of the sittings due to the presence of the photographs of the disappeared as well as the Kurdish mothers sitting in the front with their black or white headscarves; and the performative aspect of the sittings stemming from the endless reiteration of the stories of the disappeared along with the names of the perpetrators all helped to strengthen the powerful impact of the action.

Despite this powerful effect, however, the sittings were suspended on March 13, 1999 by the families of the disappeared due to severe repression and constant pressures. Maside Ocak, sister of Hasan Ocak, noted that the families did not finish but suspended their action stating "For us, Galatasaray Square is everywhere; we will continue the search for our disappeared."[649] After the drafting of the indictment of the Ergenekon case- where several perpetrators of the enforced disappearances were defendants as analyzed in depth in the chapter *Production of subjects in the legal space: law, notions of legality and impossible justice*-, Saturday Mothers/Persons sittings recommenced on January 31, 2009. This time, the main demand was the extension of the Ergenekon case so as to also include the crime of forcibly disappearing. The recommencement was, therefore, initiated by a concrete demand for accountability and justice. Moreover, the actions were taking place this time in Kurdish cities such as Diyarbakır, Batman, Yüksekova and Cizre.

[649] Maside Ocak "Her kayıp yakını sevdiğinin son sözünü bilmek ister," (Interview with Maside Ocak by Pelin Tan) Türkiye'den Şiddet Hikayeleri, accessed February 15, 2016, http://www.siddethikayeleri.com/portfolio/her-kayip-yakini-sevdiginin-son-sozunu-bilmek-ister/#.V5IaDlccA0Q.

8.3.1. Mothers of Cizre and *noeuds de mémoire*

Meltem Ahıska defined this crucial memory-making process as the creation of a *counter space*, in the sense that it appropriated the space with a counter-movement.[650] Based on Cynthia Milton's notion of *memory knots*, which "make the engagement with the past and the memorialization of traumas intensely difficult", Ahıska argued that memory knots in Turkey had two crucial aspects: the spatiality of the knots in the sense that they are embedded in specific geographical areas and the problematization of the lack of language by memory knots.[651] I will also use the concept of memory knots, *noeuds de mémoire*, for a deeper understanding of Saturday Mothers but I will borrow the term from another scholar and will therefore use it in a slightly different context. I will use this concept in the sense that Michael Rothberg proposes. Accordingly, memory is "[…] 'knotted' in all places and acts of memory are rhizomatic networks of temporality and cultural reference that exceed attempts at territorialization (whether at the local or national level) and identitarian reduction. Performances of memory may well have territorializing or identity-forming effects, but those effects will always be contingent and open to re- signification."[652] I argue that the silent action of Saturday Mothers exceeds all sorts of identitarian reductions through a specific elaboration of the personal and the political during their performances. Moreover, their action altered the politico-spatial configuration by their constant and redundant acts. I will discuss these issues through an analysis of Cizre Saturday Mothers.

Cizre Saturday Mothers[653] are essentially different from original Saturday Mothers/Persons of Istanbul in many ways. Cizre Saturday Mothers are predominantly comprised of women, either wives or mothers or other women, relatives of the disappeared. Around 20-30 women, all wearing black burka in the traditional way of Cizre, gather each Saturday in front of the police station. There is no formal turn-taking for telling the story of the disappeared; each week every relative of the disappeared may talk about their loved one and their story if they want to. There is still an informal arrangement; approximately five relatives narrate their stories each week. The one who narrates the story of the disappeared stands up and the other ones sit on the ground with the photographs in their hands. Occasionally, some women carry more than one photograph. If the relative of a disappeared is not present, then the others try to carry their photographs as well; in other words, women carry not only the photos of their own

[650] Meltem Ahıska, "Counter-Movement, Space and Politics: How the Saturday Mothers of Turkey Make Enforced Disappearances Visible," in *Space and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, ed. Estela Schindel and Pamela Colombo (New York: Palgrave Macmillan, 2014), 162-175.
[651] Meltem Ahıska, Ibid., 165-166.
[652] Michael Rothberg, Ibid., 7.
[653] In Cizre, both the participants and other persons call them solely as Saturday Mothers and not Saturday Persons.

disappeared but also those of others. During their narration, plainclothes police officers, mostly two men watch the action and videotape them. After the sitting, these police officers ask someone chosen from the crowd to translate what has been said into Turkish. There is no determined hour for the sitting of Saturday Mothers as in Istanbul Saturday Mothers/Persons; given the fact that the weather may be extremely hot in Cizre, they alter the gathering hour in line with this climatic condition. During the summer Saturday Mothers gather around 9 a.m., whereas during the fall the gatherings take place at 12 p.m. At the end of the sitting, a man from Meya-Der reads the press release, which is far shorter and plain compared to the press releases read in Istanbul. Then women leave and mostly go to the building of the pro-Kurdish political party -painted in yellow, red and green, the colors of the PKK, with several bullet marks on its walls- and have tea as they hold a discussion among themselves.

Cizre Saturday Mothers, firstly, disclose the gendered aspect of memory-making and mourning processes in a striking manner. All women who narrate their stories very often swearing to God that they will continue to look for their disappeared until their last breath, after the end of this world establish a very strong iconography. Against the discriminatory distribution of mourning in the public sphere,[654] these women claim to be the carriers of memory and mourning in the public sphere. They do not conform to the norms of the Turkish public sphere, though; their dress code reflects a religious belonging and their use of the Kurdish language as the sole language of narration reflects their ethnopolitical position. They refuse to use the discursive strategies of the human rights movement or the metapolitical language of the conventional politicians of the Kurdish political movement. The power of their utterances stems from this uncategorized existence. They narrate the stories of their loved ones, name the perpetrators and ask for justice, tell their experiences of hard work after the disappearance and ask the whereabouts of their loved ones with a peculiar mixture of political, personal and religious discourses.

This narrative also borrows from the power of the family in the sense that they narrate the specific catastrophe of the disappearance through a language of the *truncated family*.[655] The family of the disappeared, who has been shattered by the disappearance, is also located in an undefinable space through this act. Radically different from widowhood, these women narrate the peculiar horror of disappearance through the liminality imposed on the family. Women without having a proper grave, children exceeding the category of orphan and the absence of a

[654] Judith Butler, *Frames of War. When is Life Grievable?* (London and New York: Verso, 2009).
[655] For a very similar use of the concept of family in the Argentinian context by the relatives of the disappeared, see. Gabriel Gatti, "Imposing Identity against Social Catastrophes. The Strategies of (Re)Generation of Meaning of the Abuelas de Plaza de Mayo (Argentina)," *Bulletin of Latin American Research* 31, no. 3 (2012): 360-363.

grave as a constant wound in the familial memory constitute the narrative of the truncated family. The narrative of the truncated family, including mainly the narration of the suffering and struggle of women, children and other members of the family, became narratable with this peculiarity of the disappearance; otherwise, these kinds of experiences would be kept as secrets of the familial life.[656] In other words, the catastrophe of the disappearance allows women to talk in a legitimate way about their personal experiences along with the political demands, mostly in a religious discourse, by accentuating their familial membership.

The peculiar catastrophe of the disappearance, mainly the liminality, is constantly reiterated by Saturday Mothers during the sittings. This notion of liminality, in other words, the undefinable character of both the disappeared and the wife of the disappeared is mainly narrated through the reiteration of the absence of the grave. The absence of a grave is one of the most significant themes in the action. Women constantly emphasize the horrible despair created by the absence of a grave through some commonly reiterated themes: not being able to visit the grave during religious feasts, impossibility of putting flowers on the grave and praying with children, and the eternal uncertainty about the fate of the disappeared in the absence of the grave. These themes are constantly reiterated. The performance of Saturday Mothers is essentially based on repetition. The same demands are always repeated, the same stories are always narrated and the names of the same perpetrators are reiterated. The power of the narratives, which are performative mixtures of the personal and the political, stems from such reiteration. The theme of the absence of a grave is indeed one of the determinant themes in the reiteration. This demand is one of the main components of the memory-making process: a grave is expected to provide the possibility of producing a dignified memory of the disappeared. Moreover, the absence of graves shapes the lives of Saturday Mothers. They follow closely each and every mass grave and other sorts of excavations happening in the Kurdish region with the hope of finding the bodies of their loved ones. This is a paradoxical hope, though. On the one hand, they continue to hope that the disappeared is alive but on the other hand, they know that he is already murdered. Thus, the possibility of finding a grave is, in a way, a hopeful event since it would end the painful uncertainty about the disappeared. "To ontologically suspend a human being in a vacuum is to keep him or her on eternal standby. It is the state of constant oscillation for a pendulum that features hope on one side, and is activated by the flick of the hegemonic structure."[657] The demand for a proper grave,

[656] For a thorough analysis of nationalism and the secrets of the familial life in the context of Turkish nationalism, see. Nükhet Sirman, "Kadınların Milliyeti," in *Milliyetçilik: Modern Türkiye'de Siyasal Düşünce Vol: 4*, ed. Murat Gültekingil and Tanıl Bora (Istanbul: İletişim, 2002), 226-244.
[657] Özgür Sevgi Göral, Ayhan Işık and Özlem Kaya, Ibid., 75.

therefore, is the constitutive demand both in the memory-making process and the content of the political demands. It is an urgent call for the *re-humanization* of the disappeared through the recognition of his dignity and his family's right to properly mourn.

Saturday Mothers of Cizre are not solely mourning women who organize silent action each Saturday to raise their voice. They also represent a center of moral and political authority both in the Kurdish society and in the Kurdish political movement. The Kurdish political movement has established a specific moral and political hierarchy among its members based on different organizational networks. Most valuable families are the families of the *martyred guerillas*; they are defined as *value families*.[658] Then comes the families whose members were influential local leaders and were killed/executed in the political struggle of the Kurdish movement. The families of the disappeared seem to rank third. According to my observations, it is even doubtful whether they are also named as *value families* or not; the head of Yakay-Der was constantly calling them *value families;* however, one of the activists in Mardin stated that even in the Qandil mountain, where the main body of guerillas and leadership of the PKK reside, rulers of the PKK are still discussing whether families of the disappeared are *value families* or not. In any case, they represent an important center of gravity in the existing inner circles of power in the Kurdish political movement. This moral power has important political outcomes. If they veto, for instance, one of the parliamentarian candidates from their own electoral region, it is very unlikely that this person could be named as the parliamentarian candidate. However, not every family of the disappeared has the same status in the existing schemes of the moral hierarchy. The ones who have closer relationship with the Kurdish political movement with more guerilla participation, more people mobilized in the legal political party or more material and immaterial resources provided to the movement have more influence in the Kurdish movement's circles. Socio-economic strength, being part of a respected family or tribe and a larger network both within the inner Kurdish society and the state institutions also contribute to acquiring a high-level status. These women, therefore, especially the ones with more socio-political resources, represent a peculiar kind of ethico-political authority. The ones with lesser ethicopolitical authority, on the other hand, experience a more melancholy and powerless process. Different family memories concerning different forcibly disappeared are also marked by this different status in the inner circles of the Kurdish political movement and the broader social setting.

[658] *Değer ailesi* in Turkish.

Several Saturday Mothers were also politically and socially mobilized after the disappearance. Some of them were more mobilized in the ranks of the Kurdish movement's legal political party; some of them began to struggle in different Kurdish nongovernmental organizations and some of them became local political leaders and mobilized their own families, tribes or neighborhoods. In any case, these women were in several ways much more politically mobilized after the disappearance. During the Kurdish war, women from both sides were mobilized through different ways under the influence of Turkish and Kurdish nationalism(s), based on martyrdom, motherhood, and other types of familial, personal and political labels.[659] The paradoxical power of the Kurdish women mobilized in the Kurdish political movement -in the sense that they are powerful as long as they accept and internalize the dominant values and paradigms of the movement- is one of the common features of women's mobilization in nationalist movements. However, the moral authority of Saturday Mothers had something beyond this limitation; their authority transgressed existing conventional limitations imposed by the national or leftist political movements. They had, for instance, the right to criticize the movement's concrete political tendencies or the ruling elite without being suspected of leaving or harming the movement.

For instance, as the carriers of mourning and as the preservers of the moral values of the movement, Saturday Mothers of Cizre were closely following who participated in the ongoing hearings of the Cemal Temizöz trial from BDP, the pro-Kurdish political party at the time. They were criticizing the recruitment policies of their municipality stating the municipality was ignoring the children of the *value families*. Being a part of a *value family* opened up a space to criticize the Kurdish political movement and these women, who were active political agents, used this space both in the inner circles of the movement and in the broader networks of the Kurdish community. In a way, they transformed the status attributed to them as stable carriers of mourning and intervened in daily politics with the authority and transformation of their status. Their political performances, therefore, were not limited to Saturday's silent action. As active political agents in the course of quotidian politics through their different

[659] For a thorough analysis of women's mobilization during the Kurdish war from both sides, see. Meltem Ahıska, "Kayıp Annelerinin Şiddete Tanıklığı,"*Amargi*, no.2 (2006): 22-24; Özlem Aslan, "Politics of Motherhood and the Experience of the Mothers of Peace in Turkey" (MA thesis, Boğaziçi University, 2007); Handan Çağlayan, *Analar, Yoldaşlar, Tanrıçalar. Kürt Hareketinde Kadınlar ve Kadın Kimliğinin Oluşumu* (Istanbul: İletişim, 2007); Handan Çağlayan, *Kürt Kadınlarının Penceresinden. Resmi Kimlik Politikaları, Milliyetçilik, Barış Mücadelesi* (Istanbul: İletişim, 2009); Serpil Sancar, "Savaşta Çocuklarını Kaybetmiş Türk ve Kürt Anneleri Üzerine Bir Yorum," *Toplum ve Bilim,* no. 90 (2001): 22-40; Burcu Şentürk, *İki Tarafta Evlat Acısı* (Istanbul: İletişim, 2012); Zeynep Gülru Göker, "The Mourning Mother: Rhetorical Figure or Political Actor?," in *The Making of Neo-liberal Turkey*, ed. Cenk Özbay et al. (Dorchester: Ashgate, 2015), 131-148.

political performances and interventions, their mobilization exceeded identitarian reduction,[660] as argued by Michael Rothberg in his definition of knots of memory.

However, this transgressive effect and power should not be overemphasized. First, not all Saturday Mothers use such authority; the ones who are distanced to the Kurdish political movement, the poorer ones, the lonelier ones with less social, communitarian and tribal resources and networks are further marginalized in a powerless situation. Poverty is not a limit *per se* but it aggravates the possibility of mobilization and limits material and immaterial resources. Second, there are important limits to this transgression. Saturday Mothers, as other women in the political movement, could only be active political agents with the acceptance and internalization of the constitutive paradigms of the Kurdish political movement. In other words, only after accepting the main political demands of the Kurdish movement and fully participating in it, may women negotiate the limits of their power. Finally, self-censorship is also one of the limiting factors. The ethico-political debt owed both to the guerillas and the "martyrs" of the movement creates an important limitation to possible transgressions and invokes Saturday Mothers to adopt their primary role.

In a way, their primary role is also comprised of several transgressions. During the sittings, by their reiterated narratives, they produce a peculiar form of memory in which a unique mixture of the political and the personal emerges. Ayşe Karagöz was a typical example of such uniqueness. On the one hand she names all the perpetrators one by one and on the other hand she relates how she regularly dreams about Ali Karagöz, her husband. She swears to God saying that her bones will continue to call the perpetrators to account and to pay for what they did, even after her death. She swears to God that she will never forget her husband, even after her death. She narrates the story of Ali Karagöz; his being taken under custody, his political beliefs, his relationship with his children, and his honesty, uniqueness and perfection.[661] She does all this with exactly the same words in each narration; the power of her narrative, in a way, stems from this reiteration. Her narrative creates a peculiar pendulum oscillating between the mundane details of quotidian life and the demands of the Kurdish political movement. The power of her narrative stems from the fact that she interprets something so personal using simultaneously the vocabulary of politics, intimacy, emotions, law and religion. She knots a memory of mourning, witnessing and belonging. At the end of the interview, she talked about her dreams, how she was regularly dreaming about her husband. Listening to her make oaths

[660] Michael Rothberg, Ibid., 7.
[661] This was a common feature of the Saturday Mothers' narrative. They described the disappeared as someone special, honest, unique and perfect. In a way, it was a discursive strategy to commemorate the loss of their loved one, which represents a unique catastrophe and loss that is irretrievable and cannot be compensated.

before God, one would believe that her bones would in fact continue to struggle after her death. One would believe in the possibility of afterlife hearing her powerful words of longing and belief:

> "He comes to me in my dreams. Sometimes I see him, he is just sitting there. I see the green nettle trees cover him, he sits below them, and they are like a huge umbrella above him. I see him in my sleep. 'Ayşe,' he calls out to me, I look up, and I see my deceased son next to him, too. He asks me, 'Ayşe, do your eyes still see?' and 'Yes,' I reply. 'Do you see the white rock over there?' he asks me. 'Yes, I do,' I reply. 'Go there, you will find my clothes,' he says. There is a hill, a very high hill. Can I ever forget? Never. No one ever forgets her husband. Excuse the expression, apart from untrue people, no one ever forgets their husband. If there is something on your mind, you never forget it."[662]

[662] Interview, Cizre Şırnak, September 2, 2012.

9. Conclusion

After the collapse of the latest peace process between Abdullah Öcalan and the state a process that had transpired publicly this time between 2013 and 2015 -, a wave of curfews marked Cizre as well as other cities and districts of Kurdistan.[663] This wave of curfews, which commenced on September 4, 2015, has altered Cizre tremendously. According to the data of TIHV, the first curfew was declared on September 4, 2015, and continued until 7 p.m. on September 12; lasting therefore 8 days in total. During the first curfew 22 persons lost their lives. During the second curfew, which commenced at 7 p.m. on November 13 and continued until 7 a.m. on September 14, there was not any loss of life. During the third curfew, however, which commenced at 9 p.m. on November 14 and lasted until 2:30 p.m. on November 15, one person lost his life. Again, in November 2015, for the fourth time, a curfew was declared on November 24 and lasted solely 14 hours until 6 a.m. on November 25. There was not any loss of life during the fourth curfew.[664] The curfew that was declared at 11 p.m. on December 14, 2015 lasted much longer compared to the previous ones. The Ministry of Interior declared that the operations ended on February 11, 2016, on the 61st day of the curfew; however, the Ministry also declared that the curfew would continue. Commencing from March 2, the curfew was solely valid during the night, between 7:30 p.m. and 5 a.m.

During this last curfew, which continued more than two months, hundreds of persons lost their lives yet an exact number is unavailable. According to the data of TIHV, 321 deaths of non-combatant civilians occurred during the curfews.[665] This number, however, is not accurate since an important component of the human loss, that is, individuals who lost their lives in the basements -entitled as the *basement of terror* by the Kurdish movement- have not exactly been documented. These basements refer to places where several persons gathered during the curfews, including civilians and armed militia forces.[666] Unfortunately, each and every person sheltered in these basements was burned and killed by military forces without using any other means of evacuation. The dead bodies of the individuals who lost their lives

[663] According to the reports of the Council of Europe's Human Rights Commissioner, based on the information provided by the Turkish Ministry of Interior, 69 curfews were declared in 32 districts. See. Commissioner for Human Rights, Council of Europe, "Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey," December 2, 2016, accessed February 10, 2017, https://rm.coe.int/16806db68f.

[664] Human Rights Foundation of Turkey, "6 January revisited: Curfews and Violations of the Right to Life of the Civilians after December 11, 2015," accessed April 5, 2017, http://tihv.org.tr/11-25-aralik-2015-sokaga-cikma-yasaklari-ve-sivillere-yonelik-yasam-hakki-ihlalleri/.

[665] Hakikat Adalet Hafıza Merkezi, "Curfews and Civilian Deaths in Turkey," accessed March 2, 2017, http://hakikatadalethafiza.org/en/curfews-and-civillian-deaths-in-turkey/.

[666] By armed militia forces I refer to the members of YPS (Civil Defense Troops - Yekîneyên Parastina Sîvîl), which were established by YDG-H (Patriot Revolutionary Youth Movement – Yurtsever Devrimci Gençlik Hareketi) so as to gather under one organizational umbrella all the Self-Defense Troops operating in the urban areas. Although it has declared itself technically "independent", it is one of the armed organizations established in the ideological, political and organizational space of the PKK. I use the term armed militia forces to avoid any confusion with PKK's guerilla forces.

in these basements have not been properly identified. Thus, an exact number revealing the human loss in the curfews is unavailable; some of the dead bodies were delivered to their families and some of them were buried in haste without the approval of their family members. Another organization, the International Crisis Group also has worked to track the human loss in the recent conflictual situation after the cessation of the peace process based on "[…] reports from Turkish language media, local Kurdish rights groups, and the Turkish military."[667] According to the data gathered by the International Crisis Group, the number of total deaths in Cizre is at least 281 including deaths under four categories; civilians, state security force members, youth of unknown affiliation and PKK militants.[668] Moreover, according to the data of TIHV, the bodies of 59 persons were buried without a proper process of identification. Unidentified and anonymous dead bodies have thus become once again the material and symbolic signs of Cizre.

Several neighborhoods of Cizre, mainly the Cudi, Yafes and Nur neighborhoods, were almost totally destroyed. Turkish security forces, mainly JÖH (Gendarmerie Special Operation – Jandarma Özel Harekat) and PÖH (Police Special Operation – Polis Özel Harekat), deployed heavy weapons including artillery, mortars, and heavy machine guns as well as tanks. During the curfews, people of Cizre were essentially confined to their homes, with disrupted access to water, food, medicine, social and communications services. Moreover, security forces marked Cizre spatially not only through destruction but also through the slogans they sprayed in the streets. These street writings included slogans that represented a peculiar combination of nationalism, misogyny, homophobia and machismo par excellence. "Blessed is the one who says I'm a Turk", "Obey the Turk", "Time for Revenge", "We are here! Where are the men in dresses and skirts?", "Love is found in the basements, honey"[669] were common slogans written in the streets.[670] Moreover, the images of the tortured and killed bodies of some civilians and militia members were spread through anonymous social media accounts using the nicknames of JÖH and/or PÖH. This new wave of visualization of state violence through street writings and visual materials was, in a way, reiterated in the destructed houses. Nurcan Baysal, among other observers and human rights activists who were in Cizre right after the lift

[667] International Crisis Group, "Turkey's PKK Conflict: The Rising Toll," accessed February 17, 2017, http://www.crisisgroup.be/interactives/turkey/.
[668] As of December 16, 2016, the number of people who have been killed in clashes between security forces and the PKK since July 20, 2015 in Turkey is at least 2,481 according to the data gathered by the International Crisis Group. This includes 383 civilians, 858 state security force members, 219 youth of unknown affiliation, and 1,021 PKK militants. See. International Crisis Group, "Turkey's PKK Conflict: The Rising Toll," accessed February 17, 2017, http://www.crisisgroup.be/interactives/turkey/.
[669] The word "basements" refers here to the "*basements of terror*".
[670] Vecdi Erbay, "79 Gün Sonra Cizre," *Bianet*, March 3, 2016, accessed February 12, 2017, http://bianet.org/bianet/insan-haklari/172647-79-gun-sonra-cizre.

of the curfew, reported seeing several used preservatives placed on women's underclothes in the houses destroyed by JÖH/PÖH forces and slogans of sexual harassment written on the walls of these houses. Also, she added that children told her some stories about women taken and dragged "to the construction sites nearby" by JÖH/PÖH members; however, she also added that she could not verify these claims.[671]

Several nongovernmental organizations, human rights organizations and civil initiatives visited the places of curfews throughout Kurdistan, including Cizre, and drafted important reports containing data, accounts of eyewitnesses, testimonies and observations.[672] Still, the numbers remain tentative; the perpetrators are not exactly known; the victims have not been identified and various grey areas remain blurred. Cizre's dead are, still, anonymous. How not only the dead but also the living were treated during the curfews also reveals crucial insights. Violence during the curfews was not solely limited to physical destruction; it was more a conglomerate of different forms of violence targeting identities, life spaces, houses and neighborhoods, and dignity of the Kurdish society. The vocabulary used by the then Minister of Interior, Efkan Ala, stating they *sorted out* 99.5 per cent of Cizre, was in tandem with these multifaceted forms of state violence.[673]

The expression of *sorting out* Cizre created the discursive and symbolic space, which legitimized extreme forms of state violence during the curfews. This legitimization also resonates with the street writings of JÖH and PÖH as well as the militarist, colonial, macho and offensive vocabulary employed by the mainstream media at the time. This legitimization made invisible the gross human rights violations committed during the curfews. However, the conceptual paradigm of "human rights and violations" is inadequate for a deeper understanding of the massive destruction inflicted during the curfews. There was an *excess of violence and cruelty*, both qualitatively and quantitatively, which exceeds the conceptual paradigm of human rights and violations, as was the case with the implementation of enforced disappearance during the 1990s. This excess, I claim, is solely understandable with a more thorough discussion of the colonial effect, sovereignty, state's destructive and governmental capacity, memory and history. The current massive wave of violence that has occurred in Cizre is inherently related with the past, and specifically with the 1990s. Political contentions,

[671] Nurcan Baysal, "Şimdi Sesimizi Yükseltmezsek Ne Zaman Yükselteceğiz?," (Interview with Nurcan Baysal by Esra Aşan and Uğur Demirci), *BGST Gündemi*, July 14, 2016, accessed February 21, 2017, http://www.bgst.org/toplumsal-cinsiyet-gundem/nurcan-baysal-ile-soylesi

[672] For these reports, see. Hakikat Adalet Hafıza Merkezi, "Sokağa Çıkma Yasakları Üzerine Raporlar," accessed February 21, 2017, http://hakikatadalethafiza.org/kaynak_tipi/sokaga-cikma-yasaklari-uzerine-raporlar/.

[673] Sabah, "Efkan Ala: Cizre'de yüzde 99,5'i halledilmiş durumda," February 2, 2016, accessed February 21, 2017, http://www.sabah.com.tr/gundem/2016/02/06/efkan-ala-cizrede-yuzde-995i-halledilmis-durumda

the Kurdish movement's political mobilization, and the crisis of sovereignty may be understood only in connection with the peculiar historico-political momentum of the 1990s. Put differently, Cizre's *now* stems from Cizre's *past;* and the convergence of the past and present evokes deadly signs concerning the political, social and symbolic residuum of the Kurdish conflict.

9.1. Defining the colonial effect: sovereign and governmental state

After the massive destruction of Cizre along with other cities and districts such as İdil, Şırnak centre, Diyarbakır-Sur, Mardin-Nusaybin, Hakkari and Yüksekova, the government declared that the reconstruction of these places would be handled seriously and thoroughly. The government decided to implement urgent expropriations for the reconstruction of the police checkpoints in some of the neighborhoods. Urgent expropriations, which have been one of the main instruments of the AKP government for the last ten years during the implementation of the urban transformation projects, were now to be implemented in the destroyed Kurdish cities. Cizre's chosen neighborhood for urgent expropriation was the Nur neighborhood, which was densely populated by the voters of HDP (Halkların Demokratik Partisi – People's Democratic Party) and well known locally for its "patriotic" population.[674] Moreover, several official actors emphasized that the reconstruction of these places would be, in a way, a response to "PKK terrorism" and the state would rebuild these places according to fashion. The most striking of these declarations, in which the attitude of the government is crystallized in an opaque manner, was the statement of the then Prime Minister Ahmet Davutoğlu arguing "Sur will be the new Toledo", the center city of the Castilian autonomous region famous for its historical-architectural texture and cultural heritage.[675]

The current situation in Cizre along with other destructed cities of Kurdistan firstly reveals the inherent relationships between the sovereign state and governmental state, which I discussed above in the chapter *Modus operandi of the violent strategies: the state, sovereignty, and the pact of public secrets*. In these Kurdish cities, destruction always went hand in hand with construction; some of the bodies, buildings, places and signs had been destructed while some others had been constructed, supported and flourished. Forms of state violence, therefore, were not blind and arbitrary extermination mechanisms but rather structured methods targeting specific materialities and subjectivities. The mechanisms producing violence and those producing consent are the two main pillars of the sovereign and governmental states in

[674] Milliyet, "Bakanlar Kurulu'ndan "acele kamulaştırma" kararı," May 17, 2016, accessed February 19, 2017, http://www.milliyet.com.tr/bakanlar-kurulu-ndan-acele/siyaset/detay/2246665/default.htm.
[675] A Haber, "'Sur, Toledo gibi olacak' peki Toledo neresi?," accessed February 22, 2017, http://www.ahaber.com.tr/galeri/dunya/sur-toledo-gibi-olacak-peki-toledo-neresi.

the context of Turkey and these two forms of the state operate together more often than may appear at first glance. Kurdistan, as a space where unconventional methods of violence have been used historically with intensification during the last thirty years including the context of the current uprising, is deeply marked by these traces of sovereignty and governmentality.

During the current curfews, as was the case during the 1990s, the declaration of state of emergency facilitated the massive wave of state violence. It is not coincidental that enforced disappearance and forced migration as well as executions and migration resulting from the current curfews occurred in the political, legal and symbolic space of the state of exception. Declaration of a state of emergency in Turkey has historically meant the establishment of a state of exception, which creates "lawlessness within a system of law".[676] The suspension of the juridical order within the framework of such juridical order itself creates a conceptual and political zero-point "where the law, the norms, and the political order can be constituted" through the acts and authority of the sovereign power.[677] The persistence of the Turkish state in declaring state of emergency, both in its sovereign and governmental forms, reveals the critical role of the state of exception in managing Kurdistan. State of exception provides several *advantages* concomitantly. It facilitates impunity for the perpetrators, cuts more easily the link between Kurdistan and the bodies and institutions that may interfere, guarantees the coverage of the mainstream media to be in line with the official perspective and provides an international protection for these politics by emphasizing the immediacy and graveness of the "terrorist attacks".

Excess of violence implemented during the 1990s and the current curfews should be interpreted according to two essential factors. First, instead of being arbitrary forms of state violence these are structured forms of state violence implemented simultaneously with other forms of governmental state. Put differently, destruction and annihilation for some bodies and subjectivities meant reproduction and construction for some other bodies and subjectivities. While neighborhoods and people allegedly supporting the PKK were destroyed and executed, new neighborhoods, police stations, checkpoints and novel *loyal citizens* were supported or generated. Thus state violence was and always is, in a way, a productive method from the official perspective. Second, the excess of violence, both physically and symbolically, was solely possible given the peculiar situation of Kurdistan, namely the existence of *the colonial effect* prevailing over the space. The normalization of the extraordinary forms of state violence, "[…] the ordinariness of seemingly extraordinary violence and the exceptional in

[676] Giorgio Agamben, *State of Exception* (Chicago: The University of Chicago Press, 2005), 61.
[677] Thomas Blom Hansen and Finn Stepputat, Ibid., 301.

everyday practices of force and coercion",[678] can only be understandable with the conceptual tool that I define as *the colonial effect*.

When I refer to the notion of *the colonial effect,* I mean the material and symbolic basis emphasizing the characteristics attributed to Kurdistan and Kurdish society historically, which has made the excess of violence and cruelty possible. The *colonial effect* shaped the implementation of state violence during the 1990s and currently continues to shape it. For a better understanding of the *colonial effect* notion, first, the Kurdish issue and its significant characteristics need to be situated in a historical context. There are some historical aspects of the Kurdish population that led to the appearance and construction of the *Kurdish issue* in Turkey. According to Mesut Yeğen, these are the ancientness of the Kurdish population in Anatolia; the density of the population in a specific geographical space traditionally called as Kurdistan; the politically loose relationship of Kurdistan with the center alongside the granting of some privileges of autonomous governance throughout several centuries; the ideological, political and also financial weakness of the Turkish state's capacity of assimilation; the political performances of the Kurds; a common history of several centuries and the common ground of Islam, hence a more solid background for the demands of equal citizenship; participation in the political life and social policies of integration; and the international political conjuncture.[679] The peculiar amalgam of these aspects constructed the Kurdish issue as one of the most important ethnopolitical issues of Turkey, which essentially stems from the refusal of an important portion of the Kurdish society to be melted into the political, social and symbolic space of Turkishness. Different moments of uprising commencing in the late 19th century that continued and intensified during the early Kemalist period that I tried to explore in the chapter *Historical background and the specific political conjuncture of the 1990s* are a historical representation of this refusal. These uprisings were, in other words, not the teleological consequences of the characteristics of the Kurdish nation but rather the concrete forms of the refusal to be melted into Turkishness. The Turkish state rejected to acknowledge the ethnopolitical nature of the Kurdish issue and responded to these uprisings with strong waves of state violence that I depicted, again, in the chapter *Historical background and the specific political conjuncture of the 1990s*. The state's official discourse tried throughout the 20th century to disguise the existing ethnopolitical tensions stemming from the Kurdish issue under different rubrics as developmental problems, effects of external

[678] Fernando Coronil and Julie Sksurski, Ibid., 3.
[679] Mesut Yeğen, *Müstakbel Türk'ten Sözde Vatandaşa. Cumhuriyet ve Kürtler* (Istanbul: İletişim, 2009), 12-17.

enemies, influence of communism or incitements of globalism[680]. Put differently, the Turkish state created a conceptual pendulum moving between feudality and terrorism with a view to defining and classifying the Kurdish population. This pendulum included elements of assimilation, exclusion, exclusionist recognition, discrimination and co-optation. Strikingly absent from this pendulum was a deepened discussion on equal citizenship rights, autonomy and self-governance, which would have facilitated the debate on the political demands of the Kurdish society. Although these political demands were not fabricated by different Kurdish movements and had their own historical roots in Turkey's political thought, mainstream Turkish nationalism succeeded in rendering them invisible.

Against this background, the emergence of the PKK and their Fanonian insistence on the use of violence for the emancipation of the Kurdish people complicated the picture even more. Hamit Bozarslan claims that different Kurdish nationalisms/movements negotiated about their future within the existing national borders despite some short-term separatist claims.[681] It is true that even the PKK, the most radical and Fanonian among other Kurdish movements, discussed the future of the Kurds within the democratization and transformation of Turkey, especially after 1999. The state, however, responded with total denial and used extensive violence vis-à-vis these demands. I argue, therefore, that the *excess of violence* and *cruelty* implemented by the state in the context of the Kurdish conflict cannot be adequately explained by solely concentrating on the demands of the Kurdish movements. The persistence in the state of emergency regime for managing Kurdistan; the easiness of exterminating Kurds allegedly supporting the PKK by labeling them as terrorists; the offenses to the dignity and identity of the whole Kurdish society; the structured cooperation of different official and public institutions such as legal bodies, media, academia and nongovernmental institutions to render invisible different forms of state violence cumulatively created a strong pattern during the 1990s. The excess therefore was not solely limited to physical violence and destruction but it rather represented a selective conglomeration of different colonial methods. This excess, I claim, can only be understood with the notion of *the colonial effect*.

There are three essential results deriving from the notion of *the colonial effect*. First, the colonial effect is crucial for understanding the continuity and persistence in different forms of state violence in Kurdistan. In other words, apprehending today's wave of violence, which reflects more blatancy and exhibition compared to the dialectics of secrecy and blatancy of

[680] Mesut Yeğen, "Türk Milliyetçiliği ve Kürt Sorunu," in *Modern Türkiye'de Siyasi Düşünce. Milliyetçilik Vol. 4*, ed. Murat Gültekingil and Tanıl Bora (Istanbul: İletişim, 2002), 885-889.
[681] Hamit Bozarslan, "Kürd Milliyetçiliği ve Kürd Hareketi 1898-2000," in *Modern Türkiye'de Siyasi Düşünce. Milliyetçilik Vol. 4*, ed. Murat Gültekingil and Tanıl Bora (Istanbul: İletişim, 2002), 843.

the 1990s, is only possible with a novel interpretation of *the colonial effect*. Physical destruction along with constant attacks on the dignity of the Kurdish society in Cizre and other cities of Kurdistan, which are also well known for their massive support to the Kurdish political movement, should be read as signs of *the colonial effect*. Also, the current wave of state violence in Cizre -and in other cities of the Kurdish region- has been considered legitimate by the majority of the Turkish society because of the political and cultural influences of *the colonial effect*. Cizre, with its extremely high rate of vote for the Kurdish political movement, high participation in the PKK's ranks and constant mobilization around the demands of the Kurdish political movement through street manifestations, in a way, "deserved" this wave of state violence from the perspective of the ordinary Turkish citizen.[682] Political and conceptual tools of *the colonial effect* influence not only the existing government(s) but also different factions, groups and institutions within the Turkish state. The spatialization of state violence including a massive destruction of the material culture, architecture and urbanization; transformation of the habitat, ecology and environment; dispossession of large population groups due to de-territorialization[683] have become acceptable through this lens. This may explain why one CHP parliamentarian, Uğur Bayraktutan, while criticizing state violence used against the protesters struggling against the mine search that may harm the ecologic environment in the northern city of Artvin, Cerattepe, said: "[…] (The police and gendarmerie forces) do everything to intervene. This is neither Cizre nor Şırnak. This is a republican city, Artvin."[684] This speech is a striking example of the inclusiveness of *the colonial effect*. When Cizre or Şırnak is in question, different actors of the state apparatus who normally compete with each other easily share the same political position. Finally, the political consciousness of the Kurdish citizens previously targeted by various forms state violence and having a prior knowledge and experience of the Turkish state contribute to the complexity of *the colonial effect*. People who have experienced torture, loss, exclusion, non-recognition, discrimination, apathy, despise, and hostility inflicted by different actors of the state apparatus develop feelings of despair, resentment, anger and nonchalance. These experiences and feelings produce a specific knowledge and raise a peculiar consciousness of the state on the part of the Kurdish society. This consciousness, I argue, is in

[682] Cizre is perceived as the *castle* of the Kurdish movement. Extremely high rate of vote for the Kurdish political movement shows the basis of such perception: HDP gained 93.2% of the votes on the general elections of November 1, 2015 and 91.9% on the general elections of June 7, 2015. See. Seçim Haberler, "Cizre Seçim Sonuçları," accessed February 23, 2017, http://secim.haberler.com/2015/cizre-secim-sonuclari/; http://secim.haberler.com/cizre-secim-sonuclari/.
[683] Estela Schindel and Pamela Colombo, Ibid., 5.
[684] Milliyet, "Akbal'dan CHP'ye Irkçılık Sitemi," February 29, 2016, accessed February 22, 2017, http://www.milliyet.com.tr/akbal-dan-chp-ye-irkcilik-sitemi-diyarbakir-yerelhaber-1237162/.

accordance with the concept of *the colonial effect*. This was mostly expressed by my interviewees with statements emphasizing that the state is not *theirs*:

> "[…] The state. Well, this is not our state. I don't expect anything good from this state. Justice, compensation, whatever; it will never happen. This state is not ours. Otherwise they wouldn't have done all of this. When even a lamb disappears the shepherd will look for it days, weeks and months. He will at least try to find a trace of it. Look at our situation, our loved ones disappeared and no one is even looking for them. They killed them in the streets, they tortured their dead bodies, and they mutilated their organs, if not disappeared. Even a real enemy wouldn't do it. Who would do it? Not the state of your own, that's for sure."[685]

This knowledge of the state stemming from experience also produces an understanding concerning Turkishness and Kurdishness. The asymmetrical relationships between Turkishness and Kurdishness as well as the structural inequalities between the two are constitutive components of *the colonial effect*. For instance, relatives of the disappeared who went to western cities for precarious work to survive after the disappearance named this process as *going among the Turks*, *going among those who killed us*. This perception reveals a peculiar understanding of Turkishness and Kurdishness. The current urbicide[686] and visible continuity of the violence, which has destroyed whole buildings, neighborhoods and cities is very likely to only strengthen this understanding.

9.2. Orchestrating justice: immediacy of *now* and specters of *past*

One of the witnesses of an ongoing case in which perpetrators of the Vartinis massacre are being tried[687] stated during the March 1, 2016 hearing that he would not answer any of the questions concerning special security operations, adding, "[…] If we began to provide all the detailed information and names of the security personnel involved, then anyone could blame our security forces on everything. Moreover, no one in Cizre, Silopi today may continue operations easily and adequately."[688] This statement is a striking example of the convergence of the past and the present concerning the accountability of the perpetrators. The continuity with the past, therefore, includes the continuity of impunity as well. As was the case with the perpetrators of the 1990s, current perpetrators of the ongoing wave of violence are protected

[685] Interview, Cizre Şırnak, October 10, 2013.
[686] For a thorough discussion on the term urbicide, see. Stephen Graham, "Lessons in Urbicide," *New Left Review*, no 19 (2003): 63-78; Adam Ramadan, "Destroying Nahr el-Bared: Sovereignty and Urbicide in the Space of Exception," *Political Geography* 28, no 3 (2009): 153–163; Nurhan Abujidi and Han Verschure, "Military Occupation as Urbicide by 'Construction and Destruction': The Case of Nablus, Palestine," *The Arab World Geographer* 9, no. 2 (2006): 126-154.
[687] The Vartinis (Altınova) Massacre Case: nine individuals, all members of the same family, were killed in the Vartinis (Altınova) hamlet of Korkut County in the Muş province on October 3, 1993, when their house was set on fire following allegations of having "aided and abetted the illegal terrorist organization". For detailed information, see. Faili Belli, The Vartinis (Altınova) Massacre Case, accessed February 23, 2017, http://failibelli.org/en/dava/the-vartinis-altinova-massacre-case/
[688] Oral information obtained through personal communication with the lawyer who attended the hearing on behalf of the Hafıza Merkezi, Serap Işık on March 7, 2016.

and rendered immune from any criminal investigation legally and administratively by the legal framework and court decisions of the state of emergency.

As I discussed above, in the chapter *Production of subjects in legal space: law, notions of legality and impossible justice*, there was a moment of juridical possibility which opened up a space for novel expectations about the trial of the perpetrators of state crimes. Several new criminal investigations commenced and important indictments scrutinized the involvement of security forces in the crimes against humanity that occurred during the 1990s. I will not go into further details of these investigations and cases since I aimed to study them thoroughly in the above mentioned chapter; however, I would like to comment more on their results since I claim that such results reveal important insights into the building of *the colonial effect* in the juridical field.

Karl Jaspers discusses the question of guilt and collective responsibility in the context of the Holocaust, along with other fundamental questions of liability, personal involvement and collective participation in *The Question of German Guilt*. After making a careful differentiation between different types of involvements through the categories of criminal guilt, political guilt, moral guilt, and metaphysical guilt, he elaborates on different consequences of these different types of crimes. Moreover, he emphasizes the novelty and importance of the Nuremberg trials that may be deemed as the prototype of a mechanism for truth and justice. He discusses the Nuremberg trials as an entity, which may become "[…] a link in a chain of meaningful, constructive political acts".[689] He insists on the importance of the Nuremberg trials' success; otherwise, he claims, "[…] disappointment by untruthfulness will create an even worse world atmosphere breeding new wars; instead of a blessing, Nuremberg would become a factor of doom, and in the world's eventual judgment the trial would have been a sham and mock trial. This must not happen."[690] The Nuremberg trials, as the foundation of specific criminal trials for perpetrators of war crimes and crimes against humanity, set an example to similar special trials in future, despite all criticisms. In different contexts, such as ex-Yugoslavian countries, Rwanda, and Argentina, either peculiar forms of tribunal were established like the International Criminal Tribunal for the former Yugoslavia (ICTY) or local specialized courts were established at the national level to end the impunity of the perpetrators and hold them accountable.[691] These examples were not immune from

[689] Karl Jaspers, Ibid., 53.
[690] Karl Jaspers, Ibid., 53.
[691] For a thorough discussion about the functioning of these forms of tribunal and the erosion of classical notions of sovereignty, see. Ronald C. Jennings, "Cosmopolitan Subjects: Critical Reflections on Dualism, International Criminal Law

criticism as in the case of the Nuremberg trials. In most of the cases, the lack of a trial of the key perpetrators, low level of punishments, negligence or underestimation of the demands of the victims, and restrictive characteristics of the criminal investigations in disseminating different versions of truth were criticized.

In the context of Turkey's Kurdish conflict, the picture seems to be more complicated. With regard to the official perpetrators of the 1990s, it should be emphasized that the question is not solely low punishments or other criticisms that I cited above at the global context. The problem is rather different: it stems from the efforts of the state apparatus to exempt the perpetrators from being perpetrators with the decision of acquittals. In other words, although these perpetrators were incarcerated for several years -in most cases almost for 5 years- and such incarceration represented, in a way, a rupture in the state apparatus' mainstream attitudes, final acquittal decisions took them outside the realm of the crime and condemnation as perpetrators. They had been officially and publicly declared innocent, as a result of which the juridical apparatus was formally able to clear all sorts of suspicions that may have appeared around their names. This feature is different from the amnesties and different amnesty strategies that have been used around the world for pardoning the perpetrators of state crimes. Here in Turkey, what has happened does not correspond to a pardon or amnesty; these perpetrators have been officially and definitively taken out of the space of the crime despite initial indictments clearly emphasizing their involvement in criminal acts.

This peculiar condition in Turkey, namely taking the perpetrators outside the realm of being perpetrators through acquittals, is also a remarkable sign of *the colonial effect*. This incidence is categorically different from regular pardons and amnesties observed in different contexts during both the conflicts and the conflict resolution processes. Pardon or amnesty laws are documents of forgiveness, sometimes unconditional and sometimes conditional as in the case of smart amnesties. In other words, they also, in a way, acknowledge the guiltiness of the perpetrators. The acquittals that have been granted in Turkey during the last three years, on the other hand, refuse categorically to acknowledge the guilt of the perpetrators and declare them legally innocent. This pattern is very much in line with the lack of acknowledgement and recognition concerning the Kurdish issue. Accordingly, the situation of the perpetrators of state crime is very much related with the refusal of adequate recognition of the Kurdish issue. The fact that these perpetrators were tried due to their positions on issues other than the

---

and Sovereignty. Lessons for the African Union from the Yugoslavia Tribunal," *African Journal of Legal Studies*, no. 7 (2014): 321–350.

Kurdish issue is also a sign of un-acknowledgment and non-recognition. As for the contemporary trials, the contentious issue was their relations with the Gülen movement and not the Kurdish issue *per se*. They were incarcerated for several years, but then, when the alliance between the Gülen movement and AKP government was over, one by one they were released and consecutively acquitted. This phenomenon of ultra-instrumentalization and abrupt alteration of the cases strengthen *the colonial effect* in the juridical field.

According to unwritten rules of *the colonial effect*, official perpetrators of the Kurdish conflict cannot be tried by naming their criminal acts against the Kurdish society. In other words, their acts constituting crimes against humanity cannot be defined as such since this would mean the recognition of the ongoing war. The perpetrators *can* be tried but un-acknowledgment and non-recognition of the Kurdish issue should remain intact during the trials. Therefore, their criminal acts can only be tried as *individual* and *separate* criminal acts. This has indeed been the case. Their trial should not, however, allow for a reassessment of the official counter-insurgency strategies and their deadly nature. Although at the beginning of the trials this rule seemed to have shattered to some extent, especially by the efforts of the attorneys of the complainants, throughout the trials the criminal acts were not analyzed by the panel of judges from the perspective of a reassessment of the official counter-insurgency strategies. Thus, this rule of *the colonial effect* was not violated, either. And finally, the cruelty of the panel of judges and prosecutors vis-à-vis the complainants, who are the families of the forcibly disappeared and/or executed, also may be situated within the notion of *the colonial effect*. Apathy, lack of formal rules of respect and humiliation in relations with the complainants were not contingent attitudes but concrete manifestations of *the colonial effect*. Legal professionals reprehended the complainants, constantly interrupted their testimonies, slept, and showed their boredom and apathy while the complainants were testifying. One of the complainants depicted the situation in the courts as follows:

> "In the courts, I mean, it is the Turkish state's courts. We are trying to tell what happened as much as possible but you know the courts are not ours. I don't believe that they really and attentively listen to us in these hearings. I am a complainant and I am arguing against him [Cemal Temizöz] and Kamo [Kamil Atak]. However, they and the courts are friends; they are on the same side. They don't want to hear these stories from our side. So I don't know anything about the decisions. The state, the courts and Kamo [Kamil Atak] are good friends."[692]

The friendship of the courts and the perpetrators is a very powerful statement to depict the current situation, revealing a rather peculiar knowledge of the state. The existence of such

[692] Interview, Cizre Şırnak, September 3, 2012.

friendship was also approved by dint of acquittals as claimed by the majority of the relatives of the disappeared. The perpetrators, who were initially the heroes of the 1990s, began to be tried in a specific political conjuncture. But then again, when the political conjuncture was altered, all the perpetrators were acquitted one after another. In the meantime, the conflict recommenced and intensified. With the recommencement of the conflict it was obvious that the ongoing criminal cases, in which the perpetrators of the state crimes committed during the 1990s were tried, would set *undesirable* examples. Their acquittal was meant to serve as an official and symbolic sign for current and future perpetrators. Kurdish complainants are now, once again, experiencing the total closing of *legal Kurdistan* and its absolute swallowing up by *real Kurdistan*. The rules constituting *the colonial effect* have become even stronger in the context of the current violent situation. No one can be tried and sentenced while other security forces are destroying cities, and shooting in the streets within the scope of anti-terror operations. The urgency and immediacy of *now* have once again invoked the specters of the *past* in the context of the Kurdish conflict. This has definitively saved the perpetrators of the 1990s, cleared and exempted them from the realm of the crime with the decision of acquittals. There are several layers of state violence - from the past of Cizre crimes unaccounted for and massacres without any reckoning - which exist in the actual temporality. The refusal of recognition and impunity of the crimes against humanity committed during the 1990s are essential components of the *colonial effect* that have established today's "[…] peaceful and comfortable *now*". [693] It seems that this will last a while.

9.3. Restless, haunted and decisive: memory as experience

As of December 2016, Saturday Mothers have stopped gathering in Cizre for several reasons. The urbicide of Cizre destroyed several neighborhoods where most Saturday Mothers participants were living. Some have left Cizre and migrated to other cities, while others are now preoccupied with rebuilding their houses and going on with everyday life. But more importantly, the immediacy of the current situation has brought about this result since the dead of the *now*, those of the curfews, are intertwined with the dead of the *past*, those of the 1990s. Carrying solely the photographs of the ones disappeared and killed during the 1990s seemed to be undoable for the relatives of the disappeared. They continued to gather for a couple of weeks after the lift of the curfew and carried also the photographs of the current

[693] Umut Tümay Arslan, "Saklı: Kolektif Suç, Bireysel Sorumluluk", *Agos*, September 15, 2014, accessed February 24, 2017, http://www.agos.com.tr/tr/yazi/7986/sakli-kolektif-suc-bireysel-sorumluluk

dead. However, after a few weeks they terminated the gatherings.[694] The current situation in Cizre must also have had a crucial influence on this decision. The city is struggling to mitigate the daily impact of the curfews. Moreover, there is a deep resentment and disappointment especially among *patriotic* residents of Cizre. According to members of Meya-Der, people of Cizre feel that, during the tremendous wave of violence generated by the curfews, they have been abandoned not only by the broader Turkish population of the western cities of Turkey but also the Kurdish population of Kurdistan. Today in Cizre, the memory of the 1990s is essentially linked with the memory of the recent curfews; that is, *past* and *now* exist concomitantly. Concrete experiences of violence have tremendously affected the representations and memories of violence as well.

According to Frantz Fanon, memory and language concerning the past, present, identity and death are inherently related with experience. In other words, memory is not something, which is solely remembered, but is rather experienced continuously, viscerally.[695] John E. Drabinski, while interpreting the concept of memory in Fanon's writings, also emphasizes the crucial place of memory as a notion inherently related with time, politics and subjectivity. He underlines the importance of the memory of the oppressed in Fanon's thought, and adds

> "Memory sustains revolutionary consciousness in its *becoming conscious of itself as already revolutionary*. […] Memory, politic, identity and the new – Fanon crafts an important story across these terms, creating a sense of relationality for the sake of another world, politics, humanity, and ultimately, *time*. The oppressed must share a time, which in the end, means that they must simultaneously remember everything and forget too much."[696]

Thus, memory as concrete experience refers to a peculiar understanding of time -including past, present and future- where revolutionary politics and subjectivity are generated simultaneously. The oppressed must *remember everything* and *forget too much*.

The articulation of memory as *experience* that is loaded with rage, grievance, restlessness, contention, and political engagement makes also sense for Cizre. Memory is produced in Cizre on a daily basis with different traces and signs, both material and immaterial, of the sovereign and governmental state, through simultaneous erasure and exhibition. Destruction and construction always go hand in hand. My interviewees in Cizre constantly emphasized such coexistence; the violence was both destructive and productive according to their narratives. Moreover, memories of the 1990s were not only memories of victimhood but also of political mobilization, activity and struggle. These notions coexisted with varying degrees

[694] Oral information obtained through personal communication with members of Cizre Meya-Der on December 10, 2016.
[695] Achille Mbembe, "De la scène coloniale chez Frantz Fanon," *Rue Descartes*, no. 58 (2007): 37.
[696] John E. Drabinski, "Fanon's Two Memories," *The South Atlantic Quarterly* 112, no.1 (2013): 16. (5-22.)

of emphasis in these multiple accounts. That is why enforced disappearance and forced migration should not solely be evaluated in the context of the victimization of Kurdish citizens, albeit this dimension is crucial, but should rather be evaluated in the broader context of sovereignty and governmentality. That is why enforced disappearance and forced migration and other violent strategies have been implemented within a broader context of institutional cooperation. Different JITEM structures and various official security institutions were implementing such violent strategies; and other official, semi-official and public institutions were ensuring the feasibility of such strategies. Silenced and overlooked with apathy at its best and covered and ardently adopted at its worst, these official strategies were implemented with the cooperation in vast majority of mainstream media, academic and scientific bodies as well as nongovernmental organizations . This full-fledged cooperation was also acknowledged and constantly emphasized by the relatives of the disappeared. Narrating the story of the forcibly disappeared, therefore, meant in a way performing the ethical and political duty of going against the grain on their behalf. Moreover, one should always in keep in mind that these narratives and memories of enforced disappearance and forced migration are organically intertwined with the current memories of violence, loss, displacement and death. Not only memories of Kurdistan but also memories of urbanity, ethnopolitical relations and perceptions of identity in Istanbul are certainly re-elaborated, restructured and redefined based on the political affiliations, experiences and belongings in relation to the violence of the present. Experience, as argued by Fanon, and also recurrence, continue to prevail in the memory-making process among the Kurdish society. Memories of the 1990s, therefore, do not represent the 1990s as a distant and terminated historical period but they rather contextualize this period as tightly knitted with the deadly experiences of the present. Narrating the 1990s was rather an act of loyalty, ethically and politically for the majority of my interviewees. They regularly emphasized, however, the insufficiency of the language. Almost all the interviewees recognized during the interviews the impossibility of narrating adequately the violent practices of the 1990s. This emphasis is not unexpected or coincidental since scholars focusing on violence already stressed the destruction capacity of these deadly experiences concerning the individuals and also concerning the capacity of the language and witnessing.[697]

[697] Marc Nichanian, "Catastrophic Mourning," in *Loss. The Politics of Mourning*, ed. David L. Eng ve David Kazanjian (Berkeley, Los Angeles and London: University of California Press, 2003), 99-125; Giorgio Agamben, *Remnants of Auschwitz. The Witness and the Archive* (New York: Zone Books, 2002).

This issue of impossibility may be examined from another perspective as well. Shoshana Felman, in her article on the milestone movie of Claude Lanzmann, *Shoah,* introduces a different notion of impossibility. She declares our era as an *age of testimony*, which experiences *a historical crisis of witnessing*.[698] Felman focuses on different layers in different forms of witnessing through a rigorous discussion of the testimonies of victims, perpetrators and bystanders in the movie *Shoah*. Then, she points out a whole different crisis/impossibility of witnessing, which alters the loci of analysis completely. Instead of focusing on the ontological impossibility of the victim's or the survivor's witnessing, Felman focuses on the diversity in the testimonial stances of the victims, bystanders and perpetrators and more specifically on what all these testimonial different stances have in common. Accordingly, all these different testimonial stances "[…] have in common paradoxically, the incommensurability of their different and particular positions of not seeing, the radical divergence of their topographical, emotional and epistemological positions not simply as witnesses but as witnesses who *do not witness*, who let the Holocaust occur as an event essentially un-witnessed."[699] This makes the Holocaust *an event without a witness,* which historically meant the literal erasure of its witnesses. This situation cognitively and perceptually precludes "[…] the possibility of *a community of seeing*; an event which radically annihilates the recourse (the appeal) to visual corroboration (to the commensurability between two different seeings) and thus dissolves the possibility of any *community of witnessing*."[700]

Felman's discussion is crucial since it transforms the approach that emphasizes the impossibility of witnessing and narrating the truth from the perspective of the victim/survivor into an approach that deals with the possibility of being a society or community of witnessing. In other words, Felman conceives the issue of witnessing/narrating/knowing as conducted at the societal level instead of solely relying on the accounts of victims and survivors. By doing this, Felman expands the theoretical and conceptual scope of the memory and witnessing discussion. In other words, with the approach of Felman, the responsibility of witnessing -including the capacity of language, different forms of narratives, acknowledgment or recognition and seeing and eye witnessing- is expanded so as to include the societal level. The catastrophic experience is scrutinized in terms of the possible existence of a *community of witnessing*. I claim that Felman's perspective opens up a very

[698] Shoshana Felman, "In an Era of Testimony: Claude Lanzmann's Shoah," *Yale French Studies,* no. 79 (1991): 41.
[699] Shoshana Felman, Ibid., 45.
[700] Shoshana Felman, Ibid., 45.

important and productive space for the context of Turkey, especially when evaluated together with the notion of *the colonial effect*.

The memories of the 1990s uttered in the interviews of the relatives of the disappeared and IDPs reflect a concise knowledge not only about the state apparatus but also the societal attitudes and patterns. Most of the time, the interviewees underlined their non-Kurdish interlocutors' apathy at best and hostility at worst after the violence. There were, unfortunately, very few stories of recognition, support and solidarity among inter-ethnic communities. Some examples of the support and solidarity occurring in the course of everyday life were undermined by existing ethnopolitical tensions. My interviewees depicted "Turkish society" mostly as a community that essentially shares the values and perspective of the mainstream official attitude vis-à-vis the Kurdish issue. Moreover, as I stated before, some of the relatives of the disappeared depicted going to work to the western cities as "going among the ones who killed us".[701] The Kurdish interviewees, thus, emphasized the collaboration of the Turkish society while they, the Kurds, were being exposed to various forms of state violence. The crisis of seeing or the crisis concerning the existence of a community of witnessing may be considered from this perspective.

The situation was very similar although it appeared very different at first glance, looking from the perspective of my Turkish interviewees residing in *gecekondu* neighborhoods. As I studied in detail in the chapter *Rhythm of the quotidian and struggle over memory: performing the political in everyday life*, although there were connections and rapprochement on the basis of labor, suffering and common urban interests among Kurdish and non-Kurdish communities, such rapprochement was limited and fragmented with the influence of ethnopolitical tensions. Non-Kurdish neighbors of the Kurdish community, mostly, perceived Kurdish IDPs as *undesirable victims*. They relatively recognized their victimhood but in the meantime they declared them as supporters of the PKK. These *gecekondu* residents labelled IDPs as *too much political* persons who do not deserve any politics of reconciliation or reparation. The discourse of these residents was not based on a lack of information about Kurdistan or the Kurdish issue but rather a specific interpretation of their knowledge.

The unknowledgeability of the Turkish society residing in the western cities of Turkey during the 1990s became the source of a heated debate especially in the context of the use of social media networks and specifically during the Gezi uprising. The Gezi uprising initially commenced in May 2013 to protest the government's urban plan of destroying Gezi Park and

[701] Interview, Cizre Şırnak, November 15, 2012.

then became the symbol of restlessness among a large urban coalition vis-à-vis AKP's policies.[702] During the protests of Gezi, a fierce debate took place in academic journals and journalistic platforms about the western residents of Turkey and their level of knowledge about the forms of state violence occurring in Kurdistan, both in the past and today.[703] In a nutshell, this debate implied the ignorant and unknowledgeable situation of the Turkish society because of the influence of official politics and one-sided national mainstream media coverage. Arguably, all parties of the debate assumed that the Turks *did not know* what *really happened* during the 1990s and would have acted differently if they *had known the truth*.

I argue that Felman's notion, the dissolution of the possibility of any *community of witnessing*, proves to be very productive in the context of Turkey, specifically in discussing various memories of state violence in the 1990s. Instead of thinking with the binary terminology of the debate -whether the non-Kurdish society did know what happened or not and hopelessly trying to find empirical evidence of knowing or not knowing- exploiting Felman's perspective invokes a new paradigm and understanding. Felman underlines the crisis of a collective entity, a community, which failed to see and witness. In other words, she defines witnesses who do not witness or who fail to witness. I argue that this concept is also useful in the context of Turkey, where members of most of the societal layers in the western cities, although they knew that something uncanny and dangerous was ongoing in the streets of Şırnak, altogether precluded the possibility of being a *community of witnessing*. Again, instead of continuing the unproductive empirical debate on who knew what, I will try to demark the structures and subjectivities which made possible the preclusion of a community of witnessing. I am of the opinion that the notion of *the colonial effect* lies at the heart of the context of the impossibility of a *community of witnessing* in various ways.

---

[702] Gezi Park protests, as one of the most important urban refusals of the predominant AKP policies, mobilized an important coalition of disturbed Kemalists, young urban discontent middle classes, LGBTI groups, anti-militarists, radical leftist organizations, parts of the urban movements, and some portion of the Kurdish movement in May, 2013. During the first part of June, these groups settled in Gezi Park, then the police evacuated the park on the June 15, 2013 using force. In the meantime, the protests spread throughout Turkey. Unfortunately 8 civilians (Mehmet Ayvalıtaş, Abdullah Cömert, Ethem Sarısülük, Ali İsmail Korkmaz, Ahmet Atakan, Berkin Elvan, Burak Can Karamanoğlu, Mehmet İstif and Elif Çermik) and 2 members of the security forces (Mustafa Sarı and Ahmet Küçüktağ) lost their lives during the protests. For a statement of the Taksim Gezi Park Association, see. Jadaliyya, "Statement on the Anniversary of the Gezi Park Uprising," May 26, 2015, accessed February 22, 2017, http://www.photography.jadaliyya.com/pages/index/21712/statement-on-the-anniversary-of-the-gezi-park-upri ; also see. Cihan Tuğal, "Occupy Gezi: The Limits of Turkey's Neoliberal Success," *Jadaliyya*, June 4, 2013, http://www.jadaliyya.com/pages/index/12009/occupy-gezi_the-limits-of-turkey%E2%80%99s-neoliberal-succ.

[703] For the debate on Gezi protests, the knowledge of the Kurdish issue and the memory of the 1990s see. Anthony Alessandrini, Nazan Üstündağ and Emrah Yıldız, ed., "'Resistance Everywhere': The Gezi Protests and Dissident Visions of Turkey", *JADMAG*, no. 1.4 (2013); Buket Türkmen, "L'individualisme solidariste des actrices de Gezi et l'émergence de nouveaux sujets", *Agora débats/jeunesses*, no. 73, (2016): 119-133; Tanıl Bora, "Sunuş: Gezi Direnişi: Bir Yanımız Bahar Bahçe...," *Birikim*, no. 291-292 (2013): 20-26; Murat Sabuncu, "Kürtler Berkin İçin Kahroldu, Ya Türkler Kürt Çocukları İçin?," *T24*, March 20, 2014, accessed February 21, 2017, http://t24.com.tr/yazarlar/murat-sabuncu/kurtler-berkin-icin-kahroldu-ya-turkler-kurt-cocuklari-icin,8810.

The impossibility of *a community of witnessing* in the context of the 1990s in Turkey is a crucial component of the *colonial effect*. The obvious excess of violence used in Kurdistan throughout the 1990s, which was common knowledge manifest in the form of mainstream clichés as the heroism of the Turkish army and rooting out of all the PKK troops, was perceived as necessary and legitimate by the massive majority of the Turkish population in the context of the struggle against terror. This partly stemmed from a specific understanding about the armed struggle of the PKK. As can be seen in the statement made by one of non-Kurdish interviewee, the impossibility of *a community of witnessing* stems from a structural refusal to acknowledge the root causes of the armed struggle of the 1990s:

> "We know that there are huge problems in the eastern and southeastern part of Turkey. But I am telling you there are huge problems in Giresun, my hometown in the Black Sea region as well. However I never killed a soldier to fix these problems. I never would have thought of organizing terroristic acts against *our own* soldier as they did and have been doing for nearly 30 years now. Well, it is not *their* soldier, in actual fact. But anyway, my point is if you are involved in these kinds of terroristic activities, then several bad things might happen to you. Sorry, but I am realistic. I know that my state is trying to survive in the jungle of the Middle East."[704]

In this framing, the PKK is never mentioned openly but the absence of a reference to the PKK is highly suggestive since it is the PKK's existence that shapes the discursive structure. Kurdishness is not stated or mentioned directly, either; the terms *eastern* and *southeastern* are euphemisms that imply Kurdish cities. The excess of violence, although unrecognized and unacknowledged but certainly *known* by the interviewee, is narrated as something legitimate given the fact that there were "terroristic activities" in the Kurdish region. Thus, I claim that the impossibility of a *community of witnessing* is inherently linked with perceiving the Kurdish society as *undesirable victims.* In other words, the impossibility of a community of witnessing influences the debate about the Kurdish issue and the state violence that occurred in the Kurdish region: both are known but discussed partially and inconsistently and are unrecognized rigidly in line with the official mainstream perceptions; hence a deeper witnessing and acknowledgment is regularly refused. As I discussed above in the chapter *Modus operandi of the violent strategies: the state, sovereignty, and the pact of public secrets*, forms of state violence in the 1990s were simultaneously public and secret; known, heard or felt in a way but not acknowledged and recognized. "Everyone must know just enough to be terrified, but not enough either to have a clear sense of what is going on or to acquire the proof that is usually required by legal tribunals or other governments for

[704] Inteview, Istanbul Kartal,10. 07. 2011.

sanction."[705] Memories of the 1990s were equal to peculiar experiences for the Kurdish society affected by forms of state violence. Memories of the 1990s, on the other hand, also meant losing the possibility of being a *community of witnessing* on the part of the western non-Kurdish society. What is at stake here is not the debate of knowing or not knowing but the possibility of being a *community of witnessing*. Western and Kurdish parts of Turkey not only *experienced* the 1990s in totally different manners but also *saw* totally different things concerning the 1990s, during these years or in the aftermath. This should not appear surprising, though; the gaze is always constructed by complicated networks of power and colonial hierarchies. This is also relevant for the gaze looking at Kurdistan.

9.4. The pact of public secrets and production of asymmetrical memories

Today, the issue of how to interpret the 1990s is more relevant than ever. The question of whether we went back to the 1990s or we are currently even in a worse situation is part of the political discourse of various oppositional groups in their evaluations of the current political crisis. The political violence of today is reminiscent of the political violence of the 1990s. On the one hand, some journalists, scholars and politicians, representing mostly oppositional political positions vis-à-vis the AKP government, insist today we are in a worse situation compared to the 1990s. On the other hand, there are others among oppositional groups that disagree with such argument stating today there are more political gains compared to the 1990s. The 1990s have become reified from the perspective of both approaches and an adequate recognition of the 1990s as well as a thorough historiographic discussion is almost impossible with the existing binary oppositions of the debate. Both approaches represent, in a way, one of the too many ways of *not speaking about the 1990s* thoroughly and adequately.

During this debate, references made to the 1990s, firstly, raise the question of how the 1990s may be conceptualized. In other words, which notions may adequately define the complicated sum of experiences that were lived during the 1990s is a crucial issue. I claim that the 1990s may be defined adequately using three notions: fear, dehumanization, and political mobilization. These three notions signify experiences, memories, representations and discourses concerning the 1990s. Fear, as an omnipotent feeling throughout the 1990s affected the acts, trajectories and performances of different political and societal actors and extensively shaped the public sphere in Kurdistan. The influence of fear was not limited to the public sphere, though; it also shaped different forms of subjectivities, emotions and

[705] Avery F. Gordon, Ibid., 110.

symbolisms.[706] For most of the relatives of the disappeared and internally displaced persons, fear was the characteristic feeling of the period. It was produced by a complicated network of power via a selective use of blatancy and secrecy as I described above in the chapter *Modus operandi of the violent strategies: the state, sovereignty and the pact of public secrets.* I also emphasized the importance of *the pact of public secrets* as a constitutive and crucial component of *the colonial effect*. Here, I elaborate on the constructive character of fear for my interviewees: the omnipotence of fear marked irreversibly their perception of the state, juridical institutions, military apparatus and also themselves. It was the effect of fear, which prevented them from taking further action about the disappearance or migration. It was the effect of fear, therefore, which made them vulnerable. Thus, fear did not produce solely external results but also shaped their self-perceptions. As I discussed above, there is a perpetual feeling of *insufficiency* and *guilt*, meaning that relatives of the disappeared and also the internally displaced persons to some extent, found their struggle, acts and performances against the disappearance and forced migration insufficient, no matter what they did. The ontological feeling of *guilt* based on the *insufficiency* of their acts is both produced and occurs as a result of fear. Thus, fear has a paradoxical content: one the one hand it makes more understandable the *insufficiency* of the acts of the relatives of the disappeared and internally displaced persons, but on the other hand, it is the source of such insufficiency. It is the reason for "insufficient responses" to forms of state violence and also source of self-blaming for such insufficiency. Fear, therefore, is both a sedative and a source of anxiety simultaneously. It is the feeling that determined what happened during an era when "the value of a human's life was equal to that of an onion bulb."[707]

Dehumanization is the other essential characteristic of the political climate of the 1990s. The widespread, systematic and gross human rights violations that occurred throughout the 1990s are often debated with the notion of *otherness* of the Kurdish citizens in the human rights milieu and academic sphere. I contend, however, that the notion of otherness is not only unsatisfactory in depicting the political climate of the 1990s but also misleading in the sense that it diminishes and ignores the systematic implementation and consequences of *the colonial effect*. At the heart of *the colonial effect*, which is crucial in interpreting the 1990s, there is the notion of *dehumanization*. Dehumanization corresponds, mostly, to the sum of activities and discourses targeting the guerillas and members of the PKK in the context of the

[706] For an important interpretation of the 1990s through the notion of fear see. Ramazan Aras, *The Formation of Kurdishness in Turkey. Political Violence, Fear and Pain* (London and New York: Routledge, 2014), 79-111.
[707] "Qîymeta jiyana mirova qasî serê pîvazek bû" (The figurative reference to an "onion bulb" connotes insignificance).

Kurdish conflict during its initial phase. The exhibition of dead bodies of the guerillas, mutilation and torture of their corpses, display of the moments of their execution as well as the exhibition of their dead bodies on official television channels, the refusal of the delivery of their bodies to their families for a decent funeral/burial ceremony and dissemination of narratives about their "being Armenian" or having a corrupt sex life were all parts of this dehumanization strategy. Still, the Kurdish society was conceptually isolated from this dehumanization during the initial phase of the conflict. Mostly, they were referred to as "ignorant victims of PKK terror" who needed to be saved from "dirty hands of the PKK". Although discursive and practical transgressions between the categories of *guerillas/terrorists* and *Kurdish society* were occurring, their distinction was preserved during the initial phase of the Kurdish conflict. However, during the 1990s, when increasing popular support for the PKK and Kurdish political movement proved the difficulty of differentiating between supporters of terrorism and loyal citizens, dehumanization came to include larger segments of the Kurdish society which situated themselves in the PKK's military, ideological and political hinterland. The novel strategy of "area control and cutting PKK's links with its supporters" was also based on this larger wave of dehumanization.

Dehumanizing a population group is totally different from labeling them as other. Dehumanization is situating this population group outside the space of humanity and therefore outside of all the ethical, political and social rules concerning humanity. Fanon argues that dehumanization situates targeted groups outside the realm of human relations and emphasizes its difference with otherness. Lewis Gordon interprets this conceptualization of Fanon as follows: "They are thus, not even others but, instead, below otherness. In effect, this places them outside ethical relations, which means a level of vulnerability in which the dominant system treats each effort of egalitarian assertion from the dominated as a violation of normative life or, as Fanon later states it, 'violence'."[708] Dehumanization is one of the crucial material components of *the colonial effect*. Dehumanizing practices and discourses, including not only an excess of violence but also a strong apathy and resentment towards the victims, were solely possible in Kurdistan and concerning Kurds who were allegedly supporting the PKK during the 1990s. These practices and discourses were ontologically fundamental to the establishment and functioning of *the colonial effect*. Material and symbolic acts of JITEM structures were possible on this ontological basis of dehumanization throughout the 1990s as a response to the existing sovereignty crisis.

[708] Lewis Gordon, "Frantz Fanon," in *The International Encyclopedia of Ethics* (2015), 4.

Finally, an adequate conceptualization concerning the 1990s also necessitates employing the concept of political mobilization. *Talebeler*[709] and *Apocular*[710] of the 1970s and 1980s became politically motivated guerillas and increased their public support continuously during the 1990s. A massive wave of political mobilization including new collective forms of challenging the state prevailed throughout Kurdistan politicizing ordinary people. I tried to discuss these massive waves of mobilization in the chapter *Historical background and the specific political conjuncture of the 1990s*, hence suffice it to emphasize here the importance of *serhildan*, which represented a novel spectrum of political mobilization. This novel spectrum included claiming the bodies of the guerillas in public gatherings, organizing different forms of street manifestations while chanting slogans supporting the PKK, shutting down the shops as a form of public protest, holding public demonstrations in which protestors displayed their ID cards to signal their claim equal citizenship rights, organizing civil disobedience marches, organizing symbolic political protests on symbolic days such as Newroz and the foundation day of the PKK; and logistically supporting the guerilla. Through the capillary networks of local relations, alternative political and social relations were established between the guerrilla forces and the Kurdish local communities. This political mobilization and support was an essential component of the political situation in Kurdistan, which represented a sovereignty crisis for the Turkish state.

Moreover, the moral realm of the Kurdish movement was also reestablished during the 1990s with the establishment of local political mobilization and popularization. Several attitudes, which currently represent the essential components of the moral realm of the Kurdish movement, such as being self-sacrificial and self-critical, paying the price of the struggle when necessary, and having a cooperative and collaborative attitude among *hevals*, became hegemonic during the 1990s. Traditional rivalries among different entities of the Kurdish society such as tribes, families or other smaller entities were targeted to be transcended by the new ethical call of the PKK about the Kurdish society and individuals. This call for a new ethical existence started to be echoed among the larger strata of the Kurdish society during the 1990s. PKK troops, which meant death, trouble and conflict for the pro-state actors such as important village guard families, members of the JITEM teams and other official actors such as teachers, engineers and other civil servants, meant a new ethical stance and

[709] The Arabic word, used also in Turkish, meaning students. Most of the former members of the PKK, who were making PKK's propaganda, were students; that's why this word was used to refer to the PKK in its initial period.
[710] It means followers of Apo in Turkish. Members of the PKK, at its initial stage, were refusing to use this wording arguing that it underestimated the existence of a political party, namely the PKK, and it imitated the existing structure of the bourgeois politics with a strong emphasis on the leader.

ontological existence for the pro-PKK communities. The 1990s were also stated as the years representing the popularization of this novel ethical stance based on self-sacrifice and transformation by the PKK circles.[711] When compared with the current momentum, by which different opportunities of political, personal or nepotistic gains are possible, the 1990s represented self-sacrifice under tremendously difficult conditions from the perspective of my interviewees close to the Kurdish movement as well. The current momentum, by which militants of the Kurdish struggle have had access to economic and social opportunities such as becoming an employee of the municipality or being a member of the bureaucracy of the parliament through the HDP parliamentary group or being a parliamentarian, is deemed to be in striking opposition with the spirit of the 1990s, which represented friendship, self-sacrifice, political affinity and generosity. In a way, the 1990s represented purity and commitment. The dead of the 1990s also represented such purity and commitment to the political movement as *devoted martyrs*: "[…] they are the ones who made our current situation at the cost of their lives."[712]

Homo sacer of the 1990s, the ones killed with impunity,[713] were Kurds who were allegedly supporting the PKK with this peculiar momentum of fear, dehumanization and political mobilization. Those who challenged the Turkish state collectively by also producing a sovereignty crisis were totally situated outside the realm of law and citizenship. It was not coincidental that this occurred in Kurdistan, though; as I claimed above, only a space marked by *the colonial effect* would have been managed by such strategies of state violence.[714] Fear, dehumanization and political mobilization were the main components of *the colonial effect*.

The debate concerning how to remember the 1990s is linked to a broader debate of memory, remembrance and dealing with the past. For a very long period of time it has been mainly argued that the Turkish state and society were *amnesic,* and the contentious memories of the 1990s which deeply affected Kurdistan were *forgotten* or *unseen* in the western part of Turkey.[715] It is true that the colonial effect and its pact of public secrets rendered difficult the public visibility of the 1990s that would have allowed different interpretations and representations. However, the terms *amnesia* and *forgetting* may not be the most adequate

[711] The book by Murat Karayılan, one of the prominent commanders of the PKK, is an elaborate example of this narrative of self-sacrifice regarding the 1990s. Murat Karayılan, *Bir Savaşın Anatomisi. Kürdistan'da Askeri Çizgi* (Istanbul: Aram, 2014).
[712] Interview, Cizre Şırnak, October 10, 2012.
[713] Giorgio Agamben, *Homo Sacer. Sovereign Power and Bare Life* (Stanford, CA: Stanford University Press, 1998).
[714] For a debate on the notion of *homo sacer* and Agamben's neglect of slavery/colonialism, see. Magnus Fiskesjö, "Outlaws, Barbarians and Slaves: Critical Reflections on Agamben's *homo sacer*," *Journal of Ethnographic Theory* 2, no. 1 (2012): 161-180.
[715] For an example of this approach which claim to bring up a past that is forgotten, see Gülçin Avşar, *Ergenekon'un Öteki Yüzü: Faili Meçhuller ve Kayıplar* (İstanbul: TESEV, 2013).

terms for depicting such effect. Paul Bijl, while scrutinizing colonial memory and forgetting in the Netherlands and Indonesia, uses what Luisa Passerini has called *the paradox of forgetting* noting that "[…] we cannot look for something we forgot unless we remember it at least in part."[716] In other words, total amnesia is not possible by definition; we always *know* that there is something that we *forgot*. Thus according to Bijl, forgetting and memory should not be conceptualized as a binary opposition and forgetting should not be held equal to absence; memory and forgetting are simultaneous experiences. Instead, he suggests using the concept of *memorability*, which is "[…] the degree to which a past is memorable, easy to remember."[717] Instead of being forgotten histories, memories of violence are memorable with varying degrees due to several historical, political and social parameters. Moreover, he also argues that *secrets* are discursively produced, and although silences should not be underestimated, they do not represent *absence,* either. Focusing on the traces of Dutch colonialism in the Dutch national context, he contends:

> "We can say that although photographs and other documents of colonial atrocity are to a certain degree remarkable in a Dutch national context, there seem to be some issues with their *memorability*: apparently, not all things *remarkable* are also things *memorable*."[718]

In this context, the violence in the Dutch colonial past should be interpreted as an *oubli de réserve*, in terms of Paul Ricoeur's definition, in which case "[…] it is no longer oblivion that materiality begets, forgetting by the effacement of traces, but forgetting in terms of a reserve or a resource."[719] The theoretical approach that conceptualizes the occurrence and functioning memory and forgetting in simultaneity as well as the notion of memorability, as an asymmetrical measurement of what to remember and how, proves very productive for the context of Kurdistan/Turkey's contentious memories of the 1990s. The notions argued by Bijl enable going beyond the binary opposition of remembrance versus a total forgetting and amnesia versus remembrance and memory. In this theoretical perception what matters is to delineate the production of some peculiar silences and selected fragments of the 1990s which aimed to systematically promote peculiar components of memorability. In other words, focusing on the memorability components of the 1990s would reveal crucial insights about the functioning of the colonial effect as well as the content of the pact of public secrets. The selectiveness of the components of forgetting, meaning components that would be covered with discursively produced silences and non-recognition, reveals the content of the pact of

[716] Paul Bijl, "Colonial Memory and Forgetting in the Netherlands and Indonesia," *Journal of Genocide Research* 14, no. 3-4 (2012): 442. (441-461).
[717] Paul Bijl, Ibid., 444.
[718] Paul Bijl, Ibid., 447. Emphasis mine.
[719] Paul Bijl, Ibid., 447.

public secrets. These were mainly forms of state violence in the 1990s, crimes against humanity and war crimes. In other words, the pact of public secrets rendered forms of state violence and their broader consequences *unmemorable* and this conceptualization has essentially been accepted by larger segments of the non-Kurdish society without due questioning.

Bijl argues that the notion of amnesia may be misleading for a sophisticated debate of memory and remembrance. Inspired by and with reference to Ann Laura Stoler, Paul Bijl, suggests using the notion of *cultural aphasia* instead of *amnesia*, which is "[…] rather a dismembering, a difficulty speaking, a difficulty generating a vocabulary that associates appropriate words and concepts to appropriate things."[720] Unlike amnesia, which is mostly perceived and understood in a binary opposition with remembering/memory, cultural aphasia "[…] makes clear how silences do not have to point towards oblivion or definitive forgetting, but to issues of the availability of language and possibilities for its expression. Cultural aphasia, moreover, has a direct link to memorability: the lack of language inhibits the production of a memorable past."[721] The concept of *cultural aphasia*, therefore, opens up a space for thinking about the dominant frames of remembrance and how these frames produce some experiences as memorable and some as non- memorable instead of thinking in terms of the amnesia and memory/remembrance dichotomy. *Cultural aphasia* refers to the memory-making process as the production of a certain content of memory. Again, this concept proves productive for thinking about the memory gap or maybe rather contentious memories of Turkey and Kurdistan.[722]

In the western part of Turkey, memories of the 1990s are totally different from the memories of Kurdistan. In the western part of Turkey, there is a crucial lack of recognition and acknowledgment about the violent experiences of the 1990s that occurred in Kurdistan. I contend that this apathy, intertwined with ethnopolitical anxieties and hostilities produced throughout the long period of thirty years of the Kurdish conflict, does not stem from a lack of knowledge or absence of the empirical facts. In line with the perspective of cultural aphasia, I contend that this lack of recognition and un-acknowledgement is the result of a

[720] Cited in Paul Bijl, Ibid., 449.
[721] Paul Bijl, Ibid., 449.
[722] One can even talk about a *memory boost* instead of *amnesia* in the context of Turkey, which occurred during the 2000s. Different contentious narratives, inititatives and platforms flourished concerning the collective memory and the repertoire of violence/state violence in Turkey during the 2000s. Esra Özyürek interprets the process that I described as *memory boost* as such: "Yet, at the turn of the twenty-first century, cultural practices are replete with memory, and people relentlessly struggle over how to represent and define the past. The growing laments about amnesia attest to the shared desire to have even more memory in Turkey." Esra Özyürek, "Introduction" in *The Politics of Public Memory in Turkey*, ed. Esra Özyürek (Syracuse, New York: Syracuse University Press, 2007), 3.

produced memory, in which experiences occurring in Kurdistan were meticulously distorted, manipulated and erased. Official mainstream representations of Kurdistan during the 1990s - as well as at the actual moment of 2017, when the Kurdish conflict is intensified once again-, serve to block the production of alternative vocabularies by producing solely a certain vocabulary of terrorism, nationalism and ethnopolitical criminalization. This vocabulary determined the memorable parts of the experiences of the 1990s and systematically rendered invisible other experiences and representations. With the production of such vocabulary by the intermediary of asymmetrical political relationships, it is easier for larger societal segments of the western parts of Turkey to collectively decide not to speak about some of the experiences of Kurdistan. Bringing to light any sort of empirical data would not automatically and easily alter the produced cultural aphasia since the sphere of facts and empirical data is also essentially shaped by the existing power relations. As Michel-Rolph Trouillot puts eloquently,

> "First, facts are never meaningless: indeed, they become facts only because they matter in some sense, however minimal. Second, facts are not created equal: the production of traces is always also the creation of silences. Some occurrences are noted from the start; others are not. Some are engraved in individual or collective bodies; others are not. Some leave physical markers; others do not."[723]

Concerning forced migration and enforced disappearance, as was the case with other forms of state violence in the 1990s, these experiences and their representations were either taken outside the realm of public debate or a certain peculiar vocabulary thereof was promoted. Another possible vocabulary which would recognize the catastrophe in its colonial aspect and promote the debate on the impunity of the perpetrators was intentionally made impossible.

Cultural aphasia is, therefore, the adequate term to define the material basis of the pact of public secrets, something known but unspoken, partially remembered but not adequately acknowledged and recognized. Diverse forms of state violence implemented in Kurdistan throughout the 1990s were essential components of the colonial effect. A dual relationship was in question, though; the excess of violence implemented through such forms of state violence was solely possible as a result of the colonial effect. Dehumanized bodies of the Kurds, who were challenging the existing sovereignty of the Turkish state in novel forms of political mobilization and belonging, *deserved,* in this respect, torture, beating, displacement, execution and disappearance. Apathy and un-acknowledgment made also possible the

[723] Michel-Rolph Trouillot, *Silencing the Past. Power and the Production of History* (Boston: Beacon, 1995), 29.

endurance of such violent strategies. Moreover, the current recommencement and intensification of the Kurdish conflict has aggravated the existing cultural aphasia. The dead bodies lying in the streets of Cizre in 2017 have made it even more difficult to find the possibilities of a vocabulary of recognition and acknowledgment concerning the state crimes of the 1990s. It may indeed be banal to repeat, but still, the past is once more organically intertwined with the asymmetries, power relations, conflicts and losses of today.

9.5. Compartmentalized knowledge, connected histories

Frantz Fanon refers to compartmentalization as an essential concept while depicting the colonial condition. Accordingly,

> "A world divided into compartments, a motionless, Manichaeistic world, a world of statues: the statue of the general who carried out the conquest, the statue of the engineer who built the bridge; a world which is sure of itself, which crushes with its stones the backs flayed by whips: this is the colonial world. The native is a being hemmed in; apartheid is simply one form of the division into compartments of the colonial world. The first thing which the native learns is to stay in his place, and not to go beyond certain limits."[724]

Compartmentalization is the essential move of the colonial order. Separating things, individuals and populations is crucial for maintaining colonial asymmetries. Compartmentalization is also essential for the formation of the colonial knowledge. Separating, classifying, isolating and defining hierarchies are the basis of the colonial episteme. The production of history has been deeply influenced by this colonial episteme; in most cases, national histories of the metropolitan countries and the colonial histories of the colonies have been scrupulously kept away from each other; in other words, they have been isolated from each other and thus entirely compartmentalized.

Histories of Kurdistan and the rest of Turkey have also been compartmentalized as a result of *the colonial effect*. One of the basic components of classical colonialism that *the colonial effect* has borrowed is compartmentalization with the help of the colonial episteme. In line with this, mainstream Turkish academic circles have compartmentalized and isolated the history of Kurds and Kurdistan due to several reasons. The first reason was, obviously, the state's rigid, terrorizing and criminalizing approach towards scholars producing knowledge on the Kurdish issue that was not in line with the official approach. İsmail Beşikçi, as the figure who first questioned ontologically the statist approach in the field of history and anthropology, is the epitome of such terrorizing and criminalizing processes with his 17

[724] Frantz Fanon, *The Wrteched of the Earth* (London: Penguin, [1961] 2001), 40.

years of incarceration solely because of his books and academic perspective.[725] Moreover, producing knowledge in line with the official approach strengthened the political, economic, and symbolic capital of the scholars. With the commencement of the Kurdish conflict in 1984, adopting the official approach became relatively more convenient since "PKK terrorism" made a variety of different official positions more acceptable. Also, this tendency relied on a very strong tradition of the Turkish academy: knowledge production concerning Kurds more specifically and concerning other *dangerous populations* generally had mostly been part of the official intentions and politics.[726] In other words, Turkish scholars tended to produce knowledge for the continuity of the state. This tradition was further strengthened and consolidated in the aftermath of the 1980 coup d'état and during the years of intensification of the Kurdish conflict of the 1990s. Apart from the body of works produced by developmentalists, which may be labeled as partially transcending the existing official perspective and the data of human rights organizations such as the Human Rights Watch, Amnesty International, Human Rights Association that tackle the issue from the perspective of human rights and democratization, various different versions of the official position dominated the academic field during the 1990s. Suffice it to note, once more, that solely one academic article was written during the 1990s on enforced disappearance, when the use of this strategy was at its peak point.[727]

At the beginning of the 2000s, a partial awakening occurred in the fragmented field that may be defined as Kurdish studies. A novel body of work mainly focusing on migration, poverty, development, civil society and gender issues, which was highly shaped by the motivations of the sponsoring organizations and therefore mostly conducting applied research in line with a national and international focus, flourished.[728] Although inspirational in many aspects, this body of work was also deeply influenced both by the national political context of Turkey as well as the preferences and tendencies of the sponsoring organizations. Still, as a result of the relatively liberal political climate of the early 2000s, this body of work went beyond the mere statist analysis prevailing during the 1990s. A revisionist body of work that situates the 1990s in the broader context of Turkey and the history of the Ottoman Empire by transcending

[725] For a thorough analysis of his life and work, see. Barış Ünlü and Ozan Değer, ed., *İsmail Beşikçi* (Istanbul: İletişim, 2011).
[726] For a very similar analysis of Fuat Dündar, see. Clémence Scalbert-Yücel and Marie Le Ray, "Knowledge, Ideology and Power. Deconstructing Kurdish Studies," *European Journal of Turkish Studies*, no. 5 (2006): paragraph 47, http://ejts.revues.org/777. As shown by Fuat Dündar, the first works on Kurds and Kurdish tribes in the Ottoman Empire were very practical and aimed at finding a way to integrate or even to assimilate these populations.
[727] Gökçen Alpkaya, Ibid., 31-65.
[728] Clémence Scalbert-Yücel and Marie Le Ray, Ibid., paragraph 73.

existing national political conventions is, on the other hand, still in the making.[729] Given the existing political climate of war, militarized by the dismissals of the scholars who are the signatories of the Petition of Academics for Peace[730] and criminalized by the targeting of the scholars who position themselves outside of the existing nationalist rigid approach; and given the reduced political public sphere due to recommencement of the State of Emergency regime, it is not difficult to claim that this body of work in the making will definitively be shrunk and thinned. It seems that compartmentalization of Cizre and Ankara as two distinct and non-relational spaces, which marks the former as the anomaly and extreme, and the latter as the normative and usual, will be continuing for a while. The historiographies as well as the memories, perceptions and representations of the 1990s will also be influenced by this colonial episteme, which on the one hand refuses the acknowledgment and recognition of the peculiar conditions of Kurdistan due to the colonial effect and on the other hand, isolates, separates and compartmentalizes Turkey and Kurdistan through epistemological asymmetries. This colonial episteme is borrowed from the classical colonialist regimes, which meticulously separate national history from colonial history. The *connectedness* of the two histories is totally denied in this approach. This denialism and compartmentalization also functioned in the context of Turkey and Kurdistan, and the inherent relations within these two spaces were entirely ignored.

Michel-Rolph Trouillot, while discussing the silencing of the Haitian Revolution and the production of history, reveals a crucial aspect of the debate on remembrance and memory, which also has historiographical implications. Accordingly, "[…] the myth of The Past as a fixed reality and the related view of knowledge as a fixed content"[731] covers asymmetrical

[729] I used the revisionist body of work, which resulted from this revisionist reconceptualization of the history of the Ottoman Empire and the Republic of Turkey throughout this dissertation in the relevant chapters, which delineate and highlight the constructive character of violence, extermination, dispossession and governmentality of the population groups. Here, however, I specifically refer to one important work that represents the endeavor of the reconceptualization of the 1990s: Ayhan Işık et al., ed., *1990'larda Kürtler ve Kürdistan* (Istanbul: Bilgi Üniversitesi, 2015). Several historians and political scientists such as Hamit Bozarslan and Gilles Dorronsoro emphasized the importance of historiography among independent Kurdish intellectuals in different manners. For this specific discussion, see. Hamit Bozarslan, "Quelques remarques sur le discours historiographique kurde en Turquie : 1918-1980," *Asien Afrika Latinamerika*, no. 29 (2001) : 47-71; Gilles Doronsorro, "Les révoltes au Kurdistan de Turquie (1919-1938)," Paper written in the context of a project of ANR, *De la friction culturelle à l'affrontement armé. Seuils, échelles et modalités de la conflictualité (Turquie, Iran, Pakistan)*, accessed December 10, 2016, http://gillesdorronsoro.com/src/workingPaper/LesRevoltesAuKurdistanDeTurquie.pdf; Konrad Hirschler, "Defining the Nation: Kurdish Historiography in Turkey in the 1990s," *Middle Eastern Studies* 37, no. 3 (2001): 145-166.

[730] The Academics for Peace petition signed by 1,128 academics was read out at a press conference in Istanbul on January 11, 2016. In the petition, the signatories said that they were condemning both the state violence against the Kurds and the Turkish state's ongoing violation of its own laws and international treaties and declared that they would not be accomplices in this crime. A huge campaign of targeting these academics commenced right after the declaration through the personal statements of the president, Recep Tayyip Erdoğan, who defined such academics as 'supporters of PKK terrorism'. As of January 16, 2017, 186 academics have been dismissed; 17 resigned; 4 were forcibly retired; and 491 were subjected to disciplinary investigation. See. Academics For Peace, "Rights Violations Against 'Academics for Peace'," accessed February 15, 2017, https://barisicinakademisyenler.net/node/314.

[731] Michel-Rolph Trouillot, Ibid., 143.

relations and networks of power which produce a specific national form and content of history. This production erases the possibility of a dialogical, multilayered, and connected historiographical approach. The possibility of such an approach is also constantly erased in the context of Kurdistan and Turkey's historiographies. The absence of a connected historiography first obscures the possibility of a full-fledged historiographical discussion concerning the 1990s. In other words, apart from the use of clichés dominated by narrow and politically motivated arguments, a multilayered historiographical discussion, which acknowledges the peculiarity and contingency of the 1990s as well as the broader political continuities thereof, has become undoable. The continuities and the ruptures between the 1990s and the current political momentum have become undiscussable or this discussion is now entirely transferred to political confrontations or the use of clichés in the social media.

Moreover, a broader, connected and dialogical historiographical approach, which acknowledges the peculiar yet interconnected forms of state violence implemented in Kurdistan, is also necessary for a deepened understanding of the rest of Turkey as well. In other words, a deepened historiographical understanding of the colonial effect's functioning and operations at the margins would also reveal the possibility of a deepened historiographical understanding of the very center. The streets of Cizre are particularly significant for a broader understanding of the streets of Ankara. Not only Kurdistan but also the rest of Turkey have been influenced and profoundly marked by different impacts of the colonial effect. A comprehensive historiographical model sensitive to the formations of the colonial effect, both at the structural and systematic levels and quotidian and micro levels, would also produce self-reflective insights about the historiographical debates of the very center. Martha Kaplan, while discussing the cultural peculiarity arguments about the non-Western world on a specific reading of Poona emphasizes the importance of an interconnected method and claims: "In this model, we would insist that the history of European nations be read as a product of colonizing relations. The making of the European self happens not in Europe alone, but in relation to real and imagined others in the world, in the experience and creation of difference for purposes of control."[732] In this model, I shall also insist that delineating the colonial effect including forms of state violence along with their broader historico-political meanings would also open a door that will allow apprehending how the rest of Turkey was shaped in the context of the colonial effect. This

[732] Martha Kaplan, "Panopticon in Poona: An Essay on Foucault and Colonialism," *Cultural Anthropology* 10, no. 1 (1995): 94.

door would allow for a new conceptualization of *connected histories*[733] that would dialogically and interconnectedly situate the context of Kurdistan and Turkey in a full-fledged relationality. This door is crucial for a sophisticated historiographical approach sensitive to the structural, patterned and determined as well as the contingent, local and coincidental. This door is the only way to relate different temporalities and spatialities with a productive self-reflectivity. This door would amplify the possibility of understanding different narratives of the past without producing an acceptable victim or without taming the narrative or without betraying various layers of multiple truths in the narratives of the past. This door shall also take into account the dead and the living, at the margin and at the center, since they together shape our lives more so than appears at first glance.

[733] Sanjay Subrahmanyam, "Connected Histories: Notes towards a Reconfiguration of Early Modern Eurasia," *Modern Asian Studies* 31, no. 3 (1997): 735-762. Subrahmanyam states, "But ideas and mental constructs, too, flowed across political boundaries in that world, and -even if they found specific local expression- enable us to see that what we are dealing with are not separate and comparable, but connected histories." Subrahmanyam, Ibid., 748.

10. Epilogue

All the streets that I walked in Cizre are now marked by cruel signs of violence. All the neighborhoods that I crossed are destroyed. All the houses in which we talked, ate and had friendly chats are now demolished, damaged or deserted. All the persons that I had contacted either left the city or stayed to survive under tremendously difficult conditions. At that time peace was a possibility. Now war seems to be the only truth. All the discussions that we had about the consequences of war, the peace process along with its results, and forms of living together are now echoes from a heartbreaking distance. The split between my life and theirs is sharper than ever. Destruction, extermination, executions and cruelty occurred once again in Cizre and the current wave of violence is added to other already existing historical forms of violence. Once again, the anonymous dead of the past have converged with the anonymous dead of the present.

I would like to finish my dissertation by paying tribute to two names among the dead of Cizre. I lost two of my colleagues, two friends who helped enormously with their knowledge to contribute to this dissertation as well as my work in the scope of Hafıza Merkezi. One of them is Tahir Elçi and the other is Ahmet Ziröğ. Tahir Elçi was, among other things, the well-known lawyer of the families of the forcibly disappeared; he was one of the builders of the legal struggle concerning enforced disappearances both at the local and global level with his tremendous success in the cases brought before the European Court of Human Rights. Tahir Elçi was the lawyer of almost all the families of the disappeared and he was the jurist who made a remarkable impact on the criminal cases of the perpetrators. He was from Cizre; his work and ceaseless struggle have inspired my work all throughout the writing process of my dissertation. Tahir Elçi, as the head of the Diyarbakır Bar Association, attended a very popular television program on CNN Turk, *Tarafsız Bölge*, on October 15, 2015. On this TV program, he stated that he did not define the PKK as a terrorist organization. After this statement, he was targeted by several TV programs and newspapers of the mainstream media, and his statement also resulted in the inauguration of a criminal case against him. He was killed in the street in broad daylight while he was reading a press release that objected to the conflict occurring in the urban space of Diyarbakır, in Sur at a historic mosque in the old city, on November 28, 2015. The perpetrators are still *unknown*; the kind of impunity that he fought against in his entire life is now protecting his assassins. Ahmet Ziröğ was one of the members of Meya-Der in Cizre. He also was well known among the families of the disappeared. He was like one of them actually; always struggling on their side, smiling, hardworking, and sincerely struggling, a devoted militant. He was with me and with the team of Hafıza Merkezi

all throughout the interviewing of the families of the disappeared at the houses of the families or at the office of Cizre Meya-Der. His interpretation of the 1990s as well as his genuine knowledge of the Kurdish conflict was crucial for me to understand the phenomena of enforced disappearance and forced migration. I learned that during the curfew he was shot in the head on January 10, 2016 in Cizre; he could not be saved and was left to die due to the blockage of the ambulances from entering the neighborhoods. His dead body was kept waiting outside in the Cudi neighborhood for some time with other dead bodies and was then buried in January 2016 with the other 11 dead. This dissertation might also be read as a humble homage to these two beautiful sons of Cizre, Tahir Elçi and Ahmet Zirög, and to all the beautiful sons and daughters of Cizre, the dead and the living.

Bibliography

Printed Publications

Agamben, Giorgio. *Homo Sacer. Sovereign Power and Bare Life*. Stanford, CA: Stanford University Press, 1998.

_____. *Remnants of Auschwitz. The Witness and the Archive*. New York: Zone Books, 2002.

_____. *State of Exception*. Chicago: The University of Chicago Press, 2005.

Akçam, Taner. *Ermeni Meselesi Hallolunmuştur. Osmanlı Belgelerine Göre Savaş Yıllarında Ermenilere Yönelik Politikalar*. Istanbul: İletişim, 2010.

Akçam, Taner, and Ümit Kurt. *Kanunların Ruhu. Emval-i Metruke Kanunlarında Soykırımın İzini Sürmek*. Istanbul: İletişim, 2012.

Aksu, Noémi Lévy. *Osmanlı İstanbulu'nda Asayiş 1879 – 1909*. Istanbul: İletişim, 2017.

Amery, Jean. *Suç ve Kefaretin Ötesinde. Alt Edilmişliğin Üstesinden Gelme Denemeleri*. Istanbul: Metis, 2015.

Anderson, Perry. *The New Old World*. New York: Verso, 2009.

Aras, Ramazan. *The Formation of Kurdishness in Turkey. Political Violence, Fear and Pain*. London and New York: Routledge, 2014.

Arendt, Hannah. *Eichmann in Jerusalem. A Report on the Banality of Evil*. New York: Penguin Books, 1963.

Aslan, Şükrü, ed. *Herkesin Bildiği Sır Dersim*. Istanbul: İletişim, 2011.

_____. *1 Mayıs Mahallesi. 1980 Öncesi Toplumsal Mücadeleler ve Kent*. Istanbul: İletişim, 2013.

Avelar, Idelbar. *Letter of Violence. Essays on Narrative, Ethics and Politics*. New York: Palgrave Macmillan, 2004.

Aytar, Osman. *Hamidiye Alaylarından Köy Koruculuğu'na*. Istanbul: Medya Güneş, 1992.

Barkey, Henri J., and Graham E. Fuller. *Turkey's Kurdish Question*. Lanham: Rowman & Littlefield, 1998.

Başkaya, Fikret. *Paradigmanın İflası. Resmi İdeolojinin Eleştirisine Giriş*. Istanbul: Doz, 1991.

Baumann, Zygmunt. *Modernity and the Holocaust*. Ithaca New York: Cornell University Press, 1989.

Belge, Murat. *Türkiye Dünyanın Neresinde?*. Istanbul: Birikim, 1997.

Beşikçi, İsmail. *Bilim Yöntemi. Türkiye'deki Uygulama 1: Kürtlerin Mecburi İskanı*. Istanbul: Komal, 1977.

_____. *Devletlerarası Sömürge Kürdistan*. Ankara: Yurt Kitap, 1991.

Bhambra, Gurminder K. *Rethinking Modernity. Postcolonialism and the Sociological Imagination*. London: Palgrave Macmillan, 2007.

Bloxham, Donald. *The Great Game of Genocide, Imperialism, Nationalism and the Destruction of the Ottoman Armenians*. New York: Oxford University Press, 2015.

Bora, Tanıl. *Türkiye'nin Linç Rejimi*. Istanbul: Birikim, 2008.

Brown, Wendy. *Walled States, Waning Sovereignty*. New York: Zone Books, 2010.

Bruinessen, Martin Van. *Agha, Sheikh and the State. The Social and Political Structures of Kurdistan*. London: Zed Books, 1992.

_____. *Kürdistan Üzerine Yazılar*. Istanbul: İletişim, 1992.

Burchell, Graham, Colin Gordon and Peter Miller, ed. *The Foucault Effect: Studies in Governmentality*. Chicago: University of Chicago Press, 1991.

Butler, Judith. *Precarious Life. The Powers of Mourning and Violence*. London New York: Verso, 2004.

_____. *Frames of War. When is Life Grievable?*. London and New York: Verso, 2009.

Cemal, Hasan. *Kürtler*. Istanbul: Doğan Kitap, 2003.

Chibber, Vivek. *Post-colonial Theory and Specter of Capital*. London: Verso, 2013.

Cooper, Frederick, and Ann-Laura Stoler, ed. *Tensions of Empire - Colonial Culture in a Bourgeois World*. Berkeley: University of California Press, 1997.

Cooper, Frederick. *Colonialism in Question. Theory, Knowledge, History*. Berkeley Los Angeles London: University of California Press, 2005.

Coronil, Fernando, and Julie Skurski. ed. *States of Violence*. Ann Arbor: The University of Michigan Press, 2006.

Çağlayan, Handan. *Analar, Yoldaşlar, Tanrıçalar. Kürt Hareketinde Kadınlar ve Kadın Kimliğinin Oluşumu*. Istanbul: İletişim, 2007.

_____. *Kürt Kadınlarının Penceresinden. Resmi Kimlik Politikaları, Milliyetçilik, Barış Mücadelesi*. Istanbul: İletişim, 2009.

Çalışlar, İzzettin, ed. *Dersim Raporu*. Istanbul: İletişim, 2010.

Çetin, Vedat. *Yakılan/Boşaltılan Köyler ve Göç*. Ankara: Öteki, 1999.

Çiçek, Cuma. *Ulus, Din, Sınıf. Türkiye'de Kürt Mutabakatının İnşası*. Istanbul: İletişim, 2015.

Daniels, E. Valentine. *Charred Lullabies*. Princeton: Princeton University Press, 1996.

Das, Veena and Deborah Poole. ed. *Anthropology in the Margins of the State*. Santa Fe: School of American Research Press, 2004.

Das, Veena. *Life and Words, Violence and the Descent into the Ordinary*. Berkeley Los Angeles: University of California Press, 2006.

Davies, Nira Yuval. *Gender and Nation*. London: Sage Publications, 1997.

Davis, Mike. *Planet of Slums*. London: Verso, 2006.

Dean, Mitchell. *Governmentality: Power and Rule in Modern Society*. London: Sage, 1999.

Deringil, Selim. *The Well-Protected Domains. Ideology and Legitimation of Power in the Ottoman Empire, 1876-1909*. London New York: I.B. Tauris, 1998.

Doğan, Arif. *JİTEM'i Ben Kurdum*. Istanbul: Timaş, 2011.

Dündar, Fuat. *Modern Türkiye'nin Şifresi. İttihat ve Terakki'nin Etnisite Mühendisliği, 1913-1918*. Istanbul: İletişim, 2010.

Eckardt, Frank, and John Eade, ed. *Ethnically Diverse City*. Berlin: BWV, 2011.

Edkins, Jenny. *Missing, Persons and Politics*. Ithaca: Cornell University Press, 2011.

Eng, David L. and David Kazanjian, ed. *Loss: The Politics of Mourning*. Berkeley: University of California Press, 2003.

Erder, Sema. *Istanbul'a Bir Kent Kondu: Ümraniye*. Istanbul: İletişim, 2013.

Ergut, Ferdan. *Modern Devlet ve Polis. Osmanlı'dan Cumhuriyet'e Denetimin Toplumsal Diyalektiği*. Istanbul: İletişim, 2004.

Evans, Peter B., Dietrich Rueschemeyer and Theda Skocpol, ed. *Bringing the State Back in*. Cambridge: Cambridge University Press 1985.

Fanon, Frantz. *The Wrteched of the Earth*. London: Penguin, [1961] 2001.

Felman, Shoshana. *The Juridical Unconscious. Trials and Traumas in the Twentieth Century*. Cambridge, Massachusetts and London: Harvard University Press, 2002.

Foucault, Michel. *La Volonté de Savoir. Histoire de la Sexualité (Tome 1)*. Paris: Editions Gallimard, [1976] 1994.

Georgeon, François. *Türk Milliyetçiliğinin Kökenleri. Yusuf Akçura (1876-1935)*. Istanbul: Tarih Vakfı, 2005.

Gill, Lesley. *Teetering on the Rim. Global Restructuring, Daily Life, and the Armed Retreat of the Bolivian State*. New York: Columbia University Press, 2000.

Gordon, F. Avery. *Ghostly Matters. Haunting and the Sociological Imagination*. Minneapolis and London: University of Minneapolis Press, 2008.

Graham, Stephen. *Cities under Siege. The New Military Urbanism*. London New York: Verso, 2011.

Greenhill, Kelly M. *Weapons of Mass Migration. Forced Displacement, Coercion, and Foreign Policy*. Ithaca London: Cornell University Press, 2010.

Güneş, Cengiz. *Türkiye'de Kürt Ulusal Hareketi. Direnişin Söylemi*. Ankara: Dipnot, 2013.

Halbwachs, Maurice. *On Collective Memory*. Chicago and London: The University of Chicago Press, 1992.

Hanioğlu, Şükrü. *A Brief History of the Late Ottoman Empire*. Princeton Oxford: Princeton University Press, 2008.

Hansen, Thomas Blom, and Finn Stepputat, ed. *States of Imagination. Ethnographic Explorations of the Post-Colonial State*. Durham and London: Duke University Press, 2001.

_____. ed. *Sovereign Bodies. Citizens, Migrants, and States in the Postcolonial World*. Princeton and Oxford: Princeton University Press, 2005.

Hanssen, Jens. *Fin de Siècle Beirut. The Making of an Ottoman Provincial Capital*. Oxford: Oxford University Press, Oxford, 2005.

Harvey, David. *Spaces of Hope*. Berkeley Los Angeles: University of California Press, 2000.

_____. *Rebel Cities. From the Right to the City to the Urban Revolution*. London: Verso, 2012.

Hyndman, Jennifer. *Managing Displacement. Refugees and the Politics of Humanitarianism*. Minneapolis: University of Minnesota Press, 2000.

Işık, Ayhan, Bülent Bilmez, Ronayi Önen and Tahir Baykuşak, ed. *1990'larda Kürtler ve Kürdistan*. Istanbul: Bilgi Üniversitesi, 2015.

Jaspers, Karl. *The Question of German Guilt*. New York: Fordham University Press, [1947] 2000.

Jongerden, Joost. *The Settlement Issue in Turkey and the Kurds. An Analysis of Spatial Policies, Modernity and War*. Leiden Boston: Brill, 2007.

Jwaideh, Wadie. *The Kurdish National Movement: Its Origins and Development*. Syracuse New York: Syracuse University Press, 2006.

Kapferer, Bruce. *Legends of People, Myths of State - Violence, Intolerance, and Political Culture in Sri Lanka and Australia*. Washington London: Smithsonian Institution Press, 1988.

Karayılan, Murat. *Bir Savaşın Anatomisi. Kürdistan'da Askeri Çizgi*. Istanbul: Aram, 2014.

Kaygalak, Sevilay. *Kentin Mültecileri. Zorunlu Göç Koşullarında Neo-liberalizm ve Kentleşme*. Istanbul: Dipnot, 2009.

Kevorkian, Raymond. *The Armenian Genocide. A Complete History*. London New York: I.B. Tauris, 2011.

Kevorkian, Raymond and Paul B. Papoudjian. *1915 Öncesinde Osmanlı İmparatorluğu'nda Ermeniler*. Aras Yayınları, İstanbul, 2012.

Keyder, Çağlar. *Türkiye'de Devlet ve Sınıflar*. Istanbul: İletişim, 1993.

Kılıç, Ecevit. *JİTEM Türkiye'nin Faili Meçhul Tarihi*. Istanbul: Timaş, 2011.

Kieser, Hans Lukas. *Iskalanmış Barış. Doğu Vilayetlerinde Misyonerlik, Etnik Kimlik ve Devlet 1839-1938*. Istanbul: İletişim, 2013.

Klein, Janet. *Hamidiye Alayları. İmparatorluğun Sınır Boyları ve Kürt Aşiretleri*. Istanbul: İletişim, 2013.

Kundakçı, Hasan. *Güneydoğu'da Unutulmayanlar*. Istanbul: Alfa, 2007.

Kurt, Mehmet. *Türkiye'de Hizbullah. Din, Şiddet ve Aidiyet*. Istanbul: 2015.

Lefebvre, Henri. *La Revolution Urbaine*. Paris: Gallimard, 1970.

_____. *La Production de l'Espace*. Paris: Anthropos, 1974.

_____. *Writings on Cities*. Oxford: Blackwell, 1996.

Lemke, Thomas. *Biopolitics: An Advanced Introduction*. New York & London: New York University Press, 2011.

Leydesdorff, Selma, Luisa Paserini and Paul Thompson. *Gender & Memory*. New Brunswick and London: Transaction Publishers, 2009.

Marcus, Aliza. *Blood and Belief. The PKK and the Kurdish Fight for Independence*. New York: NYU Press, 2007.

Martin, Luther H., Huck Gutman and Patrick H. Hutton. *The Technologies of the Self. A Seminar with Michel Foucault*. Amherst: The University of Massachusetts Press, 1988.

Massad, Joseph A. *Colonial Effects. The Making of National Identity in Jordan*. New York: Columbia University Press, 2001.

Massey, Doreen. *Space, Place and Gender*. Minneapolis: University of Minnesota Press, 1994.

_____. *For Space*. Los Angeles: Sage, 2005.

McDowall, David. *A Modern History of the Kurds, Third Edition*. London New York: I.B. Tauris, 2007.

Moss, Pamela and Karen Falconer Al-Hindi, ed. *Feminisms in Geography. Rethinking Space, Place, and Knowledges*. New York: Rowman and Littlefield Publishers, 2008.

Nichanian, Marc. *The Historiographic Perversion*. New York: Columbia University Press, 2009.

_____. *Edebiyat ve Felaket*. Istanbul: İletişim, 2011.

Nora, Pierre. ed. *Les Lieux de Mémoire*. Paris: Gallimard, [1984, 1986, 1992] 1997.

Olson, Robert W. *The Emergence of Kurdish Naitionalism and the Sheikh Said Rebellion*. Austion: University of Texas, 1989.

Ölmez, A. Osman. *Türkiye Siyasetinde DEP Depremi. Legal Kürt Mücadelesi*. Ankara: Doruk, 1995.

Önder, Mehmet Seyman. *Devlet ve PKK İkileminde Korucular*. Istanbul: İletişim, 2015.

Ölmez, A. Osman. *Türkiye Siyasetinde DEP Depremi. Legal Kürt Mücadelesi*. Ankara: Doruk, 1995.

Önder, Mehmet Seyman. *Devlet ve PKK İkileminde Korucular*. Istanbul: İletişim, 2015.

Özbek, Nadir. *Osmanlı İmparatorluğu'nda Sosyal Devlet, Siyaset, İktidar ve Meşruiyet, 1876-1914*. Istanbul: İletişim, 2002.

Porta, Donatella Della. *Social Movements, Political Violence, and the State. A Comparative Analysis of Italy and Germany*. Cambridge: Cambridge University Press, 2006.

Powers, Samantha. *A Problem from Hell. America and the Age of Genocide*. New York: Basic Books, 2003.

Rogan, Eugene L. *Frontiers of the State in the Late Ottoman Empire, Transjordan, 1850-1921*. Cambridge: Cambridge University Press, 1999.

Rousso, Henry. *Face au Passé*. Paris: Belin, 2016.

Saraçoğlu, Cenk. *Şehir, Orta Sınıf ve Kürtler. İnkâr'dan "Tanıyarak Dışlama"ya*. Istanbul: İletişim, 2011.

Sarlo, Beatriz. *Geçmiş Zaman. Bellek Kültürü ve Özneye Dönüş Üzerine Bir Tartışma*. Istanbul: Metis, 2012.

Scarry, Elaine. *The Body in Pain. The Making and Unmaking of the World*. Oxford: Oxford University Press, 1985.

Schinkel, Willem. *Aspects of Violence: A Critical Theory*. London: Palgrave Mcmillan, 2010.

Scott, James C. *Seeing Like a State. How Certain Schemes to Improve the Human Condition Have Failed*. New Haven London: Yale University Press, 1998.

Shepard, Todd. *The Invention of Decolonization. The Algerian War and the Remaking of France*. Ithaca: Cornell University Press, 2008.

Skocpol, Theda. *States and Social Revolutions. A Comparative Analysis of France, Russia and China*. Cambridge: Cambridge University Press, 1979.

Suny, Ronald Grigor. *"They Can Live in the Desert but Nowhere Else": A History of the Armenian Genocide*. Princeton and Oxford: Princeton University Press, 2015.

Şengül, Tarık. *Kentsel Çelişki ve Siyaset, Kapitalist Kentleşme Süreçleri Üzerine Yazılar*. Istanbul: WALD Demokrasi Kitaplığı, 2001.

Şentürk, Burcu. *İki Tarafta Evlat Acısı*. Istanbul: İletişim, 2012.

Taylor, Diana. *The Archive and the Repertoire: Performing Cultural Memory in the Americas*. Durham, NC: Duke University Press, 2003.

Tekin, Gülçiçek Günel. *Teşkilat-ı Mahsusa'dan Ergenekon'a, Kayıplar, Yargısız İnfazlar ve Faili Meçhuller*. Istanbul: Belge, 2012.

Tilly, Charles. *Coercion, Capital and European States, AD 990-1990*. Cambridge: Basil Blackwell, 1990.

_____. *The Politics of Collective Violence*. New York: Cambridge University Press, 2003.

Trouillot, Michel-Rolph. *Silencing the Past. Power and the Production of History*. Boston: Beacon, 1995.

Turan, Menaf. *Türkiye'de Kentsel Rant. Devlet Mülkiyetinden Özel Mülkiyete*. Ankara: Tan, 2009.

Turgut, Sırma, and Eda Ceylan. *Bir Yerel Yönetim Deneyiminin Ardından*. Istanbul: Alfa, 2010.

Tzfadia, Erez and Haim Yacobi. *Rethinking Israeli Space. Periphery and Identity*. New York: Routledge, 2011.

Üngör, Uğur Ümit. *The Making of Modern Turkey. Nation and State in Eastern Anatolia, 1913-1950*. Oxford: Oxford University Press, 2011.

Üngör, Uğur Ümit, and Mehmet Polatel. *Confiscation and Destruction, The Young Turk Seizure of Armenian Property*. New York: Continuum, 2011.

Ünlü, Barış, and Ozan Değer, ed. *İsmail Beşikçi*. Istanbul: İletişim, 2011.

Xavier, Jonathan Inda, ed. *Anthropologies of Modernity. Foucault, Governmentality, and Life Politics*. Wiley: Blackwell, 2005.

Vermeulen, Marthe Lot. *Enforced Disappearances. Determining State Responsibility Under the International Convention for the Protection of All Persons from Enforced Disappearance*. Cambridge: Intersentia, 2011.

Wacquant, Loic. *Parias Urbains. Ghetto, Banlieues, Etat*. Paris: La Découverte, 2005.

Watts, Nicole F. *Sandıkla Meydan Okumak. Türkiye'de Kürtlerin Siyasi Yolculuğu*. Istanbul: İletişim, 2014.

Weber, Eugen. *Peasants into Frenchmen. The Modernization of Rural France, 1870-1914*. Stanford: Stanford University Press, 1976.

Wedel, Heidi. *Siyaset ve Cinsiyet. İstanbul Gecekondularında Kadınların Siyasal Katılımı*. Istanbul: Metis, 2001.

Wieviorka, Annette. *L'ère du témoin*. Paris: Plon, 1998.

Woodley, Daniel. *Fascism and Political Theory. Critical Perspectives on Fascist Ideology*. London New York: Routledge, 2010.

Yalçın, Soner. *Binbaşı Cem Ersever'in İtirafları*. Istanbul: Kaynak, 1994.

Yaşın, Abdullah. *Tarih, Kültür ve Cizre*. Istanbul: Kent Işıkları, 2011.

Yeğen, Mesut. *Müstakbel Türk'ten Sözde Vatandaşa. Cumhuriyet ve Kürtler*. Istanbul: İletişim, 2009.

_____. *Son Kürt İsyanı*. Istanbul: İletişim, 2011.

Yeniay, Aziz. *Ayazma ve Tepeüstü Kentsel Dönüşüm Projesi*. Istanbul: Küçükçekmece Belediyesi, 2007.

Zürcher, Eric Jan. *Milli Mücadelede İttihatçılık*. Istanbul: İletişim, 2005.

Chapter in a Printed Publication

Ahıska, Meltem. "Counter-Movement, Space and Politics: How the Saturday Mothers of Turkey Make Enforced Disappearances Visible." In *Space and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, ed. Estela Schindel and Pamelo Colombo, 162-175. New York: Palgrave Macmillan, 2014.

Aldama, Arturo J. "Borders, Violence, and the Struggle for Chicana and Chicano Subjectivity." In *Violence and the Body. Race, Gender and the State*, ed. Arturo J. Aldama, 19-39. Bloomington and Indianapolis: Indiana University Press, 2003.

Asad, Talal. "Where Are the Margins of the State?." *In Anthropology in the Margins of the State*, edited by Veena Das and Deborah Poole, 279-288. Santa Fe: School of American Research Press, 2004.

Benjamin, Walter. "On the Critique of Violence." In *Reflections, Essays, Aphorisms, Autobiographical Writings*, edited by Peter Demetz, 277-300. New York: Shocken Books, [1920] 1995.

Bozarslan, Hamit. "Kürd Milliyetçiliği ve Kürd Hareketi 1898-2000." In *Modern Türkiye'de Siyasi Düşünce. Milliyetçilik Vol. 4*, edited by Murat Gültekingil and Tanıl Bora, 841-871. Istanbul: İletişim, 2002.

_____. "Kurdish Nationalism in Turkey: From Tacit Contract to Rebellion (1919-1925)." In *Essays on the Origins of Kurdish Nationalism*, edited by Abbas Vali, 163-190. Costa Mesa: Mazda, 2003.

_____. "Kurds and the Turkish State." In *The Cambridge History of Turkey, Volume 4 Turkey in the Modern World*, edited by Reşat Kasaba, 333-356. Cambridge: Cambridge University Press, 2008.

_____. "Türkiye'de Kürt Sol Hareketi." In *Modern Türkiye'de Siyasi Düşünce, Vol. 8 Sol*, edited by Murat Gültekingil, 1169–1207. Istanbul: İletişim, 2008.

_____. "Sunuş." In *Türkiye'de Siyasal Şiddetin Boyutları*, edited by Güney Çeğin ve İbrahim Şirin, 9-31. Istanbul: İletişim, 2014.

_____. "'Neden Silahlı Mücadele?': Türkiye Kürdistanı'nda Şiddeti Anlamak." In *Türkiye'de Siyasal Şiddetin Boyutları*, edited by Güney Çeğin ve İbrahim Şirin, 149-164. Istanbul: İletişim, 2014.

Bozkulak, Serpil. "'Gecekondu'dan 'Varoş'a: Gülsuyu Mahallesi." In *Istanbul'da Kentsel Ayrışma*, edited by Hatice Kurtuluş, 239-266. Istanbul: Bağlam, 2005.

Bruinessen, Martin Van. "Kurds and the City." In *Joyce Blau, l'éternelle chez les Kurdes*, edited by Hamit Bozarslan and Clémence Scalbert-Yücel, 273-295. Paris: Institut Kurde de Paris, 2013.

Cizre, Ümit. "Ideology, Context and Interest: the Turkish Military." In *The Cambridge History of Turkey, Volume 4, Turkey in the Modern World*, edited by Reşat Kasaba, 301-333. New York: Cambridge University Press, 2008.

Comaroff, Jean and John L. "Naturing the Nation: Aliens, Apocalypse and the Postcolonial State." In *Sovereign Bodies, Citizens, Migrants and States in the Postcolonial World,* ed. Thomas Blom Hansen and Finn Stepputat, 120-148. Princeton: Princeton University Press, 2005.

Coronil, Fernando, and Julie Skurski. "Introduction: States of Violence and the Violence of States." in *States of Violence*, edited by Fernando Coronil and Julie Skurski, 1-33. Ann Arbor: The University of Michigan Press, 2006.

Çelebi, Aykut. "Şiddete Karşı Siyaset Hakkı." In *Şiddetin Eleştirisi Üzerine*, edited by Aykut Çelebi, 255-312. Istanbul: Metis, 2010.

Çiçek, Cuma. "Devlet, Egemenlik, Kolektif Kimlikler ve Şiddet Rejimleri: Türkiye'nin Kürt Coğrafyasında Şiddet Rejiminin İnşası." In *Kıyam ve Kıtâl. Osmanlı'dan Cumhuriyet'e Devletin İnşası ve Kolektif Şiddet*, edited by Ümit Kurt and Güney Çeğin, 296-320. Istanbul: Tarih Vakfı, 2015.

Das, Veena and Deborah Poole. "State and Its Margins." In *Anthropology in the Margins of the State*, edited by Veena Das and Deborah Poole, 3-35. Santa Fe: School of American Research Press, 2004.

Das, Veena "The Signature of the State." In *Anthropology at the Margins of the State*, edited by Veena Das and Deborah Poole, 225-252. Santa Fe: School of American Research Press, 2004.

Dean, Mitchell. "'Demonic Societies': Liberalism, Biopolitics and Sovereignty." In *States of Imagination, Ethnographic Explorations of the Postcolonial State*, edited by Thomas Blom Hansen and Finn Stepputat, 41-65. Durham London: Duke University Press, 2001.

Demirler, Derya, and Veysel Eşsiz. "Zorunlu Göç Deneyimini Kadınlardan Dinlemek: Bir İmkan ve İmkansızlık Olarak Dil." In *Cinsiyet Halleri*, edited by Nil Mutluer, 165-180. Istanbul: Varlık, 2008.

Derrida, Jacques. "Force of Law: The Mystical Foundation of Authority," in *Deconstruction and the Possibility of Justice*, edited by Drucilla Cornell, Michel Rosenfeld, and David Grey Carlson, 3-67. New York: Routledge, 1992.

Dilek, Oğuz. "Türkiye Kapitalizminde Zorun Rolü: Rızasız bir Toplum Sözleşmesi Olarak 12 Eylül Askeri Darbesi." In *Türkiye'de Siyasal Şiddetin Boyutları*, edited by Güney Çeğin and İbrahim Şirin, 347-369. Istanbul: İletişim, 2014.

Feldman, Allen. "Violence and Vision: The Prosthetics and Aesthetics of Terror." In *States of Violence*, edited by Fernando Coronil and Julie Skurski, 425-468. Ann Arbor: The University of Michigan Press, 2006.

Ferguson, James. "The Anti-Politics Machine." In *The Anthropology of the State. A Reader*, edited by Aradhana Sharma and Akhil Gupta, 270-287. Malden MA: Blackwell, 2006.

Fırat, Bahar Şahin. "Türkiye'de 'Doksanlar': Devlet Şiddetinin Özgünlüğü ve Sürekliliği Üzerine Bir Deneme." In *Türkiye'de Siyasal Şiddetin Boyutları*, edited by Güney Çeğin ve İbrahim Şirin, 369-403. Istanbul: İletişim, 2014.

Foucault, Michel. "Governmentality." In *The Foucault Effect: Studies in Governmentality*, edited by Graham Burchell, Colin Gordon and Peter Miller, 87-104. Chicago: The University of Chicago Press, 1991.

Fouchard, Isabelle. "İnsanlığa Karşı Suçların Uluslararası Hukukta Tanımlanması." In *İnsanlığa Karşı Suç*, edited by Mireille-Delmas Marty, Isabelle Fouchard, Emanuela Fronza, Laurent Neyret, 13-44. Istanbul: İletişim, 2012.

Gatti, Gabriel. "An Orderly Landscape of Remnants: Notes for Reflecting on the Spatiality of the Disappeared." In *Space and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, ed. Estela Schindel and Pamela Colombo, 176-187. New York: Palgrave Macmillan, 2014.

Gordon, Lewis. "Frantz Fanon" in *The International Encyclopedia of Ethics* (2015), 1-6.

Göker, Zeynep Gülru. “The Mourning Mother: Rhetorical Figure or Political Actor?.” In *The Making of Neo-liberal Turkey*, edited by Cenk Özbay, Maral Erol, Ayşecan Terzioğlu and Z. Umut Türem, 131-148. Dorchester: Ashgate, 2015.

Gupta, Akhil. “Blurred Boundaries: The Discourse of Corruption, the Culture of Politics, and the Imagined State.” In *The Anthropology of the State. A Reader*, edited by Aradhana Sharma and Akhil Gupta, 211-242. Malden MA: Blackwell, 2006.

Hansen, Thomas Blom. “On Legality and Authority in India.” In *Sovereign Bodies. Citizens, Migrants and States in the Postcolonial World*, edited by Thomas Blom Hansen and Finn Stepputat, 169-191. Princeton: Princeton University Press, 2005.

Holston, James, and Arjun Appadurai. “Introduction: Cities and Citizenship.” In *Cities and Citizenship*, edited by J. Holston, 1-18. Durham: Duke University Press, 1999.

İslam, Tolga. “Outside the Core.” In *Gentrification in a Global Context*, edited by Rowland Atkinson and Gary Bridge, 121-136. London: Routledge, 2005.

Jongerden, Joost, and Ahmet Hamdi Akkaya. “Born from the Left: The making of the PKK.” In *Nationalisms and Politics in Turkey Political Islam, Kemalism and the Kurdish Issue*, edited by Marlies Casier and Joost Jongerden, 123-142. London New York: Routledge, 2011.

Keyder, Çağlar. “Enformel Konut Piyasasından Küresel Konut Piyasasına.” In *Istanbul, Küresel ile Yerel Arasında*, ed. Çağlar Keyder, 171-191. Istanbul: Metis, 2006.

_____. “A Brief History of Modern Istanbul.” In *The Cambridge History of Turkey Volume 4, Turkey in the Modern World*, ed. Reşat Kasaba, 504-524. New York: Cambridge University Press, 2008.

Kriesberg, Louis. “Changing Forms of Coexistence.” In *Reconciliation, Justice and Coexistence: Theory and Practice*, edited by M. Abu-Nimer, 47-65. Lanham: Lexington, 2001.

Kurt, Ümit. "Varlık ve Yokluk Kıskacında Ermeniler: 1915 Ermeni Kırımı’nın Ekonomik Şiddet Boyutu." In *Türkiye’de Siyasal Şiddetin Boyutları*, edited by Güney Çeğin and İbrahim Şirin, 79-128. Istanbul: İletişim, 2014.

Kurtuluş, Hatice, and Asuman Türkün. “Giriş.” In *Istanbul’da Kentsel Ayrışma*, edited by Hatice Kurtuluş, 9-25. Istanbul: Bağlam, 2005.

Kwon, Heonik. “The Ghosts of War and the Ethics of Memory.” In *Ordinary Ethics, Anthropology, Language and Action*, edited by Michael Lambek, 400-415. New York: Fordham University Press, 2010.

Lutz, Catherine. “Making War at Home in the United States: Militarization and the Current Crisis.” In *The Anthropology of the State. A Reader*, edited by Aradhana Sharma and Akhil Gupta, 291-310. Malden MA: Blackwell, 2006.

Mbembe, Achille. “The Banality of Power and the Aesthetics of Vulgarity in the Postcolony.” In *Anthropology of the State. A Reader*, edited by Aradhana Sharma and Akhil Gupta, 381-401. Malden MA: Blackwell, 2006.

Mitchell, Timothy. “Society, Economy and the State Effect.” In *State/Culture. State-Formation after the Cultural Turn*, edited by George Steinmetz, 76–97. Ithaca New York: Cornell University Press, 1999.

Nelson, Diane M. “The Cultural Agency of the Wounded Bodies Politic: Ethnicity and Gender as Prosthetic Support in Postwar Guatemala.” In *Cultural Agency in the Americas*, edited by Doris Summer, 93-121. Durham and London: Duke University Press, 2006.

Nichanian, Marc. “Catastrophic Mourning.” In *Loss. The Politics of Mourning*, edited by David L. Eng ve David Kazanjian, 99-125. Berkeley, Los Angeles and London: University of California Press, 2003.

Öktem, Binnur. “Küresel Kent Söyleminin Kentsel Mekanı Dönüştürmedeki Rolü.” In *Istanbul’da Kentsel Ayrışma*, edited by Hatice Kurtuluş, 25-76. Istanbul: Bağlam, 2005.

Öndül, Hüsnü. “Zorla Yerinden Etme Uygulaması” In *İsmail Beşikçi*, edited by Barış Ünlü and Ozan Değer. Istanbul: İletişim, 2011.

Özyürek, Esra. “Introduction.” In *The Politics of Public Memory in Turkey*, edited by Esra Özyürek, 1-16. Syracuse, New York: Syracuse University Press, 2007.

Paker, Evren Balta. “Dış Tehditten İç Tehdide: Türkiye’de Doksanlarda Ulusal Güvenliğin Yeniden İnşası.” In *Türkiye’de Ordu, Devlet ve Güvenlik Siyaseti*, edited by Evren Balta Paker and İsmet Akça, 407-432. Istanbul: Bilgi University Press, 2013.

Poole, Deborah. “Between Threat and Guarantee: Justice and the Community in the Margins of the Peruvian State.” In *Anthropology in the Margins of the State*, ed. Veena Das and Deborah Poole, 35-66. Santa Fe: School of American Research Press, 2004.

Pratt, Geraldine. “Reflections on Poststructuralism and Feminist Empirics, Theory and Practice.” In *Feminisms in Geography, Rethinking Space, Place and Knowledges*, edited by Pamela Moss, and Karen Falconer Al-Hindi, 49-60. New York: Rowman & Littlefield Publishers, 2008.

Sanford, Victoria. “Contesting Displacement in Colombia, Citizenship and State Sovereignty at the Margins.” In *Anthropology in the Margins of the State*, edited by Veena Das and Deborah Poole, 253-278. Santa Fe: School of American Research Press, 2004.

Schindel, Estela, and Pamela Colombo. “Introduction: The Multi-Layered Memories of Space.” In S*pace and the Memories of Violence. Landscapes of Erasure, Disappearance and Exception*, edited by Estela Schindel and Pamela Colombo, 1-21. New York: Palgrave Macmillan, 2014.

Sirman, Nükhet. “Kadınların Milliyeti.” In *Milliyetçilik: Modern Türkiye’de Siyasal Düşünce Vol: 4*, edited by Murat Gültekingil and Tanıl Bora, 226-244. Istanbul: İletişim, 2002.

Stoler, Ann Laura and Carole McGranahan. “Introduction: Refiguring Imperial Terrains.” In *Imperial Formations*, edited by Ann Laura Stoler, Carole McGranahan and Peter C. Perdue, 3-42. Santa Fe: School for Advanced Research Press, 2007.

Tilly, Charles. “War Making and State Making as Organized Crime.” In *Bringing the State Back in*, ed. Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol, 169-187. New York Cambridge: Cambridge University Press, 1985.

Ünlü, Barış. “Kürdistan/Türkiye ve Cezayir/Fransa: Sömürge Yöntemleri, Şiddet ve Entelektüeller.” In *Türkiye’de Siyasal Şiddetin Boyutları*, edited by Güney Çeğin ve İbrahim Şirin, 403-435. Istanbul: İletişim, 2014.

Üstündağ, Zülal Nazan. “Pornografik Devlet-Erotik Direniş: Kürt Erkek Bedenlerinin Genel Ekonomisi.” In *Erkek Millet Asker Millet – Türkiye’de Militarizm, Milliyetçilik, Erkek(lik)ler*, edited by Nurseli Yeşim Sünbüloğlu, 513-537. Istanbul: İletişim, 2013.

Williams, Rhodri C. “Protection in the Past Tense: Restitution at the Juncture of Humanitarian Response to Displacement and Transitional Justice.” In *Transitional Justice and*

Displacement, edited by Roger Duthie, 85-138. New York: Social Science Research Council, 2012.

Yavuz, Nuran. "Gentrification Kavramını Türkçeleştirmekte Neden Zorlanıyoruz?." In *Istanbul'da Soylulaştırma, Eski Kentin Yeni Sakinleri*, edited by Cem Behar and Tolga İslam, 59-70. Istanbul: Bilgi Üniversitesi, 2006.

Yeğen, Mesut. "Türk Milliyetçiliği ve Kürt Sorunu." In *Modern Türkiye'de Siyasi Düşünce. Milliyetçilik Vol. 4*, edited by Murat Gültekingil and Tanıl Bora, 880-893. Istanbul: İletişim, 2002.

_____. "The Kurdish Question in Turkey: Denial to Recognition." In *Nationalisms and Politics in Turkey Political Islam, Kemalism and the Kurdish Issue*, edited by Marlies Casier and Joost Jongerden, 67-84. London and New York: Routledge, 2011.

Printed Reports and NGO Publications

Advisory Group on Forced Evictions – AGFE. *Report to the Executive Director of the UN Habitat Program*. Istanbul, 2009.

Alessandrini, Anthony, Nazan Üstündağ and Emrah Yıldız, ed. "'Resistance Everywhere': The Gezi Protests and Dissident Visions of Turkey", *JADMAG*, no. 1.4 (2013).

Alpkaya, Gökçen, İlkem Altıntaş, Öznur Sevdiren, and Emel Ataktürk Sevimli. *Enforced Disappearances and the Conduct of the Judiciary*. Istanbul: Hafıza Merkezi, 2013.

Atılgan, Mehmet, and Serap Işık. *Cezasızlık Zırhını Aşmak. Türkiye'de Güvenlik Güçleri ve Hak İhlalleri*. Istanbul: TESEV, 2011.

Avşar, Gülçin. *Ergenekon'un Öteki Yüzü: Faili Meçhuller ve Kayıplar*. İstanbul: TESEV, 2013.

Balta, Evren, Murat Yüksel, and Yasemin Acar. *Geçici Köy Koruculuğu Sistemi ve "Çözüm Süreci"*. Istanbul: Süreç Araştırma Merkezi, 2015.

Barut, Mehmet. *Zorunlu Göçe Maruz Kalan Kürt Kökenli T.C. Vatandaşlarının Göç Öncesi ve Göç Sonrası Sosyo Ekonomik, Sosyo Kültürel Durumları, Askeri Çatışma ve Gerginlik Politikaları Sonucu Meydana Gelen Göçün Ortaya Çıkardığı Sorunlar ve Göç Mağduru Ailelerin Geriye Dönüş Eğilimlerinin Araştırılması ve Çözüm Önerileri*. Istanbul: Göç-Der, 2001.

Bora, Aksu and İlknur Üstün. *"Sıcak Aile Ortamı". Demokratikleşme Sürecinde Kadın ve Erkekler*. Istanbul: TESEV, 2008.

CONADEP. *Nunca Más. The Report of the Argentine National Commission of the Disappeared*. New York: Farrar, Straus and Giroux, 1986.

Göç-Der. *Göç Hikayeleri*. Istanbul: Göç-Der, 2008.

_____. *90'larda Yerinden Edilen Gayrimüslimlerin Göç Hikâyeleri*. Istanbul: Göç-Der, 2015.

Göral, Özgür Sevgi, Ayhan Işık and Özlem Kaya. *Unspoken Truth: Enforced Disappearances*. Istanbul: Hakikat Adalet Hafıza Merkezi, 2013.

_____. *Executive Summary. Unspoken Truth: Enforced Disappearances*. Istanbul: Hafıza Merkezi, 2015.

Hacettepe Üniversitesi Nüfus Etütleri Enstitüsü. *Türkiye Göç ve Yerinden Olmuş Nüfus Araştırması*. Ankara: Hacettepe Üniversitesi, 2006.

Human Rights Watch. *Destroying Ethnic Identity, The Kurds of Turkey, An Update*. 1990.

_____. *Algeria, Time for Reckoning: Enforced Disappearances in Algeria*. New York: Human Rights Watch Publications, 2003.

_____. *Time for Justice. Ending Impunity for Killings and Disappearances in 1990s' Turkey*, 2012.

İnşaat Mühendisleri Odası. *TOKİ Değerlendirme Raporu*. Istanbul: IMO, 2008.

International Coalition Against Enforced Disappearances. *A guide to the International Convention for the Protection of All Persons from Enforced Disappearances*. Utrecht: Aim for Human Rights, 2009.

Kaya, Özlem and Hatice Bozkurt. *Holding up the Photograph. Experiences of the Women Whose Husbands were Forcibly Disappeared*. Istanbul: Hafıza Merkezi, 2014.

Kurban, Dilek and Mesut Yeğen. *Adaletin Kıyısında*. Istanbul: TESEV, 2012.

Özar, Şemsa, Nesrin Uçarlar and Osman Aytar. *Köy Koruculuğu Sistemi. Geçmişten Günümüze Türkiye'de Paramiliter Bir Yapılanma*. Istanbul: DİSA, 2013.

Patiño, Otty and Vera Grabe. *Considerations Regarding Peace Negotiations in Colombia: 1990-2014*. Berlin: Berghof Foundation, 2014.

Sarafian, Ara. *Talaat Pasha's Report on the Armenian Genocide*. London: Gomidas Institute Studies Series, 2011.

Sarkin, Jeremy et al. *Bosnia and Herzegovina, Missing Persons from the Armed Conflicts of the 1990s: A Stocktaking*. Sarajevo: International Commission on Missing Persons, 2014.

Sassen, Saskia. "Ucsuz Bucaksız bir Hareketliliğin Değişmez Kavşağı." In *Istanbul Kesişimler Şehri*, ed. Richard Burdett, 5-7. Istanbul: Bilgi Üniversitesi, 2009.

Shin, Hyun Bang. "Right to the city and critical reflections on property rights activism in China's urban renewal contexts." *Centre for Analysis of Social Exclusion (CASE) Papers*, no. 156 (2011).

Chapter in a Printed Report and NGO Publication

Altıntaş, İlkem. "Enforced Disappearance Cases from the Perspective of the European Court of Human Rights." In *Enforced Disappearances and the Conduct of the Judiciary*, 108-132. Istanbul: Hafıza Merkezi, 2013.

Balancar, Ferda, and Esra Elmas. "Askerin Siyasete Müdahaleleri ve Ordu İçi Siyasallaşma." In *Almanak Türkiye 2006-2008. Güvenlik Sektörü ve Demokratik Gözetim*, edited by Ahmet İnsel and Ali Bayramoğlu, 185-199. Istanbul: TESEV, 2009.

Bayraktar, Erdoğan. "Opening Speech." In *Istanbul Buluşmaları. Kriz ve İstanbul*, edited by Pınar Özden, Akif Burak Atlar, Saadet Tuğçe Tezer, and Çare Olgun Çalışkan, 14-22. Istanbul: TMMOB Şehir Plancıları Odası, 2010.

Doruk, Yılmaz. "Türkiye'de Yerinden Edilmişlik Olgusu." In *Türkiye'de Zorunlu Göç. Hükümet Politikaları*, 42-50. Istanbul: TESEV, 2010.

Elçi, Tahir. "Yakın Geçmişte İnsan Haklarının Ağır İhlallerini Soruşturma(ma) Sorunu." In *Geçmişle Yüzleşme ve Mevcut Davalar*, 10-14. Istanbul: TESEV, 2012.

Keskin, Eren. "Crimes against Humanity in the Turkish Penal Code." (Interview with Eren Keskin by Levent Pişkin) In *Geçmişle Yüzleşme ve Mevcut Davalar*, 24-27. Istanbul: TESEV, 2012.

Kılıç, Ecevit. "JİTEM'in Öyküsü." In *Almanak Türkiye 2006-2008. Güvenlik Sektörü ve Demokratik Gözetim*, edited by Ahmet İnsel and Ali Bayramoğlu, 220-230. Istanbul: TESEV, 2009.

Kurban, Dilek, Ayşe Betül Çelik, and Deniz Yükseker. *"Overcoming a Legacy of Mistrust: Towards Reconciliation Between the State and the Displaced". Update on the Implementation of the Recommendations Made by the UN Secretary-General's Representative on Internally Displaced Persons Following His Visit to Turkey*. Istanbul: TESEV and Norwegian Refugee Council, 2006.

Kurban, Dilek. "Internal Displacement: Developments in International Law and Practices in Other Countries." In *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, edited by Dilek Kurban, Deniz Yükseker, Ayşe Betül Çelik, Turgay Ünalan, and A. Tamer Aker, 60-70. Istanbul: TESEV, 2007.

_____. "Human Rights Watch, Kurdish Human Rights Project and the European Court of Human Rights on Internal Displacement in Turkey." In *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban, Deniz Yükseker, Ayşe Betül Çelik, Turgay Ünalan, and A. Tamer Aker, 119-144. Istanbul: TESEV, 2007.

_____. "Bir 'Güvenlik Politikası' olarak Koruculuk Sistemi." In *Almanak Türkiye 2006-2008: Güvenlik Sektörü ve Demokratik Gözetim*, edited by Ahmet İnsel and Ali Bayramoğlu, 253-259. Istanbul: TESEV, 2009.

_____. "Kürt Sorununun Çözümünde Bir Engel veya Fırsat Olarak Van Eylem Planı." In *Türkiye'de Zorunlu Göç: Hükümet Politikaları. Uluslararası Konferans Tebliğleri 27 Haziran 2009*, 57-63. Istanbul: TESEV, 2010.

Ünalan, Turgay. "Internal Displacement: Current Global Conditions and Trends." In *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban, Deniz Yükseker, Ayşe Betül Çelik, Turgay Ünalan, and A. Tamer Aker, 33-43. Istanbul: TESEV, 2007.

Yılmaz, Bediz. "Yakındaki Uzak: İstanbul'un Bir Kentiçi Mahallesinde Sosyal Dışlanma ve Mekânsal Sürgün." *In Türkiye'de Büyük Kentlerin Gecekondu ve Çöküntü Mahallelerinde Yaşanan Yoksulluk ve Sosyal Dışlanma, Avrupa Komisyonu Raporu*, edited by Fikret Adaman and Çağlar Keyder, 26-41. Brusells: 2006.

Yükseker, Deniz. "Internal Displacement: A Critical Analysis of International Policies and Practices." In *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, edited by Dilek Kurban, Deniz Yükseker, Ayşe Betül Çelik, Turgay Ünalan, and A. Tamer Aker, 43-51. Istanbul: TESEV, 2007.

_____. "Internal Displacement and Social Exclusion: Problems Encountered by Internally Displaced Persons in the Provinces of Istanbul and Diyarbakır." In *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, ed. Dilek Kurban Deniz Yükseker, Ayşe Betül Çelik, Turgay Ünalan, and A. Tamer Aker, 256-277. Istanbul: TESEV, 2007.

Electronic Reports and NGO Publications

Commissioner for Human Rights. Council of Europe. "Memorandum on the Human Rights Implications of Anti-Terrorism Operations in South-Eastern Turkey." December 2, 2016. accessed February 10, 2017. https://rm.coe.int/16806db68f.

Human Rights Watch. "'Still Critical' Prospects in 2005 for Internally Displaced Kurds in Turkey." March 2005, vol. 17, no. 2 (D), 22, accessed April 3, 2016. https://www.hrw.org/reports/2005/turkey0305/turkey0305.pdf.

_____. Displaced And Disregarded: Turkey's Failing Village Return Program, Vol. 14, No. 7 (D) – October 2002, accessed October 19, 2015. http://hrw.org/reports/2002/turkey/Turkey1002.pdf.

International Coalition Against Enforced Disappearances. "International Coalition Against Enforced Disappearances Statement on the International Day of the Disappeared." August 30. 2012. accessed October 20. 2015. http://www.icaed.org/home/news-archive-2012/.

Article in a Printed Journal

Abujidi, Nurhan, and Han Verschure. “Military Occupation as Urbicide by ‘Construction and Destruction’: The Case of Nablus, Palestine.” *The Arab World Geographer* 9, no. 2 (2006): 126-154.

Abrams, Philip. “Notes on the Difficulty of Studying the State.” *Journal of Historical Sociology* 1, no. 1, ([1977]1988): 58–89.

Ahıska, Meltem. “Kayıp Annelerinin Şiddete Tanıklığı.” *Amargi*, no.2 (2006): 22-24.

Alpkaya, Gökçen. “Kayıplar Sorunu ve Türkiye.” *Ankara Üniversitesi Siyasal Bilgiler Fakültesi Dergisi* 50, no. 3-4 (1995): 31-65.

Appadurai, Arjun. “Spectral Housing and Urban Cleansing: Notes on Millennial Mumbai.” *Public Culture* 12, no. 3 (2000): 627-651.

Aretxaga, Begona. “The Sexual Games of the Body Politic: Fantasy and State Violence in Northern Ireland.” *Culture, Medicine and Psychiatry*, no. 25 (2001): 1–27.

_____. “Maddening States.” *Annual Review of Anthropology* 32, (2003): 393-410.

Aslan, Şükrü. “Istanbul Büyükşehir Belediyesi Yayınlarında Kentsel Dönüşüm Vurgusu ve Gecekonduya Yönelik Dışlayıcı Dilin İnşası: Istanbul Bülteni Örneği”, *İktisat Dergisi*, no: 499, (2008): 79-87.

Ayata, Bilgin, and Deniz Yükseker. “A Belated Awakening: National and International Responses to the Internal Displacement of Kurds in Turkey.” *New Perspectives on Turkey*, no. 32 (2005): 5-42.

Bargu, Banu. “Sovereignty as Erasure: Rethinking Enforced Disappearances.” *Qui Parle: Critical Humanities and Social Sciences* 23, no. 1 (2014): 33-75.

Bennington, Geoffrey. “Superanus.” *Theory & Event* 8, no.1 (2005): 1-16.

Bijl, Paul. “Colonial Memory and Forgetting in the Netherlands and Indonesia.” *Journal of Genocide Research* 14, no. 3-4 (2012): 441-461.

Bilici, Mucahit. "The Fethullah Gülen Movement and Its Politics of Representation in Turkey." *The Muslim World* 96, no. 1 (2006): 1-20.

Biner, Zerrin Özlem. “From Terrorist to Repentant: Who Is the Victim?” *History and Anthropology* 17, no. 4 (2006): 339–353.

_____. “The Logic of Reconciliation: Between the Right to Compensation and the Right to Justice in Turkey.” *Humanity: An International Journal of Human Rights, Humanitarianism, and Development* 4, no. 1 (2013): 73-91.

Bora, Tanıl. “Sunuş: Gezi Direnişi: Bir Yanımız Bahar Bahçe...” *Birikim*, no. 291-292 (2013): 20-26.

Bourdieu, Pierre. “Les conditions sociales de la circulation internationale des idees.” *Actes de la recherche en sciences sociales* 5, (2002): 3-8.

Bozarslan, Hamit. “Quelques remarques sur le discours historiographique kurde en Turquie : 1918-1980,” *Asien Afrika Latinamerika*, no. 29 (2001) : 47-71.

Brenner, Neil. “Urban Governance and the Production of New State Spaces in Western Europe, 1960–2000.” *Review of International Political Economy* 11, no.3 (2004): 447–488.

Candan, Ayfer Bartu, and Biray Kolluoğlu. “Emerging Spaces of Neoliberalism: A Gated Town and a Public Housing Project in İstanbul.” *New Perspectives on Turkey*, no. 39 (2008): 5-46.

Chevalier-Watts, Juliet. "The Phenomena of Enforced Disappearances in Turkey and Chechnya: Strasbourg's Noble Cause?." *Human Rights Review*, no 11, (2010): 469–489.

Çalı, Başak. "The Logics of Supranational Human Rights Litigation, Official Acknowledgment, and Human Rights Reform: The Southeast Turkey Cases before the European Court of Human Rights, 1996–2006." *Law & Social Inquiry* 35, no 2 (2010): 311–337

Çelik, Ayşe Betül. "'I miss my village!': Forced Kurdish Migrants in İstanbul and Their Representation in Associations." *New Perspectives on Turkey*, no. 32, (2005): 137-163.

Demirler, Derya. "İnsan Hakları ve Egemenlik Sarkacında Türkiye'de Yerinden Edilme ve Toplumsal Cinsiyet." *Feminist Yaklaşımlar. 2006-2007 Seçkisi*. (2008): 33-57.

Deringil, Selim. "They Live in a 'State of Nomadism and Savagery': The Late Ottoman Empire and the Post-Colonial Debate." *Comparative Studies in Society and History* 45, no. 2 (2003): 311-342.

Drabinski, John E. "Fanon's Two Memories," *The South Atlantic Quarterly* 112, no.1 (2013): 5-22.

Elitsoy, Z. Aslı. ''Silahlı Terör Örgütünden Legal Siyasi Partiye: Hizbullah'ın Hüda Par'a Dönüşüm Süreci." *Birikim*, no. 301 (2014): 48-54.

Erman, Tahire. "The Politics of Squatter (Gecekondu) Studies in Turkey: The Changing Representations of Rural Migrants in the Academic Discourse." *Urban Studies* 38, no. 7, (2001): 983–1002.

Erman, Tahire, and Aslıhan Eken. "The "Other of the Other" and "Unregulated Territories." *Cities* 21, no. 1, (2004): 57–68.

Etöz, Zeliha. "Varoş: bir istila, bir tehdit." *Birikim* 132 (2000): 49–53.

Felman, Shoshana. "In an Era of Testimony: Claude Lanzmann's Shoah." *Yale French Studies*, no. 79 (1991): 39-81.

Fiskesjö, Magnus. "Outlaws, Barbarians and Slaves: Critical Reflections on Agamben's homo sacer." *Journal of Ethnographic Theory* 2, no. 1 (2012): 161-180.

French, Brigittine M. "Technologies of Telling: Discourse, Transparency, and Erasure in Guatemalan Truth Commission Testimony." *Journal of Human Rights*, no. 8 (2009): 92-109.

Galtung, Johan. "Violence, Peace, and Peace Research." *Journal of Peace Research* 6, no. 3 (1969): 167-191.

_____. "Cultural Violence," *Journal of Peace Research*, no. 27 (1990): 291–305.

Gatti, Gabriel. "Imposing Identity against Social Catastrophes. The Strategies of (Re)Generation of Meaning of the Abuelas de Plaza de Mayo (Argentina)." *Bulletin of Latin American Research* 31, no. 3 (2012): 352–365.

Gölbaşı, Edip. "19. Yüzyıl Osmanlı Emperyal Siyaseti ve Osmanlı Tarih Yazımında Kolonyal Perspektifler." *Tarih ve Toplum Yeni Yaklaşımlar*, no. 13 (2011): 199-222.

Göral, Özgür Sevgi. "Kentsel Dönüşüm Projelerine Muhalafet Etmek: Kentsel Muhalefetin Cinsiyeti." *İstanbul Üniversitesi Siyasal Bilgiler Fakültesi Dergisi*, no. 44 (2011): 67-81.

Graham, Stephen. "Lessons in Urbicide." *New Left Review*, no 19 (2003): 63-78.

Güneş, Cengiz. “Explaining the PKK's Mobilization of the Kurds in Turkey: Hegemony, Myth and Violence.” *Ethnopolitics* 12, no.3 (2013): 247-267.

Hansen, Thomas Blom, and Finn Stepputat. “Sovereignty Revisited.” *Annual Review of Anthropology* 35, (2006): 295-315.

Haynes, Kathryn. “Other Lives in Accounting: Critical Reflections on Oral History Methodology in Action.” *Critical Perspectives on Accounting*, no. 21 (2010): 221–231.

Hirschler, Konrad. “Defining the Nation: Kurdish Historiography in Turkey in the 1990s.” *Middle Eastern Studies* 37, no. 3 (2001): 145-166.

Huang, Mab. “Hannah Arendt on the Banality of Evil.” *Soochow Journal of Political Science*, no. 23 (2006): 1-23.

Jennings, Ronald C. “Sovereignty and Political Modernity: a Genealogy of Agamben’s Critique of Sovereignty.” *Anthropological Theory* 11, no. 1 (2011): 23–61.

_____. “Cosmopolitan Subjects: Critical Reflections on Dualism, International Criminal Law and Sovereignty. Lessons for the African Union from the Yugoslavia Tribunal.” *African Journal of Legal Studies*, no. 7 (2014): 321–350.

Kandiyoti, Deniz. “Bargaining with Patriarchy.” *Gender and Society* 2, no. 3 (1988): 274-290.

Kaplan, Martha, “Panopticon in Poona: An essay on Foucault and Colonialism,” *Cultural Anthropology* 10, no. 1 (1995): 85-98.

Karaman, Ozan. “Urban Pulse. (Re)Making Space for Globalization in Istanbul.” *Urban Geography* 29, no. 6, (2008): 518-525.

Karl, Sylvia. “Rehumanizing the Disappeared: Spaces of Memory in Mexico and the Liminality of Transitional Justice.” *American Quarterly* 66, no. 3 (2014): 727-748.

Keller, Helen. and Corina Heri, “Enforced Disappearance and the European Court of Human Rights, A‘Wall of Silence’, Fact-Finding Difficulties and States as ‘Subversive Objectors’.” *Journal of International Criminal Justice*, 12 (2014): 735-750.

Keyder, Çağlar. “Globalization and Social Exclusion in Istanbul.” *International Journal of Urban and Regional Research* 29, no. 1 (2005): 124-34.

Kıbrıs, Arzu. “The Polarization Trap.” *Studies in Conflict & Terrorism* 37, no.6, (2014): 492-522.

Kuyucu, Tuna, and Özlem Ünsal. “Urban Transformation as State-led Property Transfer: An Analysis of Two Cases of Urban Renewal in Istanbul.” *Urban Studies* 47, no. 7 (2010): 1479-1499.

Kuyucu, Tuna. “Law, Property and Ambiguity: The Uses and Abuses of Legal Ambiguity in Remaking Istanbul's Informal Settlements.” *International Journal of Urban and Regional Research*, no. 38 (2014): 609–627.

Lambourne, Wendy, and Vivianna Rodriguez Carreon. “Engendering Transitional Justice: a Transformative Approach to Building Peace and Attaining Human Rights for Women.” *Hum. Rights. Rev.*, no: 17 (2016): 71-93.

Lemkin, Raphael. “Genocide.” *American Scholar* 15, no. 2 (1946): 227-230.

Leroux, Karen. “The Moral Geography of Urban Life: Gender and Urban Reform.” *Journal of Urban History* 29, no. 3 (2003): 354–362.

Makdisi, Ussama. “Ottoman Orientalism.” *The American Historical Review* 107, no. 3 (2002): 768-796.

Mbembe, Achille. “Necropolitics.” *Public Culture* 15, no. 1 (2003): 11–40.

_____. “De la scène coloniale chez Frantz Fanon.” *Rue Descartes*, no. 58 (2007): 37-55.

Milton, Cynthia E. “Defacing memory: (Un)tying Peru's memory knots.” *Memory Studies* 4, no. 2 (2011): 190-205.

Nora, Pierre. “Between Memory and History: Les Lieux de Mémoire.” *Representations. Special Issue. Memory and Counter-Memory* 26, (1989): 7-24.

_____. “Présentation.” *Le Débat, Histoire Politique Société. La Culture du Passé*, no. 177, (2013): 3-5.

Paker, Evren Balta, and İsmet Akça. “Askerler, Köylüler ve Paramiliter Güçler: Türkiye’de Köy Koruculuğu Sistemi.” *Toplum ve Bilim*, no. 126 (2013): 7-34.

Povinelli, Elisabeth. “Radical Worlds: The Anthropology of Incommensurability and Inconceivability.” *Annual Review of Anthropology* 30, (2001): 319-334.

Ramadan, Adam. “Destroying Nahr el-Bared: Sovereignty and Urbicide in the Space of Exception.” *Political Geography* 28, no 3 (2009): 153–163.

Reppell, Lisa. “Turkey’s Track Record with the European Court of Human Rights.” *Turkish Review* 5, no. 1 (2015): 6-13.

Rodriguez, Lilia. “Barrio Women: Between the Urban and the Feminist Movement.” *Latin American Perspectives* 21, no. 3 (1994): 32-48.

Rogan, Eugene L. “Aşiret Mektebi: Abdulhamid II's School for Tribes (1892-1907).” *International Journal of Middle East Studies* 28, no. 1 (1996): 83-107.

Rothberg, Michael. “Introduction: Between Memory and Memory: From Lieux de mémoire to Noeuds de mémoire.” *Yale French Studies*, no. 118/119 (2010): 3-12.

Salzani, Carlo. “Violence as Pure Praxis: Benjamin and Sorel on Strike, Myth and Ethics.” *Text Theory Critique*, no.16 (2008): 18-48.

Sancar, Serpil. “Savaşta Çocuklarını Kaybetmiş Türk ve Kürt Anneleri Üzerine Bir Yorum.” *Toplum ve Bilim*, no. 90 (2001): 22-40.

Schafers, Marlene. “Ruined Futures: Managing Instability in post-earthquake Van (Turkey).” *Social Anthropology/Anthropologie Sociale* 24, no. 2 (2016): 228-242.

Shopes, Linda. “Oral History and the Study of Communities: Problems, Paradoxes, and Possibilities.” *The Journal of American History* 89, no. 2 (2002): 588-598.

Söyler, Mehtap. “Informal Institutions, Forms of State and Democracy: the Turkish Deep State.” *Democratization* 20, no. 2 (2013): 310-334.

Stoler, Ann Laura. “Imperial Debris: Reflections on Ruins and Ruination.” *Cultural Anthropology*, no. 23 (2008): 191–219.

Subrahmanyam, Sanjay. “Connected Histories: Notes towards a Reconfiguration of Early Modern Eurasia.” *Modern Asian Studies* 31, no. 3 (1997): 735-762.

Şen, Leyla. “Poverty Alleviation, Conflict and Power in Poor Displaced Households: A Study of the Views of Women in Diyarbakır.” *New Perspectives in Turkey*, no. 32 (2005): 113-135.

Tanrıkulu, Sezgin, and Serdar Yavuz. “İnsan Hakları Açısından Olağanüstü Hal’in Bilançosu.” *Sosyal Bilimler Araştırma Dergisi*, no. 6 (2005): 493-521.

Tezcür, Güneş Murat. “When Democratization Radicalizes: The Kurdish Nationalist Movement in Turkey.” *Journal of Peace Research* 47, no. 6 (2010): 775-789.

_____. "Prospects for Resolution of the Kurdish Question: A Realist Perspective." *Insight Turkey* 15, no. 2 (2013): 69-84.

Thane, Patricia M. "Oral History, Memory and Written Tradition: An Introduction." *Transactions of the Royal Historical Society* 9, (1999): 161-168.

Thomson, Alistair. "Four Paradigm Transformations in Oral History." *The Oral History Review* 34, no. 1 (2007): 49-70.

Tuğal, Cihan. "The Greening of Istanbul." *New Left Review* 51, (2008): 65-80.

Türkmen, Buket. "L'individualisme solidariste des actrices de Gezi et l'émergence de nouveaux sujets." *Agora débats/jeunesses*, no. 73, (2016): 119-133.

Vitkauskaite-Meurice, Dalia, and Justinas Zilinkas. "The Concept of Enforced Disappearance in International Law." *Jurisprudence* 2, no. 120 (2010): 197-214.

Wacquant, Loic. "Urban Outcasts: Stigma and Division in the Black American Ghetto and the French Urban Periphery." *International Journal of Urban and Regional Research* 17, no. 3 (1993): 366–383.

Wieviorka, Annette. "Justice, histoire et mémoire. De Nuremberg à Jérusalem." *Droit et Société* 38, no. 1, (1998): 59-67.

Yeğen, Mesut. "The Kurdish Question in Turkish State Discourse." *Journal of Contemporary History* 34, no. 4 (1999): 555–68.

Yonucu, Deniz. "A Story of a Squatter Neighborhood: From the Place of the "Dangerous Classes" to the "Place of Danger"." *Berkeley Journal of Sociology* 52, (2008): 50-72.

Zürcher, Eric Jan. "The Ottoman Legacy of the Turkish Republic: An Attempt at a New Periodization." *Die Welt des Islams*, no. 32 (1992): 237-253.

Article in an Electronic Journal

DeJesus, Kevin M., Fernando Bosco and Iman Humaydan. "Enforced Disappearance: Spaces, Selves, Societies, Suffering." *ACME: An International E-Journal for Critical Geographies* 13, no. 1 (2014), 73-78. https://acme-journal.org/index.php/acme/article/viewFile/997/851.

Gatti, Gabriel. "The Detained-Disappeared: Civilizational Catastrophe, The Collapse of Identity and Language." *RCCS Annual Review Online* 3, (2011). http://rccsar.revues.org/270.

Küçük, Bülent. "Beşikçi ve Kürdistan'ın Gerçekliği." *Jadaliyya*, December 20. 2013. http://www.jadaliyya.com/pages/index/15651/besikci-ve-kurdistan'in-gercekligi

Mignolo, Walter. "Who Speaks for the "Human" in Human Rights?," *Human Rights in Latin American and Iberian Cultures. Hispanic Issues on Line* 5, no. 1 (2009): 7-24. http://spanport.cla.umn.edu/publications/HispanicIssues/pdfs/MIGNOLO_HRLAIC.pdf.

Pérouse, Jean-François. "Les migrations kurdes à Istanbul. Un objet de recherche à reconstruire." *Étude Rurals, En ligne*, no. 186 (2010) http://etudesrurales.revues.org/9302.

Tuğal, Cihan. "Occupy Gezi: The Limits of Turkey's Neoliberal Success." *Jadaliyya*, June 4, 2013.http://www.jadaliyya.com/pages/index/12009/occupy-gezi_the-limits-of-turkey%E2%80%99s-neoliberal-succ.

Ülker, Erol. "Assimilation, Security, and Geographical Nationalization in Interwar Turkey: The Settlement Law of 1934." *European Journal of Turkish Studies. Demographic Engineering, Part 1*, no. 7, (2008) https://ejts.revues.org/2123.

Üngör, Uğur Ümit. "Geographies of Nationalism and Violence: Rethinking Young Turk 'Social Engineering'." *European Journal of Turkish Studies - Demographic Engineering Part 1*, no. 7 (2008). https://ejts.revues.org/2583.

Yücel, Clémence Scalbert, and Marie Le Ray. "Knowledge, Ideology and Power. Deconstructing Kurdish Studies." *European Journal of Turkish Studies*, no. 5 (2006), http://ejts.revues.org/777.

Academic Work

Aslan, Özlem. "Politics of Motherhood and the Experience of the Mothers of Peace in Turkey." MA thesis, Boğaziçi University, 2007.

Geerse, Miriam. "The Everyday Violence of Forced Displacement: Community, Memory and Identity Politics among Kurdish Internal Forced Migrants in Turkey." PhD diss., Utrecht University, 2011.

Ghanem, Tania. *When Forced Migrants Return 'Home': The Psychosocial Difficulties Returnees Encounter In The Reintegration Process - RSC Working Papers, 16*. Oxford: Refugee Studies Centre, 2003.

Gündoğan, Azat Zana. "The Kurdish Political Mobilization in the 1960s: The Case of 'the Eastern Meetings'" Msc Thesis, Middle East Technical University, 2015.

Kanzık, Alp. "The Kurdish Migrants in Yenibosna: "Social Exclusion", Class and Politics" MA thesis, Boğaziçi University, 2010.

Kavak, Meryem. "Onarıcı Adalet Bağlamında Türkiye İçinde Yerinden Edilenler." MA thesis, İstanbul Bilgi University, 2008.

Klein, Janet. "Power in the Periphery: The Hamidiye Light Cavalry and the Struggle Over Ottoman Kurdistan, 1890-1914." PhD diss., Princeton University, 2002.

Kuyucu, Tuna. "Poverty, Property and Power: Making Markets in Istanbul's Informal Low-Income Settlements." PhD diss., University of Washington, 2010.

Mühürdaroğlu, Anıl. "De-Regulatory Urban Redevelopment Policies in Gecekondu Areas in Turkey: the Case of Dikmen Valley." MA thesis, Middle East Technical University, 2005.

Özsoy, Hişyar. "Between Gift and Taboo: Death and The Negotiation of National Identity and Sovereignty in the Kurdish Conflict in Turkey." PhD diss., University of Texas, 2010.

Üstündağ, Zülal Nazan. "Belonging to the Modern: Women's Suffering and Subjectivities in Urban Turkey." PhD diss., Indiana University, 2005.

Conference Papers

Calveiro, Pilar. "Torture in the heart of 'democracies'." Paper presented at the On Torture Symposium sponsored by the Heinrich Böll Foundation and the George Washington University, November 18, 2008, accessed October 25. 2015. https://us.boell.org/sites/default/files/downloads/Calveiro_torture_democracy.pdf.

Dinçer, Hülya. "Internal Displacement and Right to Truth and Reparation in Turkey." Paper presented at the XV. Conference of the International Association for the Study of Forced Migration, Bogotà, July 15-18, 2014.

Doronsorro, Gilles. "Les révoltes au Kurdistan de Turquie (1919-1938)," Paper written in the context of a project of ANR, *De la friction culturelle à l'affrontement armé. Seuils, échelles et modalités de la conflictualité (Turquie, Iran, Pakistan)*, accessed December 10, 2016. http://gillesdorronsoro.com/src/workingPaper/LesRevoltesAuKurdistanDeTurquie.pdf.

Jongerden, Joost. "New Perspectives on Forced Migration and Return to Village in Kurdistan-Turkey." In *Second International Dersim Symposium, September 20-22, 2013*, 378-402. Tunceli: Tunceli University Press, 2014.

Other Online Articles and Sources

Arslan, Umut Tümay. "Saklı: Kolektif Suç, Bireysel Sorumluluk", Agos, September 15, 2014. accessed February 24, 2017. http://www.agos.com.tr/tr/yazi/7986/sakli-kolektif-suc-bireysel-sorumluluk.

Bruinessen, Martin Van. "Forced Evacuations and Destruction of Villages in Dersim (Tunceli), and Western Bingöl, Turkish Kurdistan, September-November 1994." Academia. accessed December 5, 2016. https://www.academia.edu/6250323/Forced_evacuations_and_destruction_of_villages_in_Dersim_Tunceli_and_Western_Bingöl_Turkish_Kurdistan_September-November_1994.

Kuzu, Erdal. "Arazinin Altı ve Şeyler. Mardin ve Çevresi Faili Meçhul Araştırma Süreci." (Interview with Erdal Kuzu by Pelin Tan) *Jiyan*, April 13, 2015. https://medium.com/jiyaninsesi/arazinin-altı-ve-şeyler-mardin-ve-çevresi-faili-meçhul-araştırma-süreci-41db6ef09bf6.

Pérouse, Jean-François. "Ayazma (Istanbul) : une zone sans nom, entre stigmatisations communes et divisions internes." In *L'urbain dans le Monde Musulman de Méditerranée*, edited by Jean-Luc Arnaud, 155-174. Paris, Maisonneuve et Larose, 2005. http://books.openedition.org/irmc/303.

Perrier, Guillaume. "La colère monte au bidonville kurde d'Ayazma, a İstanbul." *Le Monde*. May 23, 2007. http://www.lemonde.fr/europe/article/2007/03/22/la-colere-monte-au-bidonville-kurde-d-ayazma-a-istanbul_886451_3214.html.

Sabuncu, Murat. "Kürtler Berkin İçin Kahroldu, Ya Türkler Kürt Çocukları İçin?." *T24*, March 20, 2014. accessed February 21, 2017. http://t24.com.tr/yazarlar/murat-sabuncu/kurtler-berkin-icin-kahroldu-ya-turkler-kurt-cocuklari-icin,8810.

Şeni, Nora. "Geçmiş ve Tarih." *Radikal 2*, December 12, 2013. accessed February 21, 2017. http://www.radikal.com.tr/radikal2/gecmis-ve-tarih-1164886/.

Newspaper Pieces

Birgün. “Devletin Derebeyi: Korucu Kamil Atak.” March. 19. 2009. accessed December 15. 2016. http://www.birgun.net/haber-detay/devletin-derebeyi-korucu-kamil-atak-45222.html.

Özipek, Bekir Berat. “Kuruma Değil Halka Karşı Sorumlusunuz.” *Star*. August 8, 2013.

Uras, Ufuk. “Gündemin Rengi.” *Özgür Gündem*. October 16, 2012.

Parliamentary Reports

TBMM İnsan Hakları Komisyonu. "Investigation Report for the Violations of the Right to Life within the Context of Terror and Violence Acts [Terör ve Şiddet Olayları Kapsamında Yaşam Hakkı İhlallerini İnceleme Raporu]." (2013) accessed November 20, 2015. https://www.tbmm.gov.tr/komisyon/insanhaklari/belge/TERÖR%20VE%20ŞİDDET%20OLAYLARI%20KAPSAMINDA%20YAŞAM%20HAKKI%20İHLALLERİNİ%20İNCELEME%20RAPORU.pdf.

Parliamentary Report of the Investigation Commission on Political Murders by Unknown Assailants Committed throughout our Country [Ülkemizin Çeşitli Yörelerinde İşlenmiş Faili Meçhul Siyasi Cinayetler Konusunda Meclis Araştırma Komisyonu Raporu] (1995) accessed December 10, 2015. https://www.tbmm.gov.tr/sirasayi/donem19/yil01/ss897.pdf.

Parliamentary Report of the Investigation Commission for the Purpose of Revealing the Links of Illegal Organizations with the State and the Background Relations of the Susurluk Incident [Yasadışı Örgütlerin Devletle Olan Bağlantıları ile Susurluk'ta Meydana Gelen Kaza Olayının ve Arkasındaki İlişkilerin Aydınlığa Kavuşturulması Amacıyla Meclis Araştırması Komisyonu Raporu] (Susurluk Report) (1997) accessed December 23, 2015. https://www.tbmm.gov.tr/sirasayi/donem20/yil01/ss301.pdf.

Parliamentary Report of the Investigation Commission for Evaluating the Necessary Precautions after an Investigation of the Problems of the Citizens Who Migrated due to Evacuated Settlement Units in Eastern and Southeastern Turkey [Doğu ve Güneydoğu Anadolu'da Boşaltılan Yerleşim Birimleri Nedeniyle Göç Eden Yurttaşlarımızın Sorunlarının Araştırılarak Alınması Gereken Tedbirlerin Tespit Edilmesi Amacıyla Meclis Araştırması Komisyonu Raporu] (Migration Report) (1998) accessed December 16, 2015. https://www.tbmm.gov.tr/sirasayi/donem20/yil01/ss532.pdf.

Visited Websites

A Haber. "'Sur, Toledo gibi olacak' peki Toledo neresi?." accessed February 22, 2017. http://www.ahaber.com.tr/galeri/dunya/sur-toledo-gibi-olacak-peki-toledo-neresi.

Academics For Peace. "Rights Violations Against 'Academics for Peace'." accessed February 15, 2017ç https://barisicinakademisyenler.net/node/314.

Al Jazeera Turk. "AYM Balyoz'da 'hak ihlali var' dedi." accessed June 18, 2014. http://www.aljazeera.com.tr/haber/aym-balyozda-hak-ihlali-var-dedi.

Al Jazeera Turk. "Balyoz sanıklarına tahliye kararı." accessed March 6, 2016. http://www.aljazeera.com.tr/haber/balyoz-saniklarina-tahliye-karari.

Baysal, Nurcan. "Şimdi Sesimizi Yükseltmezsek Ne Zaman Yükselteceğiz?," (Interview with Nurcan Baysal by Esra Aşan and Uğur Demirci), *BGST Gündemi*, July 14, 2016. accessed February 21, 2017. http://www.bgst.org/toplumsal-cinsiyet-gundem/nurcan-baysal-ile-soylesi.

BBC TÜRKÇE. "Dokuz Soruda Ergenekon Davası." accessed January 3, 2016. http://www.bbc.com/turkce/ozeldosyalar/2013/02/130217_rengin_ergenekon.

Coğrafya Harita. accessed December 12, 2015. http://www.cografyaharita.com/haritalarim/4l_sirnak_ili_haritasi.png.

En Son Haber. "Akiller Cemal Temizöz Davasını İzledi." May 3, 2013. accessed January 10, 2017. http://www.ensonhaber.com/akiller-cemal-temizoz-davasini-izledi-2013-05-03.html.

European Court of Human Rights. "European Convention of Human Rights." accessed 21 December, 2016. http://www.echr.coe.int/Documents/Convention_ENG.pdf.

Faili Belli. "Ergenekon Davası, Dava Özeti." accessed May 15, 2016. http://failibelli.org/dava/ergenekon-davasi/.

Hakikat Adalet Hafıza Merkezi. "The conduct of the Judiciary, Analysis Results in Brief." January 2014. accessed December 2, 2015. http://hakikatadalethafiza.org/en/about-hafiza-merkezi/how-do-we-work/main-findings-of-the-legal-studies-program/.

Hakikat Adalet Hafıza Merkezi. "Sokağa Çıkma Yasakları Üzerine Raporlar." accessed February 21, 2017. http://hakikatadalethafiza.org/kaynak_tipi/sokaga-cikma-yasaklari-uzerine-raporlar/.

Hakikat Adalet Hafıza Merkezi. "Curfews and Civilian Deaths in Turkey." accessed March 2, 2017. http://hakikatadalethafiza.org/en/curfews-and-civillian-deaths-in-turkey/.

Human Rights Foundation of Turkey. "6 January revisited: Curfews and Violations of the Right to Life of the Civilians after December 11, 2015." accessed April 5, 2017. http://tihv.org.tr/11-25-aralik-2015-sokaga-cikma-yasaklari-ve-sivillere-yonelik-yasam-hakki-ihlalleri/.

Jadaliyya. "Statement on the Anniversary of the Gezi Park Uprising." May 26, 2015. accessed February 22, 2017,. http://www.photography.jadaliyya.com/pages/index/21712/statement-on-the-anniversary-of-the-gezi-park-upri.

Internal Displacement Monitoring Center. "Global Figures." accessed November 15, 2016. http://www.internal-displacement.org/global-figures.

Internal Displacement Monitoring Center's webpage. accessed December 15, 2015. http://www.internal-displacement.org; http://www.internal-displacement.org/global-figures.

Internal Displacement Monitoring Center. “Columbia IDP Figures Analysis.” accessed November 20, 2016, http://www.internal-displacement.org/americas/colombia/figures-analysis

International Crisis Group. “Turkey’s PKK Conflict: The Rising Toll.” accessed February 17, 2017. http://www.crisisgroup.be/interactives/turkey/.

Küçükçekmece Belediyesi. “Küçükçekmece Konumu.” http://www.kucukcekmece.bel.tr/icerikler/kucukcekmece/konumu/708 and “Küçükçekmece Nüfusu.” accessed January 20, 2016. http://kucukcekmece.istanbul/icerikler/kucukcekmece/nufusu/710.

Küçükçekmece Belediyesi, “2013 Faaliyet Raporu,” http://www.kucukcekmece.bel.tr/Content/dosya/1946/2013fr-61903-7656361.pdf and “2014 Faaliyet Raporu,” accessed January 20, 2017, http://www.kucukcekmece.bel.tr/Content/dosya/1946/2014fr-36896-7172902.pdf.

Milliyet. “Akbal’dan CHP’ye Irkçılık Sitemi.” February 29, 2016. accessed February 22, 2017. http://www.milliyet.com.tr/akbal-dan-chp-ye-irkcilik-sitemi-diyarbakir-yerelhaber-1237162/.

Milliyet. “Bakanlar Kurulu'ndan "acele kamulaştırma" kararı.” May 17, 2016. accessed February 19, 2017. http://www.milliyet.com.tr/bakanlar-kurulu-ndan-acele/siyaset/detay/2246665/default.htm.

Mevzuat. “Gecekondu Kanunu.” accessed December 8, 2016. http://www.mevzuat.gov.tr/MevzuatMetin/1.5.775.pdf.

Mevzuat. “Belediye Kanunu.” accessed October 21, 2016. http://www.mevzuat.gov.tr/Metin1.Aspx?MevzuatKod=1.5.5393&MevzuatIliski=0&sourceXmlSearch=&Tur=1&Tertip=5&No=5393.

NTV. “Rakamlarla 12 Eylül Darbesi.” September 11, 2009. accessed May 12, 2017. http://www.ntv.com.tr/turkiye/rakamlarla-12-eylul-darbesi,ZMq1kGJuR02pAYJn18vjaQ.

Resimle. accessed December 17, 2015. http://www.resimle.net/data/media/226/Gneydou_Anadolu_Blgesi_Haritas.png.

Sabah. “Efkan Ala: Cizre'de yüzde 99,5'i halledilmiş durumda.” February 2, 2016. accessed February 21, 2017. http://www.sabah.com.tr/gundem/2016/02/06/efkan-ala-cizrede-yuzde-995i-halledilmis-durumda.

Seçim Haberler. “Cizre Seçim Sonuçları.” accessed February 23, 2017. http://secim.haberler.com/2015/cizre-secim-sonuclari/; http://secim.haberler.com/cizre-secim-sonuclari/.

Turkish Statistical Institute – TUIK. Adrese Dayalı Nüfus Kayıt Sistemi. accessed December 25, 2015. http://www.webcitation.org/6WFDnM1HY.

Turkish Statistical Institute – TUIK. Adrese Dayalı Nüfus Kayıt Sistemi, accessed December 20, 2015. http://www.webcitation.org/6WFDnM1HY.

Türkçe Bilgi. accessed December 20, 2015. http://www.turkcebilgi.org/images/haberler/Istanbul-yeni-harita.jpg.

United Nations Treaty Collection. “16. International Convention for the Protection of All Persons from Enforced Disappearance, Participants.” accessed April 12, 2016. https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&lang=en.

United Nations Commission on Human Rights. "Guiding Principles on Internal Displacement." accessed November 18, 2016. https://documents-dds-ny.un.org/doc/UNDOC/GEN/G98/104/93/PDF/G9810493.pdf?OpenElement.

United Nations Human Rights Office of the High Commissioner. "International Convention for the Protection of All Persons from Enforced Disappearance." accessed November 25, 2015. http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx.

United Nations Human Rights Office of the High Commissioner. "International Standars." accessed November 11, 2016. http://www.ohchr.org/EN/Issues/IDPersons/Pages/Standards.aspx.

Wikipedi. "Cumartesi Türküsü." accessed February 7, 2016. https://tr.wikipedia.org/wiki/Cumartesi_Türküsü.

World Intellectual Property Organization. accessed October 3, 2016. http://www.wipo.int/edocs/lexdocs/laws/en/tr/tr113en.pdf.

United Nations Economic and Social Council. "Economic, Social and Cultural Rights. Housing and Property Restitution in the Context of the Return of Refugees and Internally Displaced Persons. Final Report of the Special Rapporteur, Paulo Sérgio Pinheiro. Principles on Housing and Property Restitution for Refugees and Displaced Persons." accessed January 15, 2016. http://www.unhcr.org/50f94d849.html.

Zorla Kaybedilenler Veri Tabanı. "Zorla Kaybedilenler." accessed July 4, 2017. http://www.zorlakaybetmeler.org/victims.php.

Zorla Kaybedilenler Veri Tabanı. "Vedat Aydın'ın Zorla Kaybedilmesi." accessed March 15, 2016. http://www.zorlakaybetmeler.org/victim.php?id=HAH/person/1403.

Zorla Kaybedilenler Veri Tabanı. "Mursal Zeyrek'in Zorla Kaybedilmesi." accessed July 3, 2016. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/39.

Zorla Kaybedilenler Veri Tabanı. "Süleyman Durgut'un Zorla Kaybedilmesi." accessed July 5, 2016. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/245.

Zorla Kaybedilenler Veri Tabanı. "Hasan Ocak'ın Zorla Kaybedilmesi." accessed July 6, 2016. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/150.

Zorla Kaybedilenler Veri Tabanı. "Rıdvan Karakoç'un Zorla Kaybedilmesi." accessed July 7, 2016. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/66.

Zorla Kaybedilenler Veri Tabanı. "Ayşenur Şimşek'in Zorla Kaybedilmesi." accessed July 7, 2016. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/111.

Zorla Kaybedilenler Veri Tabanı. "İhsan Arslan'ın Zorla Kaybedilmesi." accessed January 15, 2017. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/29

Zorla Kaybedilenler Veri Tabanı. "Ali Karagöz'ün Zorla Kaybedilmesi." accessed July 7, 2016. http://www.zorlakaybetmeler.org/event.php?id=HAH/event/28.